

**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 June 23, 2021 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
Sandra Varnum	Vice Chair
Phil Douglas	Assistant Secretary
Rollin Crawford	Assistant Secretary
Bill Docherty (via telephone)	Assistant Secretary

Present for Brooks II CDD were:

Joseph Bartoletti	Chair
Ray Pierce	Vice Chair
Ken D. Gould	Assistant Secretary
Thomas Brown	Assistant Secretary
Thomas Bertucci	Assistant Secretary

Also present were:

Chuck Adams	District Manager
Cleo Adams	Assistant District Manager
Shane Willis	Operations Manager
Dan H. Cox	District Counsel
Andy Tilton	District Engineer
Brent Burford	Johnson Engineering
Alex Mefferle	Resident
Bill Hollister	Resident
Bill Stoehr	Resident

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Adams called the meeting to order at 1:01 p.m. For Brooks of Bonita Springs, Supervisors Merritt, Varnum, Douglas and Crawford were present, in person. Supervisor Docherty was attending via telephone. For Brooks of Bonita Springs II, all Supervisors were present, in person.

SECOND ORDER OF BUSINESS

Public Comments (*agenda items only*)

There being no public comments, the next item followed.

JOINT BUSINESS ITEMS

THIRD ORDER OF BUSINESS

**Continued Discussion: Pickleball
Compound Development and Operation**

Mr. Bartoletti gave a revised PowerPoint presentation that included items he and Mr. Merritt discussed with the HOA Board Presidents. The following bullet point discussion items and concerns were mentioned regarding proceeding with the pickleball expansion project; Mr. Bartoletti highlighted the following topics:

- All four communities are landlocked and cannot provide any additional amenities.
- The Commons Club Board expressed that it was “not interested”, so it will not be participating.
- New homebuyers demand that pickleball be available to them in the community.
- Proceeding with the CDDs financing and building to order any amenity needed, in the future, for the HOA, under a 10-year lease with renewal options. The HOA would choose financing options and would be responsible for maintenance and management of facility.
- The CDDs would provide specific build out costs once the HOA determines what is being built.
- Recommended shared cost approach and leaving enough room to build additional courts.
- Initiate a usage fee.

➤ The Pickleball Club, HOA and CDDs would develop an owner presentation. The Pickleball Club would be responsible for selling this amenity to the communities. The HOAs would designate two representatives to participate in the process.

➤ Work assignments were designated as follows:

- ✓ Lease Agreement: Mr. Crawford, Mr. Gould and Mr. Cox
- ✓ Finance: Mr. Merritt, Mr. Bartoletti and Staff
- ✓ Prepare HOA Presentation: Ms. Varnum
- ✓ Access Control in addition to Chelsea Software/Court Management: Mr. Bertucci

and Mr. Docherty

Court usage, how to identify nonresident usage, disconnecting from The Commons Club and having the Pickleball Club disperse all communication, were discussed.

Mr. Bartoletti wanted to present usage data at the next meeting, have the Pickleball Club manage pickleball and disconnect The Commons Club from all association and responsibility for communication. Mr. Mefferle stated they already identified the need for a Publicity Director to disseminate information to the communities and asked to prepare a master mailing list centralizing the message but with each community using its internal messaging approach to distribute the message so it is identified through the HOA. Specifically, indicating what is going on with pickleball and that Mr. Mefferle is not responsible any longer.

On MOTION for Brooks of Bonita Springs by Mr. Merritt and seconded by Mr. Crawford, with all in favor, purchasing the Chelsea Reservation System software and the annual lease fees for the Fiscal Year 2022/2023 Season, in the amount of \$500 upfront and \$900 yearly, and transferring the account to an entity that exists at the end of the period, was approved.

On MOTION for Brooks of Bonita Springs II by Mr. Bartoletti and seconded by Mr. Bertucci, with Mr. Bartoletti, Mr. Bertucci, Mr. Gould in favor and Mr. Pierce and Mr. Brown dissenting, purchasing the Chelsea Reservation System software and the annual lease fees for the Fiscal Year 2022/23 Season, in the amount of \$500 upfront and \$900 yearly, and transferring the account to an entity that exists at the end of the period, was approved. [Motion passed 3-2]

As Mr. Cox confirmed that The Commons Club had the right of first refusal and rejected the opportunity, Mr. Gould asked about returning funds to the property owners for the underlying land, if the property were to be sold. Discussion ensued regarding preparing a mechanism for participants to contribute funds to participate in a program the HOA is not interested in participating in, developing a user fee for nonresident play and an outside user fee for nonparticipating HOAs, adding a fee for the use of the land into the lease structure to reimburse CDD taxpayers, determining the maximum number of courts to build and preparing equitable assessment methodology.

Mr. Docherty wanted to proceed with constructing three courts and decide about enlarging the amenity at another time. A Board Member suggested letting the HOAs make the decision as to what amenities they want to provide to the community and then selling that to its residents. Mr. Bartoletti was discouraged by the letter received from the Pickle Ball Club today and proceeding further; however, Mr. Mefferle stated he was confident in selling the plan to the HOAs and homeowners.

A Board Member commended Johnson Engineering Staff on their work on this project and hoped the work was not in vain.

FOURTH ORDER OF BUSINESS

**Continued Discussion: Proposed Budget for
Fiscal Year 2021/2022**

Mr. Adams presented the proposed Fiscal Year 2022 budget, highlighting any line item increases, decreases and modifications based on the discussions at the last meeting. The Chelsea software license fee would need to be added. If the Boards decided to proceed with the planning, design and construction, most of the design work was already completed and those costs were absorbed in the Fiscal Year 2021 budget. The Fiscal Year 2022 budget did not include costs for permit applications or possible adjustments from the Village, as part of the process.

Mr. Burford agreed that the conceptual site plan was completed but noted that some engineering items for stormwater and permitting, on top of that, would still need to be done. Parking requirements were met; however, they may have to take some of the retention and put

it underneath the parking lot. Unless directed otherwise, no other engineering costs were expected for the remainder of Fiscal Year 2021.

Mr. Bartoletti shared a spreadsheet of projections for irrigation water usage for the remainder of Fiscal Year 2021 that omitted usage for the next four months, during wet season, and may still cause the CDDs to exceed budget. He commented that the landscaping firm was the best one so far and voiced his opinion that the Districts are inadequately budgeting for this line item.

Discussion ensued regarding the current drought causing the CDDs to exceed budget and a suggestion to increase the line item for Fiscal Year 2022, with any unused funds reverting back to rebuilding the fund balance, which is needed. To comply with a prior request from Accounting, Mr. Adams would send Mr. Bartoletti copies of the three separate RCS monthly irrigation invoices, from October to the current invoice.

Mr. Bartoletti shared a spreadsheet of costs associated with Town Center and monuments on 41 and Coconut Road and showed the locations using the GIS map. He wanted to negotiate assessments for the monument at 41 and ensure that The Commons Club was being charged fairly. Mr. Adams explained that the Assessment Methodology for the bonds was used and it was based on the commercial, not the residential property equivalent resident units (ERUs). Benefits were measured primarily for stormwater, landscape and lighting use. Discussion ensued regarding the methodology used, the formula being based on the percentage of overall program costs that fluctuates annually and a suggestion to renegotiate contract. Invoices and the Shared Cost Agreement between The Commons Club and the Districts would be emailed to the Boards.

The following revisions would be made to the Fiscal Year 2022 budget:

Page 2, "Landscape maintenance/Irrigation water": Change "95,000" to "110,000"

Page 2, "License Fees": Change "150" to "900"

The Boards agreed to the assessment levels for noticing purposes.

Mr. Gould asked for the intersections where the line of sight (LOS) issues were addressed to be inspected again, as he was concerned about regrowth. Mrs. Adams would ask GulfScapes to inspect and adjust the podocarpus shrubs accordingly.

A Board Member asked Mrs. Adams if the flower selections for the next plantings were finalized. Mrs. Adams replied affirmatively. Discussion ensued regarding choice, a Board Member's disappointment with the begonias used in this rotation, the vendor's plan to make other suggestions and the suggestion of preparing a list of materials used that did not last.

SIXTH ORDER OF BUSINESS

Public Comments

Resident Bill Hollister stated that he has attended meetings for over 10 years. He recognized Mr. Merritt's efforts concerning landscaping and wanted to extend that recognition and commend Mr. Bartoletti for his willingness, persistence and creativity in bringing new, clever approaches to pickleball.

SEVENTH ORDER OF BUSINESS

**Adjournment – BROOKS OF BONITA
SPRINGS II CDD**

There being nothing further to discuss, the meeting adjourned.

On MOTION for Brooks of Bonita Springs II by Mr. Bartoletti and seconded by Mr. Bertucci, with all in favor, the meeting adjourned at 2:49 p.m.

BROOKS OF BONITA SPRINGS ITEM

EIGHTH ORDER OF BUSINESS

**Acceptance of Resignation of Supervisor
Phil Douglas, Seat 1, Term Expires
November, 2024**

Mr. Douglas submitted his resignation letter.

On MOTION for Brooks of Bonita Springs by Ms. Varnum and seconded by Mr. Crawford, with all in favor, the resignation of Supervisor Phil Douglas from Seat 1, effective immediately, was approved.

The Board wished Mr. Douglas the best, hoped he visits, thanked him and presented him with a plaque commending him for his service on the Board. Mr. Douglas recommended Mr. Bill Stoehr, of Lighthouse Bay, as his replacement, and encouraged the remaining Board Members to appoint Mr. Stoehr as it promotes fair representation from every community to promote strength, although it is not legally required.

Mr. Adams stated that resumes to fill Mr. Douglas' seat were received from Mr. Stoehr and Mr. Hollister. The Board chose to defer this item to the next meeting. A decision on whether to cancel the July meeting would be made closer to the meeting date.

NINTH ORDER OF BUSINESS

**Adjournment – BROOKS OF BONITA
SPRINGS CDD**

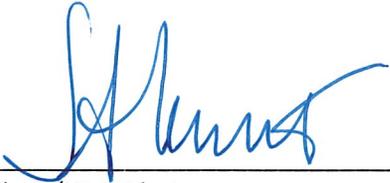
There being nothing further to discuss, the meeting adjourned.

On MOTION for Brooks of Bonita Springs by Mr. Crawford and seconded by Ms. Varnum, with all in favor, the meeting adjourned at 2:56 p.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

FOR BROOKS OF BONITA SPRINGS:


Secretary/Assistant Secretary


Chair/Vice Chair

FOR BROOKS OF BONITA SPRINGS II:


Secretary/Assistant Secretary


Chair/Vice Chair