

# ***Brooks of Bonita Springs Community***

## ***Development Districts I and II***



July 28, 2023

To All Brooks Homeowners,

At the Wednesday July 26 CDD Supervisor meeting, CDD I voted against and CDD II voted for awarding a contract to Rockford Construction for the Phase 1 Pickleball Court site construction. Because one CCD voted for and one against, the motion failed. Therefore, no contract was awarded.

The reasons for the CDD I's disapproval were:

- The site plan, which was approved by both CDD I and CDD II Supervisors earlier in 2023 and subsequently submitted and approved by the Village of Estero's Planning, Zoning, and Design Board (PZDB), was challenged by The Commons Club Board, some members of the Commons Club, and owners from the Shadow Wood neighborhoods of Sweet Bay and Magnolia Bend. These groups who were present, or had sent emails to the Supervisors, requested that the site plan be changed from Phase 1 to Phase 3 as well as relocating the social area to Phase 3 to mitigate the effects of noise emanating from pickleball activities. The approved Phase 1 site plan already includes the best-in-class sound barriers which are expected to reduce the sound below 55dBA which is significantly less than the 70dBA required by the PZDB. For reference, 55dBA is the normal conversational level of sound. One supervisor noted that the current pickleball courts, which have no sound barriers, have never resulted in a single complaint.

This change would require the CDD's to obtain updated drawings from RWA Engineering as well as going through another PZDB review and public hearing. These activities would incur additional costs and result in significant time delays to start any construction—and most likely result in an increased cost for the project. The movement of Phase1 to Phase 3 will not lower the cost as the same number of courts, plus a social area, will still be built. Additionally, this delays any decision beyond the CDD's August 2024 meeting when the 2024-2025 budget process must be completed.

- The lowest sealed bid received was \$1,064,183.80 which exceeded our planning placeholder of \$900,000. Concerns also existed about some of Rockford Construction's exceptions and the possibility of change orders. Both of these issues make it difficult to determine a reliable estimate of the final total cost of the project at this time. This, combined with Rockford's bid validity period of forty-five (45) days, makes it impossible to resolve these concerns before the next CDD meeting is scheduled for August 30<sup>th</sup>--which is outside the forty (45) day period.
- The other concern was the potential for on-going repair/maintenance/operating/replacement costs for the facility not being covered by the annual court usage fee to be paid by the members of the Brooks Pickleball Club (PBC)—initially projected to be \$353. The PBC Board stated that they felt the basis for the proposed fee was reasonable and that they believed a significant number of their members would be willing to pay the fee. They did not offer any specific reasoning or data to support their belief. A show of hands of the Pickleball players in the room (15 replied) and how many would agree to pay the fee (13 replied). Without adequate support from the PBC to cover the on-going cost, this burden would fall to The Brooks' residents, which is considered unacceptable.

***Thank you*** for your continued interest in the districts' projects and activities.

***Your Brooks of Bonita Springs CDD I & II Supervisors***