

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

January 24, 2024

BOARD OF SUPERVISORS

**JOINT REGULAR
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

January 17, 2024

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 Regular Meeting on January 24, 2024 at 1:00 p.m., at Estero Community Church, 21115 Design Parc Lane, Estero, Florida 33928. The agenda is as follows:

1. Call to Order/Roll Call
2. Public Comments: *Agenda items only [3 minutes per person]*

BROOKS OF BONITA SPRINGS CDD ITEMS

3. Consider Appointment of Qualified Elector to Fill Unexpired Term of Seat 1; *Term Expires November 2024*
 - Administration of Oath of Office to Appointed Supervisor
4. Consideration of Resolution 2024-01, Appointing and Removing Officers of the District and Providing for an Effective Date

JOINT BUSINESS ITEMS

5. Landscape Report: *GulfScapes Landscape Management Services*
 - Irrigation Reports
 - A. Meter Usage by Clock
 - B. Year-Over-Year Water Usage
6. Consideration of Bentley Electric Co of Naples FL, Inc. Proposal 23-460 [Street Lights on Coconut Road and Three Oaks Parkway]
7. Continued Discussion: Pathway Improvement Plans

- Specifications Related to Request for Proposals (RFP)
8. Continued Discussion/Consideration: Request for the CDDs to Pursue Audubon Certification of its Conservation Areas
 - Presentation Regarding an Assessment of Wildlife and CDD Preserves
 9. Consideration of Resolutions Implementing Section 190.006(3), Florida Statutes, and Requesting that the Lee County Supervisor of Elections Begin Conducting the Districts’ General Elections; Providing for Compensation; Setting for the Terms of Office; Authorizing Notice of the Qualifying Period; and Providing for Severability and an Effective Date
 - A. Resolution 2024-02, Brooks of Bonita Springs Community Development District
 - B. Resolution 2024-01, Brooks of Bonita Springs II Community Development District
 10. Acceptance of Unaudited Financial Statements as of December 31, 2023
 11. Approval of Minutes
 - A. October 25, 2023 Joint Regular Meeting
 - B. November 15, 2023 Joint Special Meeting
 12. Staff Reports
 - A. District Counsel: *Dan Cox, Esquire*
 - Update: Required Ethics Training
 - B. District Engineer: *Johnson Engineering, Inc.*
 - C. Field Operations: *Wrathell, Hunt and Associates, LLC*
 - Monthly Status Report - Field Operations
 - D. District Manager: *Wrathell, Hunt and Associates, LLC*
 - NEXT MEETING DATE: April 24, 2024 at 1:00 PM
 - QUORUM CHECK: BROOKS OF BONITA SPRINGS

SEAT 1		<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

13. Supervisors' Requests: Supervisor Rod Woolsey
 - Assessment of Wildlife on CDD Preserve Lands by Fish and Wildlife Services
14. Public Comments: *Non-Agenda items only [3 minutes per person]*
15. 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
&
BROOKS OF BONITA SPRINGS II
COMMUNITY DEVELOPMENT DISTRICTS**

4

RESOLUTION 2024-01

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE BROOKS OF BONITA SPRINGS COMMUNITY DEVELOPMENT DISTRICT APPOINTING AND REMOVING OFFICERS OF THE DISTRICT AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Brooks of Bonita Springs Community Development District (the “District”) is a local unit of special-purpose government created and existing pursuant to Chapter 190, *Florida Statutes*; and

WHEREAS, the District’s Board of Supervisors desires to appoint and remove Officers of the District.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF BROOKS OF BONITA SPRINGS COMMUNITY DEVELOPMENT DISTRICT THAT:

SECTION 1. The following is/are appointed as Officer(s) of the District effective January 24, 2024:

- _____ is appointed Chair
- _____ is appointed Vice Chair
- _____ is appointed Assistant Secretary
- _____ is appointed Assistant Secretary
- _____ is appointed Assistant Secretary

SECTION 2. The following Officer(s) shall be removed as Officer(s) as of January 24, 2024:

William Stoehr Assistant Secretary

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

SECTION 3. The following prior appointments by the Board remain unaffected by this Resolution:

Chuck Adams is Secretary

Craig Wrathell is Assistant Secretary

Craig Wrathell is Treasurer

Jeff Pinder is Assistant Treasurer

PASSED AND ADOPTED THIS 24TH DAY OF JANUARY, 2024.

ATTEST:

**BROOKS OF BONITA SPRINGS COMMUNITY
DEVELOPMENT DISTRICT**

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

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

5A

2022/2023 Water Usage													12
Clock 8 - US 41 to Railroad Track Coconut Rd. (26 Zones / 4 Meters)													Averages
Total Monthly Usage By Clock													
Total Clock Usage	October	November	December	January	February	March	April	May	June	July	August	September	
	250,000	1,046,000	665,000	689,000	682,000	816,000	475,000	648,000	436,000	752,000	1,216,000	1,503,000	764,833
Total Property Usage	4,509,000	4,929,000	4,182,000	4,725,000	4,979,000	5,894,000	4,716,000	5,442,000	4,815,000	6,560,000	5,077,000	6,025,000	5,154,417
% Clock Use/Total	6%	21%	16%	15%	14%	14%	10%	12%	9%	11%	24%	25%	15%
\$ By Clock	\$474.36	\$1,995.66	\$1,255.43	\$1,311.20	\$1,410.02	\$1,702.58	\$983.25	\$1,354.32	\$902.52	\$1,556.64	\$2,517.12	\$3,139.28	\$1,550.20

Clock 1 - Railroad Railroad Track to Spring Run Coconut Rd. (23 Zones / 4 Meters)													Averages
Total Monthly Usage By Clock													
Total Clock Usage	October	November	December	January	February	March	April	May	June	July	August	September	
	1,331,000	1,269,000	1,047,000	1,128,000	1,217,000	1,258,000	960,000	1,215,000	847,000	2,183,000	1,572,000	1,721,000	1,312,333
Total Property Usage	4,509,000	4,929,000	4,182,000	4,725,000	4,979,000	5,894,000	4,716,000	5,442,000	4,815,000	6,560,000	5,077,000	6,025,000	5,154,417
% Clock Use/Total	30%	26%	25%	24%	24%	21%	20%	22%	18%	33%	31%	29%	25%
\$ By Clock	\$2,525.51	\$2,421.12	\$1,976.60	\$2,146.64	\$2,516.12	\$2,624.82	\$1,987.20	\$2,539.35	\$1,753.29	\$4,518.81	\$3,254.04	\$3,594.61	\$2,654.84

Clock 2 - Spring Run to Commons Club Entrance Coconut Rd. (23 Zones CDD / 3 Meters CDD / 14 Zones Common Club)													Averages
Total Monthly Usage By Clock													
Total Clock Usage	October	November	December	January	February	March	April	May	June	July	August	September	
	473,000	446,000	352,000	401,000	392,000	338,000	280,000	419,000	369,000	378,000	329,000	880,000	421,417
Total Property Usage	4,509,000	4,929,000	4,182,000	4,725,000	4,979,000	5,894,000	4,716,000	5,442,000	4,815,000	6,560,000	5,077,000	6,025,000	5,154,417
% Clock Use/Total	10%	9%	8%	8%	8%	6%	6%	8%	8%	6%	6%	15%	8%
\$ By Clock	\$897.49	\$850.92	\$664.53	\$763.12	\$810.45	\$705.24	\$579.60	\$875.71	\$763.83	\$782.46	\$681.03	\$1,838.03	\$851.03

Clock 3 - Commons Club Entrance to Lighthouse Bay Coconut Rd (37 zones / 3 Meters)													Averages
Total Monthly Usage By Clock													
Total Clock Usage	October	November	December	January	February	March	April	May	June	July	August	September	
	665,000	582,000	439,000	523,000	822,000	1,051,000	521,000	579,000	670,000	598,000	534,000	515,000	624,917
Total Property Usage	4,509,000	4,929,000	4,182,000	4,725,000	4,979,000	5,894,000	4,716,000	5,442,000	4,815,000	6,560,000	5,077,000	6,025,000	5,154,417
% Clock Use/Total	15%	12%	10%	11%	17%	18%	11%	11%	14%	9%	11%	9%	12%
\$ By Clock	\$1,261.80	\$1,110.39	\$828.77	\$995.30	\$1,699.47	\$2,192.91	\$1,078.47	\$1,210.11	\$1,386.90	\$1,237.86	\$1,105.38	\$1,075.67	\$1,265.25

Clock 4 - 4 Way Light South on Imperial to end of Brooks Maintenance (23 Zones / 2 Meters)													Averages
Total Monthly Usage By Clock													
Total Clock Usage	October	November	December	January	February	March	April	May	June	July	August	September	
	583,000	675,000	535,000	560,000	559,000	634,000	474,000	546,000	453,000	572,000	532,000	400,000	543,583
Total Property Usage	4,509,000	4,929,000	4,182,000	4,725,000	4,979,000	5,894,000	4,716,000	5,442,000	4,815,000	6,560,000	5,077,000	6,025,000	5,154,417
% Clock Use/Total	13%	14%	13%	12%	11%	11%	10%	10%	9%	9%	10%	7%	11%
\$ By Clock	\$1,106.21	\$1,287.83	\$1,010.01	\$1,065.71	\$1,155.72	\$1,322.84	\$981.18	\$1,141.14	\$937.71	\$1,184.04	\$1,101.24	\$835.47	\$1,094.09

Clock 5 - 4 Way Light North to Copperleaf Three Oaks Pkwy (31 Zones / 3 Meters)													Averages
Total Monthly Usage By Clock													
Total Clock Usage	October	November	December	January	February	March	April	May	June	July	August	September	
	64,000	21,000	276,000	238,000	277,000	344,000	503,000	125,000	239,000	367,000	288,000	308,000	254,167
Total Property Usage	4,509,000	4,929,000	4,182,000	4,725,000	4,979,000	5,894,000	4,716,000	5,442,000	4,815,000	6,560,000	5,077,000	6,025,000	5,154,417
% Clock Use/Total	1%	0%	7%	5%	6%	6%	11%	2%	5%	6%	6%	5%	5%
\$ By Clock	\$121.44	\$40.07	\$521.05	\$452.93	\$572.69	\$717.76	\$1,041.21	\$261.25	\$494.73	\$759.69	\$596.16	\$643.31	\$518.52

Clock 6 - Copperleaf North to Bridge Three Oaks Pkwy (32 Zones / 5 Meters)													Averages
Total Monthly Usage By Clock													
Total Clock Usage	October	November	December	January	February	March	April	May	June	July	August	September	
	368,000	178,000	308,000	316,000	328,000	489,000	395,000	409,000	312,000	252,000	179,000	134,000	305,667
Total Property Usage	4,509,000	4,929,000	4,182,000	4,725,000	4,979,000	5,894,000	4,716,000	5,442,000	4,815,000	6,560,000	5,077,000	6,025,000	5,154,417
% Clock Use/Total	8%	4%	7%	7%	7%	8%	8%	8%	6%	4%	4%	2%	6%
\$ By Clock	\$698.26	\$339.60	\$581.46	\$601.36	\$678.13	\$1,020.30	\$817.65	\$854.81	\$645.84	\$521.64	\$370.53	\$279.88	\$559.27

Clock 7 - Bridge North To Williams Light Three Oaks Pkwy (39 Zones / 4 Meters)													Averages
Total Monthly Usage By Clock													
Total Clock Usage	October	November	December	January	February	March	April	May	June	July	August	September	
	775,000	712,000	560,000	870,000	702,000	964,000	1,108,000	1,501,000	1,489,000	1,458,000	427,000	564,000	927,500
Total Property Usage	4,509,000	4,929,000	4,182,000	4,725,000	4,979,000	5,894,000	4,716,000	5,442,000	4,815,000	6,560,000	5,077,000	6,025,000	5,154,417
% Clock Use/Total	17%	14%	13%	18%	14%	16%	23%	28%	31%	22%	8%	9%	18%
\$ By Clock	\$1,470.52	\$1,358.42	\$1,057.21	\$1,655.66	\$1,451.37	\$2,011.39	\$2,293.56	\$3,137.09	\$3,082.23	\$3,018.06	\$883.89	\$1,178.01	\$1,883.12

Complete Property Totals

Total Property Usage From Clock Usages	October	November	December	January	February	March	April	May	June	July	August	September	Total Average
	4,509,000	4,929,000	4,182,000	4,725,000	4,979,000	5,894,000	4,716,000	5,442,000	4,815,000	6,560,000	5,077,000	6,025,000	5,154,417
Total % Added	October	November	December	January	February	March	April	May	June	July	August	September	Total
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
Total Property \$ By Clock	October	November	December	January	February	March	April	May	June	July	August	September	Total AVG
	\$8,555.60	\$9,404.00	\$7,895.06	\$8,991.92	\$10,293.98	\$12,297.83	\$9,762.12	\$11,373.78	\$9,967.05	\$13,579.20	\$10,509.39	\$12,584.27	\$10,376.33
Actual Total Property \$	\$8,555.60	\$9,404.00	\$7,895.06	\$8,991.92	\$10,293.98	\$12,297.83	\$9,762.12	\$11,373.78	\$9,967.05	\$13,579.20	\$10,509.39	\$12,584.27	\$10,434.52
Coconut Rd	October	November	December	January	February	March	April	May	June	July	August	September	Total AVG
	\$5,159.17	\$6,378.08	\$4,725.33	\$5,216.27	\$6,436.06	\$7,225.55	\$4,628.52	\$5,979.49	\$4,806.54	\$8,095.77	\$7,557.57	\$9,647.59	\$6,321.33
Three Oaks	October	November	December	January	February	March	April	May	June	July	August	September	Total AVG
	\$3,396.43	\$3,025.92	\$3,169.73	\$3,775.65	\$3,857.92	\$5,072.28	\$5,133.60	\$5,394.29	\$5,160.51	\$5,483.43	\$2,951.82	\$2,936.68	\$4,113.19

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

5B

Brooks YOY Water Usage

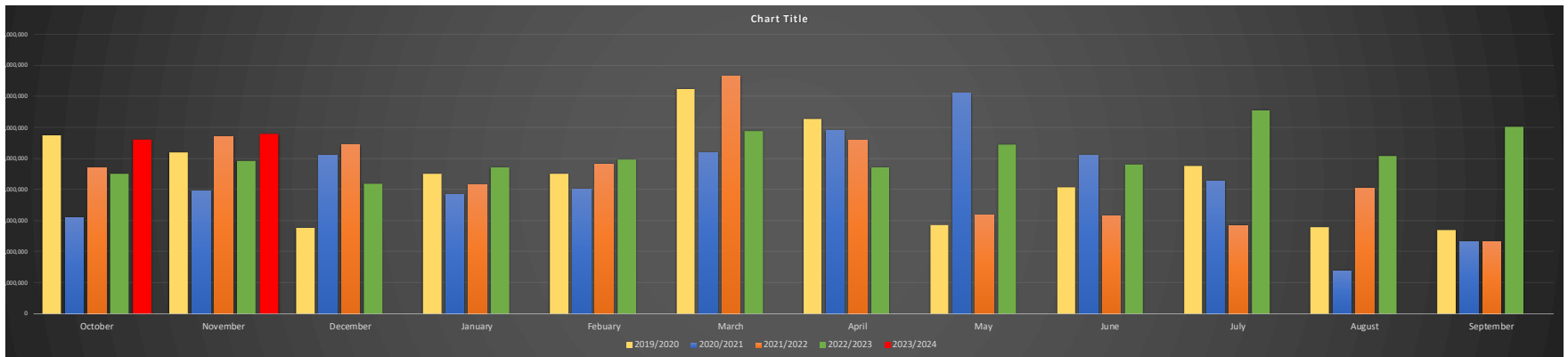
Brooks	October	November	December	January	February	March	April	May	June	July	August	September	Average Monthly Use	YOY Usage
2019/2020	5,742,000	5,197,000	2,755,000	4,508,000	4,518,000	7,242,000	6,282,000	2,853,000	4,070,000	4,753,000	2,795,000	2,690,000	4,450,417	53,405,000
2020/2021	3,109,000	3,948,000	5,114,000	3,845,000	4,017,000	5,211,000	5,907,000	7,097,000	5,117,000	4,273,000	1,389,000	2,328,000	4,279,583	51,355,000
2021/2022	4,698,000	5,709,000	5,441,000	4,169,000	4,830,000	7,654,000	5,591,000	3,188,000	3,172,000	2,867,000	4,043,000	2,335,000	4,474,750	53,697,000
2022/2023	4,509,000	4,929,000	4,182,000	4,725,000	4,979,000	5,894,000	4,716,000	5,442,000	4,815,000	6,560,000	5,077,000	6,025,000	5,154,417	61,853,000
2023/2024	5,607,000	5,785,000											11,392,000	11,392,000
% YOY	24%	17%	-100%	-100%	-100%	-100%	-100%	-100%	-100%	-100%	-100%	-100%	121%	-82%

2020/2021	\$5,558.88	\$7,203.32	\$9,488.68	\$7,001.44	\$7,520.16	\$9,932.04	\$11,337.96	\$13,741.76	\$9,742.16	\$8,037.28	\$3,271.47	\$4,539.12	\$8,114.52	\$97,374.23
2021/2022	\$8,673.32	\$10,654.88	\$10,129.60	\$7,636.48	\$9,204.02	\$14,908.50	\$10,741.24	\$5,887.18	\$5,854.86	\$5,308.37	\$7,614.28	\$4,590.17	\$8,433.57	\$101,202.88
2022/2023	\$8,555.60	\$9,404.00	\$7,895.06	\$8,991.92	\$10,293.98	\$12,297.83	\$9,762.12	\$11,373.78	\$9,967.05	\$13,702.20	\$10,509.39	\$12,584.72	\$10,444.80	\$125,337.65
2023/2024	\$11,718.63	\$12,090.65											\$23,809.28	\$23,809.28

\$0.00209

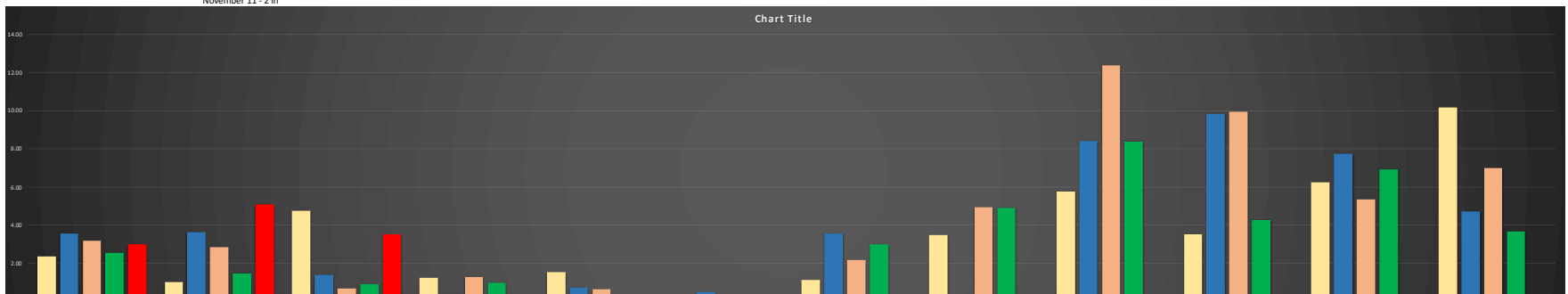
\$0.00209

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Yearly Rainfall														
Brooks	October	November	December	January	February	March	April	May	June	July	August	September	Average Monthly	YOY Total
2019/2020	2.37	1.04	4.76	1.26	1.56	0.03	1.15	3.49	5.78	3.54	6.24	10.19	3.45	41.41
2020/2021	3.57	3.64	1.41	0.38	0.74	0.52	3.56	0.00	8.41	9.83	7.75	4.73	3.71	44.54
2021/2022	3.20	2.87	0.70	1.28	0.66	0.16	2.17	4.94	12.37	9.96	5.36	7.00	4.22	50.67
2022/2023	2.57	1.46	0.93	0.99	0.09	0.28	3.02	4.92	8.38	4.27	6.94	3.69	3.13	37.54
2023/2024	3.00	5.08	3.52										11.60	11.60
Inch Diff	0.43	3.62	2.59	-0.99	-0.09	-0.28	-3.02	-4.92	-8.38	-4.27	-6.94	-3.69	8.47	-25.94

November 15 - 3 in
November 11 - 2 in



**BROOKS OF BONITA SPRINGS
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COMMUNITY DEVELOPMENT DISTRICTS**

6

Bentley Electric Co of Naples FL Inc.
P.O. BOX 10572
NAPLES, FL 34101
239-643-5339
bentley1@bentleyelectric.com

Proposal 23-460

ADDRESS

BROOKS CDD
9220 Bonita Beach Rd
Suite 214
Bonita Springs, FL 34135

DATE 12/07/2023	TOTAL	
--------------------	-------	--

PROJECT LOCATION

Three Oaks/Coconut Rd

DATE	DESCRIPTION	QTY	RATE	AMOUNT
	<p>We propose to furnish labor and material to do the following electric work. There are several circuitry issues affecting the streetlights lining Coconut Rd and Three Oaks Parkway. These issues are primarily a result of wire corrosion between individual fixture "heads" and pole handholes, as well as maturing ground vegetation which compromises the wiring between poles:</p> <hr/> <p>Light Poles:</p> <ol style="list-style-type: none"> 1.) Remove light pole with auger truck from concrete foundation and replace wiring from fixture heads to handhole. 2.) Install new fuses and fuseholders. 3.) Restand the light poles. 4.) Includes maintenance of traffic. <p>TOTAL PER POLE: \$750 each</p> <hr/> <p>LED Conversion:</p> <ol style="list-style-type: none"> 1.) Convert circuit from 480V to 277V. There are approximately 15 light poles per circuit. 2.) Bypass ballast and install LED corn lamp to existing sockets. <p>TOTAL PER DOUBLE HEAD POLE: \$700 each *Contingent on replacing entire circuit.</p> <hr/> <p>Replace Wiring:</p> <ol style="list-style-type: none"> 1.) Remove existing wiring from pole to pole and replace with new #6 Copper Wire. <p>TOTAL PER RUN: \$950</p>			

Thank you for the opportunity to submit this proposal. Should you have any questions, feel free to reach me at 239-643-5339.

TOTAL

Thanks,
Steve Bentley

THANK YOU.

Accepted By

Accepted Date

Coconut Rd and Three Oaks Parkway
Streetlights

I met with Steve Bently of Bentley Electric Company of Naples FL. on November 21, 2023. I will point out the main topics we talked about.

1. Bentley Electric was not checking the streetlights on a regular basis. We decided that doing a light check everother week would work for us. We have 64 double head street lights on 3 Oaks and Coconuts has 65 which includes a few single head poles east of 3 Oaks. We replaced 12 fixture heads to LED due to hurricane Irma. The CDD Board approved the LED converion. Also another 6 were converted to LED.
2. We decided to work on Coconut Rd first, as rumors of the widening of Three Oaks by Lee County. If Three Oaks Parkway is widened our streetlights would be removed. We must first find out from Lee County if and when this would occur. Also who would pay for new streetlights on Three Oaks.
3. Steve told me the main problem causing the streetlight to fail is corrosion of the wire between the fixture head and base of pole. The cost to do repair this is \$750.00 per double head pole. We could also covert to LED lamps at the same time we rewire the pole. The cost of the conversion to LEDs is \$700.00 per double head pole. There are 15 light poles per circuit and all 15 must be converted to LED.
4. Before starting any work we must make sure the pole base and pole will last 15 more years. Another problem is the failure of the underground wire between pole to pole. To replace this wire is \$950.00 per run. I am not sure how main poles are in a run. I believe we should only replace wire between poles as needed.
5. We also have a Rat problem. The rats make a home in the base of the pole and dine on the wires. Putting out rat poison at the base of each pole and doing this on a regular basis.
6. The cost to do Coconut Rd:
 $\$750.00 + \$700.00 \text{ (LED)} = \$1450.00 \times 65 = \$94,250.00$ less poles already converted to LED.
7. The other option is repair as required.

Streetlights coconut







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

9A

RESOLUTION 2024-02

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE BROOKS OF BONITA SPRINGS COMMUNITY DEVELOPMENT DISTRICT IMPLEMENTING SECTION 190.006(3), FLORIDA STATUTES, AND REQUESTING THAT THE LEE COUNTY SUPERVISOR OF ELECTIONS BEGIN CONDUCTING THE DISTRICT’S GENERAL ELECTIONS; PROVIDING FOR COMPENSATION; SETTING FOR THE TERMS OF OFFICE; AUTHORIZING NOTICE OF THE QUALIFYING PERIOD; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the Brooks of Bonita Springs Community Development District (“District”) is a local unit of special-purpose government created and existing pursuant to Chapter 190, Florida Statutes, being situated entirely within Lee County, Florida; and

WHEREAS, the Board of Supervisors of Brooks of Bonita Springs Community Development District (“Board”) seeks to implement section 190.006(3), Florida Statutes, and to instruct the Lee County Supervisor of Elections (“Supervisor”) to conduct the District’s general election (“General Election”).

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE BROOKS OF BONITA SPRINGS COMMUNITY DEVELOPMENT DISTRICT:

1. **GENERAL ELECTION SEATS.** Seat 1, currently vacant, Seat 2, currently held by James Merritt, and Seat 3, currently held by Sandra Varnum, are scheduled for the General Election in November 2024. The District Manager is hereby authorized to notify the Supervisor of Elections as to what seats are subject to General Election for the current election year, and for each subsequent election year.

2. **QUALIFICATION PROCESS.** For each General Election, all candidates shall qualify for individual seats in accordance with Section 99.061, *Florida Statutes*, and must also be a qualified elector of the District. A qualified elector is any person at least 18 years of age who is a citizen of the United States, a legal resident of the State of Florida and of the District, and who is registered to vote with the Lee County Supervisor of Elections. Campaigns shall be conducted in accordance with Chapter 106, *Florida Statutes*.

3. **COMPENSATION.** Members of the Board receive \$200 per meeting for their attendance and no Board member shall receive more than \$4,800 per year.

4. **TERM OF OFFICE.** The term of office for the individuals to be elected to the Board in the General Election is four years. The newly elected Board members shall assume office on the second Tuesday following the election.

5. **REQUEST TO SUPERVISOR OF ELECTIONS.** The District hereby requests the Supervisor to conduct the District's General Election in November 2024, and for each subsequent General Election unless otherwise directed by the District's Manager. The District understands that it will be responsible to pay for its proportionate share of the General Election cost and agrees to pay same within a reasonable time after receipt of an invoice from the Supervisor.

6. **PUBLICATION.** The District Manager is directed to publish a notice of the qualifying period for each General Election, in a form substantially similar to **Exhibit A** attached hereto.

7. **SEVERABILITY.** The invalidity or unenforceability of any one or more provisions of this Resolution shall not affect the validity or enforceability of the remaining portions of this Resolution, or any part thereof.

8. **EFFECTIVE DATE.** This Resolution shall become effective upon its passage.

PASSED AND ADOPTED THIS 24TH DAY OF JANUARY, 2024.

**BROOKS OF BONITA SPRINGS
COMMUNITY DEVELOPMENT DISTRICT**

CHAIR/VICE CHAIR, BOARD OF SUPERVISORS

ATTEST:

SECRETARY/ASSISTANT SECRETARY

Exhibit A

BROOKS OF BONITA SPRINGS COMMUNITY DEVELOPMENT DISTRICT
NOTICE OF QUALIFYING PERIOD FOR CANDIDATES FOR THE
BOARD OF SUPERVISORS OF THE BROOKS OF BONITA SPRINGS
COMMUNITY DEVELOPMENT DISTRICT

Notice is hereby given that the qualifying period for candidates for the office of Supervisor of the Brooks of Bonita Springs Community Development District will commence at noon on June 10, 2024, and close at noon on June 14, 2024. Candidates must qualify for the office of Supervisor with the Lee County Supervisor of Elections located at 2480 Thompson Street, Third Floor, Fort Myers, Florida 33901, (239) 533-8683. All candidates shall qualify for individual seats in accordance with Section 99.061, Florida Statutes, and must also be a qualified elector of the District, as defined in Section 190.003, Florida Statutes. A qualified elector is any person at least 18 years of age who is a citizen of the United States, a legal resident of the State of Florida and of the District, and who is registered to vote with the Lee County Supervisor of Elections. Campaigns shall be conducted in accordance with Chapter 106, Florida Statutes.

The Brooks of Bonita Springs Community Development District has three (3) seats up for election, specifically seats 1, 2 and 3. Each seat carries a four-year term of office. Elections are nonpartisan and will be held at the same time as the general election on November 5, 2024, in the manner prescribed by law for general elections.

For additional information, please contact the Lee County Supervisor of Elections.

District Manager
Brooks of Bonita Springs Community Development District

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

9B

RESOLUTION 2024-01

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE BROOKS OF BONITA SPRINGS II COMMUNITY DEVELOPMENT DISTRICT IMPLEMENTING SECTION 190.006(3), *FLORIDA STATUTES*, AND REQUESTING THAT THE LEE COUNTY SUPERVISOR OF ELECTIONS BEGIN CONDUCTING THE DISTRICT'S GENERAL ELECTIONS; PROVIDING FOR COMPENSATION; SETTING FOR THE TERMS OF OFFICE; AUTHORIZING NOTICE OF THE QUALIFYING PERIOD; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the Brooks of Bonita Springs II Community Development District ("District") is a local unit of special-purpose government created and existing pursuant to Chapter 190, Florida Statutes, being situated entirely within Lee County, Florida; and

WHEREAS, the Board of Supervisors of Brooks of Bonita Springs II Community Development District ("Board") seeks to implement section 190.006(3)(A)(2)(c), Florida Statutes, and to instruct the Lee County Supervisor of Elections ("Supervisor") to conduct the District's general election ("General Election").

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE BROOKS OF BONITA SPRINGS II COMMUNITY DEVELOPMENT DISTRICT:

1. **GENERAL ELECTION SEATS.** Seat 1, currently held by Lynn Bunting, and Seat 2, currently held by Kenneth Gould, are scheduled for the General Election in November 2024. The District Manager is hereby authorized to notify the Supervisor of Elections as to what seats are subject to General Election for the current election year, and for each subsequent election year.

2. **QUALIFICATION PROCESS.** For each General Election, all candidates shall qualify for individual seats in accordance with Section 99.061, *Florida Statutes*, and must also be a qualified elector of the District. A qualified elector is any person at least 18 years of age who is a citizen of the United States, a legal resident of the State of Florida and of the District, and who is registered to vote with the Lee County Supervisor of Elections. Campaigns shall be conducted in accordance with Chapter 106, *Florida Statutes*.

3. **COMPENSATION.** Members of the Board receive \$200 per meeting for their attendance and no Board member shall receive more than \$4,800 per year.

4. **TERM OF OFFICE.** The term of office for the individuals to be elected to the Board in the General Election is four years. The newly elected Board members shall assume office on the second Tuesday following the election.

5. **REQUEST TO SUPERVISOR OF ELECTIONS.** The District hereby requests the Supervisor to conduct the District's General Election in November 2024, and for each subsequent General Election unless otherwise directed by the District's Manager. The District understands that it will be responsible to pay for its proportionate share of the General Election cost and agrees to pay same within a reasonable time after receipt of an invoice from the Supervisor.

6. **PUBLICATION.** The District Manager is directed to publish a notice of the qualifying period for each General Election, in a form substantially similar to **Exhibit A** attached hereto.

7. **SEVERABILITY.** The invalidity or unenforceability of any one or more provisions of this Resolution shall not affect the validity or enforceability of the remaining portions of this Resolution, or any part thereof.

8. **EFFECTIVE DATE.** This Resolution shall become effective upon its passage.

PASSED AND ADOPTED THIS 24TH DAY OF JANUARY, 2024.

**BROOKS OF BONITA SPRINGS II COMMUNITY
DEVELOPMENT DISTRICT**

CHAIR/VICE CHAIR, BOARD OF SUPERVISORS

ATTEST:

SECRETARY/ASSISTANT SECRETARY

Exhibit A

BROOKS OF BONITA SPRINGS II COMMUNITY DEVELOPMENT DISTRICT
NOTICE OF QUALIFYING PERIOD FOR CANDIDATES FOR THE BOARD OF SUPERVISORS OF THE
BROOKS OF BONITA SPRINGS II COMMUNITY DEVELOPMENT DISTRICT

Notice is hereby given that the qualifying period for candidates for the office of Supervisor of the Brooks of Bonita Springs II Community Development District will commence at noon on June 10, 2024, and close at noon on June 14, 2024. Candidates must qualify for the office of Supervisor with the Lee County Supervisor of Elections located at 2480 Thompson Street, Third Floor, Fort Myers, Florida 33901, (239) 533-8683. All candidates shall qualify for individual seats in accordance with Section 99.061, Florida Statutes, and must also be a qualified elector of the District. A qualified elector is any person at least 18 years of age who is a citizen of the United States, a legal resident of the State of Florida and of the District, and who is registered to vote with the Lee County Supervisor of Elections. Campaigns shall be conducted in accordance with Chapter 106, Florida Statutes.

The Brooks of Bonita Springs II Community Development District has two (2) seats up for election, specifically seats 1 and 2. Each seat carries a four-year term of office. Elections are nonpartisan and will be held at the same time as the general election on November 5, 2024, in the manner prescribed by law for general elections.

For additional information, please contact the Lee County Supervisor of Elections.

District Manager
Brooks of Bonita Springs II Community Development District

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

**UNAUDITED
FINANCIAL
STATEMENTS**

**BROOKS OF BONITA SPRINGS & BROOKS OF BONITA SPRINGS II
COMMUNITY DEVELOPMENT DISTRICTS
FINANCIAL STATEMENTS
UNAUDITED
DECEMBER 31, 2023**

**BROOKS OF BONITA SPRINGS & BROOKS OF BONITA SPRINGS II
COMMUNITY DEVELOPMENT DISTRICTS
COMBINED BALANCE SHEET
DECEMBER 31, 2023**

	General Funds	Debt Service Funds	Total Governmental Funds
	<u> </u>	<u> </u>	<u> </u>
ASSETS			
Cash & investments	\$7,526,671	\$ 422,133	\$ 7,948,804
Deposits	525	-	525
Due from clearing fund	8,048	-	8,048
Accounts receivable	28,779	-	28,779
Due from other funds			
Brooks I			
General fund	-	88,889	88,889
Brooks II			
General fund	-	106,191	106,191
Debt service - series 2017	-	951,156	951,156
Total assets	<u>\$ 7,564,023</u>	<u>\$ 1,568,369</u>	<u>\$ 9,132,392</u>
LIABILITIES & FUND BALANCES			
Liabilities:			
Accounts payable	\$ 90,697	\$ -	\$ 90,697
Due to other funds			
Brooks I			
Debt service - series 2021	88,889	-	88,889
Brooks II			
Debt service - series 2021	106,191	-	106,191
Debt service - series 2017	951,156	-	951,156
Due to clearing fund	858	-	858
Total liabilities	<u>1,237,791</u>	<u>-</u>	<u>1,237,791</u>
DEFERRED INFLOWS OF RESOURCES			
Deferred receipts	<u>28,779</u>	<u>-</u>	<u>28,779</u>
Total deferred inflows of resources	<u>28,779</u>	<u>-</u>	<u>28,779</u>
Fund balances:			
Restricted for:			
Debt service	-	1,568,369	1,568,369
Capital outlay projects	480,652	-	480,652
Unassigned	<u>5,816,801</u>	<u>-</u>	<u>5,816,801</u>
Total fund balances	<u>6,297,453</u>	<u>1,568,369</u>	<u>7,865,822</u>
Total liabilities, deferred inflows of resources and fund balances	<u>\$ 7,564,023</u>	<u>\$ 1,568,369</u>	<u>\$ 9,132,392</u>

**BROOKS OF BONITA SPRINGS & BROOKS OF BONITA SPRINGS II
COMMUNITY DEVELOPMENT DISTRICTS
COMBINED STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
GENERAL FUNDS
FOR THE PERIOD ENDED DECEMBER 31, 2023**

	Current Month	Year to Date	Budget	% of Budget
REVENUES				
Assessment levy	\$ 227,297	\$ 3,049,039	\$ 3,530,268	86%
Commons Club - share maint cost	-	255,729	163,749	156%
Coconut Road - cost sharing (mall contribution)	-	40,916	13,000	315%
Interest & miscellaneous	176	483	3,500	14%
Total revenues	<u>227,473</u>	<u>3,346,167</u>	<u>3,710,517</u>	90%
EXPENDITURES				
Administrative				
Supervisors	2,153	7,105	14,000	51%
Management	7,627	22,881	91,526	25%
Accounting	3,173	9,519	38,077	25%
Audit	-	-	19,000	0%
Legal	2,224	5,297	10,000	53%
Field management	3,632	10,894	43,576	25%
Engineering	-	4,906	30,000	16%
Trustee	-	-	12,900	0%
Dissemination agent	166	501	2,000	25%
Arbitrage rebate calculation	-	-	6,000	0%
Assessment roll preparation	2,250	6,750	26,999	25%
Telephone	87	259	1,035	25%
Postage	91	205	1,200	17%
Insurance	-	28,935	27,000	107%
Printing and binding	190	569	2,277	25%
Legal advertising	265	265	1,500	18%
Contingencies	10	271	3,999	7%
Capital outlay - 2023 note repayment	79,800	79,800	899,999	9%
Annual district filing fee	-	350	350	100%
ADA website compliance	-	210	351	60%
Communication	-	-	1,000	0%
Total administrative	<u>101,668</u>	<u>178,717</u>	<u>1,232,789</u>	14%
Water management				
Contractual services	26,374	68,638	376,488	18%
NPDES permit	-	4,540	18,501	25%
Aquascaping	-	-	30,000	0%
Aeration	1,634	4,044	65,000	6%
Aeration operating supplies	3,130	7,746	35,000	22%
Culvert cleaning	-	-	85,000	0%
Capital outlay-lake bank erosion	59,146	279,074	100,000	279%
Boundary exotic removal	5,000	5,000	48,000	10%
Miscellaneous	-	-	5,000	0%
Total water management	<u>95,284</u>	<u>369,042</u>	<u>762,989</u>	48%

**BROOKS OF BONITA SPRINGS & BROOKS OF BONITA SPRINGS II
COMMUNITY DEVELOPMENT DISTRICTS
COMBINED STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
GENERAL FUNDS
FOR THE PERIOD ENDED DECEMBER 31, 2023**

	Current Month	Year to Date	Budget	% of Budget
Lighting services				
Contractual services	-	-	13,000	0%
Electricity	3,881	11,389	42,000	27%
Miscellaneous	-	458	2,500	18%
Total lighting services	<u>3,881</u>	<u>11,847</u>	<u>57,500</u>	21%
Coconut Rd. & Three Oaks Parkway				
Pine straw/soil/sand	-	-	55,000	0%
Plant replacement supplies	-	-	80,000	0%
Maintenance supplies	-	2,100	29,999	7%
Electricity	61	122	649	19%
Irrigation water	11,670	24,254	110,000	22%
Electric - 41 entry feature/irrigation	661	1,362	10,000	14%
Contract services	-	-	4,501	0%
Irrigation repairs	-	294	24,999	1%
Landscape maintenance contract	64,910	117,862	717,000	16%
Capital Improvement 2023/2024	-	1,440	-	N/A
Irrigation management	-	2,100	12,600	17%
Total Coconut Rd. & Three Oaks Parkway	<u>77,302</u>	<u>149,534</u>	<u>1,044,748</u>	14%
Coconut Road Park				
Capital outlay	-	5,941	10,000	59%
Capital outlay - playground surface repair	-	54,000	-	N/A
License fees	-	-	1,050	0%
Plant replacements	-	-	10,000	0%
Other maintenance supplies	-	-	4,000	0%
Electric	601	1,129	9,000	13%
Irrigation water	1,217	2,414	6,000	40%
Sewer/water	-	254	1,501	17%
Contract services	918	3,933	55,000	7%
Building R&M	-	-	5,000	0%
Landscape maint contract	16,557	24,204	101,000	24%
Hardscape repairs	-	-	10,000	0%
Lighting repairs	8,755	11,393	6,000	190%
Hardscape maintenance	-	-	3,999	0%
CC building landscaping	-	-	11,500	0%
Total parks and recreation	<u>28,048</u>	<u>103,268</u>	<u>234,050</u>	44%

**BROOKS OF BONITA SPRINGS & BROOKS OF BONITA SPRINGS II
COMMUNITY DEVELOPMENT DISTRICTS
COMBINED STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
GENERAL FUNDS
FOR THE PERIOD ENDED DECEMBER 31, 2023**

	Current Month	Year to Date	Budget	% of Budget
Other fees and charges				
Property appraiser	-	-	4,127	0%
Tax collector	-	6,563	5,331	123%
Total other fees and charges	-	6,563	9,458	69%
Total expenditures	306,183	818,971	3,341,534	25%
 Excess/(deficiency) of revenues over/(under) expenditures	 (78,710)	 2,527,196	 368,983	
 OTHER FINANCING SOURCES/(USES)				
Capital outlay - Series 2023	-	-	(2,475,000)	N/A
Total other financing sources/(uses)	-	-	(2,475,000)	N/A
Net change in fund balances	(78,710)	2,527,196	(2,106,017)	
Fund balances - beginning	6,376,163	3,770,257	2,890,706	
Assigned: capital outlay projects	480,652	480,652	480,652	
Unassigned	5,816,801	5,816,801	304,028	
Fund balances - ending	<u>\$ 6,297,453</u>	<u>\$ 6,297,453</u>	<u>\$ 784,689</u>	

**BROOKS OF BONITA SPRINGS
COMMUNITY DEVELOPMENT DISTRICT
BALANCE SHEET
GENERAL FUND
DECEMBER 31, 2023**

	Balance
ASSETS	
SunTrust	\$ 1,961,229
Centennial Bank	26,784
Finemark: MMF	29,505
Series 2023 B1	2,176,040
Deposits	525
Due from clearing fund	5,256
Accounts receivable	18,908
Total assets	\$ 4,218,247
 LIABILITIES & FUND BALANCES	
Liabilities:	
Accounts payable	\$ 59,588
Due to other funds	
Brooks I	
Debt service - series 2021	88,889
Due to clearing fund	858
Total liabilities	149,335
 DEFERRED INFLOWS OF RESOURCES	
Deferred receipts	18,908
Total deferred inflows of resources	18,908
 Fund balances:	
Reserved for:	
Capital outlay projects	315,788
Unassigned	3,734,216
Total fund balances	4,050,004
Total liabilities, deferred inflows of resources and fund balances	\$ 4,218,247

**BROOKS OF BONITA SPRINGS
COMMUNITY DEVELOPMENT DISTRICT
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
GENERAL FUND
FOR THE PERIOD ENDED DECEMBER 31, 2023**

	Current Month	Year to Date	Budget	% of Budget
REVENUES				
Assessment levy	\$ 135,405	\$ 1,993,394	\$ 2,319,386	86%
Commons Club - share maint cost	-	168,014	107,583	156%
Coconut Road - cost sharing (mall contribution)	-	26,882	8,541	315%
Interest & miscellaneous	134	379	2,300	16%
Total revenues	<u>135,539</u>	<u>2,188,669</u>	<u>2,437,810</u>	90%
EXPENDITURES				
Administrative				
Supervisors	1,414	4,668	9,198	51%
Management	5,011	15,033	60,133	25%
Accounting	2,085	6,254	25,017	25%
Audit	-	-	12,483	0%
Legal	1,461	3,480	6,570	53%
Field management	2,386	7,157	28,629	25%
Engineering	-	3,223	19,710	16%
Trustee	-	-	8,475	0%
Dissemination agent	109	329	1,314	25%
Arbitrage rebate calculation	-	-	3,942	0%
Assessment roll preparation	1,478	4,435	17,739	25%
Telephone	57	170	680	25%
Postage	60	135	788	17%
Insurance	-	19,010	17,739	107%
Printing and binding	125	374	1,496	25%
Legal advertising	174	174	986	18%
Contingencies	5	173	2,628	7%
Capital outlay - 2023 note repayment	52,429	52,429	591,300	9%
Annual district filing fee	-	230	230	100%
ADA website compliance	-	138	231	60%
Communication	-	-	657	0%
Total administrative	<u>66,794</u>	<u>117,412</u>	<u>809,945</u>	14%
Water management				
Contractual services	17,328	45,095	247,353	18%
NPDES permit	-	2,983	12,155	25%
Aquascaping	-	-	19,710	0%
Aeration	-	-	42,705	0%
Aeration operating supplies	3,130	7,746	22,995	34%
Culvert cleaning	-	-	55,845	0%
Capital outlay-lake bank erosion	38,859	183,352	65,700	279%
Boundary exotic removal	3,285	3,285	31,536	10%
Miscellaneous	-	-	3,285	0%
Total water management	<u>62,602</u>	<u>242,461</u>	<u>501,284</u>	48%

**BROOKS OF BONITA SPRINGS
COMMUNITY DEVELOPMENT DISTRICT
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
GENERAL FUND
FOR THE PERIOD ENDED DECEMBER 31, 2023**

	Current Month	Year to Date	Budget	% of Budget
Lighting services				
Contractual services	-	-	8,541	0%
Electricity	2,550	7,483	27,594	27%
Miscellaneous	-	301	1,643	18%
Total lighting services	<u>2,550</u>	<u>7,784</u>	<u>37,778</u>	21%
Coconut Rd. & Three Oaks Parkway				
Pine straw/soil/sand	-	-	36,135	0%
Plant replacement supplies	-	-	52,560	0%
Maintenance supplies	-	1,380	19,710	7%
Electricity	40	80	427	19%
Irrigation water	7,667	15,935	72,270	22%
Electric - 41 entry feature/irrigation	434	895	6,570	14%
Contract services	-	-	2,957	0%
Irrigation repairs	-	193	16,425	1%
Landscape maintenance contract	42,646	77,435	471,069	16%
Capital Improvement 2023/2024	-	946	-	N/A
Irrigation management	-	1,380	8,278	17%
Total Coconut Rd. & Three Oaks Parkway	<u>50,787</u>	<u>98,244</u>	<u>686,401</u>	14%
Coconut Road Park				
Capital outlay	-	3,903	6,570	59%
Capital outlay - playground surface repair	-	35,478	-	N/A
License fees	-	-	690	0%
Plant replacements	-	-	6,570	0%
Other maintenance supplies	-	-	2,628	0%
Electric	395	742	5,913	13%
Irrigation water	800	1,586	3,942	40%
Sewer/water	-	167	986	17%
Contract services	603	2,584	36,135	7%
Building R&M	-	-	3,285	0%
Landscape maint contract	10,878	15,902	66,357	24%
Hardscape repairs	-	-	6,570	0%
Lighting repairs	5,752	7,485	3,942	190%
Hardscape maintenance	-	-	2,628	0%
CC building landscaping	-	-	7,556	0%
Total parks and recreation	<u>18,428</u>	<u>67,847</u>	<u>153,772</u>	44%

**BROOKS OF BONITA SPRINGS
COMMUNITY DEVELOPMENT DISTRICT
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
GENERAL FUND
FOR THE PERIOD ENDED DECEMBER 31, 2023**

	Current Month	Year to Date	Budget	% of Budget
Other fees & charges				
Property appraiser	-	-	2,711	0%
Tax collector	-	4,274	3,502	122%
Cost of Issuance	-	-		
Total other fees & charges	<u>-</u>	<u>4,274</u>	<u>6,213</u>	69%
Total expenditures	<u>201,161</u>	<u>538,022</u>	<u>2,195,393</u>	25%
Excess/(deficiency) of revenues over/(under) expenditures	(65,622)	1,650,647	242,417	
OTHER FINANCING SOURCES/(USES)				
Capital outlay - series 2023	-	-	(1,626,075)	N/A
Total other financing sources/(uses)	<u>-</u>	<u>-</u>	<u>(1,626,075)</u>	N/A
Net change in fund balances	(65,622)	1,650,647	(1,383,658)	
Fund balances - beginning	4,115,626	2,399,357	1,817,501	
Assigned: capital outlay projects	315,788	315,788	315,788	
Unassigned	3,734,216	3,734,216	118,055	
Fund balances - ending	<u>\$ 4,050,004</u>	<u>\$ 4,050,004</u>	<u>\$ 433,843</u>	

**BROOKS OF BONITA SPRINGS II
COMMUNITY DEVELOPMENT DISTRICT
BALANCE SHEET
GENERAL FUND
DECEMBER 31, 2023**

	Balance
ASSETS	
BankUnited	\$ 101,328
SunTrust	2,047,982
Centennial Bank	52,059
Series 2023bill	1,131,744
Accounts receivable	9,871
Due from other funds	
Clearing fund	2,792
Total assets	\$ 3,345,776
 LIABILITES & FUND BALANCES	
Liabilities:	
Accounts payable	\$ 31,109
Due to other funds	
Brooks II	
Debt service - series 2017	951,156
Debt service - series 2021	106,191
Total liabilities	1,088,456
 DEFERRED INFLOWS OF RESOURCES	
Deferred receipts	9,871
Total deferred inflows of resources	9,871
 Fund balances:	
Reserved for:	
Capital outlay projects	164,864
Unassigned	2,082,585
Total fund balances	2,247,449
 Total liabilities, deferred inflows of resources and fund balances	 \$ 3,345,776

**BROOKS OF BONITA SPRINGS II
COMMUNITY DEVELOPMENT DISTRICT
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
GENERAL FUND
FOR THE PERIOD ENDED DECEMBER 31, 2023**

	Current Month	Year to Date	Budget	% of Budget
REVENUES				
Assessment levy	\$ 91,892	\$ 1,055,645	\$ 1,210,882	87%
Commons Club - share maint cost	-	87,715	56,166	156%
Coconut Road - cost sharing (mall contribution)	-	14,034	4,459	315%
Interest & miscellaneous	42	104	1,201	9%
Total revenues	<u>91,934</u>	<u>1,157,498</u>	<u>1,272,708</u>	91%
EXPENDITURES				
Administrative				
Supervisors	739	2,437	4,802	51%
Management	2,616	7,848	31,393	25%
Accounting	1,088	3,265	13,060	25%
Audit	-	-	6,517	0%
Legal	763	1,817	3,430	53%
Field management	1,246	3,737	14,947	25%
Engineering	-	1,683	10,290	16%
Trustee	-	-	4,425	0%
Dissemination agent	57	172	686	25%
Arbitrage rebate calculation	-	-	2,058	0%
Assessment roll preparation	772	2,315	9,261	25%
Telephone	30	89	355	25%
Postage	31	70	412	17%
Insurance	-	9,925	9,261	107%
Printing and binding	65	195	781	25%
Legal advertising	91	91	515	18%
Contingencies	5	98	1,372	7%
Capital outlay - 2023 note repayment	27,371	27,371	308,700	9%
Annual district filing fee	-	120	120	100%
ADA website compliance	-	72	120	60%
Communication	-	-	343	0%
Total administrative	<u>34,874</u>	<u>61,305</u>	<u>422,848</u>	14%
Water management				
Contractual services	9,046	23,543	129,135	18%
NPDES permit	-	1,557	6,346	25%
Aquascaping	-	-	10,290	0%
Aeration	1,634	4,044	22,295	18%
Aeration operating supplies	-	-	12,005	0%
Culvert cleaning	-	-	29,155	0%
Capital outlay-lake bank erosion	20,287	95,722	34,300	279%
Boundary exotic removal	1,715	1,715	16,464	10%
Miscellaneous	-	-	1,715	0%
Total water management	<u>32,682</u>	<u>126,581</u>	<u>261,705</u>	48%

**BROOKS OF BONITA SPRINGS II
COMMUNITY DEVELOPMENT DISTRICT
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
GENERAL FUND
FOR THE PERIOD ENDED DECEMBER 31, 2023**

	Current Month	Year to Date	Budget	% of Budget
Lighting services				
Contractual services	-	-	4,459	0%
Electricity	1,331	3,906	14,406	27%
Miscellaneous	-	157	858	18%
Total lighting services	<u>1,331</u>	<u>4,063</u>	<u>19,723</u>	21%
Coconut Rd. & Three Oaks Parkway				
Pine straw/soil/sand	-	-	18,865	0%
Plant replacement supplies	-	-	27,440	0%
Maintenance supplies	-	720	10,290	7%
Electricity	21	42	223	19%
Irrigation water	4,003	8,319	37,730	22%
Electric - 41 entry feature/irrigation	227	467	3,430	14%
Contract services	-	-	1,544	0%
Irrigation repairs	-	101	8,575	1%
Landscape maintenance contract	22,264	40,427	245,931	16%
Capital Improvement 2023/2024	-	494	-	N/A
Irrigation management	-	720	4,322	17%
Total Coconut Rd. & Three Oaks Parkway	<u>26,515</u>	<u>51,290</u>	<u>358,350</u>	14%
Coconut Road Park				
Capital outlay	-	2,038	3,430	59%
Capital outlay - playground surface repair	-	18,522	-	N/A
License fees	-	-	360	0%
Plant replacements	-	-	3,430	0%
Other maintenance supplies	-	-	1,372	0%
Electric	206	387	3,087	13%
Irrigation water	417	828	2,058	40%
Sewer/water	-	87	515	17%
Contract services	315	1,349	18,865	7%
Building R&M	-	-	1,715	0%
Landscape maint contract	5,679	8,302	34,643	24%
Hardscape repairs	-	-	3,430	0%
Lighting repairs	3,003	3,908	2,058	190%
Hardscape maintenance	-	-	1,372	0%
CC building landscaping	-	-	3,945	0%
Total parks and recreation	<u>9,620</u>	<u>35,421</u>	<u>80,280</u>	44%

**BROOKS OF BONITA SPRINGS II
COMMUNITY DEVELOPMENT DISTRICT
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
GENERAL FUND
FOR THE PERIOD ENDED DECEMBER 31, 2023**

	Current Month	Year to Date	Budget	% of Budget
Other fees & charges				
Property appraiser	-	-	1,416	0%
Tax collector	-	2,289	1,829	125%
Total other fees & charges	-	2,289	3,245	71%
Total expenditures	105,022	280,949	1,146,151	25%
Excess/(deficiency) of revenues over/(under) expenditures	(13,088)	876,549	126,557	
OTHER FINANCING SOURCES/(USES)				
Capital outlay - series 2023	-	-	(848,925)	N/A
Total other financing sources/(uses)	-	-	(848,925)	N/A
Net change in fund balances	(13,088)	876,549	(722,368)	
Fund balances - beginning	2,260,537	1,370,900	1,073,205	
Assigned: capital outlay projects	164,864	164,864	164,864	
Unassigned	2,082,585	2,082,585	185,973	
Fund balances - ending	<u>\$2,247,449</u>	<u>\$2,247,449</u>	<u>\$ 350,837</u>	

**BROOKS OF BONITA SPRINGS
COMMUNITY DEVELOPMENT DISTRICT
BALANCE SHEET
DEBT SERVICE FUND SERIES 2021 (REFUNDED SERIES 2001)
DECEMBER 31, 2023**

	Balance
ASSETS	
Due from other funds	
Brooks I	
General fund	\$ 88,889
Total assets	\$ 88,889
 LIABILITIES & FUND BALANCES	
Liabilities:	\$ -
Total liabilities	-
 Fund balances:	
Restricted for:	
Debt service	88,889
Total fund balances	88,889
 Total liabilities & fund balances	\$ 88,889

**BROOKS OF BONITA SPRINGS
COMMUNITY DEVELOPMENT DISTRICT
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
DEBT SERVICE FUND SERIES 2021 (REFUNDED SERIES 2001)
FOR THE PERIOD ENDED DECEMBER 31, 2023**

	<u>Current Month</u>	<u>Year to Date</u>	<u>Budget</u>	<u>% of Budget</u>
REVENUES				
Special assessment: on-roll	\$ 4,229	\$ 62,126	\$ 72,439	86%
Total revenues	<u>4,229</u>	<u>62,126</u>	<u>72,439</u>	86%
EXPENDITURES				
Debt service				
Principal	-	-	50,000	0%
Interest	-	8,970	18,161	49%
Total debt service	<u>-</u>	<u>8,970</u>	<u>68,161</u>	13%
Excess/(deficiency) of revenues over/(under) expenditures	4,229	53,156	4,278	
Fund balances - beginning	84,660	35,733	30,888	
Fund balances - ending	<u>\$ 88,889</u>	<u>\$ 88,889</u>	<u>\$ 35,166</u>	

**BROOKS OF BONITA SPRINGS II
COMMUNITY DEVELOPMENT DISTRICT
BALANCE SHEET
DEBT SERVICE FUND SERIES 2017 (REFUNDED SERIES 2006)
DECEMBER 31, 2023**

	Balance
ASSETS	
Investments:	
Revenue	\$ 147,653
Prepayment	196
Reserve	273,970
Sinking	314
Due from other funds	
Brooks II	
Debt service - series 2017	951,156
Total assets	\$ 1,373,289
 LIABILITIES & FUND BALANCES	
Liabilities:	\$ -
Total liabilities	-
 Fund balances:	
Restricted for:	
Debt service	1,373,289
Total fund balances	1,373,289
 Total liabilities & fund balances	 \$ 1,373,289

**BROOKS OF BONITA SPRINGS II
COMMUNITY DEVELOPMENT DISTRICT
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
DEBT SERVICE FUND SERIES 2017 (REFUNDED SERIES 2006)
FOR THE PERIOD ENDED DECEMBER 31, 2023**

	<u>Current Month</u>	<u>Year to Date</u>	<u>Budget</u>	<u>% of Budget</u>
REVENUES				
Special assessment: on-roll	\$ 82,975	\$ 951,156	\$ 1,092,960	87%
Interest	1,718	6,102	-	N/A
Total revenues	<u>84,693</u>	<u>957,258</u>	<u>1,092,960</u>	88%
EXPENDITURES				
Debt service				
Principal	-	-	868,000	0%
Interest	-	119,939	239,878	50%
Total debt service	<u>-</u>	<u>119,939</u>	<u>1,107,878</u>	11%
Excess/(deficiency) of revenues over/(under) expenditures	84,693	837,319	(14,918)	
Fund balances - beginning	1,288,596	535,970	515,674	
Fund balances - ending	<u>\$ 1,373,289</u>	<u>\$ 1,373,289</u>	<u>\$ 500,756</u>	

**BROOKS OF BONITA SPRINGS II
COMMUNITY DEVELOPMENT DISTRICT
BALANCE SHEET
DEBT SERVICE FUND SERIES 2021 (REFUNDED SERIES 2003)
DECEMBER 31, 2023**

	Balance
ASSETS	
Due from other funds	
Brooks II	
General fund	\$ 106,191
Total assets	\$ 106,191
 LIABILITIES & FUND BALANCES	
Liabilities:	\$ -
Total liabilities	-
 Fund balances:	
Restricted for:	
Debt service	106,191
Total fund balances	106,191
 Total liabilities & fund balances	\$ 106,191

**BROOKS OF BONITA SPRINGS II
COMMUNITY DEVELOPMENT DISTRICT
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
DEBT SERVICE FUND SERIES 2021 (REFUNDED SERIES 2003)
FOR THE PERIOD ENDED DECEMBER 31, 2023**

	<u>Current Month</u>	<u>Year to Date</u>	<u>Budget</u>	<u>% of Budget</u>
REVENUES				
Special assessment: on-roll	\$ 7,097	\$ 81,349	\$ 93,438	87%
Total revenues	<u>7,097</u>	<u>81,349</u>	<u>93,438</u>	87%
EXPENDITURES				
Debt service				
Principal	-	-	60,000	0%
Interest	-	15,377	30,788	50%
Total debt service	<u>-</u>	<u>15,377</u>	<u>90,788</u>	17%
Excess/(deficiency) of revenues over/(under) expenditures	7,097	65,972	2,650	
Fund balances - beginning	99,094	40,219	35,168	
Fund balances - ending	<u>\$ 106,191</u>	<u>\$ 106,191</u>	<u>\$ 37,818</u>	

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

MINUTES A

DRAFT

**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 Regular Meeting on October 25, 2023 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:

James Merritt	Chair
Sandra Varnum	Vice Chair
David Garner	Assistant Secretary
John (Rod) Woolsey	Assistant Secretary

Present for Brooks II CDD:

Joseph Bartoletti	Chair
Kenneth D. Gould	Vice Chair
Thomas Bertucci	Assistant Secretary
Mary O'Connor (via telephone)	Assistant Secretary
Lynn Bunting	Assistant Secretary

Also present:

Chuck Adams	District Manager
Cleo Adams	District Manager
Dan H. Cox	District Counsel
Lea Holmes	District Engineer
Brent Burford (via telephone)	Johnson Engineering Inc. (JEI)
Blake Grimes	GulfScapes Landscape Management
Kathy Wyrofsky	Resident
Wayne Adaska	Resident
Dwayne Leighton	Resident
David Small	Resident
Other Resident(s)	

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Adams called the meeting to order at 1:02 p.m. For Brooks of Bonita Springs, Supervisors Merritt, Varnum, Woolsey and Garner were present. Supervisor Stoehr was not

42 present. For Brooks of Bonita Springs II, Supervisors Bartoletti, Gould, Bunting and Bertucci
43 were present in person. Supervisor O'Connor attended via telephone.

44

45 **On MOTION for Brooks of Bonita Springs II by Mr. Bartoletti and seconded by**
46 **Mr. Bertucci, with all in favor, authorizing Ms. O'Connor's attendance and full**
47 **participation, via telephone, due to exceptional circumstances, was approved.**

48

49

50 **SECOND ORDER OF BUSINESS**

**Public Comments: Agenda items only [3
minutes per person]**

51

52

53 Resident Kathy Wyrofsky stated she recently circulated a petition. She reported that
54 several residents expressed security concerns because there is no perimeter wall or perimeter
55 fencing between the back of the Town Center and the conservation area. She believes that,
56 from the CDDs' side, protection of the conservation area, wetlands, wildlife is a responsibility
57 and, from the Shadow Wood side, protection of all Shadow Wood residents that may have
58 potential security issues. She hopes the CDDs would work together and keep residents involved
59 and/or informed of any safety improvements so that all residents feel comfortable.

60 Resident Wayne Adaska asked if the CDDs expect the amount of payment that each
61 homeowner must pay because of the 154 units that are being constructed and estimated over
62 \$200,000 to be income for the CDDs. He asked if the 154 units will be assessed individually.

63 Mr. Merritt stated the number of incoming units is 137, not 154. Assessments are based
64 on Equivalent Residential Unit (ERU) weightings and is paid by the owner, not the individuals. A
65 set formula is utilized and the Boards and Staff are working through the formula; the assessed
66 amount will be much less than the amount mentioned and homeowners will be updated.

67 Regarding Mr. Bartoletti's statement about the land sale at the previous meeting, Ms.
68 Varnum read a statement into the record as follows:

69 "I think everyone knows that I am on the Board of The Commons Club as well as serving
70 this body. Since we are in negotiations for the purchase of the park land, I recuse myself from
71 any Commons Club discussions, emails, and any communications regarding the negotiations
72 and purchase the land. This will allow me to participate in Supervisor discussions without any
73 conflict. Even though the CDDs' Attorney has stated there is no conflict of interest, there was a

74 question of ethics, which to be honest, I resent. I am comfortable with my decisions to
75 participate in the discussion regarding the pickleball complex and there are Supervisors on this
76 Board that are involved in the Pickleball Club and I don't see how my conflict is any more than
77 theirs. My vote against the pickleball plan was because I felt it was not a good plan, that it was
78 not communicated well to us or the membership; and 40% of the Supervisors voted against
79 that plan. It wasn't in any way related to my position on The Commons Club Board. The
80 decisions I have made have been in the best interest of all Brooks residents and not just any
81 one entity. You might disagree with them but questioning the ethics of my decisions is, I think,
82 inappropriate."

83 Mr. Bertucci stated that he is a member of The Commons Club, has forged friendships
84 with a few Commons Club Board Members and does not participate in any discussions about
85 the pickleball courts and, if so, everything is transparent because the meetings are open and all
86 his decisions are based on the best interest of the CDD taxpayers.

87

88 **BROOKS OF BONITA SPRINGS CDD ITEMS**

89 **THIRD ORDER OF BUSINESS**

**Acceptance of Resignation of Supervisor
William Stoehr [Seat 1]**

90

91

92 Mr. Merritt presented Mr. William Stoehr's resignation letter.

93

94 **On MOTION for Brooks of Bonita Springs by Mr. Merritt and seconded by Mr.**
95 **Garner, with all in favor, Mr. Stoehr's resignation, dated October 2, 2023, was**
96 **accepted.**

97

98

99 **FOURTH ORDER OF BUSINESS**

**Consider Appointment to Fill Unexpired
Term of Seat 1; Term Expires November**

100

101

102 Mr. Merritt directed Staff to send an e-blast to all Brooks of Bonita Springs CDD
103 residents alerting them of the open Board seat, so that he and Mr. Bartoletti can meet with all
104 interested candidates, properly vet them and return with a recommendation.

105 Resident Dwayne Leighton asked for clarification of when the term expires. Mr. Adams

106 stated the agenda item should read "November 2024."

- 107 • **Administration of Oath of Office to Appointed Supervisor (the following will be**
108 **provided in a separate package)**
- 109 **A. Guide to Sunshine Amendment and Code of Ethics for Public Officers and**
110 **Employees**
- 111 **B. Membership, Obligations and Responsibilities**
- 112 **C. Financial Disclosure Forms**
- 113 **I. Form 1: Statement of Financial Interests**
- 114 **II. Form 1X: Amendment to Form 1, Statement of Financial Interests**
- 115 **III. Form 1F: Final Statement of Financial Interests**
- 116 **D. Form 8B – Memorandum of Voting Conflict**

117 This item was deferred to the January meeting.

118

119 **FIFTH ORDER OF BUSINESS**

**Consideration of Resolution 2024-01,
Appointing and Removing Officers of the
District and Providing for an Effective Date**

120

121

122

123 This item was deferred to the January meeting.

124

125 **JOINT BUSINESS ITEMS**

126 **SIXTH ORDER OF BUSINESS**

**Landscape Report: GulfScapes Landscape
Management Services**

127

128

129 • **Irrigation Reports**

130 **A. Meter Usage by Clock**

131 **B. Year-Over-Year Water Usage**

132 Items A and B were included for informational purposes.

133 Mr. Blake Grimes reported the following:

- 134 ➤ All flower beds were emptied and new flowers will be installed on Wednesday. Mulch
135 and pine straw will be applied in mid to late-November, which will help suppress weed growth.
- 136 ➤ Palm tree and hardwood trimming will commence in November and end in January.
- 137 ➤ The ongoing landscaping project is due for completion next week.

138 Regarding an area along the fence with no plants, Mr. Grimes will pinpoint the area in
139 question, check the landscaping proposals and provide an update at the next meeting. Mrs.
140 Adams was asked to have the outfalls above the emergency gate cleaned out. Mrs. Adams
141 would follow up with EarthBalance.

142 Mr. Grimes reviewed the Irrigation Water Usage Reports and responded to questions
143 regarding Clock 6 for the month of August, issues with Clock 7, extending the cable, the rotors,
144 moving the antenna, the water levels in the lakes and rain totals.

145 Mr. Bartoletti asked for a schedule of when the sprinklers will be activated by roadway.
146

147 **SEVENTH ORDER OF BUSINESS**

**Continued Discussion: The Commons Club
Offer for Purchase of Coconut Park Parcel**

148
149
150 Mr. Garner reported the following:

151 ➤ The meetings regarding the land purchase offer from The Commons Club have been
152 frank, mutually-beneficial, cordial, open and honest.

153 ➤ All parties are surprisingly on the same page, mainly because the entities started with
154 the framework that was suggested by the facilitator, which was to focus on three issues,
155 including access, control and price.

156 ➤ Thus far, there have been two negotiation meetings and the entities are still working
157 through the issues.

158 ➤ He and Mr. Gould are clarifying some issues, as are The Commons Club Members.

159 ➤ The group agreed to keep the talks confidential for now, until a joint recommendation
160 or joint proposal is in place.

161 ➤ The group is scheduled to meet again on Friday and he reasonably anticipates that a
162 consensus might be reached at that time. The group discussed the need for a Special Meeting
163 and proposed a meeting date of November 15, 2023 at 1:00 p.m.

164 ➤ The intent is to transmit the terms of the proposal to the District Manager within the
165 following week so that the meeting can be publicized.

166 ➤ The purpose of the Special Meeting is to discuss the proposal and take “yes” or “no”
167 votes on the land sale. All questions will be answered on November 15th because The Commons
168 Club would like to close by the end of the year.

169 Mr. Cox stated he was extremely impressed by the negotiations and noted that all the
170 CDDs’ concerns have been aptly-addressed under the constraints of dealing with another side
171 that also has concerns. He implored the Boards to trust the negotiation team to move forward
172 with the schedule that Mr. Garner outlined.

173 Discussion ensued regarding the two prior meetings, publicizing the November 15, 2023
174 meeting, disseminating the proposal/purchase offer to the Boards prior to the homeowners
175 and residents, addressing Board Member and resident feedback, how the voting will be carried
176 out, The Commons Club and being careful to not violate Sunshine Laws in explaining the
177 proposal to the Board Members.

178 For quorum purposes, Mr. Garner polled the Board and Staff for their availability for the
179 November 15, 2023 meeting. Mr. Cox will attend via Zoom.

180

181 **EIGHTH ORDER OF BUSINESS**

Continued

Discussion:

Pathway

182

Improvement Plans

183

184 • **Specifications Related to Request for Proposals (RFP)**

185 Ms. Holmes provided the following update:

186 ➤ Staff performed additional surveys, checked all the locations of base repair and found
187 the extent of all the bases that need to be repaired due to the root intrusion.

188 ➤ The data was obtained and incorporated into the plans, which have been updated to
189 reflect the quantities needed to facilitate the repairs and install new, fresh base.

190 ➤ Since then, the Village of Estero is considering pathway improvements on Coconut Road
191 and Three Oaks Parkway. She met with Mr. Willems to discuss what is occurring since Johnson
192 Engineering is currently working on making pathway improvements in the same general area.

193 ➤ The Village is considering a few alternative alignments along Three Oaks Parkway and
194 not changing anything on the Coconut Road path. They would like to push the pathway further

195 off the roadway, for safety purposes, and doing so will create pockets where benches and
196 additional landscaping can be installed.

197 Ms. Holmes discussed the timing and phasing of the project, asphalt and concrete costs
198 and coordinating the improvements on Three Oaks with the Village.

199 Ms. Holmes and Mr. Burford responded to questions regarding the advantages of doing
200 a one-mile stretch of Coconut Road, the results of the core samples for the 14 miles of
201 sidewalks, total costs, if a plan will be developed as to how trucks will enter and exit the
202 community, if the Village plans to use concrete or asphalt, where the sidewalk re-alignment will
203 occur and reducing project costs by working with the Village.

204 Mr. Adaska stated that he has 42 years of experience in the cement/concrete industry
205 and indicated that he could recommend a contractor for the project. He recommended placing
206 a microfiber mesh concrete and volunteered to be on a committee for the pathway project.

207 Mr. Bartoletti stated he recently rode through Three Oaks and there are no orange
208 markings or signage, which he thinks is a liability issue. He asked why Johnson Engineering has
209 not addressed that. Mr. Burford stated he contacted George Pittman about the signage and will
210 follow up with him. He noted that the markings were initially painted but have since faded.

211 Discussion ensued regarding having the sidewalks repainted within the next few days,
212 having signage installed by the January meeting, addressing all trip hazards, the number of signs
213 needed, project timeline, the test mile, the extra phase and preserving the landscaping.

214 Mr. Merritt asked when the technical specifications of the RFP will be ready for the
215 Boards' review. Ms. Holmes stated the specifications will be completed before the next
216 meeting.

217 Regarding the forms of communications that will legally protect the CDDs, Mr. Cox
218 stated the sidewalk is in a public area, which means that individuals that use it are invitees.
219 Since they have been invited onto that property, the CDDs must make every reasonable effort
220 to notify them of any potential hazard. The sidewalk markings should be painted orange and
221 signs must be installed as soon as possible. Mr. Bartoletti asked Mr. Cox to approve a draft of a
222 letter that he and Mr. Woolsey will send to homeowners/residents informing them of the

223 pathway improvement project and what to look out for. Mr. Cox will do so. Mr. Merritt stated
224 the Boards need a more definitive picture of what the Village is going to do and to what extent.

225

226 **NINTH ORDER OF BUSINESS**

**Consideration/Continued Discussion:
Request for the CDDs to Pursue Audubon
Certification of its Conservation Areas**

227

228

229

230 Mr. Woolsey stated that Mr. Blaine Buck was the only one that volunteered for this item
231 and a concerted effort should be made to find additional volunteers. Mr. Adams stated the
232 package is complete and ready and, although the CDDs are not ready to go out to bid, Board
233 Members can meet with Ms. Bunting, Mr. Merritt, Mr. Adaska and the Engineers.

234 Discussion ensued regarding the Village of Estero's Capital Improvement Program (CIP),
235 lobbying the Village to learn the extent to which the Village is willing to assist the CDDs and the
236 Audubon designation, which is basically demonstrating that the CDDs are responsibly managing
237 the environmentally sensitive areas that it is already required to do through the conservation
238 easement. The CDDs will receive a seal from the Audubon Society.

239 Mr. Cox stated he researched the Audubon Society and discussed the Florida Fish and
240 Wildlife (FFW) Conservation Commission "Critical Wildlife Areas" birds nesting habitat and
241 installing signage to show there are prohibitions on developments within certain distances of
242 these critical wildlife areas that could result in interrupting the life of the animals in those
243 areas. Mr. Merritt stated a consultant should address the Boards and share what benefits there
244 are for the CDDs. Mr. Adams will contact Johnson Engineering's Biology Department and ask a
245 representative to make a presentation regarding an assessment of the wildlife of the CDD
246 preserves at the January meeting.

247

248 **TENTH ORDER OF BUSINESS**

**Discussion/Update: Operating Funds
Investment Options**

249

250

251 Mr. Adams stated, in an effort to take advantage of the current beneficial interest rates,
252 Management contacted a few banks to obtain outlines of their investment programs to invest
253 the CDDs' accrued surplus operating funds and enable the CDDs to capitalize on interest

254 earnings. He presented proposals from BankUnited, FineMark Bank and Synovus Bank and
255 recommended BankUnited’s Insured Cash Sweep (ICS) Money Market program.

256 Discussion ensued regarding the three banks, insurance, qualified bank depositories, a
257 \$10,000 debt service reserve and fund transfers.

258

259 **On MOTION for Brooks of Bonita Springs by Mr. Merritt and seconded by Ms.**
260 **Varnum, with all in favor, investing the CDD’s surplus funds in a BankUnited**
261 **Insured Cash Sweep (ICS) Money Market account, was approved.**

262

263 **On MOTION for Brooks of Bonita Springs II by Mr. Bartoletti and seconded by**
264 **Ms. O’Connor, with all in favor, investing the CDD’s surplus funds in a**
265 **BankUnited Insured Cash Sweep (ICS) Money Market account, was approved.**

266

267

268 **ELEVENTH ORDER OF BUSINESS** **Acceptance of Unaudited Financial**
269 **Statements as of September 30, 2023**

270

271 Mr. Adams presented Unaudited Financial Statements as of September 30, 2023.

272 The Board and Staff discussed parking lot lighting, tree canopy conflicts, volunteers
273 monitoring lighting issues, Bentley Electric costs, The Commons Club reimbursements, the need
274 to rectify The Commons Club shared-cost billing, the shared cost agreement, the CDDs’ failure
275 to charge an administrative fee and a recent mall payment of \$40,916.

276 Referencing a spreadsheet, Mr. Cox discussed maintaining relationships with mall
277 management, the pandemic’s impact on the mall’s payments, waived interest, collected
278 payments and interest calculations between \$10,500 and \$14,000. He proposed waiving his
279 legal fees and the CDDs waiving the outstanding interest amount.

280 Discussion ensued regarding collecting outstanding payments from The Commons Club
281 and Simon Properties, splitting the interest costs, changing the billing approach and an
282 established AP email address for payables.

283 Mr. Bartoletti motioned to have District Counsel send a \$14,000 bill to Simon Properties
284 for interest due on outstanding balances since 2016. Mr. Adams suggested adding the
285 requested amount to the fourth quarter billing. The Boards authorized Staff to negotiate the
286 outstanding interest down to 50%. Mr. Bartoletti withdrew his motion.

287 Mr. Cox suggested processing it as a separate invoice and requested a copy of the
288 invoice for his files.

289 The financials were accepted.

290

291 **TWELFTH ORDER OF BUSINESS**

Approval of Minutes

292

293 **A. August 30, 2023 Joint Public Hearings and Regular Meeting Minutes**

294 The following changes were made:

295 Line 37: Change "Pierre" to "Pierce"

296 Line 81: Change "Kemnet" to "Kemnitz"

297 Line 99: Insert "landscape" after "project"

298 Line 157: Change "prior" to "primary"

299 Line 158: Delete "primarily"

300 Line 291: Change "Mr. Merritt" to "Mr. Bertucci"

301 Line 352: Insert "from General Counsel" after "Boards"

302 Lines 377 and 383: Insert "at a fair value," after "Club,"

303 Line 500: Delete "reserves and"

304

305 **On MOTION for Brooks of Bonita Springs by Mr. Merritt and seconded by Mr.**
306 **Woolsey, with all in favor, the August 30, 2023 Joint Public Hearings and**
307 **Regular Meeting Minutes, as amended, were approved.**

308

309 **On MOTION for Brooks of Bonita Springs II by Mr. Bartoletti and seconded by**
310 **Mr. Bertucci, with all in favor, the August 30, 2023 Joint Public Hearings and**
311 **Regular Meeting Minutes, as amended, were approved.**

312

313

314 **B. October 4, 2023 Joint Special Meeting Minutes**

315 The following changes were made:

316 Lines 15 and 22: Insert (via telephone)

317 Lines 30 and 77: Change "Lanish" to "Lienesch"

318 Line 36: Delete "Mary & Rod Woolsey"

319 Line 145: Insert "Commons Club" before "General Manager"

320 Line 160: Change “plans to build additional housing” to “plans to allow the building of
321 additional housing”

322 Line 163: Change “Mary Woolsey” to “Mary O’Connor”

323 Line 198: Change “1.8 million” to “970 million”

324

325 **On MOTION for Brooks of Bonita Springs by Mr. Merritt and seconded by Ms.**
326 **Varnum, with all in favor, the October 4, 2023 Joint Special Meeting Minutes,**
327 **as amended, were approved.**

328

329 **On MOTION for Brooks of Bonita Springs II by Mr. Bartoletti and seconded by**
330 **Mr. Bertucci, with all in favor, the October 4, 2023 Joint Special Meeting**
331 **Minutes, as amended, were approved.**

332

333

334 **THIRTEENTH ORDER OF BUSINESS**

Staff Reports

335

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

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

338 There were no reports from District Counsel or the District Engineers.

339 **C. Field Operations: Wrathell, Hunt and Associates, LLC**

340 • **Monthly Status Report - Field Operations**

341 Mrs. Adams reviewed the Monthly Status Report dated October 25, 2023 and discussed
342 resident complaints and poor work performance by SOLitude Lake Management.

343

344 **On MOTION for Brooks of Bonita Springs by Mr. Merritt and seconded by Ms.**
345 **Varnum, with all in favor, terminating the SOLitude Lake Management contract**
346 **and engaging Crosscreek Environmental Inc., on a month-to-month basis, for**
347 **\$29,000, was approved.**

348

349 **On MOTION for Brooks of Bonita Springs II by Mr. Bartoletti and seconded by**
350 **Ms. Bunting, with all in favor, terminating the SOLitude Lake Management**
351 **contract and engaging Crosscreek Environmental Inc., on a month-to-month**
352 **basis, for \$29,000, was approved.**

353

354

355 Mr. Cox will send the termination notice to SOLitude on Friday. Mrs. Adams will provide
356 Mr. Cox with the poor performance details.

357 Mr. and Mrs. Adams responded to questions regarding withheld SOLitude payments,
358 the Pesky Varmints report, the playground sun shade, status of the ice machine and Mr. Willis'
359 October 25, 2023 report including the Enrichment Center project.

360 Discussion ensued regarding a possible pickleball court area trip hazard, restroom
361 renovations, repairing the rubberized surface, status of the power issue with the interactive
362 fountain and the pickleball lighting issues.

363 **D. District Manager: *Wrathell, Hunt and Associates, LLC***

- 364 • **NEXT MEETING DATE: January 24, 2024 at 1:00 PM**
- 365 ○ **QUORUM CHECK: BROOKS OF BONITA SPRINGS**
- 366 ○ **QUORUM CHECK: BROOKS OF BONITA SPRINGS II**

367

368 **FOURTEENTH ORDER OF BUSINESS**

Supervisors' Requests: Supervisor Rod Woolsey

369

371 • **Results of Request for Volunteers for Sidewalk Advisory Committee**

372 Mr. Woolsey stated the Sidewalk Advisory Committee has three members; one is unable
373 to continue and the Committee needs another qualified individual from Shadow Wood. Ms.
374 Bunting will contact interested individuals.

375 • **Update: Action to Review Audubon Certification for CDDs Preserve Areas**

376 This item was addressed during the Ninth Order of Business.

377 • **Discussion: Security of the CDDs Preserve Areas**

378 ○ **Vagrant Presence Behind Winn-Dixie Building**

379 ○ **Cleanup of Left Behind Debris**

380 Mr. Adams stated removal of the vagrants' debris is scheduled for the coming week. The
381 delay is because the debris had to be reviewed for safety purposes.

382 ○ **Shadow Wood Residents' Concerns Regarding Apartment Redevelopment**

383 Mr. Woolsey stated that Ms. Wyrofsky is spearheading this.

384 Ms. Wyrofsky stated the vagrants were a concern and she is glad that their belongings
385 were moved and the area was cleaned up. She recently walked the perimeter with a neighbor
386 and, in their opinions, there is still a lot of trash. She expressed safety concerns and encouraged
387 the Boards to consider options and provide security to the land and the residents.

388 Ms. Bunting stated there were security issues several years ago in Shadow Wood but,
389 because of the new security patrols, the neighborhood has been safer.

390 • **Assessment of Wildlife on CDD Preserve Lands by Fish and Wildlife Services**

391 This item will be carried over to the January meeting.

392

393 **FIFTEENTH ORDER OF BUSINESS**

**Public Comments: Non-agenda items only
[3 minutes per person]**

394

395

396 Resident David Small stated his concern about the fence. He thinks the primary function
397 of a fence is threefold; it should provide beauty, privacy and safety. He commended the Boards
398 for volunteering and urged them to consider securing a greater portion of Shadow Wood.

399 Mr. Leighton expressed support for Mr. Small's comments and Mr. Cox's statement
400 regarding the CDDs taking all reasonable steps to eliminate any trip hazards on the pickleball
401 courts. He urged the Boards to examine the options to deal with the apartment complex and
402 the vagrant issue. He voiced his willingness to volunteer.

403 Discussion ensued regarding resident safety, the 137-unit apartment building, the
404 vagrant, effectiveness of the cameras, ingress and egress, a usage encroachment agreement,
405 Shadow Wood's ability to install fencing, conservation easements, the FFW Commission, the
406 bald eagle, critical wildlife areas, Johnson Engineering's scope of work and the risks and
407 rewards of installing a fence.

408

409 **SIXTEENTH ORDER OF BUSINESS**

Adjournment

410

411 **On MOTION for Brooks of Bonita Springs by Mr. Garner and seconded by Mr.**
412 **Woolsey, with all in favor, the meeting adjourned at 4:10 p.m.**

413

414 **On MOTION for Brooks of Bonita Springs II by Mr. Bartoletti and seconded by**
415 **Mr. Bertucci, with all in favor, the meeting adjourned at 4:10 p.m.**

416 **FOR BROOKS OF BONITA SPRINGS:**

417

418

419

420 _____

421 Secretary/Assistant Secretary

422

423

424 **FOR BROOKS OF BONITA SPRINGS II:**

425

426

427

428 _____

429 Secretary/Assistant Secretary

Chair/Vice Chair

Chair/Vice Chair

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

MINUTES B

DRAFT

**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 November 15, 2023 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:

James Merritt	Chair
Sandra Varnum	Vice Chair
David Garner	Assistant Secretary
John Woolsey	Assistant Secretary

Present for Brooks II CDD:

Joseph Bartoletti	Chair
Ken D. Gould	Vice Chair
Thomas Bertucci	Assistant Secretary
Mary O'Connor	Assistant Secretary
Lynn Bunting	Assistant Secretary

Also present:

Chuck Adams	District Manager
Cleo Adams (via telephone)	District Manager
Dan H. Cox (via telephone)	District Counsel
Theresa Weinberg	The Commons Club President
Jennifer Smyth	The Commons Club Vice President
Bob Lienesch	The Commons Club Finance Committee
Joe Archazki	The Commons Club General Manager
Chris Manners (via telephone)	Resident

Residents present:

Lea Scodrix	Terry Silva	Dean Cohagen
Randy Kemnitz	Lou Ianney	Ron Trotter
David Costello	Bob Dollwick	Susan Mather

41

42

43 **FIRST ORDER OF BUSINESS**

Call to Order/Roll Call

44

45 Mr. Adams called the meeting to order at 1:01 p.m.

46 For Brooks of Bonita Springs, Supervisors Merritt, Varnum, Woolsey and Garner were
47 present. One seat was vacant.

48 For Brooks of Bonita Springs II, all Supervisors were present.

49 Mr. Bartoletti asked those attending via telephone to mute their phones and made the
50 following comments:

51 ➤ A frequently asked questions (FAQ) sheet was drafted and posted on the CDD website,
52 in response to numerous emails from homeowners regarding the proposed sale of Coconut
53 Park to The Commons Club.

54 ➤ An updated version of the proposed joint agreement facts can be accessed at
55 <https://brookscdds.net>.

56 ➤ On behalf of the Board Members, he thanked both negotiating teams for developing the
57 joint proposal for the sale of the park.

58 Mr. Bartoletti explained the protocols for public comments.

59

60 **SECOND ORDER OF BUSINESS**

Public Comments [3 minutes per person]

61

62 Resident Leah Scodrix read the following statement:

63 “Historically, CDDs were created as the solution to Florida’s need to provide valuable
64 community infrastructure and generated growth, ultimately without overburdening our tax
65 payers and other government entities. There are many CDDs in Florida and 45 in Lee County
66 alone. If you look at their websites, they are similar to the Brook CDDs, in that they feature
67 greenspace, walking paths, picnic areas, soccer fields and dog parks. The Brooks CDDs were
68 established to make it possible for our four master communities; Spring Run, Shadow Wood,
69 Lighthouse Bay and Copper Leaf to offer the most desirable elements of a master planned
70 community. Residents get to enjoy high quality infrastructure facilities and services with the
71 comfort and assurance of knowing that the standards of the Brooks community would be

72 maintained long after the Developer was gone. At this time, with the information that has been
73 circulated by the CDD Supervisors, it is unclear to me why any of you would vote in favor of the
74 proposal to sell the land to The Commons Club, especially for a paltry \$1 million plus. Here is
75 why I say this; in 2024, the CDD adopted a 58% increase in the budget, which passed without
76 much conflict. It represented a small dollar increase to each Brooks resident. The CDD manages
77 a budget of \$3.4 million. The expenses to maintain Coconut Road Park, which include the
78 pickleball courts, the Children’s Park, the restrooms etc. equals only about \$234,000, less than
79 7% of the total operating budget. So, my question is this to all of you, why would you, some of
80 whom sit both on the CDD and The Commons Club Boards, in good conscience, vote to sell a
81 total slice of paradise that is currently accessible to all Brooks residents and restrict access only
82 to those who will pay an additional fee to a for-profit organization, in order to save less than 7%
83 of your operating budget. secondly, will our property values be hindered if the park becomes an
84 amenity that is only available to a select few. The Commons Club has stated in writing, that
85 they want to control the parking, the beauty of the park, the pickle ball expansion and even
86 control access so, and I quote ‘mothers and children are not playing in the park.’ If the CDDs are
87 indeed worried that non-Brooks residents use of the park facilities, then let us figure out a way
88 to restrict access without penalizing the tax-paying members of the CDD; waive the initiation
89 fee to The Commons Club for any Brooks resident who wants to retain access to the park. There
90 has to be a better solution than rushing into a sale without the appropriate due diligence and
91 community involvement that this topic warrants.”

92 Resident Terry Silva voiced her opposition to the sale of the land to The Commons Club
93 and asked if current owners will be grandfathered in to be able to use the amenities that they
94 have used for the last 12 years. She also asked if the CDDs will reduce assessments as a result of
95 the sale of this property. She wants to know why the Board Members feel that The Commons
96 Club is better-suited to provide amenities than the CDDs and asked which Board Members are
97 currently serving on The Commons Club Board, which, in her opinion, is a complete conflict of
98 interest.

99 Resident Dean Cohagen discussed the sale price, the fiduciary responsibilities of Board
100 Members and discussions at a prior meeting about the 2022 appraisal. He thinks there is a
101 problem with the appraisal and wants to know if it was resolved and corrected.

102 Resident Randy Kemnitz stated his comments are from two perspectives; as President of
103 the Pickleball Club and as a long-term Shadow Wood resident. He stated, in August, when The
104 Commons Club announced that it had made another offer to purchase Coconut Park, the
105 Pickleball Club Board met and endorsed the plan because the consensus was that it is in the
106 best interest of the pickleball players living in the Brooks CDDs. The CDDs and The Commons
107 Club provided a great deal of information since then, the Pickleball Club Board met and
108 reviewed all the additional information and came to the same conclusion, which is that Coconut
109 Park, in its entirety including the pickleball amenity and with the plans that The Commons Club
110 has for it, is in the best interest of residents and especially Brooks residents who are pickleball
111 players. Mr. Kemnitz stated he spent more time engaged in pickleball issues than any other
112 Brooks resident except for Mr. Bartoletti and, over that time, he conferred with several
113 residents and learned a lot about how the CDDs and The Commons Club operate and about the
114 Village of Estero. Based on what he learned and the time invested, he strongly recommends
115 endorsing the sale of the park to The Commons Club.

116 Resident Lou Ianney stated, per the FAQs on the proposed sale, there is a provision that
117 The Commons Club will not be able to sell the property for five years. He questioned why it is
118 only five years if the benefit to everyone is to have a recreational facility for all Brooks members
119 to use. In his opinion, it should be 20 years if it is truly going to be recreational. He asked that
120 The Commons Club commit to the property for 20 years.

121 Resident Ron Trotter stated this has been a grueling, ongoing process for three years.
122 He expressed his opinion that no one likes change but change happens and change can be very
123 good. He voiced his belief that the CDDs are better at managing landscaping, water
124 management, retention, lakes, etc., but The Commons Club is better at building, growing and
125 maintaining amenities. He urged the meeting attendees to agree with his opinions and allow for
126 new stewardship of the park so that The Commons Club can do what, in his opinion they do

127 best, which is to maintain, take care of and grow an amenity that might increase property
128 values.

129 Mr. Bartoletti closed public comments and explained the protocols for Supervisors'
130 comments.

131

132 **THIRD ORDER OF BUSINESS**

**Discussion/Consideration of Joint Proposal
for The Commons Club to Acquire Coconut
Park**

133

134

135

136 Mr. Bartoletti asked Mr. Garner and Mr. Gould to explain the joint proposal for The
137 Commons Club to purchase Coconut Park from the CDDs, along with the process and their
138 recommendations.

139 There were motions and seconds on behalf of both CDD Boards to approve the sale of
140 Coconut Park to The Commons Club; a vote was taken later in the meeting.

141 Referencing slides, Mr. Garner presented the Proposal for the Sale of Coconut Park and
142 discussed the role of congeniality in the negotiations, the History of Coconut Park, the two
143 teams, Team Ground Rules, Community Concerns, Facilitator-suggested approach, Access
144 Control Recommendations, Control Recommendations, the right of first refusal, proposed
145 changes to The Commons Club By-Laws, price negotiations, maintenance and post-closing
146 items, including electrical equipment replacement, fence repairs, interactive fountain, new
147 sunshade and a gravel parking lot.

148 Regarding a resident question as to why The Commons Club will only offer the property
149 for repurchase within five years of conveyance instead of 20 years, Mr. Garner stated because
150 five years is reasonable and, in his opinion, The Commons Club would not have agreed to 20
151 years.

152 Regarding a resident's comments as to the June 2022 appraisal, Mr. Garner stated the
153 Boards discussed the appraisal at meetings and there were some items in the appraisal that
154 probably should not have been in it and how that affect the appraised price. He discussed the
155 range of value, including the price of the dock, the appraiser's calculation of \$935,000, the
156 replacement value of the pickleball courts that were contained in the appraisal and the

157 construction price that was discussed when the Boards voted against expanding the pickleball
158 courts. The appraisal ranged from a low of \$935,000 to a high of \$990,000.

159 Mr. Garner voiced his hope that this will be a unanimous vote and that the issue will be
160 resolved for all within the community.

161 Mr. Cohagen asked what will happen with funds received from the sale when the money
162 goes into the CDD accounts. He asked if it will be distributed back out to the homeowners or go
163 towards offsetting future expenses. Mr. Bartoletti stated it will be a combination. He discussed
164 necessary repairs, operating expenses, assessments and inflation and stated the CDD Boards
165 will do all they can to pass the profits back to the homeowners.

166 Resident David Costello asked about a conflict of interest. He asked how many
167 individuals on the CDD Boards are members of The Commons Club. In his opinion, it is relevant
168 that the interests of the non-members are clearly represented by the CDD Board Members.

169 Mr. Cox stated the statutes provide that a they do not have a voting conflict even if they
170 are in some way benefitted by the decision being made, as long as if the benefits received are
171 shared by all people that are similarly-situated as the Board Members are and there is no
172 disproportionate benefit to the Board Members. So, as homeowners, the Board Members of
173 the CDDs and The Commons Club Board Members are presumed to not have a conflict.

174 Resident Bob Dollwick stated he is a member of The Commons Club. He commended the
175 CDD Supervisors on their transparency and hoped that The Commons Club will have the same
176 amount of transparency at its Special Meeting regarding the purchase of the park.

177 Resident Chris Manners asked if the apartments planned for the old Winn Dixie location
178 will contribute to the assessment/tax base of the CDD if they are built.

179 Mr. Bartoletti stated that part of the Town Center is in an acreage assessment that goes
180 back to the owner of the grounds, which is Long Bay Partners. The apartment owners have no
181 personal rights to be considered members of the Brooks CDD and have no proprietary access to
182 Brooks properties; however, the Landowner will pay, which he has been doing since 1998.

183 Mr. Merritt called for a roll call vote of the CDD Board Members on the previously
184 stated motion to approve the sale of the property to The Commons Club.

185 Mr. Adams polled all Board Members individually.

186

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192

On MOTION for Brooks of Bonita Springs by Mr. Garner and seconded by Mr. Woolsey, with all in favor, the sale of Coconut Park to The Commons Club for \$1,012,500, as outlined in the proposal contained in the documents but as more fully defined in the contract and deed prepared jointly by attorneys for both parties, which were previously distributed to the Board Members, was approved.

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195

Prior to stating his vote, Mr. Bartoletti asked to make a comment.

196

197

198

199

Mr. Bartoletti stated, "in 2010, he was one of two Supervisors who voted "no" to the purchase of the park from The Commons Club and, as Mr. Garner pointed out, it is a unique parcel of land that offers a lot of benefits to all the members of the Brooks. He read the following statement into the record:

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"For the past three years, the CDDs have tried to provide an enhanced pickleball amenity to ensure the Brooks remains an amenity competitive with other gated communities. A strong bias exists within the CDDs against providing amenities. As such, the CDDs have been unable to provide the amenities needed to retain competitiveness in the Brooks with other gated communities. I reference back to the saying of what is an insanity...it is doing the same thing over and over again and hoping for the result to change and I've done that for three years, along with other members of my group here. Finally, I have to admit that I have to change, that I am not insane and will not continue to do that. So, you've seen a great proposal by a great team of people, who worked very hard in delivering something that I think is a reasonable offer and that's all I asked for when we began this process, an equitable offer. I want to commend again, both the two members Ken Gould and Dave. Garner, from our side, Theresa, Joe, Bob, Jennifer for what you've done today. I think it meets the goal that we all set out to do and we did it in a way that is representative of what we are; friends, neighbors and members of the Brooks. I think it goes a long way to preserve the value and future enhance the value of the Brooks, for all of us. And, while I wish we could have achieved a better outcome and provided access to those who don't belong to The Commons Club, it just was not in the

216 cards and I can't change that and I understand the rationale why and accept that. In recognizing
217 all these facts in my further sanity, I vote in favor of doing this."

218

219 **On MOTION for Brooks of Bonita Springs II by Mr. Gould and seconded by Mr.**
220 **Bertucci, with all in favor, the sale of Coconut Park to The Commons Club for**
221 **\$1,012,500, as outlined in the proposal contained in the documents but more**
222 **fully defined in the contract and deed, prepared jointly by attorneys for both**
223 **parties, which were previously distributed to Board Members, was approved.**

224

225

226 **FOURTH ORDER OF BUSINESS**

**NEXT MEETING DATE: January 24, 2024 at
1:00 PM**

227

228

229 The next meeting will be held on January 24, 2024.

230

231 **FIFTH ORDER OF BUSINESS**

Supervisors' Requests

232

233 Mr. Bartoletti stated he emailed a letter to the Board Members that he and Mr.
234 Woolsey drafted to alert homeowners and residents about what is happening with the sidewalk
235 repairs. He noted a very bad trip hazard along 14 miles of sidewalks and stated that is why the
236 CDDs borrowed \$4 million, of which \$2 million is allocated to the repair of those sidewalks. One
237 of the things he is trying to do is alert all homeowners and resident of the trip hazards. He
238 asked if he has approval from all Board Members to send the email to homeowners and
239 residents. All Supervisors replied affirmatively.

240 Ms. Bunting responded to Mr. Bartoletti's question regarding a status relative to
241 volunteers for the sidewalk effort.

242 Mr. Gould asked about the signage. Mr. Merritt stated he recently conferred with Mr.
243 Burford who reported that the signs were at Johnson Engineering and will be installed
244 promptly. He discussed liability and the number of signs to be installed.

245 The Boards and Staff discussed the Request for Proposals (RFP) for the sidewalk project,
246 leadership changes at Johnson Engineering, the SOLitude Lake and Wetland contract, defective

247 work notices, the termination process, a standby contractor, light issues on the Boulevard, tree
248 removal, engaging an Arborist and execution of the purchase agreement and other documents.

249 Mr. Adams will ask Johnson Engineering about the finalization time period.

250 Staff will obtain proposals for lighting repairs on the Boulevard.

251

252 **SIXTH ORDER OF BUSINESS**

**Public Comments: Non-agenda items only
[3 minutes per person]**

253

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255 There were no further public comments.

256

257 **SEVENTH ORDER OF BUSINESS**

Adjournment

258

259 **On MOTION for Brooks of Bonita Springs by Mr. Merritt and seconded by Mr.**
260 **Garner, with all in favor, the meeting adjourned at 2:16 p.m.**

261

262 **On MOTION for Brooks of Bonita Springs II by Mr. Bertucci and seconded by**
263 **Ms. O'Connor, with all in favor, the meeting adjourned at 2:16 p.m.**

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[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

269 **FOR BROOKS OF BONITA SPRINGS:**

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274 _____
Secretary/Assistant Secretary

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277 **FOR BROOKS OF BONITA SPRINGS II:**

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Secretary/Assistant Secretary

Chair/Vice Chair

Chair/Vice Chair

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

**STAFF
REPORTS
C**



Wrathell, Hunt and Associates, LLC

TO: Brooks of Bonita Springs I & II CDD Board of Supervisors
FROM: Shane Willis – Operations Manager
DATE: January 24, 2024
SUBJECT: Status Report – Field Operations

Aquatics & Wetlands:

- Lake Bank Restoration Projects: Phase 2 underway, tentative completion date 2/10/24 (based on weather). Phase 3 to begin 2/13/24.
- Littoral Planting Projects: Phase 2 installation pending LBR completion.
- I-75 Berm Maintenance Program: Completed in accordance with the contract Current annual cost \$17,208.00

Cane Toad Program:

New service schedule to begin in February 2024

Misc.

- All contracted vendors that serviced the Coconut Park have been cancelled.
- Pine straw installation has been completed for 2024.
- Arbor work on Coconut Rd to clear streetlighting to begin 1/22/24, Village and vendor have coordinated MOT for traffic control.

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

**STAFF
REPORTS
D**

**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
¹Estero Community Church, 21115 Design Parc Ln., Estero, Florida 33928*

DATE	POTENTIAL DISCUSSION/FOCUS	TIME
October 4, 2023	Special Meeting	1:00 PM
October 25, 2023	Regular Meeting	1:00 PM
November 15, 2023	Special Meeting	1:00 PM
January 24, 2024¹	Regular Meeting	1:00 PM
April 24, 2024	Regular Meeting	1:00 PM
July 24, 2024	Regular Meeting	1:00 PM
August 28, 2024	Public Hearing & Regular Meeting	1:00 PM