

**MINUTES OF MEETING  
BROOKS OF BONITA SPRINGS & BROOKS OF BONITA SPRINGS II  
COMMUNITY DEVELOPMENT DISTRICTS**

A Joint Regular Meeting of the Brooks of Bonita Springs & Brooks of Bonita Springs II Community Development Districts' Boards of Supervisors was held on Wednesday, April 25, 2018 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
Sandra Varnum	Assistant Secretary
Phil Douglas	Assistant Secretary

**Present for Brooks II CDD were:**

Joseph Bartoletti	Chair
James Strecansky	Vice Chair
Gary Davidson	Assistant Secretary
Jack Meeker	Assistant Secretary
Ray Pierce	Assistant Secretary

**Also present were:**

Chuck Adams	District Manager
Cleo Adams	Assistant Regional Manager
Dan H. Cox ( <i>via telephone</i> )	District Counsel
Mallory Clancy	District Engineer
Tony Grau ( <i>via telephone</i> )	Grau & Associates
Joseph Archazki	Commons Club General Manager
Jerry Bussey	Resident
Tim Miller	President of Lighthouse Bay Villas Four CA
Bob Block	Resident
Jerry Brown	Resident
Jen Bedar	Resident
Joe Cardello	Resident
Karen Mack	Resident

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Mr. Adams called the meeting to order at 1:00 p.m. All Supervisors for Brooks of Bonita Springs were present, in person. All Supervisors for Brooks of Bonita Springs II were present, in person.

All attendees recited the Pledge of Allegiance.

**SECOND ORDER OF BUSINESS**

**Public Comments (*agenda items only*)**

Mr. Jerry Bussey, a resident, stated that the preserve area, near his property, was overgrown, junk-filled and in need of a major cleanup. Mr. Adams stated that the preserves undergo bi-annual or quarterly invasive and exotic plant management.

Ms. Karen Mack, a resident, stated that the landscaping looked beautiful.

**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, 2017, Prepared by  
Grau & Associates**

Mr. Grau presented the Brooks of Bonita Springs Audited Financial Report for Fiscal Year Ended September 30, 2017 and described the information that could be found on each page. The District owed a little over \$3 million as of September 30, 2017 and the bonds will be completely paid off by 2031. There were no findings or instances of noncompliance; this was considered a clean audit.

**FOURTH ORDER OF BUSINESS**

**Consideration of Resolution 2018-04,  
Accepting the Audited Financial Report  
for Fiscal Year Ended September 30,  
2017**

Mr. Merritt presented Resolution 2018-04.

**On MOTION for Brooks of Bonita Springs by Mr. Ward and seconded by Mr. Crawford, with all in favor, Resolution 2018-04, Accepting the Audited Financial Report for Fiscal Year Ended September 30, 2017, was adopted.**

**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, 2017, Prepared by Grau & Associates**

Mr. Grau presented the Brooks of Bonita Springs II Audited Financial Report for Fiscal Year Ended September 30, 2017 and described the information that could be found on each page. There were no findings and this was considered a clean audit.

**SIXTH ORDER OF BUSINESS**

**Consideration of Resolution 2018-04, Accepting the Audited Financial Report for Fiscal Year Ended September 30, 2017**

Mr. Merritt presented Resolution 2018-04.

**On MOTION for Brooks of Bonita Springs II by Mr. Bartoletti and seconded by Mr. Strecansky, with all in favor, Resolution 2018-04, Accepting the Audited Financial Report for Fiscal Year Ended September 30, 2017, was adopted.**

**JOINT BOARD ITEMS**

**SEVENTH ORDER OF BUSINESS**

**Presentation/Consideration: Request from Lighthouse Bay Villas Four for Districts to Consider Assuming Responsibility for Their Lake Bank Erosion Repair Project**

Mr. Adams presented a request from Lighthouse Bay Villas (LB) Four for the Districts to consider assuming responsibility for their lake bank erosion repair project and introduced Mr. Tim Miller, President of LB Four Condominium Association, who circulated booklets and photographs of the lakes.

Mr. Miller thanked the Board for allowing him to make the presentation, especially Mr. Douglas for his assistance preparing for the meeting. On behalf of LB and the Harbor Club, which had a separate claim, he stated the following:

- Six of eight associations spent nearly \$250,000 on lake bank remediation.

- Villas One and Four, which have not remediated, will cost \$60,000 and \$100,000, respectively, to remediate.
- Johnson Engineering facilitated every remediation project at Lighthouse Bay.
- The CDDs took the position that the manner in which LBH's easements for access for lake maintenance was granted, disqualifies it from having the CDD's resources to remediate the banks, which was an entirely erroneous policy that does not follow either the law or South Florida Water Management District (SFWMD) permitting, under which the CDDs operate in LB.
- Regarding materials in the booklet, including his letter to Mr. Adams mentioning the SFWMD's permit, those provisions obligate the CDDs to take responsibility for the remediation of all the lakes in LB, which is the same responsibility they have in every other community in the Brooks.
- Per construction permits, consultants' survey results, Engineer's certification, an attorney's opinion favoring LB, the SFWMD could seek sanctions and penalties against the CDDs because the CDDs own the lakes and the lake banks.

In response to a Board Member's request for clarification, Mr. Miller defined remediation as repairing erosion that occurred over time. He disputed the CDDs' position that, in order take responsibility, there must be an easement inside the perimeter; the permit language does not contain a requirement for an interior easement for lake management. As the survey results point out, there is a 20' easement on the outside of the lake, which is a typical condition. In response to a Board Member's question, Mr. Miller confirmed that the 20' easement is up to the lake and the stakes are the perimeter of the lakes owned by the CDDs. Discussion ensued regarding platting, the 20' easement and remediation repair. Mr. Miller concluded that it was a huge disservice to LB for the Districts to not accept responsibility for the repair of their lakes. He called for the Districts to take over remediation of Villas One and Four.

Mr. Miller informed Mr. Cox that he would be contacted and asked to sign a tolling agreement to stop the statutes of limitations from running or else LB would file suit against the CDDs. A Board Member asked Mr. Adams to respond, from the CDDs' perspective, regarding the differences in terms of interpretation. Mr. Adams stated that he would provide feedback after the Boards' questions were posed. A Board Member asked if there were no littorals and if that affected erosion of the lake banks. Mr. Adams stated that the Districts spent much time and effort on the ponds in LB; a management tool for submersed aquatic vegetation and grass carp were added to enhance the lakes but, unfortunately, the carp ate the littoral shelves that helped

with erosion control and removing pollutants from stormwater runoff. Staff then had the carp removed and facilitated replanting areas, primarily along the preserves, which would not be disrupted by future lake bank erosion repair activities. Upon review of the dedication language on each of the plats, District Counsel was asked to examine it, as a compliance issue, and determine if the Districts would be able to make those repairs, if the erosion around the perimeter is impacting the Districts' stormwater pond. Mr. Adams stated that, when the lakes were surveyed, certain areas staked well with the high water mark and, in reviewing the documents, Staff felt that LB had ownership of the high water control and easement of the bank, for traversing the perimeter of the pond, and, as the lakes were staked, it meandered. From a logistics perspective, there is no way to enter and have two different entities making repairs in 50' sections around the lake; one entity must be in charge of repairing the entire perimeter. As to whether the CDDs could make repairs, even though the line meanders, Mr. Cox stated that maintenance work cannot be performed on private property because District funds cannot be expended on private property. He recommended that LB deed the 20' easement to the CDDs in order for them to take over the work.

Mr. Bob Block, a resident, reminded the Boards that LB residents paid the same per door assessment for lake bank maintenance as every other development and that the CDDs are currently remediating banks in Copper Leaf and elsewhere, at no additional cost to those homeowners, and to consider the equity issue. A Board Member asked why LB had different criteria than the other communities. Mr. Cox stated that it was largely because the other communities were done by plat and there is fee simple ownership leading to all the condominiums, created by a declaration of condominium, not by a plat, which signified the major distinction. Mr. Miller stated that the plats with the easements were part of the approval process that the SFWMD went with and the construction plans were built around the fact that the plats were made, in construction. Everything was in accordance with plans approved by the SFWMD. The CDDs made no objection at the time they took control and are not in a position to change the ground rules, at this time. Mr. Miller voiced his opinion that the CDDs' policy is simply to ignore LB on some fragile theory that it had to have some interior easement and, to now say that there are other reasons such as the existence of a meandering line was disturbing.

Mr. Jerry Brown, a resident, stated, he lived on Lake 70, since 2003, and it never had littorals. He stated that LBH residents paid annual dues and were getting nothing in return from the Districts.

Mr. Merritt summarized Mr. Miller's primary issues included, execution of a tolling agreement relating to the statute of limitations, remediating the lake banks for Villas One and Four and fund recovery. The Boards and District Counsel would take Mr. Miller's concerns under advisement, further discuss the issues in an Executive Session and issue a response at a reasonable time but the Boards would first solicit Mr. Cox's analysis and recommendation before considering and reaching a conclusion. In response to a question, Mr. Cox stated that it would take 30 days before a conclusion is reached. Discussion ensued regarding a resolution, transferring ownership, the 20' easement and the tolling agreement.

**EIGHTH ORDER OF BUSINESS**

**Update: Irrigation Design Group  
Findings and Next Step**

Mrs. Adams stated that Mr. Michael Perkins, Irrigation Design Group, Inc. (IDG) President, was unable to attend today's meeting but would be present at the next meeting. Mrs. Adams provided the following update of what was completed since the previous meeting:

- Staff met with RCS and directed them to flush out a few of the lines.
- The corroded sprinkler heads were replaced by BrightView.
- The heads will be examined in 30 days, which will clarify the water quality; Staff suspects that the water quality is not that bad but the rotors need replacement.
- The goal is regular routine maintenance.
- Mr. Perkins continues to work with BrightView in making repairs to the irrigation system.
- A retrofitting project is underway; a list is being developed of sprinkler heads that need to be changed out to the proper heads.
- Staff will obtain pricing proposals for consideration.

Mr. Douglas asked if there was evidence of the cost effectiveness of installing the irrigation system. Mr. Adams referenced the "Irrigation water" line item, under "Coconut Rd. & Three Oaks Parkway", on Page 3 of the combined unaudited financial statements; the Districts were at 43% of the annual budget, or approximately \$38,500 of \$90,000, whereas, last year, the CDDs incurred \$120,000. Mr. Merritt stated that there were several discussions with RCS and regular meetings with Staff and BrightView and very good progress was being made; it was not just about cost savings but, rather, about the performance and the results with regard to the landscape. In response to a question regarding RCS, Mr. Adams stated it was commonplace for

snail larvae to accumulate in open water holding ponds and it is important to treat and filter the water at the pump station before it flowed into the transmission lines etc. RCS had a lake and pump house on Coconut Road and the point of connection is the meter, which is the CDD's responsibility.

**NINTH ORDER OF BUSINESS**

**Consideration of Resolutions Approving the Districts' Proposed Budgets for Fiscal Year 2018/2019 and Setting a Public Hearing Thereon Pursuant to Florida Law**

**A. Resolution 2018-05, *Brooks of Bonita Springs Community Development District***

Mr. Adams presented Resolution 2018-05. No increases were anticipated but some modifications may be necessary, upon further review of the budget in the next two to three months.

**On MOTION for Brooks of Bonita Springs by Mr. Ward and seconded by Mr. Crawford, with all in favor, Resolution 2018-05, Approving Proposed Budgets for Fiscal Year 2018/2019 and Setting a Public Hearing Thereon Pursuant to Florida Law, for August 22, 2018 at 1:00 p.m., at this location, and Providing For An Effective Date, was adopted.**

**B. Resolution 2018-05, *Brooks of Bonita Springs II Community Development District***

**On MOTION for Brooks of Bonita Springs II by Mr. Bartoletti and seconded by Mr. Davidson, with all in favor, Resolution 2018-05, Approving Proposed Budgets for Fiscal Year 2018/2019 and Setting a Public Hearing Thereon Pursuant to Florida Law, for August 22, 2018 at 1:00 p.m., at this location, and Providing For An Effective Date, was adopted.**

**TENTH ORDER OF BUSINESS**

**Update: Hurricane Irma Recovery Costs and Potential FEMA Reimbursement Status, Insurance Claim, Tree and Hedge Replacement Timing and Anticipated Costs**

Mr. Adams reported the following:

- Reimbursement remained pending due to multiple catastrophes in 2017.
- The claim was filed in January, and a Request for Additional Information (RAI) was received and answered in February and there was no news since then.
- Interactive Fountain: The claim was accepted and, after the \$10,000 deductible, over \$40,000 will be reimbursed.

A Board Member noted that the budget was up by \$80,000, through September, and inquired if the hurricane cleanup increased over what was originally anticipated. Mr. Adams replied that the hurricane recovery work spanned two fiscal years. Some costs were in Fiscal Year 2017 and the other part was after October 1, for which invoices were still being received and recovery work was still being finalized.

- Project identification for tree and hedge replacement will occur in May and installations will occur in the June/July time frame. Clusia, which is fast-growing and very dense, was the selected hedge material.

Staff was directed to send letters urging the Master Association and Golf Course Superintendents to remove screens, in light of the approaching hurricane season. Mr. Merritt stated that, because of Hurricane Irma damage and subsequent removal, Shadow Wood Community Association is making a concerted effort to tend to the boundary lines, particularly along Three Oaks, and the CDDs would do the same on its side.

**ELEVENTH ORDER OF BUSINESS**

**Continued Discussion: Coconut Park Security/Unauthorized Use Initiatives and Potential User Fees**

Mr. Merritt provided the following update on the security system:

- A professional security guard is on duty from 9:00 p.m., to 1:00 a.m., and a nightly report is issued.
- Security at The Commons Club will continue through May and then be paused.

Mr. Merritt suggested that that CDDs partner with The Commons Club and continue to provide security through May. Ms. Varnum asked why security would be discontinued in May. Mr. Bartoletti clarified that security will be re-evaluated.

Mr. Adams circulated and presented the Brooks CDDs Pickleball Non Resident Fee Analysis, dated April 2018. The expenses that Mr. Cox previously identified that the CDDs



could utilize in justifying a fee were depreciation and the landscape package. Overall, the CDDs approximate monthly recovered revenue could be \$12,000.

Mr. Bartoletti reviewed pickleball peak periods, payment methods, transfer fees for renters, family and non-family guest play, court access management and developing a pickleball survey. A Board Member questioned if there was a significant problem. Mr. Bartoletti stated that he was trying to develop a process where the rules of engagement are defined before people get upset, as there are sensitivity issues. There was emotion involved; what is needed is something so that when non-members enter the Brooks and pay a \$500 fee to become members of the Brooks, they need to have the same rights as current members/owners, so that there is no discrimination. A Board Member stated that there was a problem with Shadow Wood where there were no transfers for renters; there was no way to transfer rights to golf, tennis or any other amenities and a renter there would have to become a regular member. Mr. Douglas stated there were no restrictions on the amenities as long as the individual was a legitimate renter but they must follow the same rules as everyone else. Mr. Crawford stated that there were some financial projections based on potential revenue and offsetting some of the expenses. Mr. Strecansky felt that the Boards should do enough between now and July to help with the capital budget portion of what might be required in order facilitate the turnstile idea.

**On MOTION for Brooks of Bonita Springs by Mr. Merritt and seconded by Ms. Varnum, with all in favor, the Brooks CDDs Pickleball Non Resident Fee Analysis, was approved.**

**On MOTION for Brooks of Bonita Springs II by Mr. Bartoletti and seconded by Mr. Davidson, with all in favor, the Brooks CDDs Pickleball Non Resident Fee Analysis, was approved.**

**TWELFTH ORDER OF BUSINESS**

**Discussion: Potential Pickleball Court Expansion**

This item was not addressed.

**THIRTEENTH ORDER OF BUSINESS**

**Continued Discussion: Three Oaks and Coconut/Williams Traffic Light Pole Refinishing**

Mr. Meeker recalled that, previously, the intersection of Williams and Three Oaks only had a stop sign; however, the CDDs advocated for the traffic light as traffic volume on Three Oaks increased. Lee County rewrote the regulations and the Districts must install a new pole and mast. He opposed the refinishing and questioned burdening residents with an expense that they should not have to bear because of the inferior manufacturing of the pole and arm. Mr. Merritt stated the issue was with the paint and not structural inferiority. Discussion ensued regarding the traffic signal, faulty workmanship, traffic volume, repainting and proposals. Mr. Bartoletti felt that the Boards should figure out a way to resolve the issue. Mr. Meeker stated that there was no need to refinish the pole right away; the CDDs have previously paid enough. Mr. Merritt requested an update from District Staff. Mrs. Adams stated that the pricing increased since last year and would continue to increase, annually, and the Districts could benefit from a paint and maintenance warranty that was not available in 2017. In response to a Board Member's question, Mrs. Adams stated that the surety bond and insurance requirements were still in place. Discussion ensued regarding the County, painting, galvanization, sealing and rust.

**On MOTION for Brooks of Bonita Springs by Mr. Merritt and seconded by Ms. Varnum, with all in favor, refinishing the Three Oaks and Coconut/Williams Traffic Light Pole, in the amount of \$89,000, was approved.**

**On MOTION for Brooks of Bonita Springs II by Mr. Bartoletti and seconded by Mr. Davidson, with all in favor, refinishing the Three Oaks and Coconut/Williams Traffic Light Pole, in the amount of \$89,000, was approved.**

**FOURTEENTH ORDER OF BUSINESS**

**Update: Discussion with Village of Estero Regarding Three Oaks Parkway Expansion Timing and Potential of Providing Financial Considerations Toward Brooks Already Upgraded Roadside Landscaping Program**

Mr. Adams reported that he met with Mr. David Wilhems, the new Public Works Director for The Village of Estero, and was informed that The Village will not accept any responsibility for Three Oaks; it will remain with Lee County. An upcoming project on the docket involves adding an additional east turning lane at Three Oaks and Corkscrew, which will

greatly relieve the stacking at that intersection and beyond. Mr. Wilhems was made aware of the Districts' concerns and will continue to update Management on plans to widen the roadways. Regarding landscaping and roadway beautification, Mr. Wilhems acknowledged that The Village will be taking on the responsibility of the Corkscrew Overlay Program, Estero Parkway and two or three other aggressive improvement programs. Mr. and Mrs. Adams recently attended a regional managers meeting for regional stormwater managers, coordinated by The Village, and one of the primary topics was maintenance of the waterways relating to drainage, vegetation buildup and dredging. There is another, larger effort to improve drainage and evacuate water, which includes the County and the SFWMD, where the focus is primarily on the Bonita Springs area. Mr. Adams stated that the stormwater meetings will be held periodically; Management will provide updates and circulate handouts from the meetings. In response to Mr. Merritt's request, Mr. Adams would forward the meetings dates to him. In response to Mr. Davidson's question, Mr. Adams stated that there was no current plan to widen Three Oaks but felt that would be re-evaluated in the future.

**FIFTEENTH ORDER OF BUSINESS**

**Acceptance of Unaudited Financial  
Statements as of March 31, 2018**

Mr. Adams presented the Unaudited Financial Statements as of March 31, 2018. The financials were accepted.

**SIXTEENTH ORDER OF BUSINESS**

**Approval of February 28, 2018 Joint  
Regular Meeting Minutes**

Mr. Merritt presented the February 28, 2018 Joint Regular Meeting Minutes and asked for any additions, deletions or corrections. The following changes were made:

Lines 79 and 80: Change "that submersible meant that it would be sitting in water all the time and would take in water" to "those are not an option."

Line 106: Change "Mr. Ward" to "Mr. Merritt"

Line 111: Insert "between Town Center" after "allocation"

Lines 224, 228, 229 and 231: Change "Mr. Arcazi" to "Mr. Archazki"

Line 426: Change "NPDS" to "NPDES"

**On MOTION for Brooks of Bonita Springs by Mr. Crawford and seconded by Mr. Ward, with all in favor, the February 28, 2018 Joint Regular Meeting Minutes, as amended, were approved.**

**On MOTION for Brooks of Bonita Springs II by Mr. Bartoletti and seconded by Mr. Davidson, with all in favor, the the February 28, 2018 Joint Regular Meeting Minutes, as amended, were approved.**

**SEVENTEENTH ORDER OF BUSINESS      Staff Reports**

**A.     District Counsel: *Dan Cox, Esquire***

**i.     Update:    Three Oaks Parkway and Coconut Road Community Lands  
         Transfer to CDDs**

Mr. Cox stated that the letters were forwarded to all the Associations and responses were pending.

**B.     District Engineer: *Johnson Engineering, Inc.***

Ms. Clancy stated that the Districts' NPDES Assessment program was completed and is due on Monday. It is essentially a statement of how the Districts will use the information collected and submitted with the Year 3 Flood Monitoring System Report and how it will be utilized to evaluate the effectiveness of the program, as a whole. Essentially, the Report indicated that the Districts had no issue at the Lee County gauge and, if issues eventually develop, the CDDs will consider installing its own water quality and flow gauges but that need was not anticipated. In response to Mr. Merritt's question, Board Member signatures were not necessary.

Mr. Davidson questioned if there was enough in the budget to finance culvert inspections. Mr. Adams stated that funds could be repurposed to fund culvert inspections and cleanouts.

**On MOTION for Brooks of Bonita Springs by Mr. Merritt and seconded by Mr. Douglas, with all in favor, authorizing the hiring of MRI Underwater Specialists to perform pipe inspections, in the amount of \$9,500, was approved.**

**On MOTION for Brooks of Bonita Springs II by Mr. Davidson and seconded by Mr. Bartoletti, with all in favor, authorizing the hiring of MRI Underwater Specialists to perform pipe inspections, in the amount of \$9,500, was approved.**

**C. District Manager: *Wrathell, Hunt and Associates, LLC***

**i. Registered Voters in Districts as of April 15, 2018**

**o Brooks of Bonita Springs: 2,239**

Mr. Adams reported that there were 2,239 registered voters residing within the boundaries of the District as of April 15, 2018.

**o Brooks of Bonita Springs II: 1,618**

Mr. Adams reported that there were 1,618 registered voters residing within the boundaries of the District as of April 15, 2018.

Discussion ensued regarding the upcoming General Election and who to contact at the Supervisor of Elections Office to acquire necessary paperwork. Mr. Bartoletti commented that many residents, particularly snowbirds, were unaware of CDD processes and it would be helpful to circulate a memo notifying residents how they could participate in the election and how to run for office. Mr. Merritt stated that newsletters and e-blasts were routinely circulated and the website contains the minutes and Supervisor information, including term limits. Mr. Adams stated that public disclosures, in the form of resolutions relating to the upcoming General Election, could be found under the February Agenda Packet, on the CDD website. Mr. Archazki felt that most seniors would read a distributed memo or newspaper and the Board should consider forwarding General Election information to the main organizations, like the Harbour Club, and urge them to circulate it to all residents.

**ii. NEXT MEETING DATE: July 25, 2018 at 1:00 P.M.**

The next meeting will be on July 25, 2018 at 1:00 p.m., at this location.

**D. Operations**

**i. Landscape Maintenance Activities**

Mrs. Adams had nothing additional to report.

**ii. Lake Maintenance Activities**

Mr. Bartoletti requested that Staff prepare a document identifying the lakes with erosion to be repaired in Fiscal Year 2019 for the next meeting. Mrs. Adams stated that a document already existed and Staff would forward a copy to all Board Members.

**EIGHTEENTH ORDER OF BUSINESS**

**Supervisors' Requests**

Mr. Douglas asked if the June 6 meeting will be an Executive Session. Mr. Cox replied affirmatively. In response to Mr. Adams' question, Mr. Cox confirmed that a formal request was made to hold an Executive Session on June 6 at 1:00 p.m., at this location. Mr. Adams will publicize the meeting.

A Board Member recalled that, two years ago, there were lengthy discussions about lake bank erosion in Lighthouse Bay in areas around the preserves and asked for the results of those talks and why this was becoming an issue today. Mr. Adams stated that there were two different issues. Some residents requested that the CDD plant littorals in a certain area of the preserve and he felt that the CDD gave Lighthouse Bay permission to do that if they paid for it. There were numerous meetings about littorals, fishing spots and lake foam but the position on the lake bank remediation and the interpretation was what they are presently operating under. If incorrect, that will have an impact, which is what was being addressed now. In response to the question of how the Boards got to this point, without addressing the issues years ago, Mr. Adams stated that the position was that LB was plotted and conveyed differently than other communities. Mr. Merrick stated the full spectrum was covered, including littorals, drainage, erosion, grass carp and remediation work. Mr. Adams stated that the Johnson Engineering engineers agree that where the repairs need to be made were outside of the lake tract without doing a survey. As to whether there was a conflict of interest with Johnson Engineering representing both parties, Ms. Clancy stated the respective engineers worked in different departments. Mr. Cox was surprised that in all of the remediation completed by Johnson Engineering that they did not address the location of the lake in the survey. As to how much it would cost to fund the repairs, Mr. Adams stated that the liability amount was \$410,000. Discussion ensued regarding the survey, the lake maintenance easement, the lake tract, SFWMD permitting and remediation.

Mr. Strecansky asked if everyone received Mr. Bill Hollister's email and stated that a number of items merited discussion.

**NINETEENTH ORDER OF BUSINESS**

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

A resident stated that LB is one of the four communities in the Brooks and needs to be treated equally; we pay the same taxes. The Boards need to find a solution rather than seek a way to get out of it. As a community member, he asked that the Board treat LB as it has treated

the other three communities. LB has a particular problem and appealed to the Boards to help with a solution rather than elimination. Mr. Cox stated that if the Boards end up in litigation, he will have let the Boards down and it was his job to find a solution without it having to go there.

▪ **Supervisors' Requests**

Mr. Bartoletti asked if there was a defibrillator device available in the pickleball/basketball areas and should the Boards consider having one there. Mr. Merritt stated that there was a device at the Commons Club but he was concerned about damage or theft if placed in other locations. Mr. Adams stated that there was no liability exposure for not having such a device.

**TWENTIETH ORDER OF BUSINESS**

**Adjournment**

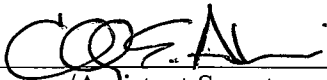
There being nothing further to discuss, the meeting adjourned at 3:52 p.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

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

**April 25, 2018**

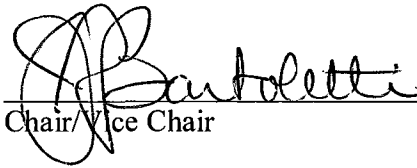
**FOR BROOKS OF BONITA SPRINGS:**

  
Secretary/~~Assistant Secretary~~

  
Chair/Vice Chair

**FOR BROOKS OF BONITA SPRINGS II:**

  
Secretary/~~Assistant Secretary~~

  
Chair/Vice Chair