

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

A Joint Public Hearing and Regular Meeting of the Brooks of Bonita Springs & Brooks of Bonita Springs II Community Development Districts' Boards of Supervisors was held on Wednesday, August 22, 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 (via telephone)	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
Jason Olson	Assistant Regional Manager
Dan H. Cox	District Counsel
Mallory Clancy	District Engineer
Bill Hollister	Resident

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Adams called the meeting to order at 1:01 p.m. Supervisors Merritt, Crawford, Varnum and Douglas were present, in person, for Brooks of Bonita Springs. Supervisor Ward was attending via telephone. Supervisor Crawford was not present. Supervisors Strecansky, Bartoletti, Davidson, Meeker and Pierce were present, in person, for Brooks of Bonita Springs II.

SECOND ORDER OF BUSINESS

Public Comments (*agenda items only*)

Mr. Bill Hollister, a resident, noted the issues and complaints about the Coconut Road project, flooding, downstream water backing up, trash control, lake bank remediation, etc. , The CDDs helped when the Commons Club ran out of funds for the Coconut Road project and there was a danger that the ambiance would change due to development of the Coconut Road property and hoped a note can be included in the financial statements this year reflecting how much was spent on the Coconut Road property. He opposes development of the park by the CDD and suggested finding a way to return the park back to the Commons Club or other land-locked communities that need recreational facilities, such as the one the Commons Club keeps asking the CDDs to pay for, at the taxpayer's expense. The CDDs need funds to achieve the original mission and the Commons Club is now healthy. Shadow Wood Country Club has limited ability to add amenities. He suggested the Trustee assure taxpayers that this will not go on and that no more pickleball courts or amenities will be built at the Commons Club.

JOINT BOARD ITEMS

THIRD ORDER OF BUSINESS

**Public Hearing to Hear Comments and
Objections on the Adoption of the
Districts' Final Budget for Fiscal Year
2018/2019, Pursuant to Florida Law**

A. Affidavit/Proof of Publication

The affidavit of publication was provided for informational purposes.

B. Consideration of Resolutions Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2018, and Ending September 30, 2019; Authorizing Budget Amendments; and Providing an Effective Date

Mr. Adams reviewed the Fiscal Year 2019 budget. The budget accomplishes the goal to keep assessments the same. Assessments decreased from \$599.98 in Fiscal Year 2018 to \$599.54 for Fiscal Year 2019. He reviewed the budget line items and noted a zero outstanding balance on the Debt Service. Regarding funding for "Culvert cleaning", Mr. Adams stated by the time the contractor's proposal is implemented, it will be Fiscal Year 2019 so, once the amount is known, the budget will be amended and the funds repurposed to cover the expense. Mr. Davidson assumed that the CDDs would allot approximately \$12,500 for security and asked if that would cover the entire year. Mr. Adams stated security is impact less during the summer; most activity is during the season, when it is nice out and people congregate. Regarding

whether the CDDs will receive recovery funds from Hurricane Irma, Mr. Adams stated that, although disbursement was anticipated, it was not included in the budget, as the recovery amount and disbursement time frame were uncertain. Mr. Douglas recalled a previous insufficiency in the projected budget to fund landscaping and the General Fund was utilized. He asked if the current landscaping contract would be similar to the previous year. Mr. Adams stated that there was a significant reset in the previous year because of the labor costs and the current year's balance would be similar; the most recent landscape bids are similar to the prior period so the major reset is ending. The Districts should, conservatively, hurricane reimbursements of \$200,000. Mr. Merritt felt that the funds should go towards full culvert cleaning, throughout the community, including the main weirs, and reminded Management that littorals were needed throughout the community. In response to Mr. Pierce's question regarding the shared maintenance costs with the Commons Club, Mr. Adams stated that it was a percentage of costs that included parking lot maintenance, landscaping, fountains etc. The arrangement is that one entity is in charge and the other one pays its proportionate share. Mr. Pierce felt that the breakdown should be re-examined. Mr. Adams would include the spreadsheet on the next agenda. Mr. Pierce questioned the "Aeration operating supplies" line item, at 120%, on Page 2 of the Unaudited Financials. Mr. Adams stated the overage was because numerous compressors went down, due to the high water levels from Hurricane Irma. Mr. Davidson asked about the landscaping contract and what the Commons Club is billed. Mr. Adams stated that two separate landscape contracts went out to bid together but were awarded and billed separately. Mr. Meeker objected to the CDDs expending taxpayer funds for security for the Commons Club. Mr. Merritt stated noted that two entities comprise Coconut Park; it is a joint effort and he did not share Mr. Meeker's views.

Mr. Ward joined the meeting, via telephone.

Mr. Ward commented that reimbursement funds received from the Hurricane cleanup should go directly to Fund Balance and, going forward, he would like to see a more detailed analysis of the CDDs' long-term needs, along with a record of available reserve funds to address those needs and ensure that the fund balance is adequate to those needs. Mr. Bartoletti stated that it would be more helpful if the operating, reserve and capital outlay budgets were presented separately, instead of combined; that would make the budget easier to understand and provide better clarity. Staff was asked to break out the Commons Club portion as a

separate set of figures in the budget. Mr. Adams would add it as a schedule to the budget and include a simplified excel spreadsheet. Mr. Pierce felt it appropriate to include a discussion on land conveyance to an interested party on the next agenda.

Mr. Adams opened the public hearing.

Mr. Hollister thanked the Boards, on behalf of the taxpayers, for discussing the Commons Club.

Mr. Adams closed the public hearing.

i. Resolution 2018-07, *Brooks of Bonita Springs Community Development District*

Mr. Adams presented Resolution 2018-07.

On MOTION for Brooks of Bonita Springs by Mr. Crawford and seconded by Mr. Douglas, with all in favor, Resolution 2018-07, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2018, and Ending September 30, 2019; Authorizing Budget Amendments; and Providing an Effective Date, was adopted.

ii. Resolution 2018-07, *Brooks of Bonita Springs II Community Development District*

Mr. Adams presented Resolution 2018-07.

On MOTION for Brooks of Bonita Springs II by Mr. Strecansky and seconded by Mr. Pierce, with all in favor, Resolution 2018-07, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2018, and Ending September 30, 2019; Authorizing Budget Amendments; and Providing an Effective Date, was adopted.

FOURTH ORDER OF BUSINESS

Consideration of Resolutions Making a Determination of Benefit and Imposing Special Assessments for Fiscal Year 2018/2019; 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

A. Resolution 2018-08, *Brooks of Bonita Springs Community Development District*

Mr. Adams presented Resolution 2018-08. This is the assessment-levying Resolution, which takes into consideration the budget just adopted, the assessment levels in the budget and directs Staff to finalize the lien roll and transmit the lien roll to the tax collector for placement of the assessments on the property tax bill.

On MOTION for Brooks of Bonita Springs by Mr. Merritt and seconded by Mr. Crawford, with all in favor, Resolution 2018-08, Making a Determination of Benefit and Imposing Special Assessments for Fiscal Year 2018/2019; 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.

B. Resolution 2018-08, Brooks of Bonita Springs II Community Development District

Mr. Adams presented Resolution 2018-08.

On MOTION for Brooks of Bonita Springs II by Mr. Pierce and seconded by Mr. Davidson, with all in favor, Resolution 2018-08, Making a Determination of Benefit and Imposing Special Assessments for Fiscal Year 2018/2019; 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.

FIFTH ORDER OF BUSINESS

Update: Irrigation Design Group Findings and Next Step

Mr. Chris Perkins, of Irrigation Design Group (IDG), provided the following update:

- IDG was confused as to why water consumption was so high for July; IDG reviewed the meters and found inconsistencies.
- It was uncertain if the meters were actually being read or if usage was being estimated.
- July water usage did not match IDG's records, which reflected limited irrigation in July due to the large amount of rain.
- Mr. Perkins would coordinate with Mrs. Adams regarding the water meter readings, as the goal is to provide the most accurate information possible.

Mr. Merritt questioned the July rainfall amount of 5.76" outlined in the Weather Station Report handout. Mr. Perkins stated the information collected from the weather station

includes the BET rates, which is how much the water soaks into the soil and also divulges how much is evaporated and how quickly it evaporates. IDG then determines when it can activate the system due to the rainfall. The information collected from the rainfall is almost as accurate as the Weather Channel; the only difference is IDG's information reflects an agricultural standpoint. Even if BrightView manually turned on valves to irrigate, it still does not match much water was used. Something is causing the inconsistencies and IDG will try to figure it out and get answers as to the actual water use and the meter readings. In response to Mr. Douglas' question regarding when the Boards could expect answers, Mr. Perkins expected to decode the issue by next week and would provide a solution by the next meeting. Mr. Davidson pointed out that the CDDs did not have the necessary flow meters, which provide accuracy. Mr. Perkins stated that 27 meters are needed and IDG is attempting to purchase them for less than the estimated \$80,000 cost. IDG feels that wireless is the best way to monitor the water source and usage. The irrigation cost of the maintenance contract might offset the cost of installing flow meters, if the flow meters work as intended. A Board Member asked if hard-wiring was possible, instead of wireless. Mr. Perkins replied that hard-wiring can be accomplished but it would require a lot of wire and time. IDG would prefer wireless technology to prevent the excavating, etc., to run wires; wireless is the better option for the number of meters. Discussion ensued regarding the accuracy of RCS's billing, the July rainfall and meter readings. Mr. Bartoletti asked how the outcome of Mr. Perkins' meeting with RCS and Mrs. Adams will be conveyed. Mrs. Adams confirmed that the Supervisors would receive an email. In response to Mr. Bartoletti's question regarding when Mr. Perkins would present the final cost for the wireless flow meters, Mr. Perkins stated in October. Staff was asked to add this item on the October agenda. Mr. Perkins stated that BrightView recently informed IDG that there is a pressure issue in the field and not enough water pressure is being released. He asked permission to install an electric pressure recorder to monitor the pressure. BrightView could install it and IDG would then configure the technology, which would cost less, or IDG could do it all. Mr. Perkins will submit a proposal to record the water pressure for the month. He stated that a recent lightning strike knocked out one of the communication cartridges, which was subsequently replaced and the CDDs will be billed. IDG covers all communication cartridges not destroyed by "Acts of God" or natural occurrences. Conversely, IDG will replace damaged communication cartridges in the clocks at the entrances due to electrical issues that are causing

high-power back-feed. He suggested engaging an electrician to assess and determine what is causing the power outages, tripping the breakers and damaging the communication cartridges, which are costly to replace. Mr. Bartoletti stated that the Copper Leaf neighborhood experiences at least six, five-minute, power outages per day. Florida Power & Light (FPL) was alerted, and recently resolved the issue and will issue a report. Upon receipt, Mr. Bartoletti will share it with Staff, who will forward it to IDG. In response to Mr. Bartoletti's question regarding snails clogging the filters, Mr. Perkins thought that the issue is starting to clear up but will follow up and provide an update. Mr. Merritt recently learned that RCS offered to meet with the Boards several months ago, received no response from any District representatives and RCS is still waiting. Mr. Perkins would research his records to see if any contact was made between the entities. Mr. Bartoletti felt that Staff should be more proactive with issues involving RCS and asked to include a snail review on the next agenda. Mr. Perkins stated that communication cartridges range from \$1,800 to \$2,500; the cartridges damaged due to electrical issues were already replaced but the cartridge damaged by the lightning strike is not under warranty. Discussion ensued regarding the communication cartridge specifications, surge arrestors, controllers and the entrance clocks. Mr. Perkins stated that, when the controllers were installed, surge protectors were likely not included. Mr. Bartoletti wanted to know how the devices would be protected, going forward, to avoid losing another \$2,500, and requested an estimate for external surge arrestors for the devices. If arrestors are not installed, they should be installed so this does happen again. Mr. Perkins would inspect them to make sure.

SIXTH ORDER OF BUSINESS

**SOLitude Lake Management – Aeration
Install Priorities**

This item was deferred to the next meeting.

SEVENTH 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 had nothing further to add.

EIGHTH ORDER OF BUSINESS

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

Mr. Douglas stated that this item will be delayed. He did not know the answer but wanted to hear it at the meeting, as Hollister recently questioned how much was expended on the part of the CDDs. As he could not answer the question and to make a fuller discussion, an idea of how much was expended is needed. Mr. Adams was asked to provide a breakdown of expenditures over the years.

Mr. Ward left the meeting at 2:18 p.m.

Mr. Bartoletti stated that Ramco will forward a proposal to lock up the pickleball courts.

NINTH ORDER OF BUSINESS

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

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

TENTH ORDER OF BUSINESS

**Approval of July 25, 2018 Joint Regular
Meeting Minutes**

Mr. Bartoletti presented the July 25, 2018 Joint Regular Meeting Minutes and asked for any additions, deletions or corrections. The following change was made:

Line 34 and throughout: Change "Mr. Boyeker" to "Mr. Blicher"

On MOTION for Brooks of Bonita Springs by Ms. Varnum and seconded by Mr. Crawford with all in favor, the July 25, 2018 Joint Regular Meeting Minutes, as amended, were approved.

On MOTION for Brooks of Bonita Springs II by Mr. Davidson and seconded by Mr. Strecansky, with all in favor, the July 25, 2018 Joint Regular Meeting Minutes, as amended, were approved.

ELEVENTH 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 Spring Run is still on the list of pending deeds. He was coordinating with Mr. Mike Ziegler and the deed will be delivered soon; nothing else has changed from the last update. Regarding the Lighthouse Bay lake remediation issue, there were no substantial discussions with Lighthouse Bay's attorneys. Copies of photographs of the staking were sent and not returned. The lead attorney is unavailable so an update will be provided upon his return. Regarding the Tolling Agreement, the last deadline was set and a draft would be presented at the October meeting. Mr. Merritt asked if there was any knowledge of what activities were taking place at Lighthouse Bay. Mr. Cox did not have an update. In response to further questions regarding Lighthouse Bay, Mr. Cox stated that the last conversation he had with their representative was on August 9 and the discussion centered on proposal deadlines.

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

Ms. Clancy provided the following update:

- Preparation of the NPDES Annual Reports is underway, along with updating the NPDES contracts for next year. An update would be provided by the next meeting.
- Updating the gate control conditions was underway; there was nothing to present thus far; the available data from outfall monitoring can be used to support a permit modification.
- Any gauge installation or additional monitoring needs will be presented for approval.
- Analysis of the current contracts with the CDDs will likely be prepared and presented.

A Board Member asked about sheet flow. Ms. Clancy stated that several triggers allow an individual to open the gates. She is analyzing sheet flow to determine if it can be the fourth trigger, along with upstream/downstream water levels and within the cone of uncertainty. Installation of flow gauges under the Copper Leaf culverts was considered but the existing water level monitors at each outfall may be used, which would be more cost-effective. As it is the peak of hurricane season, Mr. Bartoletti felt that a system to communicate the water levels, relative to the emergency outflow, was needed. He asked Staff to provide a reading of the outfall structure. Mr. Adams would prepare an outfall update by the next meeting.

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

i. Consideration of ADA Site Compliance Proposal for Website Compliance Shield, Accessibility Policy and One (1) Annual Technological Audit

Mr. Adams provided the following ADA Site Compliance update:

- Management engaged ADA Website Compliance (ADASC) to place an ADA Website Compliance seal on the homepage, which links to the District's ADA accessibility policy and has Management's contact information and who to contact with access issues or questions.
- The cost is \$200 per year.
- Documents not required will be removed and the website will only contain legally required documents. A link to the State's website, to access the audits, would be added.

Discussion ensued regarding previous ADA litigation, making documents ADA compliant, GIS and auditing costs.

ii. NEXT MEETING DATE: October 24, 2018 at 1:00 P.M.

The next meeting will be held on October 24, 2018 at 1:00 p.m.

D. Operations: *Wrathell, Hunt and Associates, LLC*

i. Landscape *Maintenance Activities*

ii. Lake *Maintenance Activities*

Mrs. Adams provided the following update:

- At an August 10 meeting with BrightView regarding routine maintenance and lack thereof, Mrs. Adams learned that five crewmen would be fired and replaced. A subsequent meeting is scheduled and a report will be presented at the next meeting.
- Regarding the flowers, BrightView is currently installing plug-ins.

In response to a question regarding crew size, Mrs. Adams stated it should be more than five. Over \$200,000 was added to the contract but weeds are still in the landscape beds. As to the full-time Landscape Manager, Mrs. Adams stated that Wilfred was the current on-site person. BrightView was placed on notice for improper maintenance of the property, due to the insufficient crew size. Discussion ensued regarding the BrightView contract.

- Management will facilitate the sealed bid process, as required by Florida Statutes and obtain bids for consideration at the October meeting.
- Inspection of interconnecting pipes was completed on August 17. The report would be circulated, once it is submitted.
- The traffic signal project is underway.
- Canna Lilly pricing was requested for all the lakes, including Lake 115.

In response to a question regarding Bentley Electric, Mrs. Adams stated that they are efficient and lighting projects are underway on Coconut Road.

TWELFTH ORDER OF BUSINESS

Supervisors' Requests

Ms. Varnum recalled a recent complaint regarding communications within the community; she felt that more could be done to improve communication and inform residents about current projects, etc. Protocols should be established to properly respond to complaints. She offered to examine the current procedures and make recommendations and suggested two Supervisors from each District work together to that end. Mr. Davidson suggested appointing Ms. Varnum, as the new Communications Chairperson, and noted his willingness to coordinate with her. Discussion ensued regarding the lake bank remediation, landowner responsibilities, the Brooks Magazine, the website, publishing the tax rolls and neighboring communities.

Mr. Bartoletti stated that he met with the General Managers and community Presidents about the pickleball survey and asked them to provide a list of new property owners to allow the Boards to remain informed about pickleball use. The survey had 795 respondents with a return rate of 22% and 60% desired to play pickleball. He asked Chelsea to help organize schedules, relative to the data; he was satisfied with the survey responses. The percentages related to the respondents, by community.

THIRTEENTH ORDER OF BUSINESS

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

There being no public comments, the next item followed.

FOURTEENTH ORDER OF BUSINESS

Adjournment

There being nothing further to discuss, the meeting adjourned at 3:08 p.m.

On MOTION for Brooks of Bonita Springs by Mr. Crawford and seconded by Ms. Varnum, with all in favor, the meeting adjourned at 3:08 p.m.

On MOTION for Brooks of Bonita Springs II by Mr. Strecansky and seconded by Mr. Meeker, with all in favor, the meeting adjourned at 3:08 p.m.

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

DRAFT

August 22, 2018

FOR BROOKS OF BONITA SPRINGS:


Secretary/Assistant Secretary


Chair/Vice Chair

FOR BROOKS OF BONITA SPRINGS II:


Secretary/Assistant Secretary


Chair/Vice Chair