

**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 Special Meeting on February 24, 2021 at 1:00 p.m., at The Commons Club at The Brooks Enrichment Center, 9930 Coconut Road, Bonita Springs, Florida 34135 and via Zoom at <https://us02web.zoom.us/j/85774150830>, and telephonically at 1-929-205-6099, Meeting ID 857 7415 0830, for both.

Present for Brooks CDD were:

James Merritt	Chair
Sandra Varnum	Vice Chair
Phil Douglas	Assistant Secretary
Rollin Crawford	Assistant Secretary
Bill Docherty	Assistant Secretary

Present for Brooks II CDD were:

Joseph Bartoletti	Chair
Ray Pierce	Vice Chair
Ken D. Gould	Assistant Secretary
Thomas Brown (via Zoom)	Assistant Secretary
Thomas Bertucci	Assistant Secretary

Also present were:

Chuck Adams	District Manager
Cleo Adams	Assistant District Manager
Tammie Smith	Operations Manager
Dan H. Cox (via Zoom)	District Counsel
Joe Archazki	Commons Club General Manager
Lindsey Floyd	Pesky Varmints
Alex Meserley	Resident/Pickleball Club Member

Others present in person or via Zoom:

Mark Stanis	Mike Ziggler	Lisa Mason	Rod Wolfson
Gail Hillburn	Ray Comray	Tim Forbes	Jim Rock
Bob Lack	George _____		

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Bartoletti called the meeting to order at 1:00 p.m. For Brooks of Bonita Springs, Supervisors Merritt, Varnum, Douglas and Docherty were present, in person. Supervisor Crawford was not present at roll call. For Brooks of Bonita Springs II, Supervisors Pierce, Gould, Bertucci and Bartoletti were present, in person. Supervisor Brown was attending virtually.

SECOND ORDER OF BUSINESS

Public Comments (*agenda items only*)

There being no public comments, the next item followed.

JOINT BOARD BUSINESS ITEMS

▪ **Discussion: Pickleball**

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

Mr. Bartoletti welcomed all meeting attendees and stated this item was a continuation of the pickleball discussion at the last CDD meeting. There would be a brief presentation by Mr. Meserley, followed by discussions that should include construction of additional courts and the issues therein, court management and other options to be considered.

Mr. Crawford arrived at the meeting.

Mr. Meserley highlighted the following items discussed at the previous meeting:

- Nationally, the pickleball player count has increased by a factor of 10, to 3.3 million players, in the last five years, with most players being 55 and over.
- The Pickleball Club at The Brooks is managing the courts for the benefit of residents. On most days, there are few open court slots and non-resident play is negligible because of that.
- The Brooks community has one court per 2,131 residents; whereas, 18 surrounding and competing communities have one court per 364 residents, meaning The Brooks community is at a 6 to 1 disadvantage.
- Realtors confirmed that many current buyers demand pickleball facilities with resort settings.
- The Brooks should upgrade and expand its pickleball courts to be competitive in the real estate market and to increase resident health, vitality and friendships.

Referencing the “Inputs from the Pickleball Club at The Brooks” slide presentation, Mr. Meserley reviewed the following:

- Information Requested by CDD Supervisors: This recapped the information requested by CDD Supervisors.
- Pickleball Amenity Numbers Chart: The Brooks and Local Communities: This chart compared The Brooks with other communities, on a variety of factors related to each community's pickleball amenity.
- Lessons Learned from Regional Facilities: This information covered various aspects of the pickleball programs at Pelican Sound, Corkscrew Shores, Valencia and Pelican Landing, which are all experiencing growth in pickleball participation.
- In summary, an appropriately sized social area and facilities are important.
- Recommendations: With expansion to nine courts and player growth to 1,000 members would necessitate a part-time paid pickleball supervisor or manager, with instructor skills, from October through April, who would be responsible for new member registration, issuance of club cards, etc., at a salary of \$20,000.
- Social Area Concepts: In conjunction with increasing the number of courts in The Brooks, a minimum of two separate social areas, in convenient locations, would be appropriate. Each social area should comfortably accommodate at least 12 people and provide shade at all times of the day.
- Preferred Recommendation: Add six new courts and two larger, shaded social areas.
- Less Preferred Alternative: Add three new courts and two larger, shaded social areas.
- Existing Courts Enhancement: Add low-level fencing.
- Court Configurations, Parking and Drainage: This discussed engaging an Engineer to with regard to these items to maximize the quantity of pickleball courts.
- Non-Resident Situation: This discussed use of courts by non-residents and recommended fee(s) for non-residents.
- Presentation Summary Request: Add six courts, convert/partition three existing courts and create two larger social areas by January 2022.

Mr. Adams responded to previously submitted questions from Mr. Gould about environmental constraints, in terms of impervious versus pervious areas, the assessments that would be levied to pay for the additional courts, surplus fund balance, The Commons Club Maintenance Agreement with the CDDs, relationship between the CDDs and the Pickleball Club and permitting. Asked if the CDDs already approved installation of new pickleball courts, Mr.

Adams stated the Boards approved a design by Johnson Engineering, which was submitted to the Village of Estero. A permit was issued, which is valid for five years, and there are two more years left on it. Asked if all residents would be charged for the additional courts built on CDD lands, Mr. Adams stated all door fronts would be assessed.

Discussion ensued regarding drainage, Johnson Engineering, nearby conservation area, multi-family unit changing the non-resident activity, tax-exempt and non-tax-exempt financing in relation to pickleball exclusivity, charging fees to non-residents, the Pickleball Club, HOLD MY RESERVATION program, outdoor furniture in the shaded areas, issuing bonds to finance court construction, the bond process, interest rates and construction costs. It was noted that the first three courts cost \$130,000, which was paid from surplus fund balance and the three additional courts would cost approximately \$140,000, including lighting but not including shaded areas.

The consensus was that there is an immediate need for more pickleball courts and the building permit should be activated to construct three new courts. Discussion ensued regarding obtaining a bank loan from FineMark Bank, the financing terms, authorizing Johnson Engineering to begin planning the expansion project, parking considerations and requirements, purchasing the facilities from The Commons Club and pickleball court management. Mr. Adams would confer with Johnson Engineering regarding the construction details and anchored benches in pervious areas; a financing packet would be prepared and construction proposals would be obtained in advance of the April meeting.

THIRD ORDER OF BUSINESS

**Continued Discussion: Cane Toad
Reduction Program**

Ms. Lindsay Floyd, of Pesky Varmints (PV), stated that the PV team was familiarized with the grounds and they would be working on reducing The Brooks' cane toad population in the coming week.

Mr. Bartoletti voiced his concern about lights flashing in the community at night. Ms. Floyd stated that PV is an experienced, family-owned business and the majority of its business involves nighttime work in gated communities. The PV team would check in and out with the security guards, wear yellow reflective vests and perform most of the work in and around the lakes. She responded to questions regarding her and her team's background and experience, trustworthiness, the cane toad breeding process, tadpoles, cane toad trapping and disposal

process and the duration of the project. A Spring Run resident asked how the trappers would gain access to the Spring Run community. Mr. Mike Ziggler would alert security and provide Ms. Floyd with the gatehouse code for after-hours visits. Ms. Floyd discussed cane toad hiding places, educating homeowners about how to reduce the cane toad population, the cane toad mating call and day visits to the golf course to trap tadpoles.

FOURTH ORDER OF BUSINESS

Discussion: Pickleball

This item was addressed following the Second Order of Business.

FIFTH ORDER OF BUSINESS

**Continued Discussion/Consideration of
Certain Documents to Refinance Brooks
2001 and Brooks II 2003 Series Bonds**

Mr. Adams presented the Refinancing Scenarios, which reflected the savings discussed at the last meeting and stated that, per the Boards' direction, Management executed the letter with the Bank and the Bank's Counsel was coordinating with District Counsel to finalize the document package. Mr. Cox presented the refinancing Resolutions that were previously prepared and transmitted to the Boards. The resolutions acknowledge that the CDDs would be refunding the bonds by issuing a new bond with FineMark Bank. He recommended adoption.

On MOTION for Brooks of Bonita Springs by Mr. Merritt and seconded by Mr. Crawford, with all in favor, Resolution 2021-02, Approving the Sale and Terms of Sale of the District's Capital Improvement Revenue Refunding Bonds, Series 2021 (The "Bonds"); Establishing the Interest Rate, Maturity Date, and Redemption Provisions Thereof; Approving a Private Placement for the Bonds; Authorizing Certain Officials and Employees of the District to Take All Actions Required and Execute and Deliver All Documents, Instruments and Certificates Necessary in Connection with the Issuance, Sale and Delivery of the Bonds; Authorizing the Refunding of the District's outstanding Capital Improvement Revenue Bonds, Series 2001 (The "Refunded Bonds"); Authorizing Certain Officials and Employees of the District to Take All Actions and Enter Into All Agreements Required in Connection with the Refunding of the Refunded Bonds; Specifying the Application of the Proceeds of the Bonds; Providing Certain Other Details With Respect to the Bonds; and Providing An Effective Date., was adopted.

On MOTION for Brooks of Bonita Springs II by Mr. Bartoletti and seconded by Mr. Pierce, with all in favor, Resolution 2021-03, Approving the Sale and Terms of Sale of the District’s Capital Improvement Revenue Refunding Bonds, Series 2021 (The “Bonds”); Establishing the Interest Rate, Maturity Date, and Redemption Provisions Thereof; Approving a Private Placement for the Bonds; Authorizing Certain Officials and Employees of the District to Take All Actions Required and Execute and Deliver All Documents, Instruments and Certificates Necessary in Connection with the Issuance, Sale and Delivery of the Bonds; Authorizing the Refunding of the District’s outstanding Capital Improvement Revenue Bonds, Series 2001 (The “Refunded Bonds”); Authorizing Certain Officials and Employees of the District to Take All Actions and Enter Into All Agreements Required in Connection with the Refunding of the Refunded Bonds; Specifying the Application of the Proceeds of the Bonds; Providing Certain Other Details With Respect to the Bonds; and Providing An Effective Date, was adopted.

SIXTH ORDER OF BUSINESS

Adjournment

There being nothing further to discuss, the meeting adjourned at 3:34 p.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

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

February 24, 2021

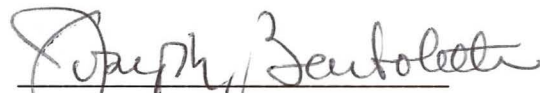
FOR BROOKS OF BONITA SPRINGS:


Secretary/Assistant Secretary


Chair/Vice Chair

FOR BROOKS OF BONITA SPRINGS II:


Secretary/Assistant Secretary


Chair/Vice Chair