

**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 January 24, 2024 at 1:00 p.m., at Estero Community Church, 21115 Design Parc Lane, Estero, Florida 33928.

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	District Manager
Shane Willis	Field Operations Manager
Dan H. Cox (via telephone)	District Counsel
Brent Burford (via telephone)	District Engineer
Leah Holmes	Johnson Engineering Inc. (JEI)
Blake Grimes	GulfScapes
David Sirenord	GulfScapes
Steve Bentley	Bentley Electric
Ed Franklin	Supervisor-Appointee
Wayne Adaska	Homeowner

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Adams called the meeting to order at 1:03 p.m. For Brooks of Bonita Springs, Supervisors Merritt, Varnum, Garner and Woolsey were present. One seat was vacant. For Brooks of Bonita Springs II, all Supervisors were present.

SECOND ORDER OF BUSINESS

Public Comments [3 minutes per person]

No members of the public spoke.

BROOKS OF BONITA SPRINGS CDD ITEMS

THIRD ORDER OF BUSINESS

**Consider Appointment of Qualified Elector
to Fill Unexpired Term of Seat 1; Term
Expires November 2024**

Mrs. Adams stated that the HOA sent an e-blast soliciting resumes for the vacant seat. Two resumes were received and forwarded to the Chair of each CDD for their review.

Mr. Merritt stated that he and Mr. Bartoletti vetted both candidates and found them to be similarly well-qualified. One candidate elected to withdraw due to a conflict of interest based on an affiliation with the Village of Estero. The other candidate, Mr. Ed Franklin, has an impressive resume and background in IT. Both Chairs agree that Mr. Franklin would be an asset.

Mr. Merritt nominated Mr. Ed Franklin to fill Seat 1.

Mr. Bartoletti voiced his support of Mr. Merritt's recommendation and stated that, while Mr. Franklin's background is in IT, his perspective as a relatively new member of the Brooks community is that he sees the infrastructure differently than a long-term resident and has a desire to make a difference from that viewpoint.

On MOTION for Brooks of Bonita Springs by Mr. Merritt and seconded by Mr. Garner, with all in favor, the appointment of Mr. Ed Franklin to Seat 1, was approved.

- **Administration of Oath of Office to Appointed Supervisor**

Mrs. Adams, a Notary of the State of Florida and duly authorized, administered the Oath of Office to Mr. Ed Franklin. She provided and briefly described the contents of the new Supervisor's packet.

FOURTH ORDER OF BUSINESS

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

Mr. Adams presented Resolution 2024-01. Mr. Merritt nominated the following slate:

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

No other nominations were made. This Resolution removes Mr. William Stoehr as an Assistant Secretary. Prior appointments by the Board for Secretary, Treasurer, Assistant Treasurer, and Assistant Secretary Craig Wrathell, remain unaffected by this Resolution.

On MOTION by Mr. Woolsey and seconded by Mr. Garner, with all in favor, Resolution 2024-01, Appointing and Removing Officers of the District, as nominated, and Providing for an Effective Date, was adopted.

JOINT BUSINESS ITEMS

FIFTH ORDER OF BUSINESS

Landscape Report: GulfScapes Landscape Management Services

Mr. Grimes introduced Mr. David Sirenord, the new Account Manager and reported the following:

- Flowers were ordered and will be installed on March 1, 2024.
- Normal trimming and weed control are occurring and fungus is being kept under control.
- The grasses are green and the plants are healthy and reacting well to the fair weather.

Mr. Grimes responded to questions regarding chemical applications, an updated module for Clock 7 on Three Oaks Parkway, the condition of the irrigation system, updating the faceplate with a rainbird, stuck valves and how to protect the streetlight cables from rats.

- **Irrigation Reports**

Mr. Grimes presented the following reports:

- A. **Meter Usage by Clock**
- B. **Year-Over-Year Water Usage**

In response to Mr. Bartoletti's question, Mr. Grimes stated Clock 9 is only dedicated to The Commons Club and Clock 2 is dedicated to the Brooks. However, there are cables that control valves directly around the buildings. The benefit is that the clocks are in such close proximity that a 200' trench could be dug to run the cables through. Mr. Grimes will coordinate with The Commons Club regarding clock upgrades.

SIXTH ORDER OF BUSINESS

**Consideration of Bentley Electric Co of
Naples FL, Inc. Proposal 23-460 [Street
Lights on Coconut Road and Three Oaks
Parkway**

Mr. Bentley presented Proposal 23-460 to replace the streetlights on Coconut Road and Three Oaks Parkway. He responded to questions regarding project costs, cutting back the tree canopy, if approval from the Village of Estero or Lee County is necessary and LED conversion.

Discussion ensued regarding the \$94,500 cost to upgrade the lighting, the sidewalk project, replacing a conduit, replacing wires from pole to pole, via a directional bore, obtaining an Engineer's evaluation before proceeding with the project, whether to engage JEI for the evaluation, establishing a timeline for the lighting project, legal liability for lighting and maintaining the lighting every two weeks.

Mr. Bartoletti voiced his opinion that the Boards should do the basics; contact the Village and/or Lee County to find out the requirements. Mr. Merritt suggested assembling a team to confer with JEI. The consensus was to have the circuits reviewed every two weeks.

Mr. Bentley will present a report with every visit. Mr. Merritt stated, at some point, the Boards will want to confer with Ms. Mary Gibbs, of the Village of Estero, regarding tree removal and replacement along Coconut Road and Three Oaks Parkway.

Mr. Franklin left the meeting at 2:00 p.m.

SEVENTH ORDER OF BUSINESS

**Continued Discussion: Pathway
Improvement Plans**

- **Specifications Related to Request for Proposals (RFP)**

Mr. Merritt recalled that, about a year ago, the Boards commissioned the District Engineer to have the current pathway/sidewalks replaced, but the project is still in the

discovery phase. Earlier today, the Sidewalk Advisory Committee, which includes two volunteer residents, determined that the standard pavement width should be 8', the asphalt should be 8' and the concrete should be 7.5' or 8' as a starting point. The Village voiced concerns regarding the flow of the sidewalks. The existing landscaping and irrigation will be impacted if the footprints of the existing sidewalks change; the Committee is attempting to deal with that. The Committee's first meeting with the District Engineer was on December 13, 2023, wherein they presented plans and asked what the standard width should be. The cost differential between concrete and asphalt paving and related repairs were discussed but no final decision was made.

Resident and a Committee Member Wayne Adaska stated he volunteered to be on the Committee because he has 42 years of experience in the concrete industry. He recently spoke with a contractor in the asphalt industry who educated him on the difference between asphalt that is 8' wide and less than 8'. Concrete is superior in terms of thickness and maintenance. The overall lifespan of concrete is 40 to 50 years and it is 20 to 25 years for asphalt.

Ms. Holmes reported the following:

- A cost comparison is being prepared for the asphalt and concrete options both at the 8' width, along with the maintenance cost for the life of the concrete or asphalt. The report should be completed and ready for submission to the Boards by the following week.
- Staff has been working with the Village of Estero, who is considering doing an alignment study for the existing sidewalks.

Discussion ensued regarding the alignment study, the higher cost of concrete, lime rock, yardage, the size of the existing sidewalks, irrigation costs, setting a marker, establishing a baseline, a recent sidewalk project on Estero Boulevard, increasing annual assessments, communicating this to residents and a funding source and loan options.

Mr. Merritt recapped that progress is being made but at a slower pace than expected. He thinks that Staff should schedule a Special meeting in March to further address this matter. Mr. Adams will update the sources and funds for the Capital Improvement Plan (CIP) project.

EIGHTH ORDER OF BUSINESS

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

- **Presentation Regarding an Assessment of Wildlife and CDD Preserves**

The consensus was to remove this item from future agendas.

NINTH ORDER OF BUSINESS

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

Mr. Adams presented the following:

A. Resolution 2024-02, Brooks of Bonita Springs Community Development District

Mrs. Adams stated, for Brooks of Bonita Springs CDD, Seats 1, 2 and 3, currently held by Mr. Franklin, Mr. Merritt and Ms. Varnum, respectively, will be up for election. For Brooks of Bonita Springs II CDD, Seats 1 and 2, currently held by Ms. Bunting and Mr. Gould, respectively, will be up for election.

On MOTION for Brooks of Bonita Springs by Mr. Woolsey and seconded by Ms. Varnum, with all in favor, Resolution 2024-02, 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, was adopted.

B. Resolution 2024-01, Brooks of Bonita Springs II Community Development District

On MOTION for Brooks of Bonita Springs II by Mr. Bartoletti and seconded by Ms. Bunting, with all in favor, Resolution 2024-01, 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, was adopted.

TENTH ORDER OF BUSINESS

**Acceptance of Unaudited Financial
Statements as of December 31, 2023**

Mr. Bartoletti asked if Coconut Point paid its outstanding debt in full. Mrs. Adams stated she was unable to obtain confirmation from Accounting.

Mr. Woolsey voiced his opinion that an executive summary highlighting abnormal entries would be helpful. Mr. Adams stated Staff usually prepares a highlights summary but did not have an opportunity to complete one for this meeting.

Mrs. Adams will prepare and email a financial report to the Board at the next meeting.

Mr. Adams, Mrs. Adams and Mr. Willis responded to questions about the “Cash & Investments,” “Capital outlay-lake bank erosion” and “Lighting repairs” line items, contributions from The Commons Club, cost-sharing, \$19,000 of escrowed funds and progress on the court resurfacing.

Regarding the repayment from the mall, Mr. Cox stated the principal was received and the interest will be billed via a separate invoice and be sent with the first quarter invoice.

The financials were accepted.

ELEVENTH ORDER OF BUSINESS

Approval of Minutes

Mr. Adams presented the following:

A. October 25, 2023 Joint Regular Meeting

The following changes were made:

Line 187: Insert “sub” before “bases”

Lines 230 to 233: Move paragraph to just before Ninth Order of Business

Lines 272 and 373: Delete “one is unable to continue and”

Line 398: Change “volunteering” to “their service”

On MOTION for Brooks of Bonita Springs by Mr. Merritt and seconded by Ms. Varnum, with all in favor, the October 25, 2023 Joint Regular Meeting Minutes, as amended, were approved.

On MOTION for Brooks of Bonita Springs II by Mr. Bartoletti and seconded by Ms. O'Connor with all in favor, the October 25, 2023 Joint Regular Meeting Minutes, as amended, were approved.

B. November 15, 2023 Joint Special Meeting

The following changes were made:

Line 210: Change "Dave.Garner" to "Dave Garner"

On MOTION for Brooks of Bonita Springs by Mr. Merritt and seconded by Mr. Woolsey, with all in favor, the November 15, 2023 Joint Special Meeting Minutes, as amended, were approved.

On MOTION for Brooks of Bonita Springs II by Mr. Bartoletti and seconded by Mr. Gould with all in favor, the November 15, 2023 Joint Special Meeting Minutes, as amended, were approved.

TWELFTH ORDER OF BUSINESS

Staff Reports

A. District Counsel: Dan Cox, Esquire

- **Update: Required Ethics Training**

There was no report.

B. District Engineer: Johnson Engineering, Inc.

There was no report.

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

- **Monthly Status Report – Field Operations**

The Field Operations Report was included for informational purposes.

Mr. Bartoletti noted that the total bill for culvert cleaning, from inspection to completion, was \$68,000 and asked if that is typical. Mrs. Adams replied affirmatively and stated she will email the projects from 2022 to Mr. Bartoletti.

Referencing a handout, Mr. Willis discussed the geotubes in Phases 2 and 3 and responded to questions about geotube filling and littoral plantings.

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

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

- **QUORUM CHECK – BROOKS OF BONITA SPRINGS**
- **QUORUM CHECK – BROOKS OF BONITA SPRINGS II**

THIRTEENTH ORDER OF BUSINESS

Supervisors' Requests: Supervisor Rod Woolsey

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

Mrs. Adams stated this item is related to the Eighth Order of Business, which was removed.

Mr. Bartoletti stated, at a Copperleaf Board meeting, he was asked why there was a reduction in pond, fish and wildlife and he told them that it was due to the cane toads. Since this is an active fishing community, he believes that the CDDs have a responsibility to keep the lakes stocked.

Discussion ensued regarding environmental factors, fishkills, cane toads, predatory birds and overfishing by non-residents.

Mr. Cox stated, due to illness, he will be unable to continue representing the CDDs. He advised the Boards to consider advertising a Request for Qualifications (RFQ) for District Counsel Services. Asked if he can work remotely, Mr. Cox replied affirmatively.

FOURTEENTH ORDER OF BUSINESS

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

No members of the public spoke.

FIFTEENTH ORDER OF BUSINESS

Adjournment

There being nothing further to discuss, the meeting adjourned at 2:58 p.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

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

January 24, 2024

FOR BROOKS OF BONITA SPRINGS:


Secretary/Assistant Secretary


Chair/Vice Chair

FOR BROOKS OF BONITA SPRINGS II:


Secretary/Assistant Secretary


Chair/Vice Chair