

**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 Joint Public Hearings and a Regular Meeting on **Wednesday, August 23, 2017 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 (<i>via telephone</i>)	Vice Chair
Phil Douglas	Assistant Secretary
Sandra Varnum	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 Adams (<i>via telephone</i>)	Assistant Regional Manager
Dan H. Cox (<i>via telephone</i>)	District Counsel
Laura DePamphilis	Lighthouse Bay Property Manager
Wayne Adaska	Resident, Shadow Wood HOA Vice President
Marvin Porter	Resident, Shadow Wood HOA Director
Virginia Rennie	Resident
Jim Heffernan	Resident
Bill Parrish	Resident
John Rittenhouse	Resident
Larry Halpin	Resident

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Adams called the meeting to order at 1:08 p.m. Supervisors Merritt, Douglas and Varnum were present, in person, for Brooks of Bonita Springs. Supervisor Ward was attending

via telephone and Supervisor Crawford was not present. Supervisors Pierce, Strecansky, Meeker and Bartoletti were present, in person, for Brooks of Bonita Springs II. Supervisor Davidson was not present.

On MOTION for Brooks of Bonita Springs by Mr. Merritt and seconded by Mr. Douglas, with all in favor, authorizing Mr. Ward's attendance and full participation, via telephone, due to exceptional circumstances, was approved.

On MOTION for Brooks of Bonita Springs II by Mr. Bartoletti and seconded by Mr. Strecansky, with all in favor, authorizing Mr. Ward's attendance and full participation, via telephone, due to exceptional circumstances, was approved.

SECOND ORDER OF BUSINESS

Public Comments (*agenda items only*)

Mr. Douglas introduced Ms. Laura DePamphilis, the new Property Manager, with Lighthouse Bay.

Mr. Wayne Adaska, a resident, presented photographs of Lake #115, near his residence. Lake #115 was overrun with dead vegetation and debris, had no littorals and was deemed the "worst lake in the community" by maintenance staff for many years. Complaint letters were sent to Mrs. Adams and the Board but no action was taken, except that residents were advised to clean the lake themselves. Mr. Adaska wanted all of the debris removed and new littorals planted. He urged the Board to act now as opposed to waiting until next summer when the lake would be muddied. Mr. Merritt was aware of the issues with Lake #115 and stated that it was an ongoing problem. Board Members have visited the site several times and tasked LakeMasters Aquatic Weed Control, Inc. (LakeMasters) to maintain it; however, the presence of boulders, weeds and algae in the lake create tremendous maintenance challenges. He suggested that Board Members, Staff and representatives from LakeMasters inspect the lake again and devise a plan to repair it. The site visit should occur within the next two weeks. Mr. Adams would coordinate the site visit and invite representatives from the HOA and CDD Management.

Ms. Virginia Rennie, a resident, inquired about paying off the bond debt on her property and questioned why property owners in Pebble Point do not pay CDD assessments. Mr. Merritt

voiced his opinion that paying off the bond debt would only benefit a new buyer of the property; therefore, it made no sense to pay off the bond debt. As for Pebble Point, Mr. Merritt stated that Pebble Point was not in the CDD and has nothing to do with the Brooks CDDs. Ms. Rennie stated that Pebble Point residents use the CDDs roads. Mr. Merritt stated that everyone uses the roads. Discussion ensued regarding the reason that Pebble Point is not part of either CDD. The maintenance assessment for Brooks residents, which was approximately \$600 per year and would increase by \$71 in Fiscal Year 2018, was ongoing. In response to Ms. Rennie's question, Mr. Adams stated that the bond debt was contained in the back of the budget in the agenda. The Sage Meadow portion of the debt would be satisfied in 13 years and, after paying her 2017/2018 property tax bill, Ms. Rennie's outstanding principal would be under \$11,000. Mr. Merritt reiterated that the indebtedness for the maintenance portion of the assessment would never go away.

Mr. Jim Heffernan, a resident, inquired about the increase for landscape maintenance and asked how to obtain a copy of the budget. Mr. Adams stated that the budget was uploaded onto the CDD website and could be accessed at www.brookscdds.net. As to the maintenance increase, Mr. Adams explained that the Brooks recently switched from Girard Environmental Services (Girard) to BrightView Landscape, LLC (BrightView) and the award of contract, last year, occurred after the Fiscal Year 2017 budget was adopted, which was the reason for the increase and adjustment in the Fiscal Year 2018 budget.

Mr. Bill Parrish, a resident, observed that the sprinklers still activated during rainstorms and asked if it was feasible to put rain detectors on the median and other areas in the community. Mr. Merritt stated that the Brooks recently installed state-of-the-art irrigation equipment and staff went through training and would undergo more training to ensure that irrigation was handled properly going forward.

THIRD ORDER OF BUSINESS

Affidavit(s)/Proof of Publication

An affidavit and a proof of publication for today's Regular Meeting and Public Hearings were provided for informational purposes.

FOURTH ORDER OF BUSINESS

**Public Hearing to Hear Comments and
Objections on the Adoption of the
Districts' Final Budget for Fiscal Year
2017/2018, Pursuant to Florida Law**

**A. Consideration of Resolutions Relating to the Annual Appropriations and Adopting
the Budget for the Fiscal Year Beginning October 1, 2017, and Ending September
30, 2018; Authorizing budget Amendments; and Providing an Effective Date**

In response to a request for an explanation of the proposed budget increase, Mr. Adams stated that, although the wording of the letter was somewhat confusing, it was the required verbiage prescribed by the State. The assessment increase amounted to \$71.77 per residential unit, which increased the overall assessment amount from \$528.21, in Fiscal Year 2017, to \$599.98, in Fiscal Year 2018. The operations and maintenance (O&M) assessment had not increased in several years and, as operating costs increased, surplus fund balance was utilized to offset increases and keep assessments unchanged, until now. Operationally, the Brooks would be increasing fund balance to meet upcoming capital needs. Recently, a 20-year plan was devised to address all of the assets in decline, such as the traffic signals on Williams Road and Three Oaks Parkway and Coconut Road and Three Oaks Parkway, which would eventually require repainting, sealing and galvanizing. Fiscal Year 2018 would be the first year that the Brooks would build towards future assigned capital outlay projects, which was a primary reason for the increase in O&M assessments, along with a \$90,000 increase in the landscaping line item. The \$71.77 increase represented the need for revenue to cover those two funding items. The operational maintenance assessments had not increased for six or seven years and, if the typical Consumer Price Index (CPI) increase of 2½ to 3% was multiplied by the number of years since an increase was imposed, the 13% to 14% increase was still lower than if a typical CPI was imposed each year, over the last seven years.

*****Mr. Merritt opened the Public Hearing.*****

Mr. John Rittenhouse, a resident, asked if costs were covered through HOA assessments. Mr. Adams stated the CDD was separate and distinct from the HOAs. In response to a follow up question regarding whether taxes to Lee County overlapped with any of the proposed CDD assessment increase, Mr. Adams stated that they did not; assessments paid to the CDD remained with the CDD. Mr. Merritt stated that the CDD was a public entity and voiced his opinion that

the pickleball courts could be utilized by anyone and were not limited to residents of the Brooks, which would create another issue involving increased costs.

Mr. Douglas stated that the increase, which was 13.47%, divided by the seven years that there was no increase, was less than 2%. The Brooks had over 100 streetlights and some of them were rusting and would require replacement and the lighting system was inefficient, as the lights were not LEDs and the cost to convert them to LED would be staggering. He felt that it would not be advantageous to commence the conversion process.

Mr. Larry Halpin, a resident, stated that Shadow Wood recently replaced its lighting and it would behoove the Boards to learn from their experience.

*****Mr. Merritt closed the Public Hearing.*****

Mr. Meeker stated that, although he voted for the budget, he does not support everything that is in this budget and reserved the right to not support the refurbishing of the traffic light at Coconut Road and Three Oaks Parkway. He felt that the Brooks had a lot of budget considerations, such as Lake #115 and the Board should be conservative with the taxpayers' money.

Mr. Pierce asked for an explanation of the \$400,000 "Unassigned" line item, on Page 2. Mr. Adams stated that those were funds available to the Districts, above and beyond the funds assigned for specific capital outlay projects.

Discussion ensued regarding the budget increase, infrastructure costs, the traffic signals, the landscape contract, the pickleball courts and security concerns.

i. Resolution 2017-11, *Brooks of Bonita Springs Community Development District*

Mr. Adams presented Resolution 2017-11.

On MOTION for Brooks of Bonita Springs by Mr. Douglas and seconded by Ms. Varnum, with all in favor, Resolution 2017-11, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2017, and Ending September 30, 2018; Authorizing Budget Amendments; and Providing an Effective Date, was adopted.

ii. Resolution 2017-13, *Brooks of Bonita Springs II Community Development District*

Mr. Adams presented Resolution 2017-13.

On MOTION for Brooks of Bonita Springs II by Mr. Bartoletti and seconded by Mr. Meeker, with all in favor, Resolution 2017-13, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2017, and Ending September 30, 2018; Authorizing Budget Amendments; and Providing an Effective Date, was adopted.

FIFTH ORDER OF BUSINESS

Public Hearing to Hear Comments and Objections on the Imposition of Maintenance and Operation Assessments to Fund the Budget for Fiscal Year 2017/2018, Pursuant to Florida Law

A. Mailed Notice(s) to Property Owner(s)

Samples of the Mailed Notices were provided for informational purposes.

B. Consideration of Resolutions Making a Determination of Benefit and Imposing Special Assessments for Fiscal Year 2017/2018; Providing for the Collection and Enforcement of Special Assessments; Certifying an Assessment Roll; Providing for Amendments to the Assessment Roll; Providing a Severability Clause; and Providing an Effective Date

Mr. Adams stated that the subsequent Resolutions were the final step in the District's budget process.

i. Resolution 2017-12, *Brooks of Bonita Springs Community Development District*

Mr. Adams presented Resolution 2017-12.

On MOTION for Brooks of Bonita Springs by Mr. Merritt and seconded by Mr. Douglas, with all in favor, Resolution 2017-12, Making a Determination of Benefit and Imposing Special Assessments for Fiscal Year 2017/2018; Providing for the Collection and Enforcement of Special Assessments; Certifying an Assessment Roll; Providing for Amendments to the Assessment Roll; Providing a Severability Clause; and Providing an Effective Date, was adopted.

ii. Resolution 2017-14, *Brooks of Bonita Springs II Community Development District*

Mr. Adams presented Resolution 2017-14.

On MOTION for Brooks of Bonita Springs II by Mr. Bartoletti and seconded by Mr. Meeker, with all in favor, Resolution 2017-14, Making a Determination of Benefit and Imposing Special Assessments for Fiscal Year 2017/2018; Providing for the Collection and Enforcement of Special Assessments; Certifying an Assessment Roll; Providing for Amendments to the Assessment Roll; Providing a Severability Clause; and Providing an Effective Date, was adopted.

SIXTH ORDER OF BUSINESS

Consideration of Resolutions Adopting the Fiscal Year 2017/2018 Joint Meeting Schedule

A. Resolution 2017-13, *Brooks of Bonita Springs Community Development District*

Mr. Adams presented Resolution 2017-13. As the meeting room was not available in January, Mr. Adams requested flexibility to coordinate with Staff and schedule the meeting for February.

On MOTION for Brooks of Bonita Springs by Ms. Varnum and seconded by Mr. Douglas, with all in favor, Resolution 2017-13, Adopting the Fiscal Year 2017/2018 Joint Meeting Schedule, as amended, to change the January meeting to February 2018, on a date to be determined, was adopted.

B. Resolution 2017-15, *Brooks of Bonita Springs II Community Development District*

Mr. Adams presented Resolution 2017-15.

On MOTION for Brooks of Bonita Springs II by Mr. Bartoletti and seconded by Mr. Meeker, with all in favor, Resolution 2017-15, Adopting the Fiscal Year 2017/2018 Joint Meeting Schedule, as amended, to change the January meeting to February 2018, on a date to be determined.

SEVENTH ORDER OF BUSINESS

**Consideration of Proposal for Water
Management from Irrigation Design
Group**

A Board Member asked whether an extra weather/rain collection station was added. Mr. Adams stated that the contractor provided an extra weather station, on the front end, but could not reduce any of the other fees. Mr. Adams explained that the Boards were considering contracting with Irrigation Design Group (IDG), a water usage specialist company, to manage and regulate the irrigation conditions, including monitoring, metering, evaluating precipitation, evaporation and transpiration rates and fine-tune water usage in the community. Mr. Adams followed up with IDG's references and was impressed. The Districts should realize enough savings in its water bills alone to cover IDG's annual fee of \$10,000 to \$12,000. The investment, with its initial cost of \$8,950 and monthly costs of \$1,150, would elevate the irrigation system, along with recent upgrades to the controller system, which was now web-based and cost approximately \$50,000 to \$55,000. Discussion ensued regarding the benefits of hiring an irrigation specialist, landscape maintenance and costs. In response to Mr. Meeker's question regarding who would supervise the irrigation specialist, Mr. Adams stated that Management would oversee and monitor the irrigation manager, as well as the landscaper, and provide regular progress reports.

On MOTION for Brooks of Bonita Springs by Mr. Douglas and seconded by Mr. Merritt, with all in favor, the Proposal for Water Management from Irrigation Design Group, in the amount of \$8,950 and a monthly fee of \$1,150, was approved.

On MOTION for Brooks of Bonita Springs II by Mr. Bartoletti and seconded by Mr. Meeker, with all in favor, the Proposal for Water Management from Irrigation Design Group, in the amount of \$8,950 and a monthly fee of \$1,150, was approved.

EIGHTH ORDER OF BUSINESS

**Consideration of Proposed Park Usage
Rules**

Mr. Adams recalled that, in the previous meeting, the Boards wanted to make the public aware that the park was for authorized users only and tasked Management with drafting Rules to deter and discourage trespassers and vandals. Mr. Adams presented the draft Park Usage Rules and took questions and feedback from the Board Members.

On MOTION for Brooks of Bonita Springs by Mr. Merritt and seconded by Mr. Douglas, with all in favor, the Park Usage Rules, as presented, joining with The Commons Club, in terms of security, until October 31, 2017, and arrange for the utilization of the restrooms by law enforcement, and authorization for a Board or Staff Member to meet with law enforcement if a trespassing incident occurs, were approved.

On MOTION for Brooks of Bonita Springs II by Mr. Bartoletti and seconded by Mr. Pierce, with Mr. Strecansky, Mr. Bartoletti and Mr. Pierce in favor and Mr. Meeker dissenting, the Park Usage Rules, as presented, joining with The Commons Club, in terms of security, until October 31, 2017, and arrange for the utilization of the restrooms by law enforcement, and authorization for a Board or Staff Member to meet with law enforcement if a trespassing incident occurs, were approved. (Motion passed 3-1)

NINTH ORDER OF BUSINESS

**Consideration of Revised Park Amenities
Security and Surveillance Proposal from
Envera**

Mr. Adams suggested tabling this item, since a security officer was previously engaged. Mr. Merritt stated that the Envera Systems (Envera) Security and Surveillance Proposal was too costly and voiced his opinion that it would be easier to purchase and install a few moderately-priced cameras near the restrooms, interactive fountain, playground and pickleball courts to secure the area and because law enforcement must have visual evidence of violations. A Board Member requested an estimate to install a fob-operated gate at the appropriate location, prior to the roundabout. Discussion ensued regarding developing a component Security Plan, The Commons Club, fobs, fencing and costs. The Boards agreed to meet with members of The Commons Club, in October, to address the security issues.

TENTH ORDER OF BUSINESS

**Consideration of Proposal from Ritzman
Tennis for Second Phase of Pickleball
Courts (to be provided under separate
cover)**

Regarding the \$98,800 Ritzman Tennis Pickleball Court proposal, Mr. Adams explained that the proposal was for Phase II of the pickleball courts, which included adding three pickleball courts, with the same materials that were used in Phase I. Out of the four options listed, Mr. Adams recommended Option #3, for \$1,200, to relocate the existing canopy. A Board Member was against expending any more money on the pickleball courts and felt that there was sufficient availability to satisfy the players. Discussion ensued regarding scheduled play, open play and the Districts' other needs, such as security and streetlights. Mr. Adams stated that the permits for the project were relevant for five years and the contractor would likely honor the price in six months. This item was tabled.

ELEVENTH ORDER OF BUSINESS

**Discussion: Estero Village Ownership of
Coconut Road and Estero Parkway
Median Plantings**

Mr. Bartoletti stated that the Village of Estero would soon own the roadway and the Boards should be concerned, as there would be less involvement with Lee County and Estero Parkway and Coconut Road outline the perimeter of the Village. Mr. Meeker felt that the issue of thru-traffic through the Brooks, should be discussed. Mr. Douglas stated, with regard to the landscaping, it would be judicious for the Boards to wait until the Village had a chance to modify Estero Parkway, as the appearance of the improvements was not known. Discussion ensued regarding landscaping and irrigation costs, compensation to property owners and tax increases. Mr. Bartoletti stated that the Boards should meet with the appropriate person with the Village to continue this discussion. A Board Member suggested contacting Mr. Steve Sarkozy, the Village Manager. Mr. Adams would invite Mr. Sarkozy to the next meeting.

TWELFTH ORDER OF BUSINESS

**Acceptance of Unaudited Financial
Statements as of July 31, 2017**

Mr. Adams presented the Unaudited Financial Statements as of July 31, 2017. Assessment revenues collections were at 100%.

THIRTEENTH ORDER OF BUSINESS

Approval of July 26, 2017 Joint Regular Minutes

Mr. Merritt presented the July 26, 2017 Joint Regular Meeting Minutes and asked for any additions, deletions or corrections. The following changes were made:

Line 184: Change "Mr. Davidson" to "Mr. Douglas"

Line 242: Change "Mr. Davidson" to "Mr. Merritt"

On MOTION for Brooks of Bonita Springs by Mr. Douglas and seconded by Mr. Merritt, with all in favor, the July 26, 2017 Joint Regular Meeting Minutes, as amended, were approved.

On MOTION for Brooks of Bonita Springs II by Mr. Meeker and seconded by Mr. Bartoletti, with all in favor, the July 26, 2017 Joint Regular Meeting Minutes, as amended, were approved.

FOURTEENTH ORDER OF BUSINESS

Staff Reports

A. District Counsel

Mr. Cox was still working on the proposed revisions requested by the Village; he anticipated completion by the end of next week and would circulate it to the appropriate parties before September 1.

B. District Engineer

There being no report, the next item followed.

C. District Manager

There being no report, the next item followed.

D. Operations Report

i. Landscape Maintenance Activities

➤ Mrs. Adams obtained a \$53,946 estimate to have the traffic signals cleaned and sealed and repainting would cost \$73,846; however, the contractor could not be utilized, as they would

not provide a surety bond, which must be 110% more than the contract's value and was required by the County.

➤ Culvert cleaning would commence on September 11, for Spring Run and Lighthouse Bay, and the project would be completed within two weeks.

ii. Lake Maintenance Activities

In response to Mr. Merritt's question, Mr. Adams stated that, at last check, the lake levels were at 13.65'; 14.1' would trigger opening to lower the level, without a forecasted event.

Mrs. Adams stated that, with regard to Lake #115, she had emailed LakeMasters with a service request to review, as soon as possible, and would be coordinating a meeting on site, between Staff, a Board Member and the HOAs. Mr. Adams stated that the bank, on the south side of Lake #115, was left with a lot of boulders from various construction projects and numerous efforts were made to maintain the lake, fill in the empty areas with cord grasses, littoral plants and other types of transitional materials, over the years but it was still an eyesore. Further discussion of the lake condition ensued.

Mr. Merritt requested an update on the aeration noise issue. Mrs. Adams contacted the homeowner, via email; however, she did not receive a response.

In response to Mr. Merritt's question regarding BrightView, Mrs. Adams stated that she recently learned that the irrigation manager resigned. She inquired about a replacement and was awaiting a response. Mr. Merritt observed that the plantings along Three Oaks Parkway were insufficient and wanted to talk to the landscapers about adding more plants.

FIFTEENTH ORDER OF BUSINESS

Supervisors' Requests

Mr. Meeker stated that, with regard to Coconut Road and Estero Parkway, the Boards should examine how traffic would be affected through the Brooks and on County roads, in the long term, and take a position on the expansion. The reason there was not an interchange or overpass at Coconut Road, leading to Edison Farms, was because the Boards were able to have the project; the same actions would be required for the Three Oaks Parkway project. Mr. Adams would include this item on the October agenda.

Ms. Varnum stated that, as a Board Member, it would be helpful if name cards were placed in front of each Board Member, along with their District and which community they represented. It would also help if experienced Board Members met with new Board Members to

go over pertinent issues, similar to the orientation process practiced at Spring Run. Although she researched the website, she felt that an informal orientation session would be beneficial.

Mr. Ward stated that two Board Members could not confer, outside of an advertised meeting, as that would be a violation of the Sunshine Law, and recommended that Ms. Varnum contact District Staff to familiarize herself on the issues. Upon joining the Board, Mr. Ward inspected the water management systems with Mr. Tilton, which was very helpful. Mr. Adams would invite Ms. Varnum to the next lake review. Discussion ensued regarding CDD research, Supervisor Handbooks and website information.

SIXTEENTH ORDER OF BUSINESS

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

There being no public comments, the next item followed.

SEVENTEENTH ORDER OF BUSINESS

Adjournment

There being nothing further to discuss, the meeting adjourned.

On MOTION for Brooks of Bonita Springs by Mr. Douglas and seconded by Ms. Varnum, with all in favor, the meeting adjourned at 3:24 p.m.

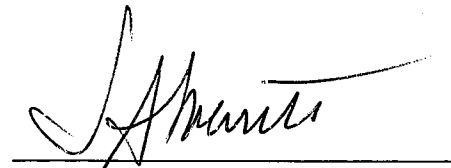
On MOTION for Brooks of Bonita Springs II by Mr. Bartoletti and seconded by Mr. Strecansky, with all in favor, the meeting adjourned at 3:24 p.m.

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

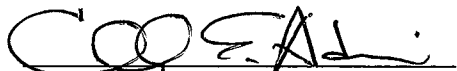
August 23, 2017

FOR BROOKS OF BONITA SPRINGS:


Secretary/Assistant Secretary


Chair/Vice Chair

FOR BROOKS OF BONITA SPRINGS II:


Secretary/Assistant Secretary


Chair/Vice Chair