

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

**October 4, 2023**

**BOARD OF SUPERVISORS**

**JOINT SPECIAL  
MEETING AGENDA**

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

**AGENDA  
LETTER**

# Brooks of Bonita Springs & Brooks of Bonita Springs II Community Development Districts

OFFICE OF THE DISTRICT MANAGER

2300 Glades Road, Suite 410W • Boca Raton, Florida 33431

Phone (561) 571-0010 • Fax (561) 571-0013 • Toll-free: (877) 276-0889

September 27, 2023

**ATTENDEES:**

Please identify yourself each time you speak to facilitate accurate transcription of meeting minutes.

Boards of Supervisors

Brooks of Bonita Springs & Brooks of Bonita Springs II Community Development Districts

Dear Board Members:

The Boards of Supervisors of the Brooks of Bonita Springs & Brooks of Bonita Springs II Community Development Districts will hold a Joint Special Meeting on October 4, 2023 at 1:00 p.m., at The Commons Club at The Brooks Enrichment Center, 9930 Coconut Road, Bonita Springs, Florida 34135. The agenda is as follows:

1. Call to Order/Roll Call
2. Public Comments: *Agenda items only [3 minutes per person]*
3. Discussion with Facilitator to Develop an Offer for Sale of the CDD Park, Including Terms and Conditions
4. NEXT MEETING DATE: October 25, 2023 at 1:00 PM

○ QUORUM CHECK: BROOKS OF BONITA SPRINGS

SEAT 1	WILLIAM STOEHR	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
SEAT 2	JAMES MERRITT	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
SEAT 3	SANDRA VARNUM	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
SEAT 4	JOHN (ROD) WOOLSEY	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
SEAT 5	DAVID GARNER	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO

○ QUORUM CHECK: BROOKS OF BONITA SPRINGS II

SEAT 1	LYNN BUNTING	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
SEAT 2	KEN D. GOULD	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
SEAT 3	MARY O'CONNOR	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
SEAT 4	THOMAS BERTUCCI	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
SEAT 5	JOSEPH BARTOLETTI	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO

5. Supervisors' Requests

6. Public Comments: *Non-Agenda items only [3 minutes per person]*
7. Adjournment

Should you have any questions, please contact me directly at 239-464-7114.

Sincerely,



Chesley E. Adams, Jr.  
District Manager

FOR BOARD MEMBERS AND STAFF TO ATTEND BY TELEPHONE

**CALL IN NUMBER: 1-888-354-0094**

**PARTICIPANT PASSCODE: 709 724 7992**

**BROOKS OF BONITA SPRINGS  
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COMMUNITY DEVELOPMENT DISTRICTS**

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TO: The Commons Club Board of Directors  
FROM: Joseph Archazki, GM  
DATE: August 7, 2023  
SUBJECT: Repairs Needed at Coconut Park Property

Coconut Park, a property owned by the Brooks CDDs, needs a number of repairs. As the adjacent property owner, The Commons Club is adversely affected by the deterioration of our neighbor's physical assets. Per our inspection of the property and our knowledge of the cost of general repairs, we present the following summary of necessary repairs. The estimated cost totals \$283,637.

- Sun Shades (2) - \$20,000 (estimate)  
2 had new shade covers installed recently. 1 had new shade covering installed on existing warped frame. 1, because of a deteriorated frame has no shade covering and needs complete replacement.
- Playground - \$107,999 base (firm) + \$5,000 shade (estimate)  
The base needs complete replacement. Per CDD documents, a contract was signed for with a tentative install scheduled for 2nd week of August. The shade covering is torn and in need of replacement.
- Restroom Roof – \$20,650 (firm)  
Complete replacement is needed. Per CDD documents, a contract signed with a mid-August install date.
- Restroom Refresh \$22,000 (estimate)  
Needed are sinks, cabinets, toilet fixtures and fresh paint.
- Ice Machine - \$3,600 (annual lease)  
Non-operable. Per CDD documents, a \$300 monthly ice maker/water machine is being leased.
- Paver Repair - \$28,138 (firm)  
Per the CDD documents, a contract was signed 6/28/23 to repair 3400 sq ft of upheaved pavers.
- Deteriorated Electric Meter - \$39,550 (firm)  
Replace electric meters and replace load center which has deteriorated.
- Malfunctioning Interactive Fountain - \$5,000 (estimate)  
Non-operable. Multiple pumps not operating. Spray overshoots water recycle area.
- Pickleball Surface Court 1 - \$15,000 (estimate)  
An original broken sprinkler head/other is possibly buried beneath the pavement and continues to cause heaving in the pavement since the original 2015 install. After the repair, court 1 needs to be repainted.

- Pickleball Court Fencing - \$4,000 (estimate)  
Various metal sections are rusting and need to be replaced.
- Pickleball Lights - \$4,000 (estimate)  
50% of heads are tilted forward which misdirects light off of the court.  
50% of the lights only illuminate partially.
- Gravel Parking Lot - \$4,700 (estimate)  
Not to Estero's building code. Needs to be removed, resodded, and irrigation reconnected.
- Landscaping Die-off Coconut - \$4,000 (estimate)  
Previously planted shrubs need to be replaced.

**From:** [Joseph Archazki](#)  
**To:** [Chuck Adams](#)  
**Cc:** ["Theresa Weinberg"](#)  
**Subject:** Coconut Park Parcel  
**Date:** Tuesday, August 8, 2023 2:26:42 PM  
**Attachments:** [Coconut Park - Needed Repairs.docx](#)

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Good afternoon, Chuck:

Below is TCC's proposal for purchasing the Coconut Park parcel. Also, attached is draft list of needed repairs. Please forward to the supervisors. Once forwarded, kindly let me know so that I can send out a communication to our TCC membership.

Thank you,

Joe

### **The Commons Club Offer For Purchase Of The CDD Property**

The Commons Club at The Brooks offers to the Brooks CDD a price of \$850,000 for the purchase of the Coconut Park parcel. This amount is dependent upon the CDDs completing and paying for the pending repairs on the attached list and other potentially needed repairs. Alternatively, The Commons Club at The Brooks may also, upon mutual agreement between the CDDs and TCC, assume responsibility for these items and receive a credit for the cost of these repairs.

The Commons Club Board believes that this price is fair, in that the CDDs would receive cash from the sale and also save the taxpayers the cost of building new courts and the cost of future maintenance expenses. By selling the parcel back to its' original owner, the CDD would be relieved from involvement in management of recreation facilities.

The Commons Club Board acknowledges that the pickleball amenity on the parcel is important, and that the current amenity is not sufficient in quality or size. The Commons Club Board agrees to address the pickleball amenity after purchase but does not commit to the size of any such structure at this time.

If The Commons Club offer is accepted, The Commons Club will give to the CDD the right of first refusal on any future sale of the property.

TCC Board of Directors

**Joseph Archazki, CCM CEC CAM**

General Manager

**The Commons Club at The Brooks**

9930 Coconut Rd, Estero, FL 34135

Office (239) 949-3804 Fax (239) 948-4901

Cell (239) 565-7016

[josepha@thecommonsclub.com](mailto:josepha@thecommonsclub.com) | [www.thecommonsclub.com](http://www.thecommonsclub.com)

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Naples (239) 370-0842  
E-mail [dhcox@gtcom.net](mailto:dhcox@gtcom.net)

August 29, 2023

Board of Supervisors  
Brooks of Bonita Springs Community Development District  
Brooks of Bonita Springs II Community Development District

RE: Guidance on Considering The Commons Club  
offer to Purchase Coconut Park

Ladies and Gentlemen:

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I have been asked to provide information for your consideration in discussions regarding the sale of the Coconut Park Parcel.

General Authority to Sell Property:

**190.011 General powers.**—The district shall have, and the body may exercise, the following powers:

(1) To sue and be sued in the name of the district; to adopt and use a seal and authorize the use of a facsimile thereof; to acquire, by purchase, gift, devise, or otherwise, and to dispose of, real and personal property, or any estate therein; and to make and execute contracts and other instruments necessary or convenient to the exercise of its powers.

Specific Limitations on Authority:

When making a decision on the exercise of its general authority to convey property, the District is required to make its decision in a deliberative manner based on factual considerations. It must not act in a way that is arbitrary or capricious.

Process for Soliciting Proposals:

The Districts should solicit proposals from parties that are interested in acquiring the property. The proposals should describe how the perspective purchaser will provide access to the park by

all owners/occupants of real property within the District and whether there will be a fee for such access, in addition to the proposed purchase price for the property.

Restrictions on Future Use of the Property:

The Districts must determine specific restrictions that will be placed on the Property as covenants that will run with the land, and the methods of enforcing these restrictions. For example, there has been discussion in the past that would impose restrictions requiring that the Property be open to all Brooks members. There has been general agreement that the use of the Property would be limited to recreational amenities, that the playground would be open without user fees, but that any other amenity may be fee based.

Enforcement mechanisms could include imposing a right of reversion or re-entry, whereby the Property would automatically revert to ownership of the Districts in the event of a covenant violation or the right for the Districts to take possession of the Property, but not ownership, and cure the violation at the cost of the Purchaser.

Is an updated Appraisal required?

Not necessarily, but it would provide an additional factual basis for evaluating the reasonableness of any purchase offer. This would help in establishing the fact based record justifying the Districts' decision. The determination of the restrictions that will be placed on the property is a necessary first step to obtaining the appraisal so the restrictions can be factored into the price.

Recommendation:

The Districts should hold a workshop to vet the possible restrictions and develop the Request for Proposals that will be the basis of soliciting bids.

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**BROOKS OF BONITA SPRINGS AND BROOKS OF BONITA SPRINGS II  
COMMUNITY DEVELOPMENT DISTRICTS**

**BOARD OF SUPERVISORS FISCAL YEAR 2023/2024 JOINT MEETING SCHEDULE**

**LOCATION**

*The Commons Club at The Brooks Enrichment Center  
9930 Coconut Road, Bonita Springs, Florida 34135*

<b>DATE</b>	<b>POTENTIAL DISCUSSION/FOCUS</b>	<b>TIME</b>
<b>October 4, 2023</b>	<b>Special Meeting</b>	<b>1:00 PM</b>
<b>October 25, 2023</b>	<b>Regular Meeting</b>	<b>1:00 PM</b>
<b>January 24, 2024</b>	<b>Regular Meeting</b>	<b>1:00 PM</b>
<b>April 24, 2024</b>	<b>Regular Meeting</b>	<b>1:00 PM</b>
<b>July 24, 2024</b>	<b>Regular Meeting</b>	<b>1:00 PM</b>
<b>August 28, 2024</b>	<b>Public Hearing &amp; Regular Meeting</b>	<b>1:00 PM</b>