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 22, 2026 at 1:00 p.m., at the Estero Community Church, 21115 Design Parc Ln., Estero, Florida 33928

Present for Brooks CDD:

James Merritt	Chair
David Garner	Vice Chair
John (Rod) Woolsey	Assistant Secretary
Edward Franklin	Assistant Secretary
Charles Orlando	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	Operations Manager
Meagan Magaldi	District Counsel
Mark Zordan	District Engineer
Christian Mumme	Apex Engineering Group (AEG)
Jeff Landers	EMC Divers
George Bowling	Cross Creek Environmental
Chris Mettauer	Mettauer Environmental Inc.
David Small	Magnolia Bend Fence Committee
Blake Grimes	GulfScapes Landscape Mgmt. Services
Bill Kurth	Premier Lakes, Inc. (Premier)

FIRST ORDER OF BUSINESS **Call to Order/Roll Call**

Mr. Adams called the meeting to order at 1:02 p.m.

All Supervisors were present for both Brooks of Bonita Springs, and Brooks of Bonita Springs II.

Mr. Bartoletti asked the Board Members, by a show of hands, if they had any questions regarding the Fourth Order of Business and/or Item7A. As there were no questions on either, those items were excluded from the discussions and Mr. Kurth and Mr. Grimes were excused from making presentations.

Mr. Merritt asked if the $35,000 sod replacement proposal, under Item 7C, is for sod that is installed or is to be installed. Mr. Grimes stated it is to be installed.

Mr. Woolsey asked if, going forward, GulfScapes could include an Executive Summary to the Irrigation Reports, similar to the reports from Premier Lakes. Mr. Grimes replied affirmatively.

Regarding Item 3A, Mr. Bartoletti asked the Boards to understand that the Brooks of Bonita Springs CDD, has the deciding vote on the issue that Mr. Small will be discussing in today's meeting, as it is the CDD responsible for that geographic area preserve. However, Supervisors from both Boards can listen and comment on the Shadow Wood items.

Mr. Gould recollected that this distinction was made during his tenure on the Board and this happens to also be under Item 17C in today's agenda.

Mr. Bartoletti stated Items 3A and 3B are Shadow Wood items. The Eleventh Order of Business and Item 3A, relative to Winn Dixie and the fence discussion, where the vote will only be by the Brooks of Bonita Springs CDD, is the decision Staff has made to expedite the decision-making process.

Mr. Adams clarified that a precedent is not being set. The difference is an operational expense, which allows physical improvements to be added to a parcel owned by one of the CDDs. That authority is under the ownership of the CDD that owns that parcel and, in this case, it is the Brooks of Bonita Springs CDD, not CDD II.

Mr. Bertucci voiced his opinion that both CDDs should vote on the matter since both will be exposed to damages and liability in the event of a lawsuit.

Mr. Bartoletti stated the discussion is about which CDD is responsible for making the decision to put up the fence and ownership of such; it is an operational matter. He noted the sovereign immunity amount.

SECOND ORDER OF BUSINESS **Public Comments: Agenda items only [3 minutes per person]**

No members of the public spoke.

JOINT BUSINESS ITEMS

THIRD ORDER OF BUSINESS **Shadow Wood Items**

A. Presentation of Preserve Fence Proposal from Magnolia Bend Neighborhood (David Small)

Mr. Small thanked the Boards for their interest and their time and clarified that the retail center referenced in the briefing package no longer has a 24-hour, seven days a week U-Haul drop location. The trucks have been removed from the area and from U-Haul's app and, at recent visual inspection, the drop box has been removed.

Referencing slides, Mr. Small discussed the uniqueness of having a conservation area adjacent to a retail center, the condition of Conservation Area W12 (CA W12), homeless encampments, campfires causing fire risks, trash accumulation in the area, an apartment complex that is nearing completion nearby and its target demographics and visitors, proposed solutions that will be completely paid for by the Developer, and anticipated future maintenance.

Mr. Small stated this is the only conservation area in the general area without a perimeter fence, and that this is not a Shadow Wood matter. It is a CDD CA W12 matter. He outlined three examples of CDD-owned protective fencing options and discussed fence details, access gates for the CDD, potential fence contractors, benefits of the proposed fence, and a public-private partnership. He voiced his disagreement with the notion that the fence must have an 18" ground clearance and proposed that the CDD execute the fence construction.

Mr. Garner stated the South Florida Water Management District (SFWMD) will have its own administrative codes that contain certain rules. There are covenants on the land that were imposed by the SFWMD and, while he acknowledges that the fence clearance is not in the Florida Statutes, it does not necessarily mean that it is not within the SFWMD's ability to impose those restrictions upon this particular fence.

Mr. Adams stated he researched the files from over 20 years ago and they indicate that, at least for the fence located on the north side of Shadow Wood, there was going to be an 18" clearance requirement. However, he could not find anywhere in any of the permits where that actually became a provision and, if it cannot be found, it will flush itself out in the permit process.

Discussion ensued regarding the fact that there is no Lee County requirement for an 18" clearance, the Village of Estero, the existing fencing in the Brooks communities, if the chain link fence will be galvanized steel, a commercial grade fence, fence maintenance, inaccuracies in the GIS maps showing the fences, The Commons Club, permitting costs, access gates, settlement agreement maintenance costs, the community association, Developer, standard of care for the CDD and the proposed next steps.

Regarding permitting costs, Mr. Small stated they are included in the bid and, in a case like this, they generally do a rough location based upon an aerial image, which was done. The fence contractor agreed to walk the path with District Staff. The current bid is $85,000 and he would not expect the quote to exceed $100,000. Mr. Small stated this is a very important matter to him and he thinks it is also important to the residents. He pledged to cover any overage outside of the estimate amount.

On MOTION for Brooks of Bonita Springs by Mr. Woolsey and seconded by Mr. Merritt, with all in favor, taking all steps necessary to permit and construct the proposed fence, was approved.

B. Discussion/Consideration of Lake Adjacent to Shadow Wood Monument Sign Littorals Replacement (Lake 34)

Ms. Bunting stated she has been working with the Shadow Wood Community Association and a landscape contractor who recently went through the development to assess all the landscaping in Shadow Wood. The recommendation was to move the littorals from the front of the monument to the other side of the lake bank because the littorals have grown so high that they are beyond the waterline mark and some find them unsightly in the summer. Once the littorals are moved, the Shadow Wood Community Association will have Premier install sod to the waterline and monitor the lake bank and, if there is deterioration, Premier will plant new littorals that do not grow as high.

Discussion ensued regarding the project being a Shadow Wood expense, if the relocation would impact the water quality and erosion prevention.

On MOTION for Brooks of Bonita Springs by Mr. Garner and seconded by Mr. Franklin, with all in favor, allowing the Shadow Wood Community Association to have Premier remove the littorals from Lake 34 and move them to the other

side of the lake bank, install sod to the waterline, and monitor the lake bank on an ongoing basis, was approved.

On MOTION for Brooks of Bonita Springs II by Ms. Bunting and seconded by Ms. O'Connor, with all in favor, allowing the Shadow Wood Community Association to have Premier remove the littorals from Lake 34 and move them to the other side of the lake bank, install sod to the waterline, and monitor the lake bank on an ongoing basis, was approved.

FOURTH ORDER OF BUSINESS Update: Premier Lakes Quality Control

A. Lake Reports

I. January 2026

II. February 2026

III. March 2026

There were no updates.

- **Discussion: Bid Summary for Lake Bank Repair (Lakes 46 and 130)**

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

Mr. Willis introduced Christian Mumme, the new Project Manager from Apex Engineering, formerly Johnson Engineering.

Mr. Mumme presented the bid summaries for lake bank repairs for Lakes 46 and 130. Staff sent the project manual to 10 contractors and received four bids. Representatives from three of the four respondents are in attendance. The lowest bid was from EMC Divers, followed by Cross Creek Environmental (CCE), Landshore Enterprises (LE) and Mettauer Environmental (ME). The Board Members may question the representatives at their discretion.

Mr. Mumme, Mr. Landers of EMC, Mr. Bowling of CCE, and Mr. Mettauer of ME responded to questions regarding the geotubes systems that will be used, construction methodologies, and if there are any staffing issues the Boards should be made aware of.

Mr. Willis stated all three respondents are licensed and certified to work in Florida, and Staff has good working relationships will all three. They successfully completed projects throughout Florida and District Management has never had any issues. They are all highly recommended and, with all things being equal, the primary difference is cost.

Discussion ensued regarding the bid specifications, erosion, vertical drop-offs, downspout wash-outs, homeowner responsibilities, commencement timing, drainpipes, the 20' lake easement line, why Premier Lakes failed to submit a bid for the project, if the project is budgeted, if there are any material differences between the three respondents, the scope of work, a funding source, long-term plan for the lakes, and which bid to approve.

- **Consider Award of Contract**

On MOTION for Brooks of Bonita Springs II by Ms. O'Connor and seconded by Ms. Bunting, with Ms. O'Connor, Ms. Bunting and Mr. Bartoletti in favor, and Mr. Gould and Mr. Bertucci dissenting, awarding the contract for Lake Bank Repair of Lakes 46 and 130 to EMC Divers Inc., in the amount of $424,887, was approved. (Motion passed 3-2)

Mr. Merritt stated he is uncomfortable voting on this item.

The Brooks of Bonita Springs CDD Board did not consider this item; no vote was taken.

▪ **Consideration of Johnson Engineering, LLC Professional Services Supplemental Agreement [Street Light Base Structural Evaluation]**

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

Mr. Woolseyreferenced slides and stated this item was discussed at the previous meeting, a Memorandum of Understanding (MOU) was drafted by Ms. Magaldi, and Nick Batos of Shadow Wood presented the draft to Steve Sarkozy at the Village of Estero (VOE). Mr. WOOLSEY met with Mr. Sarkozy to discuss the project and the intent of the MOU, which was subsequently revised based on the conversations. This project planning is underway and another meeting will be held soon with vendors and subcontractors. He presented the Johnson Engineering, LLC Professional Services Supplemental Agreement for Street Light Base Structural Evaluation and reviewed Exhibit A, containing a scope of services, fee schedule and cost-savings. The not-to-exceed price is $59,000.

Asked about the consequences if the CDDs cannot come to an agreement on the MOU with the VOE, Mr. Woolsey stated the CDDs will replace only the items that need to be replaced and do so with whatever materials are currently available in the marketplace. Asked what needs to be approved today, Mr. Woolsey stated an authorization to expend $61,000 with Apex to perform the detail base evaluation, to be executed after the MOU is received from the VOE. Asked if there is a point where the team will walk away from the lighting project, Mr. Woolsey stated only if the MOU fails. If that occurs, the team will coordinate with Bentley on a replacement plan for the light poles and fixtures.

Mr. Woolsey concluded that, assuming the Village approves the MOU, District Staff will order poles and fixtures and draft contract amendments or new contracts with Apex and Bentley to do the work.

On MOTION by Brooks of Bonita Springs by Mr. Garner and seconded by Mr. Merritt, with all in favor, the Johnson Engineering, LLC Professional Services Supplemental Agreement for Street Light Base Structural Evaluation, in a not-to-exceed amount of $59,000; and $61,000 to install two sets of poles and light fixtures, subject to approval of the MOU, were approved.

On MOTION by Brooks of Bonita Springs II by Mr. Bartoletti and seconded by Mr. Bertucci, with all in favor, the Johnson Engineering, LLC Professional Services Supplemental Agreement for Street Light Base Structural Evaluation, in a not-to-exceed amount of $59,000; and $61,000 to install two sets of poles and light fixtures, subject to the approval of the MOU, were approved,

FIFTH ORDER OF BUSINESS **Discussion/Consideration of Work Order Agreement [Lake 129 Spikerush Removal]**

Mr. Bartoletti referenced a letter from a resident asking the CDDs to evaluate the aquatic vegetation along the Lake L-129 shoreline, where it borders the driving range. He presented a $4,950 Work Order from Premier Lakes for spikerush removal.

Mr. Bartoletti asked if the littorals will be trimmed down to the waterline or be removed completely. Mr. Adams stated the proposal states the spikerush will be removed but the stumps will remain in place.

On MOTION for Brooks of Bonita Springs by Mr. Garner and seconded by Mr. Merritt, with all in favor, the Premier Lakes Work Order for littoral removal, was approved.

On MOTION for Brooks of Bonita Springs II by Mr. Bartoletti and seconded by Ms. O'Connor, with all in favor, the Premier Lakes Work Order for littoral removal, was approved.

SIXTH ORDER OF BUSINESS **Updates**

A. Sidewalk Project

Mr. Adams stated this project was just closed. Staff paid the max retainage on it and will follow up with the VOE. Staff is working on a final accounting of these items to send to the VOE.

B. Street Light Project

C. Tree Removal Project

Ms. Bunting discussed the VOE's stance on the tree removal project, along with the sidewalk and street lighting projects. She and Mr. Grimes will count the trees that need to be removed and notify the VOE. She hopes that, when the actual count is given to VOE officials, they will not be so concerned about the tree removal changing the look of the sidewalks.

D. Stormwater Focus Group Feedback

Ms. Bunting stated there is no update.

SEVENTH ORDER OF BUSINESS Landscape Report: GulfScapes Landscape Management Services

A. Irrigation Reports

I. Meter Usage by Clock

II. Year-Over-Year Water Usage

B. Continued Discussion: Unauthorized Removal of Irrigation Clocks 3 and 4

C. Discussion/Consideration of Proposal #5460 Sidewalk and Sod Replacement

On MOTION for Brooks of Bonita Springs by Mr. Merritt and seconded by Mr. Garner, with all in favor, Proposal #5460 for Sidewalk and Sod Replacement, in the amount of $35,000, was approved.

On MOTION for Brooks of Bonita Springs II by Mr. Bartoletti and seconded by Ms. Bunting, with all in favor, Proposal #5460 for Sidewalk and Sod Replacement, in the amount of $35,000, was approved.

EIGHTH ORDER OF BUSINESS Discussion: Bid Summary for Lake Bank Repair (Lakes 46 and 130)

This item was presented following the Fourth Order of Business.

NINTH ORDER OF BUSINESS Consideration of Johnson Engineering, LLC Professional Services Supplemental Agreement [Street Light Base Structural Evaluation]

This item was presented following the Fourth Order of Business.

TENTH ORDER OF BUSINESS **Discussion: Johnson Engineering, LLC Letter Regarding Site Observation of Lake 47 (Behind Rookery)**

Mr. Mumme stated he inspected and photographed the Lake 47 lake bank behind The Rookery. He discussed the downed trees, roots that were cut, and erosion underneath the soil. He verified that approximately 110 linear feet of drop-off around that lake bank needs to be repaired.

Discussion ensued regarding the downed trees, how much the repairs will cost, and the need to develop a plan to meet with The Commons Club.

ELEVENTH ORDER OF BUSINESS **Consideration of License Agreements**

A. Cypress Hammock at the Brooks Condominium Association, Inc.

B. Copperleaf Golf Club Community Association, Inc.

Ms. Magaldi stated the license agreements need not be approved as the bank restoration projects for Lakes 46 and 130 have not been approved yet.

TWELFTH ORDER OF BUSINESS **Consideration of Resolutions Relating to the Amendment of the Annual Budget for the Fiscal Year Beginning October 1, 2024 and Ending September 30, 2025; and Providing for an Effective Date**

A. Resolution 2026-03, Brooks of Bonita Springs Community Development District

B. Resolution 2026-02, Brooks of Bonita Springs II Community Development District

Mr. Adams presented the Resolutions and reviewed the adjustments that were made.

On MOTION by Brooks of Bonita Springs by Mr. Merritt and seconded by Mr. Garner, with all in favor, Resolution 2026-03, Relating to the Amendment of the Annual Budget for the Fiscal Year Beginning October 1, 2024 and Ending September 30, 2025; and Providing for an Effective Date, was adopted.

On MOTION by Brooks of Bonita Springs II by Mr. Bartoletti and seconded by Mr. Bertucci, with all in favor, Resolution 2026-02, Relating to the Amendment of the Annual Budget for the Fiscal Year Beginning October 1, 2024 and Ending September 30, 2025; and Providing for an Effective Date, was adopted.

THIRTEENTH ORDER OF BUSINESS **Consideration of Resolutions Approving the Districts' Proposed Budgets for Fiscal Year 2026/2027 and Setting a Public Hearing Thereon Pursuant to Florida Law; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing an Effective Date**

A. Resolution 2026-04, Brooks of Bonita Springs Community Development District

B. Resolution 2026-03, Brooks of Bonita Springs II Community Development District

Mr. Adams presented the Resolutions and reviewed the proposed Fiscal Year 2027 budget, highlighting increases, decreases and adjustments, compared to the Fiscal Year 2026 budget, and explained the reasons for any changes.

Mr. and Mrs. Adams responded to questions regarding whether the apartments will impact the ERUs, the Engineering line items, reimbursement for the landscaping for Coconut Point, and if there is sufficient funding for the aerators for the lakes.

On MOTION by Brooks of Bonita Springs by Mr. Merritt and seconded by Mr. Garner, with all in favor, Resolution 2026-04, Approving the Districts' Proposed Budgets for Fiscal Year 2026/2027 and Setting a Public Hearing Thereon Pursuant to Florida Law for August 26, 2026 at 1:00 p.m., at the Estero Community Church, 21115 Design Parc Ln., Estero, Florida 33928; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing an Effective Date, was adopted.

On MOTION by Brooks of Bonita Springs II by Mr. Bartoletti and seconded by Mr. Gould, with all in favor, Resolution 2026-03, Approving the Districts' Proposed Budgets for Fiscal Year 2026/2027 and Setting a Public Hearing Thereon Pursuant to Florida Law for August 26, 2026 at 1:00 p.m., at the Estero Community Church, 21115 Design Parc Ln., Estero, Florida 33928; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing an Effective Date, was adopted.

FOURTEENTH ORDER OF BUSINESS **Consideration of Resolutions Designating Dates, Times and Locations for Regular Meetings of the Boards of Supervisors of the Districts for Fiscal Year 2026/2027 and Providing for an Effective Date**

A. Resolution 2026-05, Brooks of Bonita Springs Community Development District

B. Resolution 2026-04, Brooks of Bonita Springs II Community Development District

The following change will be made to the Fiscal Year 2027 Meeting Schedule:

DATE: Add a March 24, 2027 meeting.

On MOTION by Brooks of Bonita Springs by Mr. Woolsey and seconded by Mr. Franklin, with all in favor, Resolution 2026-05, Designating Dates, Times and Locations for Regular Meetings of the Boards of Supervisors of the Districts for Fiscal Year 2026/2027, as amended, and Providing for an Effective Date, was adopted.

On MOTION by Brooks of Bonita Springs II by Mr. Bartoletti and seconded by Ms. Bunting, with all in favor, Resolution 2026-04, Designating Dates, Times and Locations for Regular Meetings of the Boards of Supervisors of the Districts for Fiscal Year 2026/2027, as amended, and Providing for an Effective Date, was adopted.

FIFTEENTH ORDER OF BUSINESS **Acceptance of Unaudited Financial Statements as of March 31, 2026**

- **Financial Highlights Report**

Mr. Woolsey stated several items were overbudget, which he assumed was due to timing.

Mr. and Mrs. Adams responded to questions regarding culvert cleaning, capital improvements, streetlight storage, aquascaping and the "Coconut and 3 oaks parkway" line item at 336%.

The financials were accepted.

SIXTEENTH ORDER OF BUSINESS **Approval of January 28, 2026 Joint Regular Meeting Minutes**

The following changes were made:

Line 61: Change "Mr. Bertucci" to "Mr. Merritt"

Line 184: Change "County" to "VOE"

Line 200: Change "lamp covering" to "additional poles and fixtures"

Line 203: Change "The Village" to "Madrid CPWG" and change "lighting calculations" to "light base acceptability calculations"

Line 204: Delete "public records"

Line 214: Change "four of five trees" to "some number of trees"

Line 216: Change “Mr. Gould” to “Mr. Woolsey”

Line 302: Change “He” to “She”

On MOTION for Brooks of Bonita Springs by Mr. Merritt and seconded by Mr. Franklin, with all in favor, the January 28, 2026 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 January 28, 2026 Joint Regular Meeting Minutes, as amended, were approved.

SEVENTEENTH ORDER OF BUSINESS **Staff Reports**

A. District Counsel: Coleman, Yovanovich & Koester, P.A.

Ms. Magaldi reported that, on October 1, 2026, the sovereign immunity caps will be increased to $350,000.

In response to Mr. Merritt’s question, Ms. Magaldi stated, if there is an ongoing dispute with the Developer, the CDDs will have to obtain a third-party attorney to handle the irrigation clock matter.

B. District Engineer: Johnson Engineering, Inc.

There was no report.

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

- **Monthly Status Report – Field Operations**
- **Resource Conservation Systems Letter Regarding 2026 Bulk Water Rates**

Mr. Willis stated several ladder signs along Coconut Road and Three Oaks are decaying and need to be replaced. He obtained a contract from Lykins-Signtek, at a cost of $8,240.

Discussion ensued regarding obtaining additional quotes and changing the design and color of the signs.

Mr. Willis will obtain contemporary color designs from several companies and present the additional proposals at the next meeting.

Asked for an update on the monument damage at Three Oaks and Williams intersection, Mr. Willis stated he obtained the camera footage for the accident and sent it to the Sherriff’s Department and the insurance company.

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

I. Registered Voters in Districts as of April 15, 2026

- **Brooks of Bonita Springs: 2,180**
- **Brooks of Bonita Springs II: 1,503**

II. NEXT MEETING DATE: June 24, 2026 at 1:00 PM

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

For Brooks of Bonita Springs CDD, Mr. Franklin will attend the June 24, 2026 meeting via telephone and Mr. Orlando will be absent.

For Brooks of Bonita Springs II CDD, all Supervisors confirmed their attendance at the June 24, 2026 meeting, except for Ms. O'Connor.

EIGHTEENTH ORDER OF BUSINESS Supervisors' Requests

Discussion ensued regarding which seats are up for election, if Staff will send an email announcing open/vacant seats, and who will attend the July budget public hearing meeting.

NINETEENTH ORDER OF BUSINESS Public Comments: Non-Agenda items only [3 minutes per person]

No members of the public spoke.

TWENTIETH ORDER OF BUSINESS Adjournment

On MOTION for Brooks of Bonita Springs by Mr. Merritt and seconded by Mr. Garner, with all in favor, the meeting adjourned at 4:05 p.m.

On MOTION for Brooks of Bonita Springs II by Mr. Bartoletti and seconded by Ms. Bunting with all in favor, the meeting adjourned at 4:05 p.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

FOR BROOKS OF BONITA SPRINGS:

Secretary/~~Assistant Secretary~~

Chair/Vice Chair

FOR BROOKS OF BONITA SPRINGS II:

Secretary/~~Assistant Secretary~~

Chair/Vice Chair