

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

January 25, 2023

**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 18, 2023

ATTENDEES:

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

Boards of Supervisors

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

Dear Board Members:

The Boards of Supervisors of the Brooks of Bonita Springs & Brooks of Bonita Springs II Community Development Districts will hold a Joint Regular Meeting on January 25, 2023 at 1:00 p.m. at The Commons Club at The Brooks Enrichment Center, 9930 Coconut Road, Bonita Springs, Florida 34135. The agenda is as follows:

1. Call to Order/Roll Call
2. Public Comments (*agenda items only*)

BROOKS OF BONITA SPRINGS ITEMS

3. Consideration of Resolution 2023-01, Declaring a Vacancy in Seats 4 and 5 of the Board of Supervisors Pursuant to Section 190.006(3)(b), Florida Statutes; and Providing an Effective Date
4. Consider Appointment of Qualified Elector Candidates to Fill Seat 4 and Seat 5 Vacancies (*Terms Expire November 2026*)
 - A. David L. Garner
 - B. Michael Lepchitz
5. Administration of Oath of Office to Newly Appointed Supervisors (*the following to be provided in a separate package*)
 - A. Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees
 - B. Membership, Obligations and Responsibilities
 - C. Financial Disclosure Forms
 - I. Form 1: Statement of Financial Interests

- II. Form 1X: Amendment to Form 1, Statement of Financial Interests
 - III. Form 1F: Final Statement of Financial Interests
 - D. Form 8B – Memorandum of Voting Conflict
6. Consideration of Resolution 2023-02, Designating Certain Officers of the District, and Providing for an Effective Date

BROOKS OF BONITA SPRINGS II ITEMS

7. Administration of Oath of Office to Newly Elected Supervisors, Mary O'Connor [Seat 3], Thomas Bertucci [Seat 4] and Joseph Bartoletti [Seat 5] (*the following to be provided in a separate package*)
- A. Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees
 - B. Membership, Obligations and Responsibilities
 - C. Financial Disclosure Forms
 - I. Form 1: Statement of Financial Interests
 - II. Form 1X: Amendment to Form 1, Statement of Financial Interests
 - III. Form 1F: Final Statement of Financial Interests
 - D. Form 8B – Memorandum of Voting Conflict
8. Consideration of Resolution 2023-02, Designating Certain Officers of the District, and Providing for an Effective Date

JOINT BUSINESS ITEMS

9. Landscape Report: *GulfScapes Landscape Management Services*
- Irrigation Reports
 - A. Meter Usage by Clock
 - B. Year-Over-Year Water Usage
10. Update: Delinquent Payments from Coconut Point Mall
11. Discussion/Review of Proposed Capital Improvement Plan and Costs
12. Consideration of Award of Contract for Lake Bank Restoration

13. Consideration of Award of Contract for Landscape Renovations
14. Consideration of GulfScapes Landscape Management Services Proposal #3457 for Enrichment Center Club Entrance
15. Update: Pickleball Complex Project
16. Acceptance of Unaudited Financial Statements as of December 31, 2022
17. Approval of October 26, 2022 Joint Regular Meeting Minutes
18. Staff Reports
 - A. District Counsel: *Dan Cox, Esquire*
 - 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: March 22, 2023 at 1:00 p.m.

○ QUORUM CHECK – BROOKS OF BONITA SPRINGS

SEAT 1	WILLIAM STOEHR	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
SEAT 2	JAMES MERRITT	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
SEAT 3	SANDRA VARNUM	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
SEAT 4		<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
SEAT 5		<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO

○ QUORUM CHECK – BROOKS OF BONITA SPRINGS II

SEAT 1	LYNN BUNTIN	<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

19. Supervisors’ Requests
20. Public Comments (*non-agenda items only; four (4)-minute time limit*)

21. 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**

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RESOLUTION 2023-01

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE BROOKS OF BONITA SPRINGS COMMUNITY DEVELOPMENT DISTRICT DECLARING A VACANCY IN SEATS 4 AND 5 OF THE BOARD OF SUPERVISORS PURSUANT TO SECTION 190.006(3)(b), FLORIDA STATUTES; AND PROVIDING AN EFFECTIVE DATE

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

WHEREAS, on November 8, 2022, two (2) members of the Board of Supervisors (“**Board**”) are to be elected by “**Qualified Electors**,” as that term is defined in Section 190.003, *Florida Statutes*; and

WHEREAS, the District published a notice of qualifying period set by the Supervisor of Elections at least two (2) weeks prior to the start of said qualifying period; and

WHEREAS, at the close of the qualifying period, no Qualified Electors qualified to run for the two (2) seats available for election by the Qualified Electors of the District; and

WHEREAS, pursuant to Section 190.006(3)(b), *Florida Statutes*, the Board shall declare Seats 1 and 2 vacant, effective the second Tuesday following the general election; and

WHEREAS, pursuant to Section 190.006(3)(b), *Florida Statutes*, two (2) Qualified Electors shall be appointed to the vacant seats within 90 days thereafter; and

WHEREAS, the Board finds that it is in the best interests of the District to adopt this Resolution declaring the seat available for election as vacant.

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

SECTION 1. The following seat is declared vacant effective as of November 22, 2022:

Seat #4 (currently held by Rollin H Crawford)

Seat #5 (Currently held by Bill Docherty, Jr.)

SECTION 2. Until such time as the District Board appoints two (2) Qualified Electors to fill the vacancies declared in Section 1 above, the incumbent Board Supervisors of those respective seats shall remain in office.

SECTION 3. This Resolution shall become effective upon its passage.

PASSED AND ADOPTED this 25th day of January, 2023.

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**

4A

David L. Garner
10731 Crooked River Road
Apt 101
Estero, Florida 34135
Davegarnerlhb@gmail.com
773-539-1940

January 9, 2023

Ms. Cleo Adams
The Brooks CDD
Wrathell, Hunt & Associates, LLC
Via email only: cleo.adams@whhassociates.com

Re: Open Board of Supervisors Position

Dear Ms. Adams:

Please accept this letter as an application to fill the open Supervisors position on The Brooks CDD (I). Mr. James Merritt advised that I should contact you directly. If there are others who I should contact, please advise and I will do so.

In furtherance of this application, please find the attached resume (short version) which will give you some information as to my background. I have been retired since 2020, but prior to that time, was employed in the legal and insurance industries. I am a full-time resident of Florida and a United States Citizen.

I am well suited to fill the open position and could bring a great deal of relevant experience to assist the Board of Supervisors in the fulfillment of its obligations to The Brooks Community. My experience includes:

- Serving as a Director of The Harbour Club, the master association of Lighthouse Bay in The Brooks containing 654 units, for 2 years (starting another 2-year term in February).
- Serving as President and Director of Lighthouse Bay 2, a sub-association of Lighthouse Bay with 144 units, for 4 years.
- Serving as Claim Leader overseeing a large book of Public Entity insurance while employed by GE Insurance Solutions. At that time the company was one of the largest insurers of Public Entities within the state of Florida including many municipalities and local government bodies.
- Representing numerous Public Entities as an attorney while practicing law in Illinois including Townships, Road Commissioners and Drainage Districts.
- Personal familiarity with the history and development of The Brooks as my family has continuously owned property in the development since 2000. I have been an individual owner since 2018.

Finally, I possess significant experience working as a facilitator helping organizations and groups achieve consensus when faced with difficult decisions. I believe these skills could be especially useful for The Brooks CDD.

If you or any of the Supervisors have questions, please feel free to contact me directly.



David L. Garner

DAVID L. GARNER

10731 Crooked River Road Apt 101, Estero, FL 34135
773 539 1940 | Davegarnerlhb@gmail.com | www.linkedin.com/in/davidlowellgarner

INSURANCE OPERATIONS AND CLAIMS CONSULTANT

- Operations Leadership
- Risk Management & Loss Prevention
- Cost Reduction & Elimination
- Change Management
- Complex Claim Adjudication
- Litigation Management
- Professional Liability
- Continuous Improvement & Lean

PROFESSIONAL EXPERIENCE

Swiss Re / GE Insurance Solutions / ERC / Coregis Insurance

Head Operations for Life & Health Business Management, Bratislava, Slovakia

Accountable for premium & claim booking, claim resolution, technical payments, cash collection, data management, profit commission, and risk management for Life & Health reinsurance business originating in EMEA (Europe, Middle East, and Africa) and Asia. Managed a team of 150+ associates across multiple time zones and locations.

Life & Health Technical Accounting Unit Head, Bratislava, Slovakia

Accountable for claim booking, resolution, technical payments, cash collection, data management, and profit commission for Life & Health reinsurance business originating in EMEA.

Property & Casualty Global Claims Induction Leader, Zurich, Switzerland

Global induction, triage, and records management leader for CALM (Claims, Accounting and Liability Management). Accountable for inducting and distributing client report of claims for Property & Casualty business.

Professional Liability Claim Manager, Chicago, IL

Accountable for all aspects of claim adjudication and coverage verification for Lawyers, Insurance Agents and Brokers, Real Estate Agents, Media Liability, and Architect & Engineers lines of insurance.

Commercial Insurance Claim Leader, Chicago, IL

Accountable for all aspects of claim adjudication and coverage verification for Latent Defect, Asbestos, Pollution, Public Entity, Educators, and Not-for-Profit lines of insurance.

Six Sigma Black Belt, Chicago, IL

Black Belt certified in Six Sigma methodology by the General Electric Corporation. Extensive experience in change acceleration and facilitation. Led projects to digitize and streamline operations.

Professional Liability Claim Team Leader | Claim Specialist, Chicago, IL

Heyl, Royster, Voelker & Allen, PC

Associate Attorney, Peoria & Urbana IL

Private practice of law with a large multi-department general practice firm.

EDUCATION

Master of Laws (LLM) in Financial Services Law, High Honors, Chicago Kent College of Law

Juris Doctorate (JD), Cum Laude, Northern Illinois University College of Law.

Bachelor of Science (BS) in Accounting, Illinois Wesleyan University

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

4B

Mr. Chelsey Adams
Ms. Cleo Adams
Wrathell, Hunt & Associates, LLC.
9220 Bonita Beach Road
Suite 214
Bonita Springs, Florida 34135

Please accept this letter and my attached resume as my expression of interest in seeking a seat on the Board of Directors for the CDD.

I am an attorney who has worked in both the private and public sector for 43 years. I began my career as a criminal prosecutor in Virginia and then worked as an Assistant Attorney General. For most of my professional career I worked for a publicly traded energy company with significant operations in both the Eastern and Western United States. I began as Assistant General Counsel for regulatory and environmental compliance and ultimately became Vice President, General Counsel, and Corporate Secretary. I was also President of two first tier subsidiaries. One of the subsidiaries developed, sited, constructed, and operated independent power utility plants located in New York, North Carolina, Virginia, and Colorado. The second business unit was a turbine blading and boiler repair business which aided utilities experiencing unplanned outages.

I retired briefly in 2005 but re-entered the work force and spent the next five years in private practice in Virginia. Most of my practice was devoted to representing business entities with consolidation, mergers, acquisitions and refinancing efforts. In 2010, I was asked to serve as Vice President of Land, Legislative and Public Affairs for a Wyoming land company. I managed all activities on 100,000 acres of land, which included leasing federally owned natural resources and cattle and sheep ranching. Control of water rights on our property was essential to both the natural resource development activities and the ranching.

My wife returned to Virginia in 2015 to take care of her 100-year-old mother. I joined her in 2017 when I was asked to serve as Senior Assistant Attorney General. My primary client was the Virginia Department of Transportation.

We purchased our home in Spring Run in 2018. When her mother passed away, I retired, and we became full time residents in November 2019. Currently, I am a

member of the Spring Run Board of Directors and Chair the Safety and Communications Committees. Additionally, I volunteer as a Guardian ad Litem for the 20th Judicial Circuit in Lee County. I occasionally consult for AECOM Engineering regarding construction of federally funded road systems in Southwest Virginia.

I am a graduate of the University of Virginia and Washington and Lee University School of Law.

Thank you for your consideration of my qualifications.

Respectfully,

Michael Lepchitz

Michael Lepchitz

23672 Stonyriver Pl., Estero, Florida 34135

Email: michael.lepchitz@gmail.com • Cell: 307-696-5696

Executive Summary

Over 40 years of experience advising management on legal implications of business decisions, including leading and or managing merger and acquisition activities and sale process for assets and business entities, public company governance issues, supervising litigation and outside counsel in multiple jurisdiction; served as primary counsel to the Virginia Department of Mines, Minerals and Energy on issues relating to production of coal, oil and gas and other minerals in Virginia; served as an Assistant Commonwealth Attorney in Washington County and tried criminal cases in all state courts..

Professional Experience

AECOM

2020 to Present

Provide advice and assistance, as an independent consultant, to AECOM on Virginia Department of Transportation Projects in Southwest Virginia which involve possible acquisition of coal as part of right of way acquisition for highway construction.

Office of the Attorney General, Commonwealth of Virginia Senior Assistant Attorney General-Oct. 2017-October 2019

Primary client was the Virginia Department of Transportation with my practice focused on right of way acquisition in the western part of the Commonwealth. Manage and insure timely prosecution of right of way acquisition through either negotiation or eminent domain proceedings. Assist with occasional construction litigation and operational questions .

Contura Wyoming Land LLC

Manager Land, Legislative and Public Affairs-Vice President July 2016-Oct. 2017

Contura Wyoming Land LLC., is a land holding company and a subsidiary of Contura Energy. Responsible for maximizing value and productivity on approximately 100,000 acres of land in Wyoming, including coordinating leasing of federal coal reserves, managing surface access issues with oil and gas companies and all ranching activities on the property.

Manager Land, Legislative and Public Affairs, Vice President Alpha Wyoming Land Company LLC 2011-July 2016

Alpha Wyoming Land Company, LLC., was a subsidiary of Alpha Natural Resources, Inc. The assets of Alpha Wyoming Land Company, LLC., were sold to Contura Energy in July 2016.

Private Practice • Keswick, Virginia

Michael Lepchitz, Attorney at Law 2007-August 2011

General business practice.

Williams Mullen • Charlottesville, Virginia Partner Business Section 2005-2007

General business practice.

Westmoreland Coal Company Colorado Springs, Colorado

Vice president, General Counsel, Secretary 2000-2005

Assistant General Counsel 1991-2000

President, Westmoreland Energy, Inc. (first tier subsidiary), 1997-2005.

Responsible for all legal matters, including regulatory compliance and reporting for publicly traded coal and energy company. Also responsible for operations of independent power subsidiary which constructed and owned and operated 8 independent coal and gas power plants in Virginia, North Carolina, New York and Colorado. Participated in or led complex commercial transactions involving acquisition and financing of independent power and mining properties. Led sale transactions of power purchase agreements and generating assets. Served on the board of directors for many of company's subsidiaries and as Corporate Secretary for the parent company. Participated in board, audit committee, and compensation and benefit committee meetings.

Commonwealth of Virginia

Assistant Attorney General 1988-1991

Served as primary counsel to the Virginia Department of Mines, Minerals and Energy.

Assistant Commonwealth Attorney

Washington County, Virginia 1985-1988

Prosecuted misdemeanors and felonies in all courts

Private Practice

General practice 1979-1985

Credentials

Education

Juris Doctor: Washington and Lee University School of Law, Lexington, Virginia

Bachelor of Science, Education: University of Virginia, Charlottesville, Virginia

Affiliations

Member Virginia State Bar

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

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RESOLUTION 2023-02

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE BROOKS OF BONITA SPRINGS COMMUNITY DEVELOPMENT DISTRICT DESIGNATING CERTAIN OFFICERS OF THE DISTRICT, AND PROVIDING FOR 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; and

WHEREAS, the Board of Supervisors of the District desires to designate certain Officers of the District.

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

SECTION 1. _____ is appointed Chair.

SECTION 2. _____ is appointed Vice Chair.

SECTION 3. Chuck Adams is appointed Secretary.

_____ is appointed Assistant Secretary.

_____ is appointed Assistant Secretary.

_____ is appointed Assistant Secretary.

Craig Wrathell is appointed Assistant Secretary.

SECTION 4. Craig Wrathell is appointed Treasurer.

Jeff Pinder is appointed Assistant Treasurer.

SECTION 5. This Resolution supersedes any prior appointments made by the Board for Chair, Vice Chair, Secretary and Assistant Secretaries; however, prior appointments by the Board for Treasurer and Assistant Treasurer(s) remain unaffected by this Resolution.

SECTION 6. This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED this 25th day of January, 2023.

ATTEST:

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

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

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

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RESOLUTION 2023-02

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE BROOKS OF BONITA SPRINGS II COMMUNITY DEVELOPMENT DISTRICT DESIGNATING CERTAIN OFFICERS OF THE DISTRICT, AND PROVIDING FOR 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; and

WHEREAS, the Board of Supervisors of the District desires to designate certain Officers of the District.

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

SECTION 1. _____ is appointed Chair.

SECTION 2. _____ is appointed Vice Chair.

SECTION 3. **Chuck Adams** is appointed Secretary.

_____ is appointed Assistant Secretary.

_____ is appointed Assistant Secretary.

_____ is appointed Assistant Secretary.

Craig Wrathell is appointed Assistant Secretary.

SECTION 4. **Craig Wrathell** is appointed Treasurer.

Jeff Pinder is appointed Assistant Treasurer.

SECTION 5. This Resolution supersedes any prior appointments made by the Board for Chair, Vice Chair, Secretary and Assistant Secretaries; however, prior appointments by the Board for Treasurer and Assistant Treasurer(s) remain unaffected by this Resolution.

SECTION 6. This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED this 25th day of January, 2023.

ATTEST:

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

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

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

9A

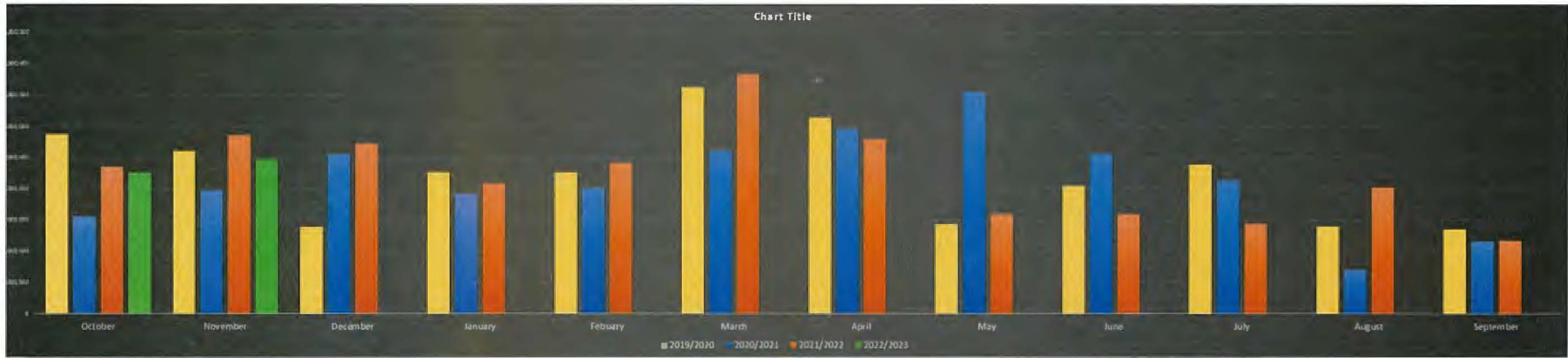
**BROOKS OF BONITA SPRINGS
&
BROOKS OF BONITA SPRINGS II
COMMUNITY DEVELOPMENT DISTRICTS**

9B

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											4,719,000	9,438,000
%	-4%	-14%	-100%	-100%	-100%	-100%	-100%	-100%	-100%	-100%	-100%	-100%	5%	-82%

				1.31/1.96	1.35/2.02									
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	\$9,352.53	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$8,954.07	\$17,908.13



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											2.02	4.03
Inch Diff	-0.63	-1.41	-0.70	-1.28	-0.66	-0.16	-2.17	-4.94	-12.37	-9.96	-5.36	-7.00	-2.21	-46.64



**BROOKS OF BONITA SPRINGS
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COMMUNITY DEVELOPMENT DISTRICTS**

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Brooks

2023 CIP Budget and Per Unit Costs Estimator
as of 1/17/23

Project	Current Estimated Cost	Annual Financing Cost	Annual Costs per Unit	Cost Per Unit Over Loan Term
South Boundary Monument Wall	77,880.00	18,285.74	5.06	25.29
Landscape Understory Replacement (3-Oaks/Coconut)	624,763.70	146,690.63	40.58	202.89
Landscape Replacement (Enrichment Center Entrance)	14,097.60	3,310.03	0.92	4.58
Sidewalk Root Barrier Installation	175,725.00	41,259.14	11.41	57.07
Sidewalk Replacement	1,034,407.00	242,872.33	67.18	335.92
Littoral Plantings	26,268.00	6,167.56	1.71	8.53
Lake Bank Erosion Repairs	864,600.00	203,002.70	56.16	280.78
Pickleball Courts (full project)	<u>1,870,000.00</u>	<u>439,064.37</u>	<u>121.46</u>	<u>607.28</u>
Totals	4,687,741.30	1,100,652.49	304.47	1,522.34

Total Costs of Loan over Term 5,503,262.47

Notes/Assumptions:

Interest Rate	6.50%
Term	5
Number of Units	3615
Contingency Factor (applied to each project)	10.00%

**BROOKS OF BONITA SPRINGS
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COMMUNITY DEVELOPMENT DISTRICTS**

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Wrathell, Hunt and Associates, LLC

TO: Brooks of Bonita Springs I & II- Board of Supervisors

FROM: Shane Willis – Operations Manager

DATE: January 25, 2023

SUBJECT: Consideration of Award of Contract – Lake Bank Restoration

As discussed at the October 26, 2022 Board of Supervisors Meeting, Staff put out a request for sealed bids for this service. The bid was advertised in the Fort Myers News Press, as required by Statute. Four companies requested packages and attended the mandatory pre-bid meeting; with three submitting proposals.

The financial tabulation is as follows:

Company:

- Anchor Marine Services \$785,931.00
- Landshore Enterprises, LLC \$1,030,065.08
- Erosion Barrier Installations, Corp \$1,825,605.60

Anchor Marine Services bid submittal is complete. Anchor Marine Services has been in business since 1980. CDD Staff has worked with this organization in numerous Districts including previous work in the Brooks & Brooks II CDDs, Mediterra CDD, and Verandah East & West CDDs.

Landshore Enterprises, LLC This organization was established in 2002 with two offices in the state of Florida. Their reference list – Oakridge CDD, Lely CDD & Wentworth Estates CDD. Landshore Enterprises, LLC failed to provide Bank & Credit References.

Erosion Barrier Installations, Corp bid was incomplete as they did not include subcontractor qualifications. Unable to determine when this organization was established, their office is located in Cooper City, Fl. Their reference list - Boca West Master Association, City of Margate & City of North Lauderdale.

The District Reserves the right to accept or reject any and all bids, to waive irregularities, technical errors and formalities, and to award the contract as it deems will best serve the interest of the districts.

As stated in the District's Rules: The lowest, most responsive, responsible and best bid or proposal deemed to be the most advantageous to the District, as appropriate, shall be accepted. "Lowest, most responsive, responsible and best bid or proposal" means, in the sole discretion of the Board, the lowest cost bid or proposal that is: (A) submitted by a competent, responsible person or firm capable and qualified in all respects to perform fully the contract requirements, with the integrity and reliability, to insure full performance and timely completion; and (B) most responsive to the invitation to bid or request for proposals, as determined by the Board. *Minor variations in the bid may be waived by the Board.* Bids and proposals may not be modified after opening.

**Brooks of Bonita Springs & Brooks of Bonita Springs II
Bid Analysis - January 2023**

<u>Company Name:</u>	<u>Qualifying Description:</u>	<u>Comments:</u>
ANCHOR MARINE SERVICES	(Section 3.07)	
	1. Use of Provided Submittal Form/Bid Surety	Yes - Cashiers Check
	2. Submitted in Sealed Envelope	Yes
	3. Subcontractor Letter & Qualifications	In-House (No Subs)
	4. i.) Proof of Place of Business	Yes - Lee County
	ii.) Adequate Resources	Equipment provided
	iii.) Suitable Financial Backing	Yes - Bank references provided
	iv.) References of Similar size Scope	Yes
	v.) Licenses, Cert.	Yes
	vi.) Subcontractor Qualifications	N/A
LANDSHORE ENTERPRISES, LLC	1. Use of Provided Submittal Form/Bid Surety	Yes - Bid Bond
	2. Submitted in Sealed Envelope	Yes
	3. Subcontractor Letter & Qualifications	In-House (No Subs)
	4. i.) Proof of Place of Business	Yes - Lee County
	ii.) Adequate Resources	Yes - Equipment List Provided
	iii.) Suitable Financial Backing	No
	iv.) References of Similar size Scope	Yes
	v.) Licenses, Cert.	Yes
	vi.) Subcontractor Qualifications	See #3
EROSION BARRIER INSTALL, CORP	1. Use of Provided Submittal Form/Bid Surety	Yes - Bid Bond
	2. Submitted in Sealed Envelope	Yes
	3. Subcontractor Letter & Qualifications	D&E Sod LLC, no qualifications provided
	4. i.) Proof of Place of Business	Yes - Lee County
	ii.) Adequate Resources	Yes - Equipment list provided.
	iii.) Suitable Financial Backing	Yes
	iv.) References of Similar size Scope	Yes
	v.) Licenses, Cert.	Yes
	vi.) Subcontractor Qualifications	See #3

FINANCIAL SUMMARY

Contractor:

ANCHOR MARINE SERVICES	\$785,931.00
LANDSHORE ENTERPRISES, LLC	\$1,030,065.08
EROSION BARRIER INSTALLATIONS, CORP	\$1,825,605.60

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

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Wrathell, Hunt and Associates, LLC

TO: Brooks of Bonita Springs I & II- Board of Supervisors

FROM: Cleo Adams – District Manager

DATE: January 25, 2023

SUBJECT: Consideration of Award of Contract – Landscape Enhancement Renovations

As discussed at the October 26, 2022 Board of Supervisors Meeting, Staff put out a request for sealed bids for this service. The bid was advertised in the Fort Myers News Press, as required by Statute. Three companies requested packages and attended the mandatory pre-bid meeting; with all three submitting proposals.

The financial tabulation is as follows:

Company:

- Hannula Landscaping & Irrigation, Inc. \$507,938.95
- GulfScapes of Southwest Florida \$567,966.70
- Duval Landscaping \$737,780.94

Hannula Landscaping and Irrigation bid submittal is incomplete as they did not provide the following: their adequate resources/equipment list, financial references or references of similar size scope of work.

Hannula Landscaping and Irrigation, Inc. has been in business since 1992. Although they did not submit references, CDD Staff has worked with their organization in 2022 providing a Landscape Renovation Project with an approximate value of \$620K located in River Ridge CDD (Pelican Sound).

Duval Landscape Maintenance, LLC was established in 2009 with their Corporate Headquarters located in Jacksonville, FL. Their reference list - Verona Walk, Naples (\$3.2MM projects commencing 2020).

Duval Landscape Maintenance, LLC failed to provide Bank & Credit References.

GulfScapes Landscape Management Services client references includes The Estuary at Grey Oaks; Traditions at Grey Oaks and Esperia/Seaglass at Bonita Bay. Each with a value of \$500K

The District Reserves the right to accept or reject any and all bids, to waive irregularities, technical errors and formalities, and to award the contract as it deems will best serve the interest of the districts.

As stated in the District's Rules: The lowest, most responsive, responsible and best bid or proposal deemed to be the most advantageous to the District, as appropriate, shall be accepted. "Lowest, most responsive, responsible and best bid or proposal" means, in the sole discretion of the Board, the lowest cost bid or proposal that is: (A) submitted by a competent, responsible person or firm capable and qualified in all respects to perform fully the contract requirements, with the integrity and reliability, to insure full performance and timely completion; and (B) most responsive to the invitation to bid or request for proposals, as determined by the Board. *Minor variations in the bid may be waived by the Board.* Bids and proposals may not be modified after opening.

**Brooks of Bonita Springs & Brooks of Bonita Springs II
Bid Analysis - January 2023**

<u>Company Name:</u>	<u>Qualifying Description:</u> (Section 3.07)	<u>Comments:</u>
Hannula Landscaping & Irrigation, Inc.	1. Use of Provided Submittal Form/Bid Surety	Yes - Bid Bond
	2. Submitted in Sealed Envelope	Yes
	3. Subcontractor Letter & Qualifications	In-House (No Subs)
	4. i.) Proof of Place of Business	Yes - Lee County
	ii.) Adequate Resources	Equipment List Not provided
	iii.) Suitable Financial Backing	Do not know - No financials or financial references were provided
	iv.) References of Similar size Scope	No - None provided
	v.) Licenses, Cert.	Yes
	vi.) Subcontractor Qualifications	N/A
GulfScapes of Southwest Florida	1. Use of Provided Submittal Form/Bid Surety	Yes - Cashiers Check
	2. Submitted in Sealed Envelope	Yes
	3. Subcontractor Letter & Qualifications	Yes - Southern Sod & Landscape, Inc.
	4. i.) Proof of Place of Business	Yes - Lee County
	ii.) Adequate Resources	Yes - Equipment List Provided
	iii.) Suitable Financial Backing	Yes - Bank and Credit References Provided
	iv.) References of Similar size Scope	Yes - The Estuary at Grey Oaks - \$500K; Grey Oaks - \$500K Esperia/Seaglass at Bonita Bay - \$500K
	v.) Licenses, Cert.	Yes
	vi.) Subcontractor Qualifications	See #3
Duval Landscape Maintenance, LLC	1. Use of Provided Submittal Form/Bid Surety	Yes - Bid Bond
	2. Submitted in Sealed Envelope	Yes
	3. Subcontractor Letter & Qualifications	In House (No Subs)
	4. i.) Proof of Place of Business	Yes - Lee County
	ii.) Adequate Resources	Yes - Equipment list provided.
	iii.) Suitable Financial Backing	No Financials provided
	iv.) References of Similar size Scope	Yes - Verona Walk \$3.2MM projects since 2020
	v.) Licenses, Cert.	Yes
	vi.) Subcontractor Qualifications	See #3

FINANCIAL SUMMARY

Contractor:

Hannula Landscaping & Irrigation, Inc.	\$507,938.95
GulfScapes	\$567,966.70
Duval Landscaping	\$737,780.94

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

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GulfScapes Landscape Management Svcs.

PO Box 8122
Naples, FL 34101
239-455-4911



Proposal

ADDRESS

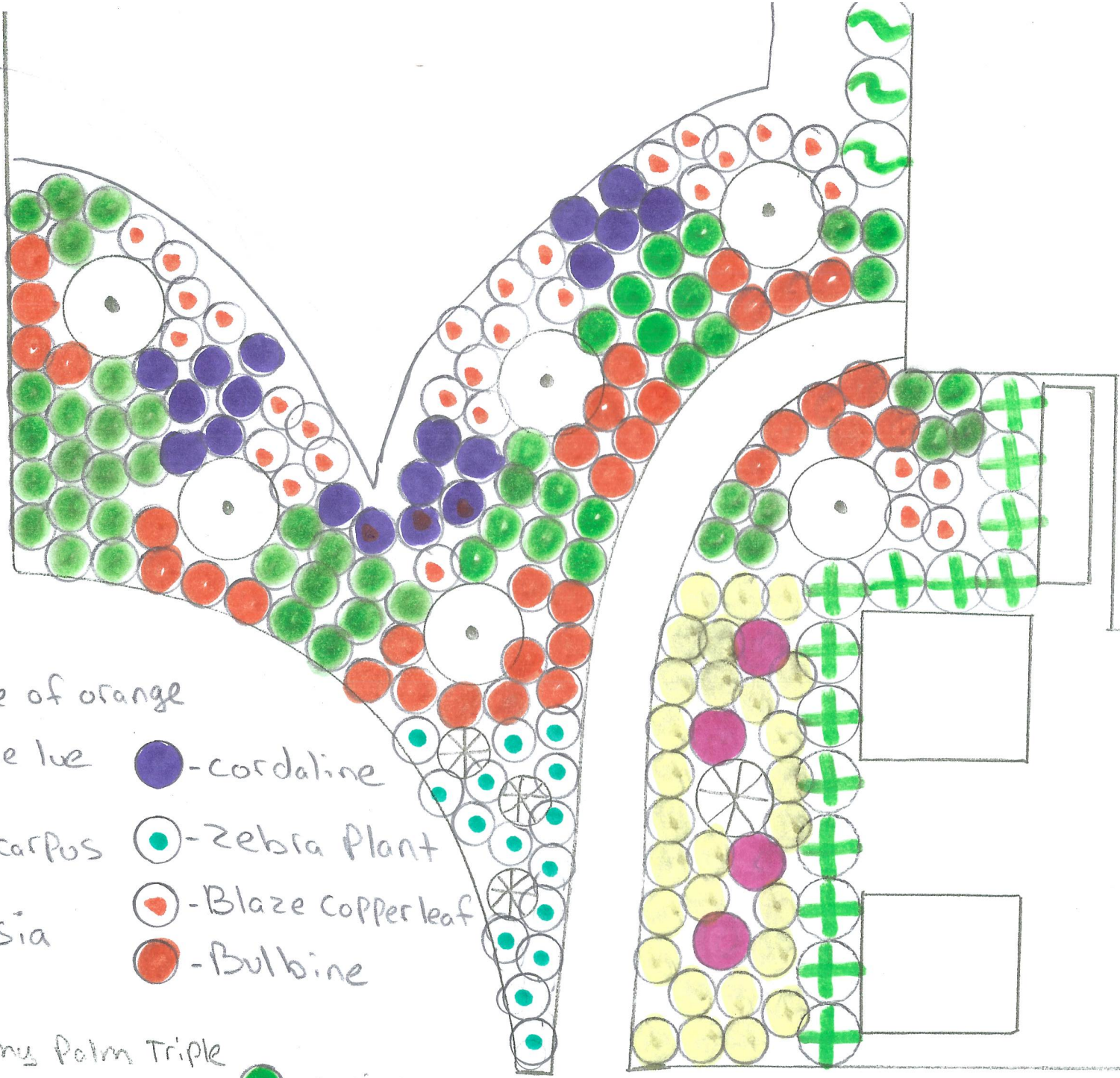
Brooks of Bonita Springs
c/o Wrathell, Hart, Hunt & Associates,
LLC
9220 Bonita Beach Rd., #214
Bonita Springs, FL 34135












PROPOSAL # 3457
DATE 05/11/2022

DESCRIPTION	AMOUNT
Provide labor and material to complete the following:	
- Install 100 - 1 gallon Bulbine to designated areas.	700.00
- Install 105 - 3 gallon Carissa to designated areas.	1,575.00
- Install 12 - 3 gallon Dwarf Podocarpus to designated areas.	192.00
- Install 22 - 3 gallon Cordalene to designated areas.	396.00
- Install 18 - 3 gallon Zebra Plant to designated areas.	990.00
- Install 48 - 3 gallon Blaze Copperleaf to designated areas.	720.00
- Install 30 - 3 gallon Prince of Orange to designated areas.	1,200.00
- Install 4 - 7 gallon Auntie Lue to designated areas.	260.00
- Install 22 - 7 gallon Clusia to designated areas.	1,210.00
- Install 22 - 7 gallon Podocarpus to designated areas.	1,210.00
- Install 6 - Field Grown Pygmy Palm to designated areas.	2,850.00
- Install 750 sqft of Floratam Sod to designated areas.	862.50
- Install 110 - 2 cuft bags of coco mulch to newly planted areas.	400.00
- Make necessary irrigation modifications to newly planted material and turf.	250.00
TOTAL	\$12,815.50

Accepted By

Accepted Date



-  - Prince of orange
-  - Auntie Iue
-  - cordaline
-  - Podocarpos
-  - Zebra Plant
-  - Clusia
-  - Blaze copperleaf
-  - Pygmy Palm Triple
-  - Bulbine
-  - Calissa
-  - Existing Palms/Trees

**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, 2022**

**BROOKS OF BONITA SPRINGS & BROOKS OF BONITA SPRINGS II
COMMUNITY DEVELOPMENT DISTRICTS
COMBINED BALANCE SHEET
DECEMBER 31, 2022**

	General Funds	Debt Service Funds	Total Governmental Funds
	<u> </u>	<u> </u>	<u> </u>
ASSETS			
Cash & investments	\$1,825,321	\$ 397,292	\$ 2,222,613
Deposits	525	-	525
Accounts receivable	155,709	-	155,709
Due from other funds			
Brooks I			
General fund	-	65,742	65,742
Brooks II			
General fund	2,394	555,504	557,898
Total assets	<u>\$ 1,983,949</u>	<u>\$ 1,018,538</u>	<u>\$ 3,002,487</u>
 LIABILITIES & FUND BALANCES			
Liabilities:			
Due to other funds			
Brooks I			
Debt service - series 2021	65,742	-	65,742
Brooks II			
Debt service - series 2021	59,536	-	59,536
Debt service - series 2017	495,968	-	495,968
Due to other governments			
Brooks II			
General fund	2,394	-	2,394
Due to clearing fund	123	-	123
Total liabilities	<u>623,763</u>	<u>-</u>	<u>623,763</u>
 DEFERRED INFLOWS OF RESOURCES			
Deferred receipts	155,709	-	155,709
Total deferred inflows of resources	<u>155,709</u>	<u>-</u>	<u>155,709</u>
 Fund balances:			
Restricted for:			
Debt service	-	1,018,538	1,018,538
Capital outlay projects	480,652	-	480,652
Unassigned	723,825	-	723,825
Total fund balances	<u>1,204,477</u>	<u>1,018,538</u>	<u>2,223,015</u>
 Total liabilities, deferred inflows of resources and fund balances	<u>\$ 1,983,949</u>	<u>\$ 1,018,538</u>	<u>\$ 3,002,487</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, 2022**

	Current Month	Year to Date	Budget	% of Budget
REVENUES				
Assessment levy	\$ 1,043,159	\$ 1,132,394	\$ 2,265,748	50%
Commons Club - share maint cost	-	-	163,749	0%
Coconut Road - cost sharing (mall contribution)	6,977	6,977	13,000	54%
Interest & miscellaneous	16	113	3,500	3%
Total revenues	<u>1,050,152</u>	<u>1,139,484</u>	<u>2,445,997</u>	47%
EXPENDITURES				
Administrative				
Supervisors	-	1,723	14,000	12%
Management	7,627	22,881	91,526	25%
Accounting	3,173	9,519	38,077	25%
Audit	-	-	19,000	0%
Legal	342	1,075	10,000	11%
Field management	3,632	10,895	43,576	25%
Engineering	13,003	28,933	30,000	96%
Trustee	-	-	12,900	0%
Dissemination agent	166	501	2,000	25%
Arbitrage rebate calculation	-	-	6,000	0%
Assessment roll preparation	27,000	27,000	26,999	100%
Telephone	87	259	1,035	25%
Postage	-	92	1,200	8%
Insurance	-	24,989	24,501	102%
Printing and binding	190	569	2,277	25%
Legal advertising	601	869	1,500	58%
Contingencies	142	297	3,999	7%
Annual district filing fee	-	350	350	100%
ADA website compliance	-	210	351	60%
Communication	-	-	1,000	0%
Total administrative	<u>55,963</u>	<u>130,162</u>	<u>330,291</u>	39%
Water management				
Contractual services	-	52,747	387,312	14%
NPDES permit	-	700	18,501	4%
Aquascaping	-	-	30,000	0%
Aeration	-	-	65,000	0%
Aeration operating supplies	-	5,863	35,000	17%
Culvert cleaning	591	2,472	85,000	3%
Capital outlay-lake bank erosion	5,720	11,440	100,000	11%
Boundary exotic removal	-	-	48,000	0%
Miscellaneous	-	2,284	5,000	46%
Total water management	<u>6,311</u>	<u>75,506</u>	<u>773,813</u>	10%

**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, 2022**

	Current Month	Year to Date	Budget	% of Budget
Lighting services				
Contractual services	-	4,182	13,000	32%
Electricity	248	6,677	38,000	18%
Miscellaneous	-	458	2,500	18%
Hurricane repair	-	6,981	-	N/A
Total lighting services	<u>248</u>	<u>18,298</u>	<u>53,500</u>	34%
Coconut Rd. & Three Oaks Parkway				
Pine straw/soil/sand	-	-	45,000	0%
Plant replacement supplies	-	-	80,000	0%
Maintenance supplies	-	2,099	29,999	7%
Electricity	64	131	500	26%
Irrigation water	-	4,591	110,000	4%
Electric - 41 entry feature/irrigation	442	883	10,000	9%
Contract services	309	309	8,000	4%
Irrigation repairs	360	720	24,999	3%
Landscape maintenance contract	61,351	110,919	714,000	16%
Irrigation management	690	1,380	12,600	11%
Hurricane clean up	-	173,517	-	N/A
Total Coconut Rd. & Three Oaks Parkway	<u>63,216</u>	<u>294,549</u>	<u>1,035,098</u>	28%
Coconut Road Park				
Capital outlay - lighting	12,499	12,979	10,000	130%
License fees	-	-	1,050	0%
Plant replacements	-	-	10,000	0%
Other maintenance supplies	-	-	4,000	0%
Electric	714	1,277	9,000	14%
Irrigation water	-	350	6,000	6%
Sewer/water	82	236	3,000	8%
Contract services	8,399	47,078	55,000	86%
Building R&M	-	-	5,000	0%
Landscape maint contract	21,790	27,142	92,285	29%
Hardscape repairs	-	909	10,000	9%
Lighting repairs	-	1,014	6,000	17%
Hardscape maintenance	705	748	3,999	19%
CC building landscaping	-	-	11,500	0%
Hurricane clean up	-	104,269	-	N/A
Total parks and recreation	<u>44,189</u>	<u>196,002</u>	<u>226,834</u>	86%

**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, 2022**

	Current Month	Year to Date	Budget	% of Budget
Other fees and charges				
Property appraiser	-	-	4,127	0%
Tax collector	-	5,175	5,331	97%
Total other fees and charges	-	5,175	9,458	55%
Total expenditures	169,927	719,692	2,428,994	30%
Excess/(deficiency) of revenues over/(under) expenditures	880,225	419,792	17,003	
Fund balances - beginning	324,252	784,685	688,734	
Assigned: capital outlay projects	480,652	480,652	480,652	
Unassigned	723,825	723,825	225,077	
Fund balances - ending	<u>\$ 1,204,477</u>	<u>\$ 1,204,477</u>	<u>\$ 705,737</u>	

**BROOKS OF BONITA SPRINGS
COMMUNITY DEVELOPMENT DISTRICT
BALANCE SHEET
GENERAL FUND
DECEMBER 31, 2022**

	Balance
ASSETS	
SunTrust	\$ 757,869
Centennial Bank	26,710
Finemark: MMF	29,048
Deposits	525
Accounts receivable	102,301
Total assets	\$ 916,453
 LIABILITIES & FUND BALANCES	
Liabilities:	
Due to other funds	
Brooks I	
Debt service - series 2021	65,742
Brooks II	
General fund	2,394
Due to clearing fund	81
Total liabilities	68,217
 DEFERRED INFLOWS OF RESOURCES	
Deferred receipts	102,301
Total deferred inflows of resources	102,301
 Fund balances:	
Reserved for:	
Capital outlay projects	315,788
Unassigned	430,147
Total fund balances	745,935
Total liabilities, deferred inflows of resources and fund balances	\$ 916,453

**BROOKS OF BONITA SPRINGS
COMMUNITY DEVELOPMENT DISTRICT
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
GENERAL FUND
FOR THE PERIOD ENDED DECEMBER 31, 2022**

	Current Month	Year to Date	Budget	% of Budget
REVENUES				
Assessment levy	\$ 714,653	\$ 778,877	\$ 1,488,596	52%
Commons Club - share maint cost	-	-	107,583	0%
Coconut Road - cost sharing (mall contribution)	4,584	4,584	8,541	54%
Interest & miscellaneous	16	49	2,300	2%
Total revenues	<u>719,253</u>	<u>783,510</u>	<u>1,607,020</u>	49%
EXPENDITURES				
Administrative				
Supervisors	-	1,132	9,198	12%
Management	5,011	15,033	60,133	25%
Accounting	2,085	6,254	25,017	25%
Audit	-	-	12,483	0%
Legal	225	706	6,570	11%
Field management	2,386	7,158	28,629	25%
Engineering	8,543	19,009	19,710	96%
Trustee	-	-	8,475	0%
Dissemination agent	109	329	1,314	25%
Arbitrage rebate calculation	-	-	3,942	0%
Assessment roll preparation	17,739	17,739	17,739	100%
Telephone	57	170	680	25%
Postage	-	60	788	8%
Insurance	-	16,418	16,097	102%
Printing and binding	125	374	1,496	25%
Legal advertising	395	571	986	58%
Contingencies	95	194	2,628	7%
Annual district filing fee	-	230	230	100%
ADA website compliance	-	138	231	60%
Communication	-	-	657	0%
Total administrative	<u>36,770</u>	<u>85,515</u>	<u>217,003</u>	39%
Water management				
Contractual services	-	34,655	254,464	14%
NPDES permit	-	460	12,155	4%
Aquascaping	-	-	19,710	0%
Aeration	-	-	42,705	0%
Aeration operating supplies	-	3,852	22,995	17%
Culvert cleaning	591	1,827	55,845	3%
Capital outlay-lake bank erosion	3,758	7,516	65,700	11%
Boundary exotic removal	-	-	31,536	0%
Miscellaneous	-	2,284	3,285	70%
Total water management	<u>4,349</u>	<u>50,594</u>	<u>508,395</u>	10%

**BROOKS OF BONITA SPRINGS
COMMUNITY DEVELOPMENT DISTRICT
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
GENERAL FUND
FOR THE PERIOD ENDED DECEMBER 31, 2022**

	Current Month	Year to Date	Budget	% of Budget
Lighting services				
Contractual services	-	2,748	8,541	32%
Electricity	163	4,387	24,966	18%
Miscellaneous	-	301	1,643	18%
Hurricane repair	-	4,586	-	N/A
Total lighting services	<u>163</u>	<u>12,022</u>	<u>35,150</u>	34%
Coconut Rd. & Three Oaks Parkway				
Pine straw/soil/sand	-	-	29,565	0%
Plant replacement supplies	-	-	52,560	0%
Maintenance supplies	-	1,379	19,710	7%
Electricity	42	86	329	26%
Irrigation water	-	3,016	72,270	4%
Electric - 41 entry feature/irrigation	290	580	6,570	9%
Contract services	-	-	5,256	0%
Irrigation repairs	-	-	16,425	0%
Landscape maintenance contract	40,308	72,874	469,098	16%
Irrigation management	690	1,380	8,278	17%
Hurricane clean up	-	114,001	-	N/A
Total Coconut Rd. & Three Oaks Parkway	<u>41,330</u>	<u>193,316</u>	<u>680,061</u>	28%
Coconut Road Park				
Capital outlay - lighting	8,212	8,527	6,570	130%
License fees	-	-	690	0%
Plant replacements	-	-	6,570	0%
Other maintenance supplies	-	-	2,628	0%
Electric	469	839	5,913	14%
Irrigation water	-	230	3,942	6%
Sewer/water	54	155	1,971	8%
Contract services	5,518	30,147	36,135	83%
Building R&M	-	-	3,285	0%
Landscape maint contract	14,316	17,832	60,631	29%
Hardscape repairs	-	597	6,570	9%
Lighting repairs	-	666	3,942	17%
Hardscape maintenance	463	492	2,628	19%
CC building landscaping	-	-	7,556	0%
Hurricane clean up	-	68,505	-	N/A
Total parks and recreation	<u>29,032</u>	<u>127,990</u>	<u>149,031</u>	86%

**BROOKS OF BONITA SPRINGS
COMMUNITY DEVELOPMENT DISTRICT
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
GENERAL FUND
FOR THE PERIOD ENDED DECEMBER 31, 2022**

	Current Month	Year to Date	Budget	% of Budget
Other fees & charges				
Property appraiser	-	-	2,711	0%
Tax collector	-	3,370	3,502	96%
Total other fees & charges	-	3,370	6,213	54%
Total expenditures	<u>111,644</u>	<u>472,807</u>	<u>1,595,853</u>	30%
Excess/(deficiency) of revenues over/(under) expenditures	607,609	310,703	11,167	
Fund balances - beginning	138,326	435,232	373,106	
Assigned: capital outlay projects	315,788	315,788	315,788	
Unassigned	430,147	430,147	68,485	
Fund balances - ending	<u>\$ 745,935</u>	<u>\$ 745,935</u>	<u>\$ 384,273</u>	

**BROOKS OF BONITA SPRINGS II
COMMUNITY DEVELOPMENT DISTRICT
BALANCE SHEET
GENERAL FUND
DECEMBER 31, 2022**

	Balance
ASSETS	
BankUnited	\$ 101,218
SunTrust	858,634
Centennial Bank	51,842
Accounts receivable	53,408
Due from other funds	
Brooks II	
General Fund	2,394
Total assets	\$ 1,067,496
 LIABILITES & FUND BALANCES	
Liabilities:	
Due to other funds	
Brooks II	
Debt service - series 2017	495,968
Debt service - series 2021	59,536
Due to clearing fund	42
Total liabilities	555,546
 DEFERRED INFLOWS OF RESOURCES	
Deferred receipts	53,408
Total deferred inflows of resources	53,408
 Fund balances:	
Reserved for:	
Capital outlay projects	164,864
Unassigned	293,678
Total fund balances	458,542
 Total liabilities, deferred inflows of resources and fund balances	 \$ 1,067,496

**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, 2022**

	Current Month	Year to Date	Budget	% of Budget
REVENUES				
Assessment levy	\$ 328,506	\$ 353,517	\$ 777,152	45%
Commons Club - share maint cost	-	-	56,166	0%
Coconut Road - cost sharing (mall contribution)	2,393	2,393	4,459	54%
Interest & miscellaneous	-	64	1,201	5%
Total revenues	<u>330,899</u>	<u>355,974</u>	<u>838,978</u>	42%
EXPENDITURES				
Administrative				
Supervisors	-	591	4,802	12%
Management	2,616	7,848	31,393	25%
Accounting	1,088	3,265	13,060	25%
Audit	-	-	6,517	0%
Legal	117	369	3,430	11%
Field management	1,246	3,737	14,947	25%
Engineering	4,460	9,924	10,290	96%
Trustee	-	-	4,425	0%
Dissemination agent	57	172	686	25%
Arbitrage rebate calculation	-	-	2,058	0%
Assessment roll preparation	9,261	9,261	9,261	100%
Telephone	30	89	355	25%
Postage	-	32	412	8%
Insurance	-	8,571	8,404	102%
Printing and binding	65	195	781	25%
Legal advertising	206	298	515	58%
Contingencies	47	103	1,372	8%
Annual district filing fee	-	120	120	100%
ADA website compliance	-	72	120	60%
Communication	-	-	343	0%
Total administrative	<u>19,193</u>	<u>44,647</u>	<u>113,291</u>	39%
Water management				
Contractual services	-	18,092	132,848	14%
NPDES permit	-	240	6,346	4%
Aquascaping	-	-	10,290	0%
Aeration	-	-	22,295	0%
Aeration operating supplies	-	2,011	12,005	17%
Culvert cleaning	-	645	29,155	2%
Capital outlay-lake bank erosion	1,962	3,924	34,300	11%
Boundary exotic removal	-	-	16,464	0%
Miscellaneous	-	-	1,715	0%
Total water management	<u>1,962</u>	<u>24,912</u>	<u>265,418</u>	9%

**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, 2022**

	Current Month	Year to Date	Budget	% of Budget
Lighting services				
Contractual services	-	1,434	4,459	32%
Electricity	85	2,290	13,034	18%
Miscellaneous	-	157	858	18%
Hurricane repair	-	2,395	-	N/A
Total lighting services	<u>85</u>	<u>6,276</u>	<u>18,351</u>	34%
Coconut Rd. & Three Oaks Parkway				
Pine straw/soil/sand	-	-	15,435	0%
Plant replacement supplies	-	-	27,440	0%
Maintenance supplies	-	720	10,290	7%
Electricity	22	45	172	26%
Irrigation water	-	1,575	37,730	4%
Electric - 41 entry feature/irrigation	152	303	3,430	9%
Contract services	309	309	2,744	11%
Irrigation repairs	360	720	8,575	8%
Landscape maintenance contract	21,043	38,045	244,902	16%
Irrigation management	-	-	4,322	0%
Hurricane clean up	-	59,516	-	N/A
Total Coconut Rd. & Three Oaks Parkway	<u>21,886</u>	<u>101,233</u>	<u>355,040</u>	29%
Coconut Road Park				
Capital outlay - lighting	4,287	4,452	3,430	130%
License fees	-	-	360	0%
Plant replacements	-	-	3,430	0%
Other maintenance supplies	-	-	1,372	0%
Electric	245	438	3,087	14%
Irrigation water	-	120	2,058	6%
Sewer/water	28	81	1,029	8%
Contract services	2,881	16,931	18,865	90%
Building R&M	-	-	1,715	0%
Landscape maint contract	7,474	9,310	31,654	29%
Hardscape repairs	-	312	3,430	9%
Lighting repairs	-	348	2,058	17%
Hardscape maintenance	242	256	1,372	19%
CC building landscaping	-	-	3,945	0%
Hurricane clean up	-	35,764	-	N/A
Total parks and recreation	<u>15,157</u>	<u>68,012</u>	<u>77,805</u>	87%

**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, 2022**

	Current Month	Year to Date	Budget	% of Budget
Other fees & charges				
Property appraiser	-	-	1,416	0%
Tax collector	-	1,805	1,829	99%
Total other fees & charges	-	1,805	3,245	56%
Total expenditures	58,283	246,885	833,150	30%
Excess/(deficiency) of revenues over/(under) expenditures	272,616	109,089	5,828	
Fund balances - beginning	185,926	349,453	315,628	
Assigned: capital outlay projects	164,864	164,864	164,864	
Unassigned	293,678	293,678	156,592	
Fund balances - ending	\$ 458,542	\$ 458,542	\$ 321,456	

**BROOKS OF BONITA SPRINGS
COMMUNITY DEVELOPMENT DISTRICT
BALANCE SHEET
DEBT SERVICE FUND SERIES 2021 (REFUNDED SERIES 2001)
DECEMBER 31, 2022**

	Balance
ASSETS	
Due from other funds	
Brooks I	
General Fund	\$ 65,742
Total assets	\$ 65,742
 LIABILITIES & FUND BALANCES	
Liabilities:	\$ -
Total liabilities	-
 Fund balances:	
Restricted for:	
Debt service	65,742
Total fund balances	65,742
 Total liabilities & fund balances	\$ 65,742

**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, 2022**

	<u>Current Month</u>	<u>Year to Date</u>	<u>Budget</u>	<u>% of Budget</u>
REVENUES				
Special assessment: on-roll	\$ 34,777	\$ 37,739	\$ 72,439	52%
Total revenues	<u>34,777</u>	<u>37,739</u>	<u>72,439</u>	52%
EXPENDITURES				
Debt service				
Principal	-	-	50,000	0%
Interest	-	9,932	20,036	50%
Total debt service	<u>-</u>	<u>9,932</u>	<u>70,036</u>	14%
Excess/(deficiency) of revenues over/(under) expenditures	34,777	27,807	2,403	
Fund balances - beginning	30,965	37,935	27,801	
Fund balances - ending	<u>\$ 65,742</u>	<u>\$ 65,742</u>	<u>\$ 30,204</u>	

**BROOKS OF BONITA SPRINGS II
COMMUNITY DEVELOPMENT DISTRICT
BALANCE SHEET
DEBT SERVICE FUND SERIES 2017 (REFUNDED SERIES 2006)
DECEMBER 31, 2022**

	Balance
ASSETS	
Investments:	
Revenue	\$ 118,304
Prepayment	5,008
Reserve	273,970
Interest	10
Due from other funds	
Brooks II	
General fund	495,968
Total assets	\$ 893,260
 LIABILITIES & FUND BALANCES	
Liabilities:	\$ -
Total liabilities	-
 Fund balances:	
Restricted for:	
Debt service	893,260
Total fund balances	893,260
 Total liabilities & fund balances	 \$ 893,260

**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, 2022**

	<u>Current Month</u>	<u>Year to Date</u>	<u>Budget</u>	<u>% of Budget</u>
REVENUES				
Special assessment: on-roll	\$ 463,235	\$ 495,968	\$ 1,094,797	45%
Interest	1,047	2,983	-	N/A
Assessment prepayments	5,005	5,005	-	N/A
Total revenues	<u>469,287</u>	<u>503,956</u>	<u>1,094,797</u>	46%
EXPENDITURES				
Debt service				
Principal	-	-	842,000	0%
Interest	-	133,207	266,414	50%
Principal prepayment	-	1,000	-	N/A
Total debt service	<u>-</u>	<u>134,207</u>	<u>1,108,414</u>	12%
Excess/(deficiency) of revenues over/(under) expenditures	469,287	369,749	(13,617)	
Fund balances - beginning	<u>423,973</u>	<u>523,511</u>	<u>518,679</u>	
Fund balances - ending	<u>\$ 893,260</u>	<u>\$ 893,260</u>	<u>\$ 505,062</u>	

**BROOKS OF BONITA SPRINGS II
COMMUNITY DEVELOPMENT DISTRICT
BALANCE SHEET
DEBT SERVICE FUND SERIES 2021 (REFUNDED SERIES 2003)
DECEMBER 31, 2022**

	Balance
ASSETS	
Due from other funds	
Brooks II	
General fund	\$ 59,536
Total assets	\$ 59,536
 LIABILITIES & FUND BALANCES	
Liabilities:	\$ -
Total liabilities	-
 Fund balances:	
Restricted for:	
Debt service	59,536
Total fund balances	59,536
 Total liabilities & fund balances	\$ 59,536

**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, 2022**

	<u>Current Month</u>	<u>Year to Date</u>	<u>Budget</u>	<u>% of Budget</u>
REVENUES				
Special assessment: on-roll	\$ 39,920	\$ 42,741	\$ 93,438	46%
Total revenues	<u>39,920</u>	<u>42,741</u>	<u>93,438</u>	46%
EXPENDITURES				
Debt service				
Principal	-	-	55,000	0%
Interest	-	16,363	32,850	50%
Total debt service	<u>-</u>	<u>16,363</u>	<u>87,850</u>	19%
Excess/(deficiency) of revenues over/(under) expenditures	39,920	26,378	5,588	
Fund balances - beginning	19,616	33,158	32,956	
Fund balances - ending	<u>\$ 59,536</u>	<u>\$ 59,536</u>	<u>\$ 38,544</u>	

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

MINUTES

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 26, 2022 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
Rollin Crawford	Assistant Secretary
Bill Docherty	Assistant Secretary
William Stoehr	Assistant Secretary

Present for Brooks II CDD:

Joseph Bartoletti	Chair
Ken D. Gould	Vice Chair
Thomas Bertucci	Assistant Secretary

Also present:

Chuck Adams	District Manager
Cleo Adams	District Manager
Shane Willis	Operations Manager
Dan H. Cox (via telephone)	District Counsel
Brent Burford	District Engineer
Blake Grimes	GulfScapes Landscape Management
Lynn Bunting	CDD II Candidate
Randy Kinmetz	Resident
Jim Ward	Resident
Alex Messerle	Resident

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 all Supervisors were present, in person.

41 For Brooks of Bonita Springs II, Supervisors Gould, Bertucci and Bartoletti were present.
42 Supervisor Brown was not present. One seat was vacant.

43

44 **SECOND ORDER OF BUSINESS**

Public Comments (*agenda items only*)

45

46 Resident Randy Kinmetz stated he presented his last Pickleball Club update in January,
47 when he reported that Pickleball Club membership increased 50% to about 570 members.
48 Membership has again increased 50% to nearly 850 members and membership is expected to
49 reach 1,000 by the end of the year. Players are limited to three courts and, in his opinion,
50 neighboring communities are building courts more quickly. Pelican Sound received approval
51 from the City to build more courts. He feels that more courts are needed; the Club continues to
52 manage with the existing courts and the reservation system has not changed but demand
53 continues to exceed capacity. The Pickleball Club Board met with Supervisors Merritt and
54 Bartoletti and the Site Plans to be presented today have the endorsement of the Pickleball Club
55 Board, which recommends that the Site Plan be submitted to the City as soon as possible.

56

57 **JOINT BUSINESS ITEMS**

58 **THIRD ORDER OF BUSINESS**

**Update: Delinquent Payments for Coconut
Point Mall**

59

60

61 This item was addressed following the Fifth Order of Business.

62

63 **FOURTH ORDER OF BUSINESS**

**Update: Negotiations with The Commons
Club Regarding Potential Purchase of
Coconut Property**

64

65

66

67 Mr. Adams stated The Commons Club withdrew its offer to purchase the property.

68

69 **FIFTH ORDER OF BUSINESS**

Discussion: Revised Pickleball Court Layout

70

71 Mr. Merritt stated the Site Plan was revised from the original 16-court layout because of
72 an orientation issue. The revised Site Plan addresses the orientation issue, includes 16 courts
73 and all amenities in the original Site Plan, including covered areas and controlled access.

74 **Mr. Cox joined the meeting via telephone at 1:05 p.m.**

75 Aerial view images were displayed.

76 A Board Member asked if the three existing pickleball courts will eventually be removed.
77 Mr. Merritt replied affirmatively and noted that the Pickleball Club is willing to forgo the three
78 courts if the Phase I courts can be constructed within a reasonable time.

79 Mr. Merritt stated the increased costs related to Site Plan revisions total \$14,600.

80 Project costs, approval processes and Phases I and II were discussed.

81 Mr. Bartoletti stated the playground area, restrooms and interactive fountain are not
82 impinged upon. Walking paths have been preserved.

83

84 **On MOTION for Brooks of Bonita Springs by Mr. Docherty and seconded by Mr.**
85 **Merritt, with all in favor, expending additional funds for Engineering and**
86 **Permit fees, in the amount of \$14,600, was approved.**

87

88 **On MOTION for Brooks of Bonita Springs II by Mr. Bertucciand seconded by Mr.**
89 **Bartoletti, with all in favor, expending additional funds for Engineering and**
90 **Permit fees, in the amount of \$14,600, was approved.**

91

92

93 **▪ Update: Delinquent Payments for Coconut Point Mall**

94 **This item, previously the Third Order of Business, was presented out of order.**

95 Mr. Cox stated a final demand was sent, with a November 15, 2022 deadline. Amounts
96 owed for all current outstanding invoices, including interest, total approximately \$50,000.

97

98 **SIXTH ORDER OF BUSINESS**

**Discussion/ Consideration: Johnson
Engineering, Inc. Fee Modification**

99

100

101 **A. Rate Schedule - *Brooks of Bonita Springs Community Development District***

102 **B. Rate Schedule - *Brooks of Bonita Springs II Community Development District***

103 Mr. Merritt presented the new Rate Schedules.
104 Discussion ensued regarding the increased hourly rates and future needs.
105 Mr. Adams stated that expenses depend on the number of hours engaged; expenditures
106 will be monitored throughout the year and budgeted accordingly.

107

108 **On MOTION for Brooks of Bonita Springs II by Mr. Bartoletti and seconded by**
109 **Mr. Gould, with all in favor, the Johnson Engineering Professional Services**
110 **Hourly Rate Schedule dated August 9, 2022, was approved.**

111

112 **On MOTION for Brooks of Bonita Springs by Mr. Crawford and seconded by Ms.**
113 **Varnum, with all in favor, the Johnson Engineering Professional Services Hourly**
114 **Rate Schedule dated August 9, 2022, was approved.**

115

116

117 **SEVENTH ORDER OF BUSINESS**

**Consideration of Lykins Signtek, Inc.,
Quote 93739 for Installation of Monument
Wall [\$70,800.00]**

118

119

120

121 Mr. Bartoletti recalled that the Village approached the CDDs about possibly installing a
122 monument in the median at the south entrance of Imperial Parkway indicating traffic is
123 entering the Village of Estero. The CDDs had plans to install a monument indicating traffic is
124 entering The Brooks but the County and Village will not allow any entity to install a monument
125 in the right-of-way (ROW). Quote 93739 no longer applies, as the former proposal is void.

126 A possible alternative monument location was discussed.

127 The consensus was to pursue other options as a potential future project.

128

129 **EIGHTH ORDER OF BUSINESS**

**Consideration of Award of Contract for
Landscape Maintenance**

130

131

132 Mrs. Adams presented the sealed bids for Landscape Maintenance.

133 Mr. Bartoletti praised GulfScapes for its efforts.

134 Mr. Grimes noted that GulfScapes did not raise its rates over the prior four years; the
135 current bid includes a rate increase of approximately 6.5%.

136 Discussion ensued regarding Hurricane Ian cleanup and debris removal.

137 Mrs. Adams stated cleanup costs are estimated at \$170,000 so far but is not yet
138 finished. Mr. Adams stated the official Federal Emergency Management Agency (FEMA)
139 application process commenced; costs and documentation will be compiled for submission.

140

141 **On MOTION for Brooks of Bonita Springs II by Mr. Bartoletti and seconded by**
142 **Mr. Bertucci, with all in favor, the GulfScapes Landscape Maintenance bid, in**
143 **the amount of \$816,778, was approved.**

144

145 **On MOTION for Brooks of Bonita Springs by Mr. Merritt and seconded by Mr.**
146 **Docherty, with all in favor, the GulfScapes Landscape Maintenance bid, in the**
147 **amount of \$816,778, was approved.**

148

149

150 **NINTH ORDER OF BUSINESS**

Irrigation Reports

151

152 **A. Meter Usage by Clock**

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

154 Mr. Grimes presented the Irrigation Reports and stated that total annual water
155 consumption will likely be greater than the prior year when September figures are added.
156 September usage is estimated at 2,000,000 gallons.

157 Water usage, rainfall trends compared to prior years and budgeting, were discussed.

158 The consensus was that, while rainfall can reduce the need for irrigation, much of the
159 water received during heavy rain is runoff.

160 Mr. Bartoletti asked residents to report leaks and gushing water to a Board Member so
161 Staff can be notified and the water can be shut off as soon as possible.

162

163 **TENTH ORDER OF BUSINESS**

**Landscape Report: *GulfScapes Landscape
Management Services***

164

165

166 A Board Member asked if the landscape proposals in the Eleventh Order of Business
167 replace those presented for re-landscaping in July.

168 Discussion ensued regarding potential cost increases and the additional scope of work
169 to medians in Clocks 1, 2, 3 and 8.

170 Mr. Merritt expressed concern about contractors digging up and burying cables and
171 necessitating costly repairs to irrigation and landscaping. Mr. Grimes stated, while he does not
172 advocate turf everywhere, it allows for a cleaner landscape appearance and is easier to replace.

173 Discussion ensued regarding ongoing boring work to be done related to installation of
174 fiberoptic cable and the likelihood that ongoing irrigation repairs will be needed.

175 Damages related to past projects were discussed.

176 Asked if the County provides reparations, Mr. Cox stated the County advised that the
177 CDDs are responsible for any landscaping repairs needed as a result of work done on the
178 County ROW. While utilities hired by the County get that same protection, non-County
179 contractors should repair and replace landscaping they damage.

180 Discussion ensued regarding developing professional relationships with contractors,
181 informing contractors about underground utilities, promoting use of the 811 number,
182 monitoring and documenting work being done and documenting damages to pursue repairs.

183

184 **ELEVENTH ORDER OF BUSINESS**

**Consideration of GulfScapes Landscape
Management Services, Proposals for
Landscape Installations**

185

186

187

188 **A. Clock 1: Railroad Tracks East on Coconut Road to Spring Run Entrance [\$83,971.00]**

189 **B. Clock 2: Spring Run Entrance East on Coconut Road to Enrichment Center [\$88,712.00]**

190 **C. Clock 3: Enrichment Center Entrance East on Coconut Road to Lighthouse Bay Entrance**
191 **[\$89,838.00]**

192 **D. Clock 4: Three Oaks and Coconut Light South on Imperial to End of Brooks**
193 **[\$36,795.00]**

194 **E. Clock 5: Three Oaks and Coconut Light North on Three Oaks to Copperleaf Entrance**
195 **[\$106,940.00]**

196 **F. Clock 6: Copperleaf Entrance North to Bridge [\$113,128.00]**

197 **G. Clock 7: Three Oaks Parkway Bridge, North to Williams Road [\$56,906.75]**

198 H. **Clock 8: 41 East on Coconut Road to Railroad Tracks [\$60,524.50]**

199 I. **Clocks 1-8 Maps and Locations**

200 J. **Proposal #3723 for Installation of Root Barriers [\$159,750.00]**

201 • **Root Barriers to Completed Asphalt Repaired Locations**

202 Mr. Bartoletti recalled discussions and noted the prior consensus about the need to
203 enhance landscaping and address root barriers.

204 The consensus is to approve the expenditures for budgeting purposes while the sealed
205 bidding process begins; a short-term note might be secured to cover the costs.

206

207 **On MOTION for Brooks of Bonita Springs II by Mr. Bartoletti and seconded by**
208 **Mr. Bertucci, with all in favor, approving Items 11 A through I for budgeting**
209 **purposes and authorizing Staff to obtain sealed bids for Items 11 A through I,**
210 **was approved.**

211

212 **On MOTION for Brooks of Bonita Springs by Mr. Crawford and seconded by Mr.**
213 **Merritt, with all in favor, approving Items 11 A through I for budgeting**
214 **purposes and authorizing Staff to obtain sealed bids for Items 11 A through I,**
215 **was approved.**

216

217

218 Mr. Bertucci supported adding Item J to the proposed decision-making process when
219 sealed bids are received and awarding it as a separate contract included in the overall note. Mr.
220 Adams stated Item J is beneath the threshold and is a separate project.

221 Discussion ensued regarding the need to install root barriers.

222

223 **On MOTION for Brooks of Bonita Springs II by Mr. Bartoletti and seconded by**
224 **Mr. Bertucci, with all in favor, adding Item J as part of the overall process of**
225 **evaluating Items 11 A through I and adding it as a separate contract to be**
226 **included in the overall note, was approved.**

227

228 **On MOTION for Brooks of Bonita Springs by Mr. Crawford and seconded by Ms.**
229 **Varnum, with all in favor, adding Item J as a part of the overall process of**
230 **evaluating Items 11 A through I and adding it as a separate contract to be**
231 **included in the overall note, was approved.**

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TWELFTH ORDER OF BUSINESS

**Consideration of Collier Paving & Concrete,
Proposal #22-696 for Sidewalk
Replacement Project [\$940,370.79]**

The consensus was that the cost is excessive, given the exclusions listed.

Mrs. Adams suggested the District Engineer evaluate the proposal and make recommendations. Mr. Burford will contact the appropriate parties and advise. This item was deferred to the January meeting, pending additional information from the District Engineer.

Discussion ensued regarding safety issues that need immediate action.

Mr. Willis will compile a list of areas and quotes will be requested for individual repairs.

THIRTEENTH ORDER OF BUSINESS

**Consideration of EarthBalance Littoral
Planting and Lake Bank Restoration
Proposal**

Mr. Willis presented the EarthBalance proposal developed subsequent to the Lake Audit of all 175 lakes earlier this year, categorized as follows:

- Category 1: No littorals present; littorals need to be planted.
- Category 2: Lake bank restoration needed.
- Category 3: Additional littorals needed to fill in gaps.

Mrs. Adams stated the proposal will only serve as an exhibit to the CDD's standard contract. Currently, \$30,000 is budgeted for aquascaping; the proposed work totals approximately \$52,000.

Mr. Willis stated the littorals listed in Category 2 must comply with Limited Development Orders (LDOs); remaining items can be adjusted, as directed by the Board.

Existing littorals, County requirements and the benefits of littorals were discussed.

Mrs. Adams recommended continuing to plant littorals annually. Mr. Willis noted that impacts on the lake banks increase over time; the sooner littorals are planted, the greater the impact and the lower the cost.

The consensus was to include this in the motion for the Fourteenth Order of Business.

264 **FOURTEENTH ORDER OF BUSINESS** **Consideration of Anchor Marine Services,**
265 **Inc., Proposal #2280 for the Installation of**
266 **Geo-Filter™ Tube Erosion Barrier**
267 **[\$598,050.00]**
268

269 A Board Member observed that, during the last ten years, other communities needed to
270 perform extensive lake bank restoration due to the lack of littorals. Mr. Adams discussed
271 County requirements, lake bank remediation efforts in other CDDs and the likely savings from
272 The Brooks' ongoing proactive littoral plantings over the years preventing or reducing the need
273 for lake bank erosion remediation.

274 The consensus was that the expenditure would be approved for budgeting purposes
275 while the sealed bidding process begins.

276 A Board Member noted that funds for Proposal #2280 are not budgeted. Mr. Adams
277 stated the expense will be funded via the note and paid over five years.

278

279 **On MOTION for Brooks of Bonita Springs by Mr. Merritt and seconded by Mr.**
280 **Crawford, with all in favor, the EarthBalance Littoral Planting and Lake Bank**
281 **Restoration Proposal and Anchor Marine Services, Inc., Proposal #2280, for**
282 **budgeting purposes while commencing the sealed bid process, were approved.**

283

284 **On MOTION for Brooks of Bonita Springs II by Mr. Bartoletti and seconded by**
285 **Mr. Gould, with all in favor, the EarthBalance Littoral Planting and Lake Bank**
286 **Restoration Proposal and for Anchor Marine Services, Inc., Proposal #2280, for**
287 **budgeting purposes while commencing the sealed bid process, were approved.**

288

289

290 **FIFTEENTH ORDER OF BUSINESS** **Acceptance of Unaudited Financial**
291 **Statements as of September 30, 2022**
292

293 Mr. Adams presented the Unaudited Financial Statements as of September 30, 2022.

294 Mr. Adams stated the True-Up of shared costs with The Commons Club will occur after
295 the audit process is complete. He discussed the audit process and stated he expects the draft
296 audit to be presented in April, if all proceeds according to schedule.

297 The financials were accepted.

298

299 **SIXTEENTH ORDER OF BUSINESS**

**Approval of August 24, 2022 Joint Public
Hearings and Regular Meeting Minutes**

300

301

302 Mr. Merritt presented the August 24, 2022 Joint Public Hearings and Regular Meeting
303 Minutes. The following change was made:

304

Line 288: Delete "he"

305

306

**On MOTION for Brooks of Bonita Springs by Mr. Merritt and seconded by Mr.
307 Crawford, with all in favor, the August 24, 2022 Joint Public Hearings and
308 Regular Meeting Minutes, as amended, were approved.**

309

310

**On MOTION for Brooks of Bonita Springs II by Mr. Bartoletti and seconded by
311 Mr. Bertucci, with all favor, the August 24, 2022 Joint Public Hearings and
312 Regular Meeting Minutes, as amended, were approved.**

313

314

315 **SEVENTEENTH ORDER OF BUSINESS**

Staff Reports

316

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

318 Mr. Bartoletti recalled a request from the General Manager David Smith and the 2024
319 Project Manager regarding the need to fill in part of the lake adjacent to the Clubhouse in order
320 to create additional parking spaces. They drafted a legal document, asked The Brooks' to sign
321 and requested Staff's guidance on how to proceed to keep the project moving.

322

Mr. Cox stated he has not seen the document.

323

324

Mr. Bartoletti stated he received a redline version of an official document requiring a
perpetual easement to the property, which he believes is correct, as it will be a parking lot. He
is unsure if it is a final draft approved by the Copperleaf Board and ready to be presented for
District Counsel's review and if a special meeting is needed to approve the document. The
engineering studies relative to water management were completed.

328

Mr. Adams stated, from a modeling perspective, loss of capacity does not negatively
329 impact the permit. He suggested authorizing finalization of the documents under review by the

330 District Engineer and District Counsel, execution by the Chair and ratification at a future
331 meeting.

332 Mr. Bartoletti stated the project will merely authorize filling part of the lake to create 20
333 additional parking spaces.

334 Mr. Adams believed a re-survey will be done and a deed will be completed to transfer
335 ownership of the parking lot location, once it is completed.

336 Mr. Bartoletti expressed his desire to keep all parties informed, avoid
337 misunderstandings and move the project forward in the appropriate way.

338 Mr. Adams reiterated that the Board approved the concept; the next administrative steps
339 are Legal and Engineering review and authorizing the Chair to execute the documents
340 necessary for that to occur.

341

342 **On MOTION for Brooks of Bonita Springs II by Mr. Bartoletti and seconded by**
343 **Mr. Bertucci, with all in favor, authorizing District Counsel and the District**
344 **Engineer to review all documents provided by Copperleaf Golf Club Association**
345 **to ensure compliance with the Engineering and Water Management District**
346 **and all other legal and engineering considerations, and authorizing the Chair to**
347 **execute, was approved.**

348

349

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

351 Mr. Burford stated the NPDES Report for Cycle 4 Year 5 is complete and ready to be
352 submitted to the County. Water quality trends are the same as in the past; nutrient levels are
353 still below the established threshold.

354

355 **On MOTION for Brooks of Bonita Springs by Mr. Crawford and seconded by Mr.**
356 **Merritt, with all in favor, the NPDES Report for Cycle 4 Year 5, was approved.**

357

358 **On MOTION for Brooks of Bonita Springs II by Mr. Bartoletti and seconded by**
359 **Mr. Gould, with all in favor, the NPDES Report for Cycle 4 Year 5, was**
360 **approved.**

361

362

363 **C. Operations: *Wrathell, Hunt and Associates, LLC***

364 • **Monthly Status Report – Field Operations**

365 The Field Operations Report was included for informational purposes.

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

367 • **NEXT MEETING DATE: January 25, 2023 at 1:00 p.m. (Meeting must adjourn by**
368 **3:00 p.m.)**

369 ○ **QUORUM CHECK – BROOKS OF BONITA SPRINGS**

370 ○ **QUORUM CHECK – BROOKS OF BONITA SPRINGS II**

371 Mrs. Adams stated the next meeting will be held on January 25, 2023.

372

373 **EIGHTEENTH ORDER OF BUSINESS**

Supervisors' Requests

374

375 There were no Supervisors' requests.

376

377 **NINETEENTH ORDER OF BUSINESS**

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

378

379

380 Regarding The Commons Club retracting the offer to purchase the property, resident
381 Jim Ward stated The Commons Club Beach Club had significant damage following the hurricane
382 and it will take a major rebuilding effort to accomplish what needs to be done at the beach
383 area. For that reason, The Club's resources must be dedicated in that area rather than to
384 pickleball and ownership of the new property. The Club's Board saw the property's strategic
385 value, which is why the initial offer was made.

386 Mr. Ward stated the Village of Estero reacted quickly in declaring a State of Emergency.
387 The Club contracted with FEMA to have a disaster recovery company remove debris; Crawford
388 Landscape (Crawford) was contracted to remove debris within the Village, including the HOAs.
389 Mr. Merritt, Mr. Bartoletti and Mr. Adams were alerted that the company was engaged and
390 that FEMA will reimburse the expense.

391 Mr. Ward described the damage following Hurricane Ian as light and moderate in some
392 areas but absolute devastation in other areas, primarily west of 41 and to manufactured homes

393 and recreational vehicles (RVs). Crawford is focused on picking up construction material and
394 debris in those areas; some landscaping debris will be removed from HOAs soon. Landscaping
395 debris at the intersection of Coconut will be removed by the Village when possible.

396 Regarding discussions with the Village regarding the monument, Mr. Ward stated he
397 referred Mr. Bartoletti to the Village Project Director David Williams who will work with Mr.
398 Bartoletti to install a monument outside the ROW. The Village is installing three monuments
399 throughout the Village to establish Village boundaries. He offered his continued assistance
400 regarding contractors working within the Village.

401 Mr. Adams asked if Crawford will remove the piles of debris. Mr. Ward replied
402 affirmatively and noted the extensive debris will be removed as expeditiously as possible.

403 Resident Alex Messerle complimented the CDDs on the management of water levels in
404 advance of Hurricane Ian and asked how he can have comfort that the gates will be opened in
405 the same manner in the future. Mr. Adams stated that the CDDs are allowed to open the gate
406 when a storm or hurricane is officially in NOAA’s officially forecast “Cone of Uncertainty”.

407 Mr. Bartoletti stated his annual letter to residents in advance of hurricane season
408 provides that information and recommends flood insurance due to the threat of storm surge.

409

410 **TWENTIETH ORDER OF BUSINESS**

***Adjournment: Brooks of Bonita Springs
Community Development District***

411

412

413

414 **On MOTION for Brooks of Bonita Springs by Mr. Merritt and seconded by Mr.**
415 **Crawford, with all in favor, the meeting adjourned at 2:47 p.m.**

416

417

418 **BROOKS OF BONITA SPRINGS II ITEMS**

419 **TWENTY-FIRST ORDER OF BUSINESS**

**Discussion/Resume Review of Qualified
Elector Candidates to Fill Vacancy in Seat 1
(Term Expires November 2024)**

420

421

422

423 **A. Joseph C. Alfenito**

424 **B. Lynn V. Bunting**

425 **C. Christopher E. Glynn**

426 **D. Kim Huttenlocher**

427 **E. David Woessner**

428 Mr. Adams stated that Ms. Mary O'Connor, who ran unopposed in the General Election,
429 will be seated at the January meeting.

430 Mr. Merritt stated that Ms. Huttenlocher is not a resident of CDD II.

431 Discussion ensued regarding the candidates and their qualifications.

432 Mr. Gould nominated Ms. Bunting to fill Seat 1. No other nominations were made.

433

434 **On MOTION for Brooks of Bonita Springs II by Mr. Gould and seconded by Mr.**
435 **Bertucci, with all in favor, the appointment of Ms. Lynn Bunting to fill Seat 1,**
436 **was approved.**

437

438

439 Mr. Cox stated that Ms. O'Connor must file the Oath of Office with the Supervisor of
440 Elections within 30 days of the election.

441

442 **TWENTY-SECOND ORDER OF BUSINESS**

**Administration of Oath of Office to Newly
Appointed Supervisor *(the following to be
provided in a separate package)***

443

444

445

446 Mr. Adams, a Notary of the State of Florida and duly authorized, administered the Oath
447 of Office to Ms. Bunting. He will review the following with Ms. Bunting:

448 **A. Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees**

449 **B. Membership, Obligations and Responsibilities**

450 **C. Financial Disclosure Forms**

451 **I. Form 1: Statement of Financial Interests**

452 **II. Form 1X: Amendment to Form 1, Statement of Financial Interests**

453 **III. Form 1F: Final Statement of Financial Interests**

454 **D. Form 8B – Memorandum of Voting Conflict**

455

456 **TWENTY-THIRD ORDER OF BUSINESS** **Consideration of Resolution 2023-01,**
457 **Designating Certain Officers of the District,**
458 **and Providing for an Effective Date**
459

460 Mr. Adams presented Resolution 2023-01. The following slate was nominated:

461	Chair	Joseph Bartoletti
462	Vice Chair	Kenneth Gould
463	Secretary	Chuck Adams
464	Assistant Secretary	Thomas Bertucci
465	Assistant Secretary	Lynn Bunting
466	Assistant Secretary	Craig Wrathell

467 No other nominations were made. Prior appointments by the Board for Treasurer and
468 Assistant Treasurer remain unaffected by this Resolution.

469

470 **On MOTION for Brooks of Bonita Springs II by Mr. Bartoletti and seconded by**
471 **Mr. Gould, with all in favor, Resolution 2022-01, Designating Certain Officers of**
472 **the District, as nominated, and Providing for an Effective Date, was adopted.**

473

474

475 **TWENTY-FOURTH ORDER OF BUSINESS** **Acceptance of Resignation of Thomas**
476 **Brown, Seat 3 (*Term Expires November***
477 ***2022*)**

478

479 Mrs. Adams presented Mr. Thomas Brown's resignation letter.

480

481 **On MOTION for Brooks of Bonita Springs II by Mr. Bartoletti and seconded by**
482 **Mr. Bertucci, with all in favor, the resignation of Mr. Thomas Brown from Seat**
483 **3, was accepted.**

484

485

486 **TWENTY-FIFTH ORDER OF BUSINESS** **Adjournment: *Brooks of Bonita Springs II***
487 ***Community Development District***

488

489

490 **On MOTION for Brooks of Bonita Springs II by Mr. Bartoletti and seconded by**
491 **Mr. Bertucci, with all in favor, the meeting adjourned at 3:11 p.m.**

492 **FOR BROOKS OF BONITA SPRINGS:**

493

494

495

496

497 _____
Secretary/Assistant Secretary

_____ Chair/Vice Chair

498

499

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

501

502

503

504

505 _____
Secretary/Assistant Secretary

_____ Chair/Vice Chair

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

**STAFF
REPORTS
C**

**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 2022/2023 JOINT MEETING SCHEDULE

LOCATION

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

DATE	POTENTIAL DISCUSSION/FOCUS	TIME
October 26, 2022	Regular Meeting	1:00 PM
January 25, 2023*	Regular Meeting	1:00 PM
March 22, 2023	Regular Meeting	1:00 PM
April 26, 2023	Regular Meeting	1:00 PM
July 26, 2023	Regular Meeting	1:00 PM
August 23, 2023	Public Hearing & Regular Meeting <i>adoption of Fiscal Year 2024 budget</i>	1:00 PM

**January 25, 2023 Meeting must end by 3PM*