

**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 April 24, 2024 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
David Garner	Assistant Secretary
John (Rod) Woolsey	Assistant Secretary
Edward Franklin	Assistant Secretary

Present for Brooks II CDD:

Joseph Bartoletti	Chair
Ken D. Gould	Vice Chair
Thomas Bertucci (via telephone)	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
Brent Burford (via telephone)	District Engineer
Leah Holmes	Johnson Engineering Inc. (JEI)
Joshua Hildebrand	JEI
David Dore-Smith	Copperleaf General Manager
Joe Bucciarelli	Plumbago Pointe HOA President
Blake Grimes	GulfScapes

Residents present:

Glen Leckie Jeanne Pelletz Wayne Adaska Bob Nelson Betsy Wilson

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Adams called the meeting to order at 1:00 p.m. For Brooks of Bonita Springs, Supervisors Merritt, Garner, Franklin and Woolsey were present. Supervisor Varnum was

absent. For Brooks of Bonita Springs II, Supervisors Bartoletti, Gould, Bunting and O'Connor were present. Supervisor Bertucci was not present at roll call.

Mr. Bartoletti asked to reorder the agenda slightly to present the Sixth Order of Business directly after the Fourth Order of Business.

Mr. Bertucci joined the meeting via telephone at 1:02 p.m.

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

SECOND ORDER OF BUSINESS

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

Resident Jeanne Pelletz discussed the efforts of the Shadow Wood Grounds Committee and Community Association Board to achieve National Wildlife Federation certification. She stated that, based on the certification checklist, Shadow Wood already has 70 of the 100 points needed. She distributed information and discussed the benefits of certification, including earning the equivalent of Good House seal of approval and lower cost than earning Audubon certification, which is usually reserved for golf courses. Shadow Wood's goal is to educate the other Brooks communities and perhaps get the CDDs involved to assist in educating residents about natural habitats to promote wildlife conservation and to assist in the application process.

Discussion ensued regarding the initiative, having Ms. Pelletz make a presentation at Copper Leaf and the Brooks Council of Presidents and how the CDDs can best participate in order to apply for the certification.

Mr. Merritt and Ms. O'Connor volunteered to assist with the initiative, on behalf of CDD #1 and CDD #2, respectively.

JOINT BUSINESS ITEMS

THIRD ORDER OF BUSINESS

Landscape Report: GulfScapes Landscape Management Services

Mr. Grimes reported the following:

- Cutbacks are underway; Three Oaks is nearly finished and Coconut Road will be next.

- Flowers were reserved; red and yellow Coleus will be planted on July 1, 2024.
- Final turf fertilization will be in May, before the blackout.
- Hotspots are being treated and irrigation is being continuously monitored.
- Normal trimming, mowing and weed control are ongoing.

- **Irrigation Reports**

Mr. Grimes presented the following reports:

- A. Meter Usage by Clock**

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

Mr. Grimes thinks a main line on Clock 8 was shut down for several days.

With regard to the Year Over Year Water Usage Chart, it was noted that the year over year usage in the far right hand column should be corrected to reflect that the total gallons averaged 3.7 million and the average monthly cost was \$8,000.

FOURTH ORDER OF BUSINESS

**Presentation of Request for CDD
Landscaping [Spring Run, Copperleaf,
Shadow Wood and The Commons Club]**

Mr. Dore-Smith presented the request for landscaping from Spring Run, Copperleaf, Shadow Wood, The Commons Club and Lighthouse Bay; Lighthouse Bay was omitted from the sheet in the agenda as the General Manager missed the original email. He presented examples of preferred foliage density and areas where key parts of border landscaping along the community and club property lines were lost; he noted that the deficiencies and voids are easily visible when walking but might not seem as evident when driving. He stated the General Managers would like to have input with GulfScapes and senior management to determine the landscaping priorities and in the selection of materials. He stated the General Managers would like to improve communication between the CDDs, District Management and GulfScapes in determining where to best spend the money.

Mr. Bartoletti stated that the CIP landscape renovation project approved in 2022 and completed during 2023 did not include the fence line along the roadways. He noted that the CIP landscape project resulted from a tour with David Dore-Smith along the length of Three Oaks and down Coconut to Lighthouse Bay did identify gaps that were not included in the project. He agrees the work requested by the GMs is a necessity.

There were motions and seconds from each CDD Board to approve the request for landscaping; discussion then proceeded and a vote was taken later in the meeting.

Mr. Grimes stated he developed proposals for the scope of work. The plant materials present, such as Awabuki and Ligustrum, are good but they are at the age where deterioration is typical and replacement is justified.

Mr. Dore-Smith stated the General Managers would like input regarding what plant materials are installed and in the prioritization of the areas to be addressed.

Discussion ensued regarding the scope of work, the cost for each of the phases proposed and the GulfScapes proposal totaling approximately \$127,000.

Mr. Bartoletti noted that \$620,000 was already spent and asked if there are other areas along the seven miles of landscaping that will need to be addressed on a continuing basis, or if this project will address all areas in need of replacement; he asked if this proposal will address all areas in need of replacement.

Mr. Grimes stated that Proposal #4609 is just for Three Oaks, which is the majority of the hedge line. Work remains to be done adjacent to The Commons Club and along Coconut Road. He suggested creating a budget to address replacement of all plant materials on the hedge line; he cannot predict lifespan, as it depends on the longevity of the plants. He recommended budgeting for replacement of older plant materials.

Mrs. Adams stated that \$80,000 is budgeted in the draft Fiscal Year 2025 budget; the amount can be increased to the level the Boards think is appropriate. Mr. Bartoletti and Mrs. Adams agreed that the \$80,000 budgeted is not sufficient. Mr. Adams stated that the budget for the sizing of the loan was \$650,000, of which approximately \$580,000 has been spent. Remaining loan funds and funds in the operating budget can be allocated to the current proposal of approximately \$127,000. After October 1, 2024, another new budget with \$80,000 currently proposed becomes available. He predicted that a proposal can be obtained for the Coconut Road portion, which can be addressed in 2024.

Mr. Bartoletti thinks the two parts to consider are the immediate part and the ongoing part. The \$80,000 represents routine funds for replacement of plant material.

Mr. Adams stated that some hedge line areas were filled in several years ago.

Mr. Bartoletti noted that the General Managers are more concerned with Coconut Road than Three Oaks Parkway and suggested the first need is to prioritize the areas to be addressed.

He suggested taking Mr. Merritt's approach and addressing an ongoing replenishment of the entire hedge line, 50% of which he estimated to be 15 to 20 years old. He noted that the proposal includes plants that he would not recommend replacing, based on discussions with Mr. Dore-Smith. He stated they discussed installing Clusia, rather than Awabuki, as in their opinion, Clusia would be more densely packed and beautiful. He stressed the need for a replacement plan.

Mr. Bartoletti suggested approving the replacements to be done over a two-year period today. Mr. Adams stated that \$150,000 is available in the Fiscal Year 2024 budget. Mr. Bartoletti suggested that the \$80,000 be kept for normal replacements.

Mr. Grimes noted that the proposal includes replacement of single Awabuki to fill gaps in existing hedges that are otherwise thriving. In a stretch of four to five miles, the proposal calls for 15 Awabuki. Going forward, new hedges would be of hardy, dense, sound barrier type materials. It was noted that replacing single Awabuki, as needed, is the best strategy.

The Board and Staff discussed the previous project, the scope of work, plants to be substituted, the need to increase the amount budgeted for replacements and use of Assigned and Unassigned Fund Balance.

Mr. Bartoletti noted that a group of General Managers are very interested in a better upgrade of the fence line and the ages of the existing plants are known. He suggested first addressing the project requested by the General Managers, followed by having a second project that identifies the remainder of the roadways where plantings are needed based on gaps and the age of existing materials and then planning a project to do it.

Mr. Dore-Smith noted the need to include the General Managers in the discussion.

Discussion ensued regarding the pictures of the gaps at the Copperleaf fence, whether plantings will be replaced and completed work on the sprinkler lines.

Ms. Bunting voiced her opinion that some fences are in disrepair and expressed concern about landscaping being planted but then it being damaged during fence repair work.

Mr. Willis stated that all the hurricane fence repairs were completed. Carter Fence is scheduled to review the caps and small hardware. All holes and gaps were replaced and the two fences along Three Oaks were replaced and now hardware repairs will be performed.

Mr. Woolsey noted that the first phase of the project totaled \$650,000 and the cost of the second phase is unknown; he asked what, if anything, would be the third phase.

Mr. Grimes stated, if directed , he will prepare a budget for the remaining hedge materials that might not yet be completely deteriorated along Coconut Road and the Three Oaks hedge line and classify the hedge areas as Tier 1 and Tier 2 to indicate good, thick and dense versus areas of hedge in worse condition. Mr. Woolsey asked Mr. Grimes if he can provide a 20-year projection for everything on Three Oaks and Coconut, to provide an overall outline. Mr. Grimes replied affirmatively. Mr. Woolsey asked if the proposal includes the necessary work on Coconut. Mr. Grimes stated it does not but he can review the area and advise.

Discussion ensued about available funds, scope of work, including the General Managers when prioritizing projects and increasing the \$80,000 currently budgeted for landscaping.

Mr. Dore-Smith stated that the Council Presidents meet three times per year and an agenda item can be added to their regular agenda for a meeting coinciding with the budget. He noted that a site inspection with a Board Member and Mr. Willis is needed to identify the immediate needs.

Mr. Bartoletti withdrew his former motion and made a series of new motions.

On MOTION for Brooks of Bonita Springs II by Mr. Bartoletti and seconded by Mr. Gould, with all in favor, authorizing an immediate meeting with the General Managers to resolve work to be done on Coconut, was approved.

On MOTION for Brooks of Bonita Springs by Ms. O'Connor and seconded by Mr. Franklin, with all in favor, authorizing an immediate meeting with the General Managers to resolve work to be done on Coconut, was approved.

On MOTION for Brooks of Bonita Springs II by Mr. Bartoletti and seconded by Mr. Gould, with all in favor, authorizing a meeting before the July 2024 budget meeting to develop a plan for Fiscal Year 2025 for the remaining work on Three Oaks, Coconut and any other necessary work, were approved.

On MOTION for Brooks of Bonita Springs by Mr. Merritt and seconded by Mr. Franklin, with all in favor, authorizing a meeting before the July 2024 budget meeting to develop a plan for Fiscal Year 2025 for the remaining work on Three Oaks, Coconut and any other necessary work, were approved.

The Board and Staff discussed increasing the currently budgeted \$80,000 for plant replacement based on the ten-year plan.

Mr. Adams stated that the needs will be addressed in Fiscal Year 2025; going forward, needs will be addressed as identified, in intervals. Each year, unused funds will be saved for future needs.

Mr. Merritt noted that \$80,000 is budgeted and \$70,000 remains from the loan for a total of \$150,000. Mr. Adams stated that those funds will be used for the Coconut Road initiative. The Board and Staff will discuss how much to increase the \$80,000 budgeted for plant replacement at the July meeting and discuss the ten-year plan at the October meeting.

Mr. Bartoletti stated that Project 4 would be unrelated to Three Oaks and Coconut. He proposed a meeting to include the Golf Course Superintendents, Staff and General Managers, if they desire, to review the littoral plantings in the lakes to ensure that the current levels are satisfactory to all. Mr. Dore-Smith stated that the map was refined but no meeting was scheduled to review the littorals.

Mrs. Adams stated that lake bank restorations are underway; all currently budgeted littorals must go towards lake bank restorations. Mr. Dore-Smith will send Mrs. Adams the information regarding areas where littorals are desired; they will be budgeted and installed during Fiscal Year 2025.

Mr. Bartoletti would like Project 4 to designate a meeting with the other three communities and include that requirement as part of the budget process, in advance of July. Mr. Dore-Smith noted that the plan will be given to District Management, who will know the needs and prioritize them accordingly. Mr. Adams stated that \$30,000 is budgeted annually for littoral plants, which is a significant amount.

On MOTION for Brooks of Bonita Springs II by Mr. Bartoletti and seconded by Mr. Gould, with all in favor, authorizing a meeting to include the Golf Course Superintendents, Staff and General Managers, if they desire, to review the littoral plantings in the lakes, was approved.

On MOTION for Brooks of Bonita Springs by Mr. Merritt and seconded by Mr. Franklin, with all in favor, authorizing a meeting to include the Golf Course Superintendents, Staff and General Managers, if they desire, to review the littoral plantings in the lakes, was approved.

FIFTH ORDER OF BUSINESS

**Update: Waterway Inspection Report -
SOLitude Lake Management, LLC**

Mrs. Adams stated the Report is included for informational purposes, as a representative from SOLitude is not in attendance.

Mr. Willis recalled that there was a 29" rain deficit last year that resulted in the banks of the stormwater ponds seeding with weeds. A Defective Work Notice was issued last year and dramatic improvements and weed reduction were observed. However, unseasonably wet weather in November and December led to nutrient loading and debris in the lakes. His conclusion is that SOLitude is doing a better job and that the photos are typical of stormwater ponds at this time of year. He noted that technicians have been very responsive, although the lakes are not yet where they need to be.

Discussion ensued regarding the Report and dissatisfaction with SOLitude's performance. It was noted that SOLitude's contract is performance-based; two technicians are required to be on site two days per week and as needed to for routine maintenance and inspections and to address additional issues as they arise.

Mrs. Adams stated the Boards can terminate SOLitude and hire a contractor until the sealed bidding process is complete. The CDDs are publishing a Request for Proposals (RFP); SOLitude's contract expires on August 31, 2024 and the pre-bid meeting will be on June 12, 2024. Proposals will be presented at the July meeting and the new contract will take effect on September 1, 2024. It was noted that high water levels do not preclude planting.

Ms. O'Connor thanked Mr. Willis for his responsiveness dealing with resident issues. She asked if the CDDs share responsibility with the golf club on the other side of the lakes. Mrs. Adams replied no; the CDDs fund lake management and the golf clubs give input.

The Board and Staff discussed the lake bank restoration project, planting littorals and the need to continue replenishing the littorals on an ongoing basis.

Mr. Adams suggested assigning fund balance for littoral replacement.

Asked for his recommendation, Mr. Adams suggested allowing SOLitude to continue until the end of the bidding process, due to the difficulty changing contractors, their familiarity with the CDDs and their good faith efforts and hard work to clean up the lakes. Asked if SOLitude was invited to bid, Mrs. Adams replied no; however, SOLitude can submit a bid if they

wish, since it was advertised. Mr. Adams stated the CDDs have the right to award the contract to the lowest responsible, responsive, most advantageous bidder without regard to price.

SIXTH ORDER OF BUSINESS

Consideration of Gulfscapes Landscape Maintenance Services Proposal #4609 for Installation of 15-Gallon Hedges

This item was discussed in conjunction with the Fourth Order of Business.

SEVENTH ORDER OF BUSINESS

Discussion: EarthBalance Price Quote for Plumbago Point Fire Maintenance

Mr. Willis stated a resident shared fire prevention concerns and asked for a quote to be obtained to cleanup a 15' area known as "The Duff" in the conservation and preservation areas. He advised that this will be included on the agenda for discussion although it is not technically a responsibility of the CDDs and more likely falls under the purview of the HOA.

Resident and Plumbago Pointe HOA President Joe Bucciarelli described a fire that occurred in the fall that was caused by a lightning strike at 11:00 p.m., deep in the woods behind two homes in the cul-de-sac. The fire was reported by a passerby on I-75; residents were unaware of the fire and there was no access to the area. He discussed efforts to extinguish the fire by smothering it with earth; the fire was monitored as it smoldered for several days. He asked what can be done to clean up the area in close proximity to homes and noted that the area is completely surrounded by conservation land; residents are very concerned. He asked about a program like in Mediterra.

The Board and Staff discussed the diagrams, the incident and the proposal.

Mr. Adams stated, generally, removal is limited to removal of dead material. He discussed the wildfire program implemented in Mediterra, which addresses only areas adjacent to homes, at a cost of approximately \$250,000 every three years.

Discussion ensued regarding the diagram, possibility of implementing a program in neighborhoods with a conservation area, access points from the golf course and implementing and funding a Fire Wise program.

Ms. Bunting stated a lightning strike occurred in Mahogany Cove in an area only accessible by boat. She expressed concern.

Mr. Adams will circulate the report from Mediterra, as it is a matter of public record.

It was noted that nothing can be done today, other than to initiate the process.

Mr. Adams stated that the information can be gathered, reports can be generated and approvals can be secured from the South Florida Water Management District (SFWMD), on a location by location basis, and then determinations about whether the CDDs or the HOAs will fund the program can be made.

Asked if the CDDs are liable for failure to maintain the conservation areas, Mrs. Adams stated that, to stay in compliance with the SFWMD permit, the CDDs are already maintaining the conservation areas twice a year for invasive materials; that is all that is required and there is no liability. Mr. Adams stated that, in the case of Mediterra, District Counsel did not find any additional liability taken on by implementing a Fire Wise program.

Mr. Adams stated that some cost estimates can be provided; the initial program is more expensive than work in subsequent years. After SFWMD approvals are received, proposals for each area can be obtained and totaled and the decision of whether to have the CDDs assess all homeowners or to have the HOA fund the program and bill only those homeowners affected can be addressed. The District Engineer would oversee the project.

Mrs. Adams stated, in the meantime, she will email information related to homeowners' responsibility to monitor, maintain and irrigate their own yards and surroundings, such as mulch beds and items that can catch fire, as indicated in the Engineer report.

Mr. Bucciarelli expressed frustration that his home is within 15' of a conservation area and he is unable to maintain those areas. He appreciates the Boards' attention to this issue that affects his community, which has only 13 homes.

Mr. Bartoletti stated that Staff will obtain a report regarding what happened and use that to arrive at a decision on how much the Boards are willing to spend and whether homeowners, the HOAs or the CDDs have the right to remove materials from the affected conservation areas.

Plumbago Pointe resident Bob Nelson voiced his opinion that homeowners in these areas should not bear the full cost, as they pay for lake management and do not live on a lake. Mr. Willis noted that all residents benefit from the stormwater management system.

Mr. Merritt stated that the CDDs cannot proceed without SFWMD approval, which will take several months; he noted that the cost of implementing the program is significant.

Resident Betsy Wilson pointed out her home on the diagram and took issue with the idea that homeowners should do more. She asked for the CDDs to maintain its property. She thanked the Boards for looking into the matter.

EIGHTH ORDER OF BUSINESS

**Discussion: Light Outage Reports
2023/2024**

This item was presented following the Ninth Order of Business.

NINTH ORDER OF BUSINESS

Update: Pathway Improvement Plans

Mr. Merritt read the following statement:

“I want to first express my sincere appreciation for the dedicated commitment by Mr. Glen Leckie, Mr. Wayne Adaska and Ms. Lynn Bunting for their dedication and commitment in moving this challenging sidewalk pathway project forward. It has entailed great effort and time along with a great deal of frustration. We are confronted with a twenty year old plus asset that is at the end of its service life. It is plagued with liability issues due to extensive tree root heaving, poor drainage and slope issues. It is imperative that we address our liability exposure and comply with mandatory Americans with Disabilities Act (ADA) slope standards. This project will involve great effort and expense but it is important that it be done in a manner that represents the best long term interests of The Brooks. I will now turn and ask Wayne to proceed with a PowerPoint presentation showing our progress and a perceived path forward. In the interest of time, I respectfully request that you hold questions until Wayne completes his presentation.”

Mr. Adaska discussed the PowerPoint presentation, which was distributed as a handout, and noted the following:

- The program will be very expensive; it will be millions of dollars.
- The scope of the program includes six and a half miles of pathway, from Coconut to Williams, Three Oaks and from the Coconut Road entrance of Lighthouse Bay all the way to 41. Some areas include one side of the road and some areas include both sides.
- The Task Group is working with the Village of Estero and Johnson Engineering to ensure that efforts are not duplicated.
- The Task Group is hoping that construction will occur in one phase.

- A walkthrough was done with Johnson Engineering.
- Options include all asphalt, all concrete or a combination of asphalt and concrete.
- The estimated project costs are \$2.5 million for all asphalt, \$4 million for all concrete and \$3 million for a combination of concrete and asphalt.
- Initially, concrete is approximately 58% more expensive than asphalt but asphalt requires more maintenance.
- Johnson Engineering will be asked to prepare a life cycle cost analysis comparing asphalt and concrete.
- The Task Group will confer with the Village of Estero, obtain input and share the Boards' feedback to Johnson Engineering in order to develop final plans and costs.

Transportation Engineer Mr. Joshua Hildebrand, of Johnson Engineering, stated that he has been working on a similar project in Pelican Bay for more than two years, where he performed construction oversight for twelve miles of sidewalk replacement. He discussed the project on which he served as independent inspection staff, including work on root barriers, and discussed the requirement to meet Americans with Disabilities Act (ADA) slope requirements, which is problematic in tighter areas.

In response to a question regarding the justification for current homeowners to pay more for the longevity of concrete, Mr. Hildebrand stated that the life cycle analysis will provide additional information; he is not recommending one solution over another, he is presenting the options.

Regarding the possibility of obtaining funding from the Village of Estero, Ms. Holmes stated that it seems funding will only be offered for Three Oaks; both the east and west sides were inspected and it seems the greater opportunity is on the east side. Comments were received and the final draft was prepared for the next Council meeting; further meetings will be held to determine the steps to move forward.

Mr. Bartoletti asked the Board Members to consider whether 8' pathways are needed, given that 6' pathways are an option. The consensus was that 7' or 8' pathways are preferred.

Mr. Bartoletti asked Mr. Adams if funding over five years involves additional costs. Mr. Adams replied affirmatively; there is a cost associated with bond validation. He discussed the bond validation process and suggested extending the time period for repayment. For the cost in question and the number of residences, he recommends repayment over five or ten years.

Discussion ensued regarding the proposed costs, amounts budgeted, upcoming projects, uncertainty of the final costs for the project and the age of the communities.

Mr. Bartoletti wondered if out of area contractors might be willing to travel to work in Florida during winter. Mr. Adams stated some have come to Florida; they will be considered only if they are Florida licensed contractors.

Discussion ensued regarding the ADA required slope of the paths, irrigation problems caused by the slope of the banks on the west side of the roadway and whether the path on the west side of Three Oaks can be eliminated. It was noted that the project should be presented to homeowners with care to promote community engagement.

Asked if the County has anything to do with Three Oaks, Mr. Merritt stated that the CDDs do not own the sidewalks but the CDDs are required to maintain them. Approval to remove the sidewalk would need to be granted by Lee County, as the owner of the right of way.

A Board Member asked what process would need to be followed to ask Lee County for permission to abandon the sidewalk on the west side of Three Oaks and how long it might take. It was noted that this is a question for District Counsel, who is not on the phone.

Ms. O'Connor asked if there is any assurance from the Village of Estero that the sidewalks will not be removed if Three Oaks is expanded. Mr. Bartoletti stated the median would be removed; it would not affect the berm side.

It was noted that this project is scheduled for Fiscal Year 2025 and the budget must be finalized by July.

Asked about the best timing for the project, Mr. Hildebrand stated that this type of project is done in all conditions so that is not a primary concern. He noted that bid alternatives can be built into the plan and bidders can be asked how long they are willing to honor the bid, in order to aid in the discussion regarding project costs.

Mr. Hildebrand discussed the Pelican Bay project, which went from asphalt to concrete, and went from a 5' sidewalk to a 6' sidewalk and noted that each project has unique considerations.

Mr. Bertucci stated he needs to leave. Mr. Bartoletti asked if he has an update about the Light Outage Reports. Mr. Bertucci stated he has no update; emails sent to engage an engineer went unanswered. Mr. Bartoletti asked if Mr. Bertucci would like him to take this on for now. Mr. Bertucci replied affirmatively and stated an engineering firm is needed.

Mr. Bertucci left the meeting at 3:34 p.m.

Mr. Garner asked if the Board Members agree that 8' sidewalks are preferred, rather than 6', other than for those that need to be fixed.

The consensus was that 8' sidewalks are preferred. Regarding the open question about the west side of Three Oaks, Mr. Merritt stated those sidewalks are to be 6'.

Mr. Leckie discussed availability of northern asphalt companies and stated that Ajax, which has an operation in the north, should be available in the off season. He discussed the advantages of being in a hot climate for asphalt and noted that nighttime installations are generally related to traffic control considerations; more crews are generally available at night.

Mr. Woolsey asked Mr. Adams if firm bids can be available for July for budgeting. He suggested simplifying the quote by eliminating the concrete/asphalt hybrid quote and limiting it to two quotes, one all asphalt and one all concrete and 8' wide everywhere except on the west side where it must be 6'.

Mr. Adams stated the bid availability depends on the ability to finalize the Project Manager for publishing to the contractors. Staff will run the advertisements; some assumptions will be made.

After discussion, Mr. Adams stated the consensus is that the bid will request three alternatives: 8' asphalt, 6' asphalt and 6' concrete for the west side of Three Oaks.

Mr. Woolsey asked if the bid will break out the cost of the 6' asphalt on the west side in case Lee County is convinced to abandon the sidewalk. Mr. Hildebrand stated it will be set up with unit prices for certain line items; three options will be presented.

Mr. Adaska suggested that contractors will likely offer either concrete or asphalt but not both and recommended eliminating the blended bid.

Mr. Garner summarized that the bid request will be for 8' sidewalks, with the exception of the west side of Three Oaks. Two proposals will be requested; one all asphalt and one all concrete. The Board Members were in agreement.

Asked how long it will take to publish the RFP, Ms. Holmes estimated that it will take a few weeks to a month; the RFP will be published by late May.

It was reiterated that two bids will be obtained for both concrete and asphalt, with 8' sidewalk everywhere, with the exception of the west side of Three Oaks.

Mr. Bartoletti stated Mr. Hildebrand advised that a 2% slope on the west side of Three Oaks would be more difficult if asphalt is selected; he noted that it might be more difficult and more costly to because there might be unanticipated exceptions after the bids are received.

▪ **Discussion: Light Outage Reports 2023/2024**

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

Mr. Bartoletti presented the Light Outage Report for Three Oaks Parkway and Coconut Road. He stated that, of all the poles, only 14 on Three Oaks and eight on Coconut were not repaired; all the rest had repairs. The Report lists all the costs and determines the cost for each item being replaced. He would like to know if the lights are metal halide or high-pressure sodium because the lumens are much higher with high-pressure sodium.

Mr. Bartoletti stated he would like to speak with Bentley Electric (Bentley) to understand better; he recommended Bentley focus on these and advise further. He will email the analysis to Mrs. Adams in the hopes that Bentley can determine what was failing, how often and where. He suggested looking at those areas with multiple failures and doing an analysis to determine how to proceed. The report is organized by date and will be provided by Staff to interested parties.

Mr. Woolsey stated that he followed up with George Pittion in Shadow Wood. Bentley does all of Shadow Wood's work and what is shown here matches what was seen there. He does not believe that repetitive issues occurred but underground problems and shorts in the poles occurred; some arms, some laminators, all the bulbs and all the bolts were replaced. All the tall light poles owned by Shadow Wood were done; four poles had the wrong bolts but, upon inspection, they were all rusted so they were replaced.

Mr. Bartoletti stated that, by July, what to do and how to proceed must be decided. Bentley must be involved and Staff will be asked to include Mr. Bertucci in the discussions.

Mr. Merritt stated that the information is needed and an Engineer is not able to assist. Mr. Bentley is the closest to it but he does not believe Mr. Bentley knows everything about the poles. In speaking with Mr. Adams, it was noted that the poles were reinforced after Hurricane Charley. Mr. Adams stated that the poles were originally wind loaded to 80 miles per hour (mph) and support braces were bolted into the bases, bringing the rating to 120 mph. That still does nothing for the arms, which tend to twist off in high winds; however, the poles stay upright for the most part, which was not the case after Hurricane Charley.

Mr. Bartoletti suggested someone arrange to meet with Mr. Bentley, get the best input and have him try to find an Engineer. Mr. Adams stated he will ask Mr. Bentley for his input. In an ideal situation, the streetlighting program could be nursed through for four or five years until the new debt is paid off and repurpose and replace that annual payment on another financing to address whatever else requires repair between now and then. He heard that the situation greatly improved over several months, due to concerted repair efforts, canopy trees being reduced and other improvements.

Mr. Bartoletti stated the database provided by Mr. Bentley was outstanding.

It was noted that reports have been provided through March.

Regarding the opinion that the project needs to progress, Mr. Adams stated he will coordinate the next steps. Mr. Bartoletti stated that two engineering firms were contacted and both Johnson Engineering and the firm recommended by Mr. Bentley advised that they are unavailable due to other commitments.

TENTH ORDER OF BUSINESS

**Consideration of Johnson Engineering, Inc.
Fee Modification**

Mr. Adams stated that typical fee modifications are 7% to 12%. The fee modification of 10% averages approximately 3% annually, as an increase has not been presented in several years. Mr. Hildebrand stated he believes that Mr. Mark Zordan, who will likely serve as District Engineer, bills at the rate of Professional #5; he stated that he and Ms. Holmes bill at the rates of Professional #7 and #5, respectively.

On MOTION for Brooks of Bonita Springs by Mr. Merritt and seconded by Mr. Franklin, with all in favor, the Johnson Engineering, Inc. Fee Modification, was approved.

On MOTION for Brooks of Bonita Springs II by Mr. Bartoletti and seconded by Ms. O'Connor, with all in favor, the Johnson Engineering, Inc. Fee Modification, was approved.

ELEVENTH ORDER OF BUSINESS

**Consideration of Resolutions Relating to
the Amendment of the Annual Budget for
the Fiscal Year Beginning October 1, 2022**

**and Ending September 30, 2023; and
Providing for an Effective Date**

Mr. Adams stated these Resolutions are necessary to amend appropriation levels because they were exceeded in Fiscal Year 2023 and to avoid an audit finding.

A. Resolution 2024-03, Brooks of Bonita Springs Community Development District

On MOTION for Brooks of Bonita Springs by Mr. Merritt and seconded by Mr. Woolsey, with all in favor, Resolution 2024-03, Relating to the Amendment of the Annual Budget for the Fiscal Year Beginning October 1, 2022 and Ending September 30, 2023; and Providing for an Effective Date, was adopted.

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

On MOTION for Brooks of Bonita Springs II by Mr. Bartoletti and seconded by Ms. O'Connor, with all in favor, Resolution 2024-02, Relating to the Amendment of the Annual Budget for the Fiscal Year Beginning October 1, 2022 and Ending September 30, 2023; and Providing for an Effective Date, was adopted.

TWELFTH ORDER OF BUSINESS

**Consideration of Resolutions Approving
the Districts' Proposed Budgets for Fiscal
Year 2024/2025 and Setting a Public
Hearing Thereon Pursuant to Florida Law;
Addressing Transmittal, Posting and
Publication Requirements; Addressing
Severability; and Providing an Effective
Date**

Mr. Adams presented the proposed Fiscal Year 2025 budgets highlighting line item increases, decreases and adjustments, compared to the Fiscal Year 2024 budget, and explained the reasons for any adjustments. He discussed capital outlay, use of fund balance and building fund balance in order to accomplish the sidewalks project and other priorities discussed earlier.

Mr. Merritt suggested keeping assessments flat, given the upcoming projects. Mr. Adams stated that is his recommendation.

A. Resolution 2024-04, Brooks of Bonita Springs Community Development District

On MOTION for Brooks of Bonita Springs by Mr. Merritt and seconded by Mr. Garner, with all in favor, Resolution 2024-04, Approving the Districts' Proposed Budgets for Fiscal Year 2024/2025 and Setting a Public Hearing Thereon Pursuant to Florida Law on August 28, 2024 at 1:00 p.m., at The Commons Club at The Brooks Enrichment Center, 9930 Coconut Road, Bonita Springs, Florida 34135; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing an Effective Date, was adopted.

B. Resolution 2024-03, Brooks of Bonita Springs II Community Development District

On MOTION for Brooks of Bonita Springs II by Mr. Bartoletti and seconded by Ms. O'Connor, with all in favor, Resolution 2024-03, Approving the Districts' Proposed Budgets for Fiscal Year 2024/2025 and Setting a Public Hearing Thereon Pursuant to Florida Law on August 28, 2024 at 1:00 p.m., at The Commons Club at The Brooks Enrichment Center, 9930 Coconut Road, Bonita Springs, Florida 34135; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing an Effective Date, was adopted.

It was noted that the budget considered today is included in the agenda that is posted on the CDD website. Mr. Adams suggested residents call him with questions.

THIRTEENTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of March 31, 2024

The Unaudited Financial Statements as of March 31, 2024 were included for informational purposes.

FOURTEENTH ORDER OF BUSINESS

Approval of January 24, 2024 Joint Regular Meeting Minutes

The following changes were made:

Line 83: Delete

Line 126: Change "installing" to "via"

Regarding Line 295, Mr. Adams will provide referrals for District Counsel Services.

On MOTION for Brooks of Bonita Springs by Mr. Woolsey and seconded by Mr. Merritt, with all in favor, the January 24, 2024 Joint Regular Meeting Minutes, as amended, were approved.

On MOTION for Brooks of Bonita Springs II by Mr. Bartoletti and seconded by Ms. Bunting, with all in favor, the January 24, 2024 Joint Regular Meeting Minutes, as amended, were approved.

FIFTEENTH ORDER OF BUSINESS

Staff Reports

A. District Counsel: Dan Cox, Esquire

• **Update: Required Ethics Training**

The Board and Staff discussed the Memorandum addressing ethics training and Form 1.

Mr. Adams recommended that the Board Members keep a record of course completion, such as screenshots or photographs.

Mr. Adams reminded the Board Members of the candidate qualifying period and noted that candidates can qualify up to 14 days in advance of the qualifying period; links will be emailed accordingly.

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. Willis stated that his fence walk with Carter Fence will be on April 30, 2024.

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

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

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

SIXTEENTH ORDER OF BUSINESS

Supervisors' Requests

Mr. Bartoletti stated that the Board Members received a two-page letter drafted by himself and Mr. Merritt.

On MOTION for Brooks of Bonita Springs II by Mr. Bartoletti and seconded by Ms. Bunting, with all in favor, authorizing the letter to the Master Association to be sent on Friday, April 26, 2024, was approved.

On MOTION for Brooks of Bonita Springs by Mr. Woolsey and seconded by Mr. Merritt, with all in favor, authorizing the letter to the Master Association to be sent on Friday, April 26, 2024, was approved.

SEVENTEENTH ORDER OF BUSINESS

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

No members of the public spoke.

EIGHTEENTH ORDER OF BUSINESS

Adjournment

There being nothing further to discuss, the meeting adjourned at 4:33 p.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

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

April 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