

**EAST BONITA
BEACH ROAD**

**COMMUNITY DEVELOPMENT
DISTRICT**

August 16, 2021

**BOARD OF SUPERVISORS
PUBLIC HEARING &
REGULAR MEETING
AGENDA**

East Bonita Beach Road Community Development District

OFFICE OF THE DISTRICT MANAGER

2300 Glades Road, Suite 410W • Boca Raton, Florida 33431

Phone: (561) 571-0010 • Toll-free: (877) 276-0889 • Fax: (561) 571-0013

August 9, 2021

Board of Supervisors
East Bonita Beach Road Community Development District

<p><u>ATTENDEES:</u> Please identify yourself each time you speak to facilitate accurate transcription of meeting minutes.</p>

Dear Board Members:

The Board of Supervisors of the East Bonita Beach Road Community Development District will hold a Public Hearing and a Regular Meeting on August 16, 2021, at 11:30 a.m., at the offices of D.R. Horton, 10541 Ben C. Pratt Six Mile Cypress Parkway, Fort Myers, Florida 33966. The agenda is as follows:

1. Call to Order/Roll Call
2. Public Comments
3. Presentation of Audited Financial Report for Fiscal Year Ended September 30, 2020, Prepared by Grau & Associates
4. Consideration of Resolution 2021-08, Hereby Accepting the Audited Financial Report for the Fiscal Year Ended September 30, 2020
5. Ratification of Engagement with KE Law Group, PLLC
 - Consideration of Fee Agreement
6. Public Hearing on Adoption of Fiscal Year 2021/2022 Budget
 - A. Proof/Affidavit of Publication
 - B. Consideration of Resolution 2021-09, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2021, and Ending September 30, 2022; Authorizing Budget Amendments; and Providing an Effective Date
7. Consideration of Resolution 2021-10, Making a Determination of Benefit and Imposing Special Assessments for Fiscal Year 2021/2022; Providing for the Collection and Enforcement of Special Assessments, Including But Not Limited to Penalties and Interest Thereon; Certifying an Assessment Roll; Providing for Amendments to the Assessment Roll; Providing a Severability Clause; and Providing an Effective Date

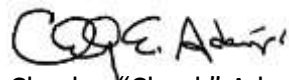
- 8. Discussion: Meeting Times for Fiscal Year 2022
 - Consideration of Resolution 2021-11, Adopting the Annual Meeting Schedule for Fiscal Year 2021-2022; and Providing for an Effective Date
- 9. Ratification of AA1 and AA2 Acquisition Package Documents
- 10. Acceptance of Unaudited Financial Statements as of June 30, 2021
- 11. Approval of April 27, 2021 Special Meeting Minutes
- 12. Other Business
- 13. Staff Reports
 - A. District Counsel: *KE Law Group, PLLC*
 - B. District Engineer: *Banks Engineering, Inc.*
 - Consideration of Requisition No. 1
 - C. District Manager: *Wrathell, Hunt and Associates, LLC*
 - NEXT MEETING DATE: May 16, 2022, Time TBD
 - QUORUM CHECK

MICHAEL BONE	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
J WAYNE EVERETT	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
LANDON THOMAS	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
TIM MARTIN	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
ASHLEY KOZA	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO

- 14. Audience Comments/Supervisors' Requests
- 15. Adjournment

Should you have any questions, please do not hesitate to contact me directly at 239-464-7114.

Sincerely,



Chesley "Chuck" Adams
 District Manager

FOR BOARD MEMBERS AND STAFF TO ATTEND BY TELEPHONE:

CALL IN NUMBER: 1-888-354-0094

PARTICIPANT CODE: 229 774 8903

EAST BONITA BEACH ROAD
COMMUNITY DEVELOPMENT DISTRICT

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**EAST BONITA BEACH ROAD
COMMUNITY DEVELOPMENT DISTRICT
LEE COUNTY, FLORIDA
FINANCIAL REPORT
FOR THE FISCAL YEAR ENDED
SEPTEMBER 30, 2020**

**EAST BONITA BEACH ROAD COMMUNITY DEVELOPMENT DISTRICT
LEE COUNTY, FLORIDA**

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Grau & Associates
CERTIFIED PUBLIC ACCOUNTANTS

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INDEPENDENT AUDITOR'S REPORT

To the Board of Supervisors
East Bonita Beach Road Community Development District
Lee County, Florida

Report on the Financial Statements

We have audited the accompanying financial statements of the governmental activities and each major fund of East Bonita Beach Road Community Development District, Lee County, Florida (the "District") as of and for the fiscal year ended September 30, 2020, and the related notes to the financial statements, which collectively comprise the District's basic financial statements as listed in the table of contents.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

Our responsibility is to express opinions on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Opinions

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities and each major fund of the District as of September 30, 2020, and the respective changes in financial position thereof for the fiscal year then ended in accordance with accounting principles generally accepted in the United States of America.

Other Matters

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis and budgetary comparison information be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Other Reporting Required by *Government Auditing Standards*

In accordance with *Government Auditing Standards*, we have also issued our report dated April 19, 2021, on our consideration of the District's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, grant agreements and other matters. The purpose of that report is solely to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the District's internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the District's internal control over financial reporting and compliance.

B. & Associates

April 19, 2021

MANAGEMENT'S DISCUSSION AND ANALYSIS

Our discussion and analysis of East Bonita Beach Road Community Development District, Lee County, Florida ("District") provides a narrative overview of the District's financial activities for the fiscal year ended September 30, 2020. Please read it in conjunction with the District's Independent Auditor's Report, basic financial statements, accompanying notes and supplementary information to the basic financial statements.

FINANCIAL HIGHLIGHTS

- The liabilities of the District exceeded its assets at the close of the most recent fiscal year resulting in a net position deficit balance of (\$42,686).
- The change in the District's total net position in comparison with the prior year was \$105,200, an increase. The key components of the District's net position and change in net position are reflected in the table in the government-wide financial analysis section.
- At September 30, 2020, the District's governmental fund reported an ending fund balance of \$366,356, a decrease of (\$39,835) in comparison with the prior fiscal year. The total fund balance is restricted for debt service and capital projects and the remainder is unassigned deficit fund balance.

OVERVIEW OF FINANCIAL STATEMENTS

This discussion and analysis are intended to serve as the introduction to the District's basic financial statements. The District's basic financial statements are comprised of three components: 1) government-wide financial statements, 2) fund financial statements, and 3) notes to the financial statements. This report also contains other supplementary information in addition to the basic financial statements themselves.

Government-Wide Financial Statements

The government-wide financial statements are designed to provide readers with a broad overview of the District's finances, in a manner similar to a private-sector business.

The statement of net position presents information on all the District's assets, deferred outflows of resources, liabilities, and deferred inflows of resources with the residual amount being reported as net position. Over time, increases or decreases in net position may serve as a useful indicator of whether the financial position of the District is improving or deteriorating.

The statement of activities presents information showing how the government's net position changed during the most recent fiscal year. All changes in net position are reported as soon as the underlying event giving rise to the change occurs, regardless of the timing of related cash flows. Thus, revenues and expenses are reported in this statement for some items that will only result in cash flows in future fiscal periods.

The government-wide financial statements include all governmental activities that are principally supported by assessment revenues. The District does not have any business-type activities. The governmental activity of the District includes the general government (management) and maintenance functions.

Fund Financial Statements

A fund is a grouping of related accounts that is used to maintain control over resources that have been segregated for specific activities or objectives. The District, like other state and local governments, uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements. The District maintains only one category of funds: governmental fund.

OVERVIEW OF FINANCIAL STATEMENTS (Continued)

Governmental Funds

Governmental funds are used to account for essentially the same functions reported as governmental activities in the government-wide financial statements. However, unlike the government-wide financial statements, governmental fund financial statements focus on near-term inflows and outflow of spendable resources, as well as on balances of spendable resources available at the end of the fiscal year. Such information may be useful in evaluating a District's near-term financing requirements.

Because the focus of governmental funds is narrower than that of the government-wide financial statements, it is useful to compare the information presented for governmental funds with similar information presented for governmental activities in the government-wide financial statements. By doing so, readers may better understand the long-term impact of the District's near-term financing decisions. Both the governmental fund balance sheet and the governmental fund statement of revenues, expenditures, and changes in fund balances provide a reconciliation to facilitate this comparison between governmental funds and governmental activities.

The District maintains three governmental fund for external reporting. Information is presented separately in the governmental fund balance sheet and the governmental fund statement of revenues, expenditures, and changes in fund balance for the general fund, debt service fund and capital projects fund, all of which are considered major funds.

The District adopts an annual appropriated budget for its general fund. A budgetary comparison schedule has been provided for the general fund to demonstrate compliance with the budget.

Notes to the Financial Statements

The notes provide additional information that is essential to a full understanding of the data provided in the government-wide and fund financial statements.

GOVERNMENT-WIDE FINANCIAL ANALYSIS

As noted earlier, net position may serve over time as a useful indicator of an entity's financial position. In the case of the District, liabilities exceeded assets at the close of the most recent fiscal year.

Key components of the District's net position are reflected in the following table:

	NET POSITION	
	SEPTEMBER 30,	
	2020	2019
Current and other assets	\$ 458,349	\$ 450,547
Capital assets, net of depreciation	4,724,716	4,724,716
Total assets	5,183,065	5,175,263
Current liabilities	135,437	148,749
Long-term liabilities	5,090,314	5,174,400
Total liabilities	5,225,751	5,323,149
Net Position		
Net investment in capital assets	(362,695)	(446,801)
Restricted	292,229	283,524
Unrestricted	27,780	15,391
Total net position	\$ (42,686)	\$ (147,886)

The District's net position reflects its investment in capital assets (e.g. land, land improvements, and infrastructure) less any related debt used to acquire those assets that is still outstanding. These assets are used to provide services to residents; consequently, these assets are not available for future spending. Although the District's investment in capital assets is reported net of related debt, it should be noted that the resources needed to repay this debt must be provided from other sources, since the capital assets themselves cannot be used to liquidate these liabilities.

GOVERNMENT-WIDE FINANCIAL ANALYSIS (Continued)

The restricted portion of the District's net position represents resources that are subject to external restrictions on how they may be used. The remaining balance of unrestricted net position may be used to meet the District's other obligations.

The District's net position increased during the most recent fiscal year. The majority of the increase represents the extent to which ongoing program revenues exceeded the cost of operations.

Key elements of the change in net position are reflected in the following table:

CHANGES IN NET POSITION FOR THE FISCAL YEAR END SEPTEMBER 30,		
	2020	2019
Revenues:		
Program revenues		
Charges for services	\$ 404,172	\$ 457,485
Operating grants and contributions	61,964	30,219
Capital grants and contributions	20	18,996
General revenues	23	19
Total revenues	<u>466,179</u>	<u>506,719</u>
Expenses:		
General government	99,372	88,231
Maintenance and operations	13,168	29,752
Interest	248,439	259,113
Total expenses	<u>360,979</u>	<u>377,096</u>
Change in net position	105,200	129,623
Net position - beginning	(147,886)	(277,509)
Net position - ending	<u>\$ (42,686)</u>	<u>\$ (147,886)</u>

As noted above and in the statement of activities, the cost of all governmental activities during the fiscal year ended September 30, 2020 was \$360,979. The costs of the District's activities were primarily funded by program revenues, which were comprised of On-roll and Developer assessments. Expenses decreased due to a decrease in maintenance and operations as well as interest expense, while general government expenses increased.

GENERAL BUDGETING HIGHLIGHTS

An operating budget was adopted and maintained by the governing board for the District pursuant to the requirements of Florida Statutes. The budget is adopted using the same basis of accounting that is used in preparation of the fund financial statements. The legal level of budgetary control, the level at which expenditures may not exceed budget, is in the aggregate. Any budget amendments that increase the aggregate budgeted appropriations must be approved by the Board of Supervisors. Actual general fund expenditures for the fiscal year ended September 30, 2020 did not exceed appropriations.

CAPITAL ASSETS AND DEBT ADMINISTRATION

Capital Assets

At September 30, 2020, the District had \$4,724,716 invested in capital assets for its governmental activities. In the government-wide financial statements no depreciation has been taken, which resulted in a net book value of \$4,724,716. More detailed information about the District's capital assets is presented in the notes of the financial statements.

Capital Debt

At September 30, 2020, the District had \$5,115,000 Bonds outstanding for its governmental activities. More detailed information about the District's capital debt is presented in the notes of the financial statements.

ECONOMIC FACTORS AND NEXT YEAR'S BUDGETS AND OTHER EVENTS

Subsequent to fiscal year end, the District issued \$6,015,000 of Series 2021 Bonds, consisting of multiple term bonds with due dates ranging from May 1, 2026 - May 1, 2051 and fixed interest rates ranging from 2.25% to 4%. The Bonds were issued to finance the acquisition and construction of certain improvements for the benefit of the District.

CONTACTING THE DISTRICT'S FINANCIAL MANAGEMENT

This financial report is designed to provide our citizens, land owners, customers, investors and creditors with a general overview of the District's finances and to demonstrate the District's accountability for the financial resources it manages and the stewardship of the facilities it maintains. If you have questions about this report or need additional financial information, contact the East Bonita Beach Road Community Development District's Finance Department at 2300 Glades Road, Suite 410W, Boca Raton, Florida, 33431.

**EAST BONITA BEACH ROAD COMMUNITY DEVELOPMENT DISTRICT
LEE COUNTY, FLORIDA
STATEMENT OF NET POSITION
SEPTEMBER 30, 2020**

	Governmental Activities
ASSETS	
Cash	\$ 553
Assessment receivable	411
Due from Developer	59,577
Restricted assets:	
Investments	397,808
Capital assets:	
Nondepreciable	4,724,716
Total assets	5,183,065
 LIABILITIES	
Accounts payable	32,416
Accrued interest payable	103,021
Non-current liabilities:	
Due within one year	90,000
Due in more than one year	5,000,314
Total liabilities	5,225,751
 NET POSITION	
Net investment in capital assets	(362,695)
Restricted for debt service	292,229
Unrestricted	27,780
Total net position	\$ (42,686)

See notes to the financial statements

**EAST BONITA BEACH ROAD COMMUNITY DEVELOPMENT DISTRICT
LEE COUNTY, FLORIDA
STATEMENT OF ACTIVITIES
FOR THE FISCAL YEAR ENDED
SEPTEMBER 30, 2020**

<u>Functions/Programs</u>	Expenses	Program Revenues			Net (Expense) Revenue and Changes in Net Position
		Charges for Services	Operating Grants and Contributions	Capital Grants and Contributions	Governmental Activities
Governmental activities:					
General government	\$ 99,372	\$ 65,329	\$ 59,577	\$ -	\$ 25,534
Maintenance and operations	13,168	-	-	20	(13,148)
Interest on long-term debt	248,439	338,843	2,387	-	92,791
Total governmental activities	360,979	404,172	61,964	20	105,177
General revenues:					
					23
					23
					105,200
					(147,886)
					\$ (42,686)

See notes to the financial statements

**EAST BONITA BEACH ROAD COMMUNITY DEVELOPMENT DISTRICT
LEE COUNTY, FLORIDA
BALANCE SHEET
GOVERNMENTAL FUNDS
SEPTEMBER 30, 2020**

	Major Fund			Total Governmental Funds
	General	Debt Service	Capital Projects	
ASSETS				
Cash	\$ 553	\$ -	\$ -	\$ 553
Investments	-	394,905	2,903	397,808
Due from Developer	59,577	-	-	59,577
Assessment Receivable	66	345	-	411
Total assets	<u>\$ 60,196</u>	<u>\$ 395,250</u>	<u>\$ 2,903</u>	<u>\$ 458,349</u>
LIABILITIES				
Accounts payable	\$ 32,416	\$ -	\$ -	\$ 32,416
Total liabilities	<u>32,416</u>	<u>-</u>	<u>-</u>	<u>32,416</u>
DEFERRED INFLOWS OF RESOURCES				
Unavailable revenue - Developer	59,577	-	-	59,577
Total deferred inflows of resources	<u>59,577</u>	<u>-</u>	<u>-</u>	<u>59,577</u>
FUND BALANCES				
Restricted for:				
Debt service	-	395,250	-	395,250
Capital projects	-	-	2,903	2,903
Unassigned	(31,797)	-	-	(31,797)
Total fund balance	<u>(31,797)</u>	<u>395,250</u>	<u>2,903</u>	<u>366,356</u>
Total liabilities, deferred inflows of resources and fund balance	<u>\$ 60,196</u>	<u>\$ 395,250</u>	<u>\$ 2,903</u>	<u>\$ 458,349</u>

See notes to the financial statements

**EAST BONITA BEACH ROAD COMMUNITY DEVELOPMENT DISTRICT
LEE COUNTY, FLORIDA
RECONCILIATION OF THE BALANCE SHEET - GOVERNMENTAL FUNDS
TO THE STATEMENT OF NET POSITION
SEPTEMBER 30, 2020**

Fund balance - governmental funds \$ 366,356

Amounts reported for governmental activities in the statement of net position are different because:

Capital assets used in governmental activities are not financial resources and therefore, are not reported as assets in the governmental funds. The statement of net assets includes those capital assets, net of any accumulated depreciation, in the net assets of the government as a whole.

Cost of capital assets	4,724,716	
Accumulated depreciation	-	4,724,716

Assets that are not available to pay for current-period expenditures are unavailable in the fund statements.	59,577
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Liabilities not due and payable from current available resources are not reported as liabilities in the governmental fund statements. All liabilities, both current and long-term, are reported in the government-wide statements.

Accrued interest payable	(103,021)	
Bonds Payable, net	(5,090,314)	(5,193,335)

Net position of governmental activities	\$ (42,686)
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See notes to the financial statements

**EAST BONITA BEACH ROAD COMMUNITY DEVELOPMENT DISTRICT
LEE COUNTY, FLORIDA
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCE
GOVERNMENTAL FUND
FOR THE FISCAL YEAR ENDED
SEPTEMBER 30, 2020**

	Major Fund			Total Governmental Funds
	General	Debt Service	Capital Projects	
REVENUES				
Assessments	\$ 65,329	\$ 338,843	\$ -	\$ 404,172
Interest	23	2,387	20	2,430
Total revenues	<u>65,352</u>	<u>341,230</u>	<u>20</u>	<u>406,602</u>
EXPENDITURES				
Current:				
General government	99,372	-	-	99,372
Maintenance and operations	13,168	-	-	13,168
Debt Service:				
Principal	-	85,000	-	85,000
Interest	-	248,897	-	248,897
Total expenditures	<u>112,540</u>	<u>333,897</u>	<u>-</u>	<u>446,437</u>
Excess (deficiency) of revenues over (under) expenditures	(47,188)	7,333	20	(39,835)
Fund balance - beginning	<u>15,391</u>	<u>387,917</u>	<u>2,883</u>	<u>406,191</u>
Fund balance - ending	<u>\$ (31,797)</u>	<u>\$ 395,250</u>	<u>\$ 2,903</u>	<u>\$ 366,356</u>

See notes to the financial statements

**EAST BONITA BEACH ROAD COMMUNITY DEVELOPMENT DISTRICT
LEE COUNTY, FLORIDA
RECONCILIATION OF THE STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN
FUND BALANCES OF GOVERNMENTAL FUNDS TO THE STATEMENT OF ACTIVITIES
FOR THE FISCAL YEAR ENDED SEPTEMBER 30, 2020**

Net change in fund balances	\$	(39,835)
Amounts reported for governmental activities in the statement of activities are different because:		
Amortization of Bond discounts is not recognized in the governmental fund financial statements, but is reported as an expense in the statement of activities.		(914)
Revenues that do not provide current available resources are deferred in the fund statements but are recognized as revenues in the statement of activities.		59,577
Repayment of long-term liabilities are reported as expenditures in the governmental fund statement but such repayments reduce liabilities in the statement of net assets and are eliminated in the statement of activities.		85,000
The change in accrued interest on long-term liabilities between the current and prior fiscal year is recorded in the statement of activities but not in the fund financial statements.		<u>1,372</u>
Change in net position of governmental activities	\$	<u><u>105,200</u></u>

See notes to the financial statement

**EAST BONITA BEACH ROAD COMMUNITY DEVELOPMENT DISTRICT
LEE COUNTY, FLORIDA
NOTES TO FINANCIAL STATEMENTS**

NOTE 1 – NATURE OF ORGANIZATION AND REPORTING ENTITY

East Bonita Beach Road Community Development District ("District") was established effective March 21, 2008 by Ordinance 08-02 of the City Council of the City of Bonita Springs, Florida, pursuant to the Uniform Community Development District Act of 1980, otherwise known as Chapter 190, Florida Statutes. The Act provides among other things, the power to manage basic services for community development, power to borrow money and issue bonds, and to levy and assess non-ad valorem assessments for the financing and delivery of capital infrastructure.

The District was established for the purpose of financing and managing the acquisition, construction, maintenance and operation of a portion of the infrastructure necessary for community development within the District.

The District is governed by the Board of Supervisors ("Board"), which is composed of five members. The Supervisors are elected by the owners of the property within the District. The Board of Supervisors of the District exercises all powers granted to the District pursuant to Chapter 190, Florida Statutes. At September 30, 2020, four of the Board members are affiliated with DR Horton ("Developer") and the other board member is not affiliated with a Developer and is also not a resident.

The Board has the responsibility for:

1. Assessing and levying assessments.
2. Approving budgets.
3. Exercising control over facilities and properties.
4. Controlling the use of funds generated by the District.
5. Approving the hiring and firing of key personnel.
6. Financing improvements.

The financial statements were prepared in accordance with Governmental Accounting Standards Board ("GASB") Statements. Under the provisions of those standards, the financial reporting entity consists of the primary government, organizations for which the District Board of Supervisors is considered to be financially accountable, and other organizations for which the nature and significance of their relationship with the District are such that, if excluded, the financial statements of the District would be considered incomplete or misleading. There are no entities considered to be component units of the District; therefore, the financial statements include only the operations of the District.

NOTE 2 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

Government-Wide and Fund Financial Statements

The basic financial statements include both government-wide and fund financial statements.

The government-wide financial statements (i.e., the statement of net position and the statement of activities) report information on all of the non-fiduciary activities of the primary government. For the most part, the effect of interfund activity has been removed from these statements.

The statement of activities demonstrates the degree to which the direct expenses of a given function or segment is offset by program revenues. *Direct expenses* are those that are clearly identifiable with a specific function or segment. *Program revenues* include 1) charges to customers who purchase, use or directly benefit from goods, services or privileges provided by a given function or segment (operating-type special assessments for maintenance and debt service are treated as charges for services) and 2) grants and contributions that are restricted to meeting the operational or capital requirements of a particular function or segment. Other items not included among program revenues are reported instead as *general revenues*.

NOTE 2 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Measurement Focus, Basis of Accounting and Financial Statement Presentation

The government-wide financial statements are reported using the *economic resources measurement focus* and the *accrual basis of accounting*. Revenues are recorded when earned and expenses are recorded when a liability is incurred, regardless of the timing of related cash flows. Assessments are recognized as revenues in the year for which they are levied. Grants and similar items are to be recognized as revenue as soon as all eligibility requirements imposed by the provider have been met.

Governmental fund financial statements are reported using the *current financial resources measurement focus* and the *modified accrual basis of accounting*. Revenues are recognized as soon as they are both measurable and available. Revenues are considered to be *available* when they are collectible within the current period or soon enough thereafter to pay liabilities of the current period. For this purpose, the government considers revenues to be available if they are collected within 60 days of the end of the current fiscal period. Expenditures are recorded when a liability is incurred, as under accrual accounting. However, debt service expenditures are recorded only when payment is due.

Assessments

Assessments are non-ad valorem assessments on benefitted property within the District. Operation and maintenance assessments are based upon the annually adopted budget and levied annually at the District's public hearing. The District may collect assessments directly or utilize the uniform method of collection under Florida law. Direct collected assessments are due as determined by the annual assessment resolution adopted by the Board of Supervisors. Assessments collected under the uniform method are mailed by the County Tax Collector on November 1 and due on or before March 31 of each year.

Assessments and interest associated with the current fiscal period are all considered to be susceptible to accrual and so have been recognized as revenues of the current fiscal period. Only the portion of assessments receivable due within the current fiscal period is considered to be susceptible to accrual as revenue of the current period.

The District reports the following major governmental funds:

General Fund

The general fund is the general operating fund of the District. It is used to account for all financial resources except those required to be accounted for in another fund.

Debt Service Fund

The debt service fund is used to account for the accumulation of resources for the annual payment of principal and interest on long-term debt.

Capital Projects Fund

This fund accounts for the financial resources to be used for the acquisition or construction of major infrastructure within the District.

When both restricted and unrestricted resources are available for use, it is the government's policy to use restricted resources first for qualifying expenditures, then unrestricted resources as they are needed.

Assets, Liabilities and Net Position or Equity

Restricted Assets

These assets represent cash and investments set aside pursuant to Bond covenants or other contractual restrictions.

Deposits and Investments

The District's cash and cash equivalents are considered to be cash on hand and demand deposits (interest and non-interest bearing).

NOTE 2 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Assets, Liabilities and Net Position or Equity (Continued)

Deposits and Investments (Continued)

The District has elected to proceed under the Alternative Investment Guidelines as set forth in Section 218.415 (17) Florida Statutes. The District may invest any surplus public funds in the following:

- a) The Local Government Surplus Trust Funds, or any intergovernmental investment pool authorized pursuant to the Florida Interlocal Cooperation Act;
- b) Securities and Exchange Commission registered money market funds with the highest credit quality rating from a nationally recognized rating agency;
- c) Interest bearing time deposits or savings accounts in qualified public depositories;
- d) Direct obligations of the U.S. Treasury.

Securities listed in paragraph c and d shall be invested to provide sufficient liquidity to pay obligations as they come due. In addition, surplus funds may be deposited into certificates of deposit which are insured and any unspent Bond proceeds are required to be held in investments as specified in the Bond Indenture.

The District records all interest revenue related to investment activities in the respective funds. Investments are measured at amortized cost or reported at fair value as required by generally accepted accounting principles.

Prepaid Items

Certain payments to vendors reflect costs applicable to future accounting periods and are recorded as prepaid items in both government-wide and fund financial statements.

Capital Assets

Capital assets, which include property, plant and equipment, and infrastructure assets (e.g., roads, sidewalks and similar items) are reported in the government activities columns in the government-wide financial statements. Capital assets are defined by the government as assets with an initial, individual cost of more than \$5,000 (amount not rounded) and an estimated useful life in excess of two years. Such assets are recorded at historical cost or estimated historical cost if purchased or constructed. Donated capital assets are recorded at estimated fair market value at the date of donation.

The costs of normal maintenance and repairs that do not add to the value of the asset or materially extend assets lives are not capitalized. Major outlays for capital assets and improvements are capitalized as projects are constructed.

In the governmental fund financial statements, amounts incurred for the acquisition of capital assets are reported as fund expenditures. Depreciation expense is not reported in the governmental fund financial statements.

Unearned Revenue

Governmental funds report unearned revenue in connection with resources that have been received, but not yet earned.

Long-Term Obligations

In the government-wide financial statements long-term debt and other long-term obligations are reported as liabilities in the statement of net position. Bond premiums and discounts are deferred and amortized over the life of the Bonds. Bonds payable are reported net of applicable premiums or discounts. Bond issuance costs are expensed when incurred.

In the fund financial statements, governmental fund types recognize premiums and discounts, as well as issuance costs, during the current period. The face amount of debt issued is reported as other financing sources. Premiums received on debt issuances are reported as other financing sources while discounts on debt issuances are reported as other financing uses. Issuance costs, whether or not withheld from the actual debt proceeds received, are reported as debt service expenditures.

NOTE 2 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Assets, Liabilities and Net Position or Equity (Continued)

Deferred Outflows/Inflows of Resources

In addition to assets, the statement of financial position will sometimes report a separate section for deferred outflows of resources. This separate financial statement element, deferred outflows of resources, represents a consumption of net position that applies to a future period(s) and so will not be recognized as an outflow of resources (expense/expenditure) until then.

In addition to liabilities, the statement of financial position will sometimes report a separate section for deferred inflows of resources. This separate financial statement element, deferred inflows of resources, represents an acquisition of net position that applies to a future period(s) and so will not be recognized as an inflow of resources (revenue) until that time.

Fund Equity/Net Position

In the fund financial statements, governmental funds report non spendable and restricted fund balance for amounts that are not available for appropriation or are legally restricted by outside parties for use for a specific purpose. Assignments of fund balance represent tentative management plans that are subject to change.

The District can establish limitations on the use of fund balance as follows:

Committed fund balance – Amounts that can be used only for the specific purposes determined by a formal action (resolution) of the Board of Supervisors. Commitments may be changed or lifted only by the Board of Supervisors taking the same formal action (resolution) that imposed the constraint originally. Resources accumulated pursuant to stabilization arrangements sometimes are reported in this category.

Assigned fund balance – Includes spendable fund balance amounts established by the Board of Supervisors that are intended to be used for specific purposes that are neither considered restricted nor committed. The Board may also assign fund balance as it does when appropriating fund balance to cover differences in estimated revenue and appropriations in the subsequent year's appropriated budget. Assignments are generally temporary and normally the same formal action need not be taken to remove the assignment.

The District first uses committed fund balance, followed by assigned fund balance and then unassigned fund balance when expenditures are incurred for purposes for which amounts in any of the unrestricted fund balance classifications could be used.

Net position is the difference between assets and deferred outflows of resources less liabilities and deferred inflows of resources. Net position in the government-wide financial statements are categorized as net investment in capital assets, restricted or unrestricted. Net investment in capital assets represents net position related to infrastructure and property, plant and equipment. Restricted net position represents the assets restricted by the District's Bond covenants or other contractual restrictions. Unrestricted net position consists of the net position not meeting the definition of either of the other two components.

Other Disclosures

Use of Estimates

The preparation of financial statements in conformity with generally accepted accounting principles requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities, and disclosure of contingent assets and liabilities at the date of the financial statements, and the reported amounts of revenues and expenditures during the reporting period. Actual results could differ from those estimates.

NOTE 3 – BUDGETARY INFORMATION

The District is required to establish a budgetary system and an approved Annual Budget. Annual Budgets are adopted on a basis consistent with generally accepted accounting principles for the general fund. All annual appropriations lapse at fiscal year-end.

The District follows these procedures in establishing the budgetary data reflected in the financial statements.

- a) Each year the District Manager submits to the District Board a proposed operating budget for the fiscal year commencing the following October 1.
- b) Public hearings are conducted to obtain public comments.
- c) Prior to October 1, the budget is legally adopted by the District Board.
- d) All budget changes must be approved by the District Board.
- e) The budgets are adopted on a basis consistent with generally accepted accounting principles.
- f) Unused appropriation for annually budgeted funds lapse at the end of the year.

NOTE 4 – DEPOSITS AND INVESTMENTS

Deposits

The District’s cash balances were entirely covered by federal depository insurance or by a collateral pool pledged to the State Treasurer. Florida Statutes Chapter 280, "Florida Security for Public Deposits Act", requires all qualified depositories to deposit with the Treasurer or another banking institution eligible collateral equal to various percentages of the average daily balance for each month of all public deposits in excess of any applicable deposit insurance held. The percentage of eligible collateral (generally, U.S. Governmental and agency securities, state or local government debt, or corporate bonds) to public deposits is dependent upon the depository's financial history and its compliance with Chapter 280. In the event of a failure of a qualified public depository, the remaining public depositories would be responsible for covering any resulting losses.

Investments

The District’s investments were held as follows at September 30, 2020:

	Amortized Cost	Credit Risk	Maturities
First American MM Government Obligations Fund - Class Y	\$ 397,808	S&P AAAm	Weighted average of the fund portfolio: 44 days
Total Investments	\$ 397,808		

Credit risk – For investments, credit risk is generally the risk that an issuer of an investment will not fulfill its obligation to the holder of the investment. This is measured by the assignment of a rating by a nationally recognized statistical rating organization. Investment ratings by investment type are included in the preceding summary of investments.

Concentration risk – The District places no limit on the amount the District may invest in any one issuer.

Interest rate risk – The District does not have a formal policy that limits investment maturities as a means of managing exposure to fair value losses arising from increasing interest rates.

However, the Bond Indenture limits the type of investments held using unspent proceeds.

NOTE 4 – DEPOSITS AND INVESTMENTS (Continued)

Investments (Continued)

Fair Value Measurement – When applicable, the District measures and records its investments using fair value measurement guidelines established in accordance with GASB Statements. The framework for measuring fair value provides a fair value hierarchy that prioritizes the inputs to valuation techniques.

These guidelines recognize a three-tiered fair value hierarchy, in order of highest priority, as follows:

- *Level 1:* Investments whose values are based on unadjusted quoted prices for identical investments in active markets that the District has the ability to access;
- *Level 2:* Investments whose inputs - other than quoted market prices - are observable either directly or indirectly; and,
- *Level 3:* Investments whose inputs are unobservable.

The fair value measurement level within the fair value hierarchy is based on the lowest level of any input that is significant to the entire fair value measurement. Valuation techniques used should maximize the use of observable inputs and minimize the use of unobservable inputs.

Money market investments that have a maturity at the time of purchase of one year or less and are held by governments other than external investment pools should be measured at amortized cost. Accordingly, the District's investments have been reported at amortized cost above.

NOTE 5 – INTERLOCAL COST-SHARING AGREEMENT

The District entered into a cost share agreement on June 2, 2017, with Beach Road Golf Estates CDD, Bonita Landing CDD and Valencia Bonita HOA whereby the District is to incur 14% of all common expenses shared by the above named entities. The Bonita Landing's share of costs is 7%, Beach Road Golf Estates share is 46% and Valencia Bonita's share is 33%. Pursuant to the agreement, the District incurred \$20,352 during the current fiscal year.

NOTE 6 – CAPITAL ASSETS

Changes in capital assets activity for the fiscal year ended September 30, 2020 were as follows:

	Beginning Balance	Additions	Reductions	Ending Balance
<u>Governmental activities</u>				
Capital assets, not being depreciated				
Land and land improvements	\$ 3,773,960	\$ -	\$ -	\$ 3,773,960
Infrastructure under construction	950,756	-	-	950,756
Total capital assets, not being depreciated	4,724,716	-	-	4,724,716
 Governmental activities capital assets	 \$ 4,724,716	 \$ -	 \$ -	 \$ 4,724,716

The infrastructure intended to serve the District has been estimated at a total cost of approximately \$9,523,995. The infrastructure will include stormwater management system, wetland/wildlife mitigation, land acquisition, and certain entry roadways, buffers, and irrigation. The District bifurcated the CIP into two assessment areas to facilitate development. All of the improvements were acquired from the Developer.

NOTE 7 – LONG-TERM LIABILITIES

In September 2018, the District issued \$5,200,000 of Special Assessment Bonds, Series 2019 and has due dates ranging from November 1, 2019 - November 1, 2048 and fixed interest rates ranging from 3.875% to 5%. The Bonds were issued for the primary purpose of funding infrastructure improvements under the 2018 project. Interest is paid semiannually on each May 1 and November 1, commencing November 1, 2019. Principal is paid serially commencing November 1, 2019 through November 1, 2048.

The Series 2018 Bonds are subject to redemption at the option of the District prior to their maturity. The Bonds are subject to extraordinary mandatory redemption prior to their selected maturity in the manner determined by the Bond Registrar if certain events occurred as outlined in the Bond Indenture.

The Bond Indenture established a debt service reserve requirement as well as other restrictions and requirements relating principally to the use of proceeds to pay for the infrastructure improvements and the procedures to be followed by the District on assessments to property owners. The District agrees to levy special assessments in annual amounts adequate to provide payment of debt service and to meet the reserve requirements. The District was in compliance with the requirements of the Bond Indenture at September 30, 2020.

Changes in long-term liability activity for the fiscal year ended September 30, 2020 were as follows:

	Beginning Balance	Additions	Reductions	Ending Balance	Due Within One Year
Bonds payable:					
Series 2018	\$ 5,200,000	\$ -	\$ (85,000)	\$ 5,115,000	\$ 90,000
Less Discount	(25,600)	-	914	(24,686)	-
Total	<u>\$ 5,174,400</u>	<u>\$ -</u>	<u>\$ (84,086)</u>	<u>\$ 5,090,314</u>	<u>\$ 90,000</u>

At September 30, 2020, the scheduled debt service requirements on the long-term debt were as follows:

Year ending September 30:	Governmental Activities		
	Principal	Interest	Total
2021	\$ 90,000	\$ 245,506	\$ 335,506
2022	90,000	242,019	332,019
2023	95,000	238,434	333,434
2024	100,000	234,656	334,656
2025	105,000	230,422	335,422
2026-2030	580,000	1,078,938	1,658,938
2031-2035	735,000	925,125	1,660,125
2036-2040	935,000	717,375	1,652,375
2041-2045	1,195,000	453,125	1,648,125
2046-2049	1,190,000	122,750	1,312,750
Total	<u>\$ 5,115,000</u>	<u>\$ 4,488,350</u>	<u>\$ 9,603,350</u>

NOTE 8 – DEVELOPER TRANSACTIONS AND ASSESSMENTS

The Developer owns all the land within the District; therefore, assessment revenues in the general and debt service funds include the assessments levied on the acreage owned by the Developer.

NOTE 9 – CONCENTRATION

The District's activity is dependent upon the continued involvement of the Developer, the loss of which could have a material adverse effect on the District's operations.

NOTE 10 – MANAGEMENT COMPANY

The District has contracted with Wrathell, Hunt & Associates, LLC to perform management advisory services, which include financial and accounting services. Certain employees of the management company also serve as officers (Board appointed non-voting positions) of the District. Under the agreement, the District compensates the management company for management, accounting, financial reporting, computer and other administrative costs.

NOTE 11 – RISK MANAGEMENT

The District is exposed to various risks of loss related to torts; theft of, damage to, and destruction of assets; errors and omissions; natural disasters; and environmental remediation. The District has obtained commercial insurance from independent third parties to mitigate the costs of these risks; coverage may not extend to all situations. There were no settled claims during the past three years.

NOTE 12 – SUBSEQUENT EVENTS

Bond Issuance

Subsequent to fiscal year end, the District issued \$6,015,000 of Series 2021 Bonds, consisting of multiple term bonds with due dates ranging from May 1, 2026 - May 1, 2051 and fixed interest rates ranging from 2.25% to 4%. The Bonds were issued to finance the acquisition and construction of certain improvements for the benefit of the District.

**EAST BONITA BEACH ROAD COMMUNITY DEVELOPMENT DISTRICT
LEE COUNTY, FLORIDA
SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN
FUND BALANCE - BUDGET AND ACTUAL – GENERAL FUND
FOR THE FISCAL YEAR ENDED
SEPTEMBER 30, 2020**

	Budgeted Amounts		Actual Amounts		Variance with Final Budget - Positive (Negative)
	Original & Final		Actual Amounts		(Negative)
REVENUES					
Assessments	\$ 124,378	\$	65,329	\$	(59,049)
Interest	-		23		23
Total revenues	124,378		65,352		(59,026)
EXPENDITURES					
Current:					
General government	124,378		99,372		25,006
Maintenance and operations	-		13,168		(13,168)
Total expenditures	124,378		112,540		11,838
Excess (deficiency) of revenues over (under) expenditures	-		(47,188)	\$	(47,188)
Fund balance - beginning			15,391		
Fund balance - ending			\$ (31,797)		

See notes to required supplementary information

**EAST BONITA BEACH ROAD COMMUNITY DEVELOPMENT DISTRICT
LEE COUNTY, FLORIDA
NOTES TO REQUIRED SUPPLEMENTARY INFORMATION**

The District is required to establish a budgetary system and an approved Annual Budget for the general fund. The District's budgeting process is based on estimates of cash receipts and cash expenditures which are approved by the Board. The budget approximates a basis consistent with accounting principles generally accepted in the United States of America (generally accepted accounting principles).

The legal level of budgetary control, the level at which expenditures may not exceed budget, is in the aggregate. Any budget amendments that increase the aggregate budgeted appropriations must be approved by the Board of Supervisors. Actual general fund expenditures for the fiscal year ended September 30, 2020 did not exceed appropriations.



Grau & Associates
CERTIFIED PUBLIC ACCOUNTANTS

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www.graucpa.com

**INDEPENDENT AUDITOR'S REPORT ON INTERNAL CONTROL OVER FINANCIAL
REPORTING AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT
OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH
GOVERNMENT AUDITING STANDARDS**

To the Board of Supervisors
East Bonita Beach Road Community Development District
Lee County, Florida

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of the governmental activities and each major fund of East Bonita Beach Road Community Development District, Lee County, Florida ("District") as of and for the fiscal year ended September 30, 2020, and the related notes to the financial statements, which collectively comprise the District's basic financial statements and have issued our report thereon dated April 19, 2021.

Internal Control Over Financial Reporting

In planning and performing our audit of the financial statements, we considered the District's internal control over financial reporting (internal control) to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the District's internal control. Accordingly, we do not express an opinion on the effectiveness of the District's internal control over financial reporting.

A deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct misstatements on a timely basis. *A material weakness* is a deficiency, or a combination of deficiencies, in internal control such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis. *A significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or, significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

Compliance and Other Matters

As part of obtaining reasonable assurance about whether the District's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. Accordingly, this communication is not suitable for any other purpose

B *han & Associates*

April 19, 2021



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**INDEPENDENT AUDITOR'S REPORT ON COMPLIANCE WITH THE
REQUIREMENTS OF SECTION 218.415, FLORIDA STATUTES, REQUIRED BY
RULE 10.556(10) OF THE AUDITOR GENERAL OF THE STATE OF FLORIDA**

To the Board of Supervisors
East Bonita Beach Road Community Development District
Lee County, Florida

We have examined East Bonita Beach Road Community Development District, Lee County, Florida's ("District") compliance with the requirements of Section 218.415, Florida Statutes, in accordance with Rule 10.556(10) of the Auditor General of the State of Florida during the fiscal year ended September 30, 2020. Management is responsible for District's compliance with those requirements. Our responsibility is to express an opinion on District's compliance based on our examination.

Our examination was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants. Those standards require that we plan and perform the examination to obtain reasonable assurance about whether the District complied, in all material respects, with the specified requirements referenced in Section 218.415, Florida Statutes. An examination involves performing procedures to obtain evidence about whether the District complied with the specified requirements. The nature, timing, and extent of the procedures selected depend on our judgment, including an assessment of the risks of material noncompliance, whether due to fraud or error. We believe that the evidence we obtained is sufficient and appropriate to provide a reasonable basis for our opinion. Our examination does not provide a legal determination on the District's compliance with specified requirements.

In our opinion, the District complied, in all material respects, with the aforementioned requirements for the fiscal year ended September 30, 2020.

This report is intended solely for the information and use of the Legislative Auditing Committee, members of the Florida Senate and the Florida House of Representatives, the Florida Auditor General, management, and the Board of Supervisors of East Bonita Beach Road Community Development District, Lee County, Florida and is not intended to be and should not be used by anyone other than these specified parties.

Grau & Associates

April 19, 2021



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**MANAGEMENT LETTER PURSUANT TO THE RULES OF
THE AUDITOR GENERAL FOR THE STATE OF FLORIDA**

To the Board of Supervisors
East Bonita Beach Road Community Development District
Lee County, Florida

Report on the Financial Statements

We have audited the accompanying basic financial statements of East Bonita Beach Road Community Development District ("District") as of and for the fiscal year ended September 30, 2020, and have issued our report thereon dated April 19, 2021.

Auditor's Responsibility

We conducted our audit in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; and Chapter 10.550, Rules of the Auditor General.

Other Reporting Requirements

We have issued our Independent Auditor's Report on Internal Control over Financial Reporting and on Compliance and Other Matters Based on an Audit of the Financial Statements Performed in Accordance with *Government Auditing Standards*; and Independent Auditor's Report on an examination conducted in accordance with *AICPA Professional Standards*, AT-C Section 315, regarding compliance requirements in accordance with Chapter 10.550, Rules of the Auditor General. Disclosures in those reports, which are dated April 19, 2021, should be considered in conjunction with this management letter.

Purpose of this Letter

The purpose of this letter is to comment on those matters required by Chapter 10.550 of the Rules of the Auditor General for the State of Florida. Accordingly, in connection with our audit of the financial statements of the District, as described in the first paragraph, we report the following:

- I. **Current year findings and recommendations.**
- II. **Status of prior year findings and recommendations.**
- III. **Compliance with the Provisions of the Auditor General of the State of Florida.**

Our management letter is intended solely for the information and use of the Legislative Auditing Committee, members of the Florida Senate and the Florida House of Representatives, the Florida Auditor General, Federal and other granting agencies, as applicable, management, and the Board of Supervisors of East Bonita Beach Road Community Development District, Lee County, Florida and the Auditor General of the State of Florida and is not intended to be and should not be used by anyone other than these specified parties. However, we understand the District's records are subject to Chapter 119, FS and this audit may be considered a public record.

We wish to thank East Bonita Beach Road Community Development District, Lee County, Florida and the personnel associated with it, for the opportunity to be of service to them in this endeavor as well as future engagements, and the courtesies extended to us.

Grau & Associates

April 19, 2021

REPORT TO MANAGEMENT

I. CURRENT YEAR FINDINGS AND RECOMMENDATIONS

None.

II. PRIOR YEAR FINDINGS AND RECOMMENDATIONS

None.

III. COMPLIANCE WITH THE PROVISIONS OF THE AUDITOR GENERAL OF THE STATE OF FLORIDA

Unless otherwise required to be reported in the auditor's report on compliance and internal controls, the management letter shall include, but not be limited to the following:

1. A statement as to whether or not corrective actions have been taken to address findings and recommendations made in the preceding annual financial audit report.

There were no significant findings and recommendations made in the preceding annual financial audit report for the fiscal year ended September 30, 2019.

2. Any recommendations to improve the local governmental entity's financial management.

There were no such matters discovered by, or that came to the attention of, the auditor, to be reported for the fiscal year ended September 30, 2020.

3. Noncompliance with provisions of contracts or grant agreements, or abuse, that have occurred, or are likely to have occurred, that have an effect on the financial statements that is less than material but which warrants the attention of those charged with governance.

There were no such matters discovered by, or that came to the attention of, the auditor, to be reported, for the fiscal year ended September 30, 2020.

4. The name or official title and legal authority of the District are disclosed in the notes to the financial statements.

5. The District has not met one or more of the financial emergency conditions described in Section 218.503(1), Florida Statutes.

6. We applied financial condition assessment procedures and no deteriorating financial conditions were noted as of September 30, 2020. It is management's responsibility to monitor financial condition, and our financial condition assessment was based in part on representations made by management and the review of financial information provided by same.

EAST BONITA BEACH ROAD
COMMUNITY DEVELOPMENT DISTRICT

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RESOLUTION 2021-08

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE EAST
BONITA BEACH ROAD COMMUNITY DEVELOPMENT DISTRICT
HEREBY ACCEPTING THE AUDITED FINANCIAL REPORT FOR THE
FISCAL YEAR ENDED SEPTEMBER 30, 2020**

WHEREAS, the District's Auditor, Grau & Associates, has heretofore prepared and submitted to the Board, for accepting, the District's Audited Financial Report for Fiscal Year 2020;

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS
OF THE EAST BONITA BEACH ROAD COMMUNITY DEVELOPMENT
DISTRICT;**

1. The Audited Financial Report for Fiscal Year 2020, heretofore submitted to the Board, is hereby accepted for Fiscal Year 2020, for the period ending September 30, 2020; and
2. A verified copy of said Audited Financial Report for Fiscal Year 2020 shall be attached hereto as an exhibit to this Resolution, in the District's "Official Record of Proceedings".

PASSED AND ADOPTED this 16th day of August, 2021.

**EAST BONITA BEACH ROAD COMMUNITY
DEVELOPMENT DISTRICT**

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

EAST BONITA BEACH ROAD
COMMUNITY DEVELOPMENT DISTRICT

5

Hopping Green & Sams

Attorneys and Counselors

July 21, 2021

East Bonita Beach Road CDD
Chuck Adams, District Manager
J. Wayne Everett, Chairperson
2300 Glades Road #410W
Boca Raton, Florida 33431
adams@whhassociates.com
jweverett@eastbonitabeachroadcdd.net

RE: East Bonita Beach Road CDD

VIA EMAIL


RE: JOINT LETTER BY HOPPING GREEN & SAMs AND KE LAW GROUP, PLLC, ANNOUNCING THE DEPARTURE OF ROY VAN WYK, JERE EARLYWINE, JENNIFER KILINSKI, SARAH WARREN AND LAUREN GENTRY TO KE LAW GROUP, PLLC

Dear Wayne and Chuck,

As of July 19, 2021, Roy Van Wyk, Jere Earlywine, Sarah Warren, Lauren Gentry, and Jennifer Kilinski ("Attorneys") will be withdrawing as Attorneys from Hopping Green & Sams, P.A. ("HGS") and will be working for KE Law Group, PLLC ("KE Law"). Attorneys have provided services in connection with this Firm's representation of the Client on the above referenced matter(s) (the "Client Matters"). While Attorneys through their new firm, KE Law, and HGS, are each prepared to continue as the Clients' legal counsel with respect to the Client Matters, it is the Client's choice as to who should serve as its legal counsel, and whether the Client Matters and files should be transferred to KE Law, or remain with HGS.

Please select one of the following alternatives:

1. ALTERNATIVE #1. The Client asks that the Client Matters be transferred to Attorneys and their new firm, KE Law. Please transfer to Attorneys and their new firm all original files and electronic files relating to the Client Matters. The Client understands that HGS will have the right to keep a copy of those files. HGS's legal representation of the Client will cease on the date of HGS's receipt of their written notice. After that date, Attorneys and their new firm, KE Law, will be responsible for legal representation of the Client in the Client Matters. To the extent that HGS is holding any trust funds or other property of the Client, HGS is further instructed to transfer such funds or property KE Law.

 7/26/21

(Please sign if you want Alternative #1; [DATE]
otherwise, do not sign on this line.)

2. ALTERNATIVE #2. The Client does not want any files or pending matters transferred to Attorneys or their new firm. HGS should continue to serve as the Clients' legal counsel for all pending matters until the attorney-client relationship is changed sometime after the date of this document. All Client Matters and files should remain in the custody of HGS until further notice.

(Please sign if you want Alternative #2; [DATE]
otherwise, do not sign this line.)

3. If you do not want either Alternative #1 or Alternative #2, please advise us what we should do regarding your matters and files.

(Please sign here if you have [DATE]
Given instructions under Alternative
#3; otherwise do not sign on this line.)

After you have completed and signed this form, please send a copy via electronic mail to JasonM@hgslaw.com, AmyC@hgslaw.com and MarkS@hgslaw.com, with a copy to _roy@kelawgroup.com, jere@kelawgroup.com, sarah@kelawgroup.com, lauren@kelawgroup.com, jennifer@kelawgroup.com.

Thank you for your consideration and assistance.

HOPPING GREEN & SAMS, P.A.



By: Jonathan Johnson

Its: President

Date: July 21, 2021

KE LAW GROUP, PLLC



By: Jere Earlywine

Its: Authorized Member

Date: July 21, 2021



P.O. Box 6386, Tallahassee, Florida 32314

**KE LAW GROUP, PLLC
FEE AGREEMENT
EAST BONITA BEACH ROAD CDD**

I. PARTIES

THIS AGREEMENT (“Agreement”) is made and entered into by and between the following parties:

A. East Bonita Beach Road Community Development District (“Client”)
c/o District Manager
2300 Glades Road #410W
Boca Raton, FL 33431

and

B. KE Law Group, PLLC (“KE Law”)
P.O. Box 6386
Tallahassee, Florida 32314

II. SCOPE OF SERVICES

In consideration of the mutual agreements contained herein, the parties agree as follows:

- A. The Client agrees to employ and retain KE Law as its general legal counsel.
- B. KE Law accepts such employment and agrees to serve as attorney for and provide legal representation to the Client regarding those matters referenced above.

III. FEES

The Client agrees to compensate KE Law for services rendered regarding any matters covered by this Agreement according to the hourly billing rates for individual KE Law lawyers set forth herein, plus actual expenses incurred by KE Law in accordance with the attached standard Expense Reimbursement Policy (**Attachment A**, incorporated herein by reference). For Calendar Year 2021, the discounted hourly rates will be \$285 per hour for partners, \$265 per hour for associates, \$225 per hour for part-time contract attorneys, and \$180 per hour for paralegals. Hourly rates may be increased annually by up to \$15 per hour. Any hourly rate exceeding \$15 per hour shall require Client consent.

IV. CLIENT FILES

The files and work product materials ("Client File") of the Client generated or received by KE Law will be maintained by KE Law in its regular offices. At the conclusion of the representation, the Client File will be stored by KE Law for a minimum of five (5) years. After the five (5) year storage period, the Client hereby acknowledges and consents that KE Law may confidentially destroy or shred the Client File, unless KE Law is provided a written request from the Client requesting return of the Client File, to which KE Law will return the Client File at Client's expense.

V. DEFAULT

In the event of a dispute arising under this Agreement, whether or not a lawsuit or other proceeding is filed, the prevailing party shall be entitled to recover its reasonable attorneys' fees and costs, including attorneys' fees and costs incurred in litigating entitlement to attorneys' fees and costs, as well as in determining or quantifying the amount of recoverable attorneys' fees and costs. The reasonable costs to which the prevailing party is entitled shall include costs that are taxable under any applicable statute, rule, or guideline, as well as non-taxable costs, including, but not limited to, costs of investigation, telephone charges, mailing and delivery charges, information technology support charges, consultant and expert witness fees, travel expenses, court reporter fees, and mediator fees, regardless of whether such costs are otherwise taxable. Venue of any such action shall be exclusive in the state courts of the Second Judicial Circuit in and for Leon County, Florida.

VI. CONFLICTS

It is important to disclose that KE Law represents a number of special districts, builders, developers, and other entities throughout Florida relating to community development districts and other special districts. By accepting this Agreement, Client agrees that (1) Client was provided with an explanation of the implications of the common representation(s) and the advantages and risks involved; (2) KE Law will be able to provide competent and diligent representation of Client, regardless of KE Law's other representations, and (3) there is not a substantial risk that KE Law's representation of Client would be materially limited by KE Law's responsibilities to another client, a former client or a third person or by a personal interest. Acceptance of this fee proposal will constitute your waiver of any "conflict" with KE Law's representation of various special districts, builders, developers, and other entities relating to community development districts and other special districts in Florida.

VII. TERMINATION

Either party may terminate this Agreement upon providing prior written notice to the other party at its regular place of business. All fees due and payable in accordance with this Agreement shall accrue and become payable pursuant to the terms of this Agreement through the date of termination.

VIII. EXECUTION OF AGREEMENT

This Agreement shall be deemed fully executed upon its signing by KE Law and the Client. The contract formed between KE Law and the Client shall be the operational contract between the parties.

IX. ENTIRE CONTRACT

This Agreement constitutes the entire agreement between the parties.

Accepted and agreed to by:

EAST BONITA BEACH ROAD CDD

KE LAW GROUP, PLLC

Jennifer Kilinski

By: J. Wayne Everett

By: Jennifer Kilinski

Its: Chair

Its: Authorized Member

Date: _____

Date: July 26, 2021

ATTACHMENT A

KE LAW GROUP, PLLC EXPENSE REIMBURSEMENT POLICY

The following is the expense reimbursement policy for the Agreement. All expenses are billed monthly. Billings ordinarily reflect expenses for the most recent month, except where there are delays in receiving bills from third party vendors.

Telephone. All telephone charges are billed at an amount approximating actual cost.

Facsimile. There are no charges for faxes.

Postage. Postage is billed at actual cost.

Overnight Delivery. Overnight delivery is billed at actual cost.

Travel. Travel (including air fare, rental cars, taxicabs, hotel, meals, tips, etc.) is billed at actual cost. Where air travel is required, coach class is used wherever feasible. Out-of-town mileage is billed at the IRS mileage reimbursement rates.

Other Expenses. Other outside expenses, such as court reporters, agency copies, large print projects, etc. are billed at actual cost.

Word Processing and Secretarial Overtime. No charge is made for word processing. No charge is made for secretarial overtime except in major litigation matters where unusual overtime demands are imposed.

EAST BONITA BEACH ROAD
COMMUNITY DEVELOPMENT DISTRICT

6A

Attn:
EAST BONITA BEACH ROAD CDD
2300 GLADES RD STE 410W
BOCA RATON, FL 33431

STATE OF FLORIDA COUNTY OF LEE:
Before the undersigned authority personally appeared
[Signature], who on oath says that
he or she is a Legal Assistant of the News-Press, a daily
newspaper published at Fort Myers in Lee County, Florida; that
the attached copy of advertisement, being a Legal Ad in the
matter of

EAST BONITA BEACH ROAD COMMUNITY DEVELOPEME
DISTRICT NOTICE OF PUBLIC HEARING TO CONSIDER THE
ADOPTION OF THE FISCAL YEAR 2021/2022 BUDGET; AND
NOTICE OF REG

In the Twentieth Judicial Circuit Court was published in said
newspaper in the issues of:

07/27/2021, 08/03/2021

Affiant further says that the said News-Press is a paper of
general circulation daily in Lee County and published at Fort
Myers, in said Lee County, Florida, and that the said newspaper
has heretofore been continuously published in said Lee County,
Florida each day and has been entered as periodicals matter at
the post office in Fort Myers, in said Lee County, Florida, for a
period of one year next preceding the first publication of the
attached copy of advertisement; and affiant further says that
he or she has never paid nor promised any person, firm or
corporation any discount, rebate, commission or refund for the
purpose of securing this advertisement for publication in the
said newspaper.

Sworn to and Subscribed before me this 3rd of August 2021,
by legal clerk who is personally known to me.

[Signature]

Affiant

[Signature]

Notary State of Wisconsin, County of Brown

1-7-25

My commission expires

of Affidavits 1

This is not an invoice

KATHLEEN ALLEN
Notary Public
State of Wisconsin

EAST BONITA BEACH ROAD
COMMUNITY DEVELOPMENT DISTRICT

NOTICE OF PUBLIC HEARING TO CON-
SIDER THE ADOPTION OF THE FISCAL
YEAR 2021/2022 BUDGET; AND NOTICE
OF REGULAR BOARD OF SUPERVISORS'
MEETING.

The Board of Supervisors ("Board") for
the East Bonita Beach Road Community
Development District ("District") will
hold a public hearing on August 16,
2021 at 11:30 a.m., at the offices of
D.R. Horton, 10541 Ben C Pratt Six Mile
Cypress Parkway, Ft. Myers, FL 33966
for the purpose of hearing comments
and objections on the adoption of the
proposed budget ("Proposed Budget")
of the District for the fiscal year begin-
ning October 1, 2021 and ending Sep-
tember 30, 2022 ("Fiscal Year
2021/2022"). A regular board meeting
of the District will also be held at that
time where the Board may consider
any other business that may properly
come before it. A copy of the agenda
and Proposed Budget may be obtained
at the offices of the District Manager,
2300 Glades Road, Suite 410W, Boca
Raton, Florida 33431, (561)571-0010
("District Manager's Office"), during
normal business hours, or on the Dis-
trict's website at <https://www.eastbonitabeachroadcdd.net/>.

The public hearing and meeting are
open to the public and will be conduct-
ed in accordance with the provisions of
Florida law. The public hearing and
meeting may be continued to a date,
time, and place to be specified on the
record at the hearing or meeting.
There may be occasions when staff or
board members may participate by
speaker telephone.

Any person requiring special accommo-
dations at meeting because of a disa-
bility or physical impairment should
contact the District Manager's Office at
least forty-eight (48) hours prior to the
meeting. If you are hearing or speech
impaired, please contact the Florida
Relay Service by dialing 7-1-1, or 1-800-
955-8771 (TTY) / 1-800-955-8770
(Voice), for aid in contacting the
District Manager's Office.

Each person who decides to appeal any
decision made by the Board with re-
spect to any matter considered at the
public hearing or meeting is advised
that person will need a record of pro-
ceedings and that accordingly, the per-
son may need to ensure that a verbatim
record of the proceedings is made,
including the testimony and evidence
upon which such appeal is to be based.

Chuck Adams
District Manager
AD# 4829722 7/27
8/3/21

**EAST BONITA BEACH ROAD
COMMUNITY DEVELOPMENT DISTRICT**

6B

RESOLUTION 2021-09

THE ANNUAL APPROPRIATION RESOLUTION OF THE EAST BONITA BEACH ROAD COMMUNITY DEVELOPMENT DISTRICT (“DISTRICT”) RELATING TO THE ANNUAL APPROPRIATIONS AND ADOPTING THE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2021, AND ENDING SEPTEMBER 30, 2022; AUTHORIZING BUDGET AMENDMENTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the District Manager has, prior to the fifteenth (15th) day in June, 2021, submitted to the Board of Supervisors (“**Board**”) of the East Bonita Beach Road Community Development District a proposed budget for the fiscal year beginning October 1, 2021 and ending September 30, 2022 (“**Fiscal Year 2021/2022**”) along with an explanatory and complete financial plan for each fund of the District, pursuant to the provisions of Section 190.008(2)(a), *Florida Statutes*; and

WHEREAS, at least sixty (60) days prior to the adoption of the Proposed Budget, the District filed a copy of the Proposed Budget with the local governing authorities having jurisdiction over the area included in the District pursuant to the provisions of Section 190.008(2)(b), *Florida Statutes*; and

WHEREAS, the Board set a public hearing thereon and caused notice of such public hearing to be given by publication pursuant to Section 190.008(2)(a), *Florida Statutes*; and

WHEREAS, the District Manager posted the Proposed Budget on the District’s website at least two days before the public hearing; and

WHEREAS, Section 190.008(2)(a), *Florida Statutes*, requires that, prior to October 1st of each year, the District Board, by passage of the Annual Appropriation Resolution, shall adopt a budget for the ensuing fiscal year and appropriate such sums of money as the Board deems necessary to defray all expenditures of the District during the ensuing fiscal year; and

WHEREAS, the District Manager has prepared a Proposed Budget, whereby the budget shall project the cash receipts and disbursements anticipated during a given time period, including reserves for contingencies for emergency or other unanticipated expenditures during the fiscal year.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE EAST BONITA BEACH ROAD COMMUNITY DEVELOPMENT DISTRICT:

SECTION 1. BUDGET

- a. The Board has reviewed the Proposed Budget, a copy of which is on file with the office of the District Manager and at the District’s Local Records Office, and hereby approves certain amendments thereto, as shown in Section 2 below.

- b. The Proposed Budget, attached hereto as **Exhibit "A,"** as amended by the Board, is hereby adopted in accordance with the provisions of Section 190.008(2)(a), Florida Statutes ("**Adopted Budget**"), and incorporated herein by reference; provided, however, that the comparative figures contained in the Adopted Budget may be subsequently revised as deemed necessary by the District Manager to reflect actual revenues and expenditures.
- c. The Adopted Budget, as amended, shall be maintained in the office of the District Manager and at the District's Local Records Office and identified as "The Budget for the East Bonita Beach Road Community Development District for the Fiscal Year Ending September 30, 2022".
- d. The Adopted Budget shall be posted by the District Manager on the District's official website within thirty (30) days after adoption, and shall remain on the website for at least 2 years.

SECTION 2. APPROPRIATIONS

There is hereby appropriated out of the revenues of the District, for Fiscal Year 2021/2022, the sum of \$470,249 to be raised by the levy of assessments and/or otherwise, which sum is deemed by the Board to be necessary to defray all expenditures of the District during said budget year, to be divided and appropriated in the following fashion:

TOTAL GENERAL FUND	\$ 131,413
TOTAL DEBT SERVICES FUND - SERIES 2018	<u>\$ 338,836</u>
TOTAL ALL FUNDS	\$ 470,249

SECTION 3. BUDGET AMENDMENTS

Pursuant to Section 189.016, *Florida Statutes*, the District at any time within Fiscal Year 2021/2022 or within 60 days following the end of Fiscal Year 2021/2022 may amend its Adopted Budget for that fiscal year as follows:

- a. The Board may authorize an increase or decrease in line item appropriations within a fund by motion recorded in the minutes if the total appropriations of the fund do not increase.
- b. The District Manager or Treasurer may authorize an increase or decrease in line item appropriations within a fund if the total appropriations of the fund do not increase and if the aggregate change in the original appropriation item does not exceed \$10,000 or 10% of the original appropriation.

- c. By resolution, the Board may increase any appropriation item and/or fund to reflect receipt of any additional unbudgeted monies and make the corresponding change to appropriations or the unappropriated balance.
- d. Any other budget amendments shall be adopted by resolution and consistent with Florida law.

The District Manager or Treasurer must establish administrative procedures to ensure that any budget amendments are in compliance with this Section 3 and Section 189.016 of the Florida Statutes, among other applicable laws. Among other procedures, the District Manager or Treasurer must ensure that any amendments to budgets under subparagraphs c. and d. above are posted on the District's website within 5 days after adoption and remain on the website for at least 2 years.

SECTION 4. EFFECTIVE DATE. This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED THIS 16th DAY OF AUGUST, 2021.

ATTEST:

**EAST BONITA BEACH ROAD COMMUNITY
DEVELOPMENT DISTRICT**

Secretary/Assistant Secretary

By: _____

Its: _____

Exhibit A: Fiscal Year 2021/2022 Budget

**EAST BONITA BEACH ROAD
COMMUNITY DEVELOPMENT DISTRICT
FISCAL YEAR 2022
PROPOSED BUDGET**

**EAST BONITA BEACH ROAD
COMMUNITY DEVELOPMENT DISTRICT
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**EAST BONITA BEACH ROAD
COMMUNITY DEVELOPMENT DISTRICT
GENERAL FUND BUDGET
FISCAL YEAR 2022**

	Fiscal Year 2021			Total Actual & Projected	Proposed Budget FY 2022
	Adopted Budget FY 2021	Actual through 3/31/2021	Projected through 9/30/2021		
REVENUES					
Assessment Levy: on-roll	\$ 71,324				\$ 71,298
Allowable discount (4%)	(2,853)				(2,852)
Assessment levy - net	68,471	\$ 67,996	\$ 475	\$ 68,471	68,446
Assessment levy: off-roll					
Forestar Real Estate Group, Inc	62,988	75,324	-	75,324	62,967
Interest & miscellaneous	-	5	-	5	-
Total revenues	131,459	143,325	475	143,800	131,413
EXPENDITURES					
Professional & administrative fees					
Management advisory services*	48,000	24,000	24,000	48,000	48,000
Supervisor fees	600	200	400	600	600
Audit	5,000	1,000	4,000	5,000	5,000
Dissemination Agent Fees	1,000	500	500	1,000	1,000
Trustee	5,000	4,031	969	5,000	5,000
Arbitrage rebate calculation	1,200	-	1,200	1,200	1,200
Legal	12,000	9,084	2,916	12,000	12,000
Engineering	5,000	-	5,000	5,000	5,000
Postage	200	135	65	200	200
Insurance	5,300	5,381	-	5,381	5,900
Legal advertising	1,000	3,729	3,000	6,729	1,000
Other current charges	685	402	283	685	685
Office supplies	-	285	-	285	-
Annual district filing fee	175	175	-	175	175
Website	705	705	-	705	705
ADA website compliance	200	-	-	-	200
Intergovernmental: shared maintenance costs	29,680	13,348	16,332	29,680	20,440
Preserve maint., monitoring & reporting	15,000	10,142	4,858	15,000	10,000
	130,745	73,117	63,523	136,640	117,105
Other Fees and Charges					
Tax Collector	426	69	357	426	426
Property Appraiser	284	287	(3)	284	284
	710	356	354	710	710
	131,455	73,473	63,877	137,350	117,815
Total Other Fees & Charges					
Total expenditures					
Net increase/(decrease) of fund balance	4	69,852	(63,402)	6,450	13,598
Fund balance - beginning (unaudited)	16,089	(31,797)	38,055	(31,797)	(25,347)
Ending fund balance (projected)	\$ 16,093	\$ 38,055	\$ (25,347)	\$ (25,347)	\$ (11,749)

Owner	Units 2022	Actual FY 2021 Assessment per Unit	Proposed FY 2022 Assessment per Unit	Total FY 2022 Assessment
Forestar Real Estates Group	284	\$ 251.14	\$ 251.05	\$ 71,298
Forestar Real Estates Group	264	\$ 238.59	238.51	62,967

**EAST BONITA BEACH ROAD
COMMUNITY DEVELOPMENT DISTRICT
DEFINITIONS OF GENERAL FUND EXPENDITURES**

EXPENDITURES

Supervisor fees	\$ 600
<p>Statutorily set at \$200 (plus applicable taxes) for each meeting of the Board of Supervisors not to exceed \$4,800 for each fiscal year.</p>	
Management advisory services*	48,000
<p>Wrathell, Hunt and Associates, LLC specializes in managing community development districts in the State of Florida by combining the knowledge, skills and experience of a team of professionals to ensure compliance with all governmental requirements of the District, develop financing programs, oversee the issuance of tax exempt bonds, and operate and maintain the assets of the community. The \$48,000 annual fee is inclusive of district management and recording services.</p>	
Audit	5,000
<p>The District is required to complete annual, independent examinations of its accounting records and procedures. This audit is conducted pursuant to Florida Law and the Rules of the Auditor General.</p>	
Dissemination agent fees***	1,000
<p>The District must annually disseminate financial information in order to comply with the requirements of Rule 15c2-12 under the Securities Exchange Act of 1934.</p>	
Trustee	5,000
<p>Annual fees paid for services provided as trustee, paying agent and registrar.</p>	
Arbitrage rebate calculation	1,200
<p>To ensure the District's compliance with all tax regulations, annual computations are necessary to calculate arbitrage rebate liability.</p>	
Legal	12,000
<p>The District's general counsel provides legal representation on issues relating to public finance, public bidding, rulemaking, open meetings, public records, real property dedications, conveyances and contracts.</p>	
Engineering	5,000
<p>The District's engineer provides consulting and construction services to assist in crafting sustainable solutions for the long term interests of the community while recognizing the needs of government, the environment and maintenance of the District's facilities.</p>	
Postage	200
<p>Mailing of agenda packages, overnight deliveries, correspondence, etc.</p>	
Insurance	5,900
<p>The District carries public officials insurance.</p>	

**EAST BONITA BEACH ROAD
COMMUNITY DEVELOPMENT DISTRICT
DEFINITIONS OF GENERAL FUND EXPENDITURES**

EXPENDITURES (continued)

Legal advertising			1,000
<p style="margin-left: 20px;">The District will advertise in The Fort Myers News Press for monthly meetings, special meetings, public hearings, bidding, etc.</p>			
Other current charges			685
<p style="margin-left: 20px;">Bank charges and other miscellaneous expenses incurred throughout the year.</p>			
Annual district filing fee			175
<p style="margin-left: 20px;">Annual fee paid to the Department of Economic Opportunity.</p>			
Website			705
ADA website compliance			200
Intergovernmental: shared maintenance costs			20,440
<p style="margin-left: 20px;">Starting in fiscal year 2017, the District began participating in the responsibility for the maintenance and monitoring of the panther mitigation property in Labelle. The establishment and perpetual responsibility to maintain the property and provide a five year monitoring and reporting program (which ended in 2020) is a development order requirement for not only this District but also for 3 other neighboring communities. Additionally, the District participates in the costs of maintaining the common infrastructure along Bonita Beach Road serving the same communities, including landscaping, roadway , storm water maintenance and streetlighting began in 2021. e costs will be shared with the other communities by interlocal agreement and based upon previously agreed upon percentages.</p>			
Panther Mit and Monitoring		25,000	
Streetlighting		26,000	
Common Infrastructure Maint.		<u>95,000</u>	
Total		146,000	
CDD Share	14%	20,440	
Preserve maint., monitoring & reporting			10,000
<p style="margin-left: 20px;">The CDD has assigned it's onsite operational and maintenance responsibilities to the master association with the only exception being the maintenance, monitoring and reporting responsibilities associated with the 4.57 acre preserve. The CDD is under contract with licensed and qualified contractor for semi annual maintenance (which is required in perpetuity) and for 3 years of monitoring and reporting which will end during Fiscal Year 2021.</p>			
Maintenance		5,000	
Monitoring and Reporting		<u>5,000</u>	
		10,000	
Tax collector			426
<p style="margin-left: 20px;">The tax collector's fee is \$1.50 per parcel.</p>			
Property appraiser			284
<p style="margin-left: 20px;">The property appraiser's fee is \$1.00 per parcel.</p>			
Total expenditures			<u><u>\$ 117,815</u></u>

**EAST BONITA BEACH ROAD
COMMUNITY DEVELOPMENT DISTRICT
DEBT SERVICE FUND BUDGET - SERIES 2018
FISCAL YEAR 2022**

	Fiscal Year 2021			Total Revenue & Expenditures	Proposed Budget FY 2022
	Adopted Budget FY 2021	Actual Through 3/31/2021	Projected Through 9/30/2021		
REVENUES					
Assessment levy: on-roll	\$ 352,954				\$ 352,954
Allowable discounts (4%)	(14,118)				(14,118)
Net assessment levy - on-roll	338,836	\$ 336,499	\$ 2,337	\$ 338,836	338,836
Interest	-	10	-	10	-
Total revenues	338,836	336,509	2,337	338,846	338,836
EXPENDITURES					
Debt service					
Principal	90,000	90,000	-	90,000	90,000
Interest	245,506	123,625	121,881	245,506	242,019
Tax collector	-	342	-	342	-
Total expenditures	335,506	213,967	121,881	335,848	332,019
Excess/(deficiency) of revenues over/(under) expenditures	3,330	122,542	(119,544)	2,998	6,817
Fund balance:					
Net increase/(decrease) in fund balance	3,330	122,542	(119,544)	2,998	6,817
Beginning fund balance (unaudited)	394,269	395,250	517,792	395,250	398,248
Ending fund balance (projected)	<u>\$397,599</u>	<u>\$ 517,792</u>	<u>\$ 398,248</u>	<u>\$ 398,248</u>	<u>405,065</u>
Use of fund balance:					
Debt service reserve account balance (required)					(169,063)
Principal expense - November 1, 2022					(95,000)
Interest expense - November 1, 2022					(120,138)
Projected fund balance surplus/(deficit) as of September 30, 2022					<u>\$ 20,864</u>

East Bonita Beach Road
Community Development District
Special Assessment Revenue Bonds, Series 2018
\$5,200,000

Debt Service Schedule

Date	Principal	Coupon	Interest	Total P+I
11/01/2021	90,000.00	3.875%	121,881.25	211,881.25
05/01/2022	-	-	120,137.50	120,137.50
11/01/2022	95,000.00	3.875%	120,137.50	215,137.50
05/01/2023	-	-	118,296.88	118,296.88
11/01/2023	100,000.00	3.875%	118,296.88	218,296.88
05/01/2024	-	-	116,359.38	116,359.38
11/01/2024	105,000.00	4.375%	116,359.38	221,359.38
05/01/2025	-	-	114,062.50	114,062.50
11/01/2025	110,000.00	4.375%	114,062.50	224,062.50
05/01/2026	-	-	111,656.25	111,656.25
11/01/2026	110,000.00	4.375%	111,656.25	221,656.25
05/01/2027	-	-	109,250.00	109,250.00
11/01/2027	115,000.00	4.375%	109,250.00	224,250.00
05/01/2028	-	-	106,734.38	106,734.38
11/01/2028	120,000.00	4.375%	106,734.38	226,734.38
05/01/2029	-	-	104,109.38	104,109.38
11/01/2029	125,000.00	4.375%	104,109.38	229,109.38
05/01/2030	-	-	101,375.00	101,375.00
11/01/2030	135,000.00	5.000%	101,375.00	236,375.00
05/01/2031	-	-	98,000.00	98,000.00
11/01/2031	140,000.00	5.000%	98,000.00	238,000.00
05/01/2032	-	-	94,500.00	94,500.00
11/01/2032	145,000.00	5.000%	94,500.00	239,500.00
05/01/2033	-	-	90,875.00	90,875.00
11/01/2033	155,000.00	5.000%	90,875.00	245,875.00
05/01/2034	-	-	87,000.00	87,000.00
11/01/2034	160,000.00	5.000%	87,000.00	247,000.00
05/01/2035	-	-	83,000.00	83,000.00
11/01/2035	170,000.00	5.000%	83,000.00	253,000.00
05/01/2036	-	-	78,750.00	78,750.00
11/01/2036	180,000.00	5.000%	78,750.00	258,750.00
05/01/2037	-	-	74,250.00	74,250.00
11/01/2037	185,000.00	5.000%	74,250.00	259,250.00
05/01/2038	-	-	69,625.00	69,625.00
11/01/2038	195,000.00	5.000%	69,625.00	264,625.00
05/01/2039	-	-	64,750.00	64,750.00
11/01/2039	205,000.00	5.000%	64,750.00	269,750.00
05/01/2040	-	-	59,625.00	59,625.00
11/01/2040	215,000.00	5.000%	59,625.00	274,625.00
05/01/2041	-	-	54,250.00	54,250.00
11/01/2041	225,000.00	5.000%	54,250.00	279,250.00
05/01/2042	-	-	48,625.00	48,625.00
11/01/2042	240,000.00	5.000%	48,625.00	288,625.00
05/01/2043	-	-	42,625.00	42,625.00
11/01/2043	250,000.00	5.000%	42,625.00	292,625.00
05/01/2044	-	-	36,375.00	36,375.00
11/01/2044	265,000.00	5.000%	36,375.00	301,375.00
05/01/2045	-	-	29,750.00	29,750.00
11/01/2045	275,000.00	5.000%	29,750.00	304,750.00
05/01/2046	-	-	22,875.00	22,875.00
11/01/2046	290,000.00	5.000%	22,875.00	312,875.00
05/01/2047	-	-	15,625.00	15,625.00
11/01/2047	305,000.00	5.000%	15,625.00	320,625.00
05/01/2048	-	-	8,000.00	8,000.00
11/01/2048	320,000.00	5.000%	8,000.00	328,000.00
Total	\$5,025,000.00		\$4,242,843.79	\$9,267,843.79

**EAST BONITA BEACH ROAD
COMMUNITY DEVELOPMENT DISTRICT
ASSESSMENT COMPARISON
PROJECTED FISCAL YEAR 2022 ASSESSMENTS**

On-Roll Assessments

	Units	FY 2022 O&M Assessment per Unit	FY 2022 DS Assessment per Unit	FY 2022 Total Assessment per Unit	FY 2021 Total Assessment per Unit
SF 40'	98	\$ 251.05	\$ 1,064.29	\$ 1,315.34	\$ 1,315.43
SF 50'	181	251.05	1,329.71	1,580.76	\$ 1,580.85
SF 60'	5	251.05	1,595.13	1,846.18	\$ 1,846.27
Total	284				

Off-Roll Assessments

	Units	FY 2022 O&M Assessment per Unit	FY 2022 DS Assessment per Unit	FY 2022 Total Assessment per Unit	FY 2021 Total Assessment per Unit
SF 40'	99	\$ 238.51	\$ -	\$ -	\$ 238.59
SF 50'	82	238.51	-	-	238.59
SF 60'	83	238.51	-	-	238.59
Total	264				

EAST BONITA BEACH ROAD
COMMUNITY DEVELOPMENT DISTRICT

7

RESOLUTION 2021-10

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE EAST BONITA BEACH ROAD COMMUNITY DEVELOPMENT DISTRICT MAKING A DETERMINATION OF BENEFIT AND IMPOSING SPECIAL ASSESSMENTS FOR FISCAL YEAR 2021/2022; PROVIDING FOR THE COLLECTION AND ENFORCEMENT OF SPECIAL ASSESSMENTS, INCLUDING BUT NOT LIMITED TO PENALTIES AND INTEREST THEREON; CERTIFYING AN ASSESSMENT ROLL; PROVIDING FOR AMENDMENTS TO THE ASSESSMENT ROLL; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the East Bonita Beach Road Community Development District ("**District**") is a local unit of special-purpose government established pursuant to Chapter 190, *Florida Statutes*, for the purpose of providing, operating and maintaining infrastructure improvements, facilities and services to the lands within the District; and

WHEREAS, the District is located in the city of Bonita Springs, Lee County, Florida ("**County**"); and

WHEREAS, the District has constructed or acquired various infrastructure improvements and provides certain services in accordance with the District's adopted capital improvement plan and Chapter 190, *Florida Statutes*; and

WHEREAS, the Board of Supervisors ("**Board**") of the District hereby determines to undertake various operations and maintenance and other activities described in the District's budget ("**Adopted Budget**") for the fiscal year beginning October 1, 2021 and ending September 30, 2022 ("**Fiscal Year 2021/2022**"), attached hereto as **Exhibit "A"**; and

WHEREAS, the District must obtain sufficient funds to provide for the operation and maintenance of the services and facilities provided by the District as described in the Adopted Budget; and

WHEREAS, the provision of such services, facilities, and operations is a benefit to lands within the District; and

WHEREAS, Chapter 190, *Florida Statutes*, provides that the District may impose special assessments on benefitted lands within the District; and

WHEREAS, it is in the best interests of the District to proceed with the imposition of the special assessments for operations and maintenance in the amount set forth in the Adopted Budget; and

WHEREAS, the District has previously levied an assessment for debt service, which the District desires to collect for Fiscal Year 2021/2022; and

WHEREAS, Chapter 197, *Florida Statutes*, provides a mechanism pursuant to which such special assessments may be placed on the tax roll and collected by the local tax collector (“**Uniform Method**”), and the District has previously authorized the use of the Uniform Method by, among other things, entering into agreements with the Property Appraiser and Tax Collector of the County for that purpose; and

WHEREAS, it is in the best interests of the District to adopt the assessment roll (“**Assessment Roll**”) attached to this Resolution as **Exhibit “B,”** to certify for collection the portion of the Assessment Roll related to certain developed property (“**Tax Roll Property**”) to the County Tax Collector pursuant to the Uniform Method, and to directly collect the portion of the Assessment Roll relating to the remaining property (“**Direct Collect Property**”), all as set forth in **Exhibit “B”**; and

WHEREAS, it is in the best interests of the District to permit the District Manager to amend the Assessment Roll adopted herein, including that portion certified to the County Tax Collector by this Resolution, as the Property Appraiser updates the property roll for the County, for such time as authorized by Florida law.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE EAST BONITA BEACH ROAD COMMUNITY DEVELOPMENT DISTRICT:

SECTION 1. BENEFIT & ALLOCATION FINDINGS. The provision of the services, facilities, and operations as described in **Exhibit “A”** confers a special and peculiar benefit to the lands within the District, which benefit exceeds or equals the cost of the assessments. The allocation of the assessments to the specially benefitted lands is shown in **Exhibits “A” and “B,”** and is hereby found to be fair and reasonable.

SECTION 2. ASSESSMENT IMPOSITION. Pursuant to Chapters 190 and 197, *Florida Statutes*, and using the procedures authorized by Florida law for the levy and collection of special assessments, a special assessment for operation and maintenance is hereby imposed and levied on benefitted lands within the District and in accordance with **Exhibits “A” and “B.”** The lien of the special assessments for operations and maintenance imposed and levied by this Resolution shall be effective upon passage of this Resolution. Moreover, pursuant to Section 197.3632(4), *Florida Statutes*, the lien amount shall serve as the “maximum rate” authorized by law for operation and maintenance assessments.

SECTION 3. COLLECTION AND ENFORCEMENT; PENALTIES; INTEREST.

- A. **Tax Roll Assessments.** The operations and maintenance special assessments and previously levied debt service special assessments imposed on the Tax Roll Property shall be collected at the same time and in the same manner as County taxes in accordance with the Uniform Method, as set forth in **Exhibits “A” and “B.”**
- B. **Direct Bill Assessments.** The operations and maintenance special assessments imposed on the Direct Collect Property shall be collected directly by the District in

accordance with Florida law, as set forth in **Exhibits "A" and "B."** Assessments directly collected by the District are due according to the following schedule: 25% due no later than October 1, 2021, 25% due no later than December 1, 2021, 25% due no later than February 1, 2022, and 25% due no later than May 1, 2022. In the event that an assessment payment is not made in accordance with the schedule stated above, the whole assessment – including any remaining partial, deferred payments for Fiscal Year 2021/2022, shall immediately become due and payable; shall accrue interest, penalties in the amount of one percent (1%) per month, and all costs of collection and enforcement; and shall either be enforced pursuant to a foreclosure action, or, at the District's sole discretion, collected pursuant to the Uniform Method on a future tax bill, which amount may include penalties, interest, and costs of collection and enforcement. Any prejudgment interest on delinquent assessments shall accrue at the rate of any bonds secured by the assessments, or at the statutory prejudgment interest rate, as applicable. In the event an assessment subject to direct collection by the District shall be delinquent, the District Manager and District Counsel, without further authorization by the Board, may initiate foreclosure proceedings pursuant to Chapter 170, *Florida Statutes*, or other applicable law to collect and enforce the whole assessment, as set forth herein.

- C. **Future Collection Methods.** The decision to collect special assessments by any particular method – e.g., on the tax roll or by direct bill – does not mean that such method will be used to collect special assessments in future years, and the District reserves the right in its sole discretion to select collection methods in any given year, regardless of past practices.

SECTION 4. ASSESSMENT ROLL. The Assessment Roll, attached to this Resolution as **Exhibit "B,"** is hereby certified for collection. That portion of the Assessment Roll which includes the Tax Roll Property is hereby certified to the County Tax Collector and shall be collected by the County Tax Collector in the same manner and time as County taxes. The proceeds therefrom shall be paid to the District.

SECTION 5. ASSESSMENT ROLL AMENDMENT. The District Manager shall keep apprised of all updates made to the County property roll by the Property Appraiser after the date of this Resolution, and shall amend the Assessment Roll in accordance with any such updates, for such time as authorized by Florida law, to the County property roll. After any amendment of the Assessment Roll, the District Manager shall file the updates in the District records.

SECTION 6. SEVERABILITY. The invalidity or unenforceability of any one or more provisions of this Resolution shall not affect the validity or enforceability of the remaining portions of this Resolution, or any part thereof.

SECTION 7. EFFECTIVE DATE. This Resolution shall take effect upon the passage and adoption of this Resolution by the Board.

PASSED AND ADOPTED this 16th day of August, 2021.

ATTEST:

**EAST BONITA BEACH ROAD COMMUNITY
DEVELOPMENT DISTRICT**

Secretary / Assistant Secretary

By: _____

Its: _____

Exhibit A: Budget

Exhibit B: Assessment Roll (Uniform Method)
Assessment Roll (Direct Collect)

Exhibit A: Budget

Exhibit B: Assessment Roll

EAST BONITA BEACH ROAD
COMMUNITY DEVELOPMENT DISTRICT

8

RESOLUTION 2021-11

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE EAST BONITA BEACH ROAD COMMUNITY DEVELOPMENT DISTRICT ADOPTING THE ANNUAL MEETING SCHEDULE FOR FISCAL YEAR 2021-2022; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the East Bonita Beach Road Community Development District (the “District”) is a local unit of special-purpose government created and existing pursuant to Chapter 190, *Florida Statutes*, being situated entirely within the City of Bonita Springs, Florida; and

WHEREAS, the District is required by Section 189.015, *Florida Statutes*, to file quarterly, semi-annually, or annually a schedule (including date, time, and location) of its regular meetings with local governing authorities; and

WHEREAS, further, in accordance with the above-referenced statute, the District shall also publish quarterly, semi-annually, or annually the District’s regular meeting schedule in a newspaper of general paid circulation in the county in which the District is located; and

WHEREAS, the Board desires to adopt annual meeting schedule for the Fiscal Year beginning October 1, 2021, and ending September 30, 2022 (“Fiscal Year 2021-2022”), attached as **Exhibit A**.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE EAST BONITA BEACH ROAD COMMUNITY DEVELOPMENT DISTRICT:

SECTION 1. The Fiscal Year 2021-2022 annual meeting schedule attached hereto and incorporated by reference herein as **Exhibit A** is hereby approved and shall be published in accordance with the requirements of Florida law and also provided to applicable governing authorities.

SECTION 2. This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED this 16th day of August 2021.

ATTEST:

EAST BONITA BEACH ROAD COMMUNITY DEVELOPMENT DISTRICT

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

Exhibit A: Fiscal Year 2021-2022 Annual Meeting Schedule

Exhibit A

EAST BONITA BEACH ROAD COMMUNITY DEVELOPMENT DISTRICT		
BOARD OF SUPERVISORS FISCAL YEAR 2021/2022 MEETING SCHEDULE		
LOCATION		
<i>office of D.R. Horton, 10541 Ben C. Pratt Six Mile Cypress Parkway, Fort Myers, Florida 33966</i>		
DATE	POTENTIAL DISCUSSION/FOCUS	TIME
May 16, 2022	Regular Meeting	11:30 AM
August 15, 2022	Public Hearing & Regular Meeting	11:30 AM

EAST BONITA BEACH ROAD
COMMUNITY DEVELOPMENT DISTRICT

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**EAST BONITA BEACH ROAD
COMMUNITY DEVELOPMENT DISTRICT**

10

**EAST BONITA BEACH ROAD
COMMUNITY DEVELOPMENT DISTRICT
FINANCIAL STATEMENTS
UNAUDITED
JUNE 30, 2021**

**EAST BONITA BEACH ROAD
COMMUNITY DEVELOPMENT DISTRICT
BALANCE SHEET
JUNE 30, 2021**

	General Fund	Debt Service Series 2018	Capital Projects Series 2018	Total Governmental Funds
ASSETS				
Cash	\$ 1,897	\$ -	\$ -	\$ 1,897
Reserve 2018	-	169,063	-	169,063
Revenue 2018	-	229,486	-	229,486
Construction 2018	-	-	2,903	2,903
Assessments receivable				
Forestar USA	31,494	-	-	31,494
Total assets	<u>\$ 33,391</u>	<u>\$ 398,549</u>	<u>\$ 2,903</u>	<u>\$ 434,843</u>
LIABILITIES & FUND BALANCES				
Liabilities:	\$ -	\$ -	\$ -	\$ -
Total liabilities	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
DEFERRED INFLOWS OF RESOURCES				
Deferred receipts	31,494	-	-	31,494
Total deferred inflows of resources	<u>31,494</u>	<u>-</u>	<u>-</u>	<u>31,494</u>
Fund balances:				
Restricted for:				
Debt service	-	398,549	-	398,549
Capital projects	-	-	2,903	2,903
Unassigned	1,897	-	-	1,897
Total fund balances	<u>1,897</u>	<u>398,549</u>	<u>2,903</u>	<u>403,349</u>
Total liabilities, deferred inflow of resources and fund balances	<u>\$ 33,391</u>	<u>\$ 398,549</u>	<u>\$ 2,903</u>	<u>\$ 434,843</u>

**EAST BONITA BEACH ROAD
COMMUNITY DEVELOPMENT DISTRICT
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
GENERAL FUND
FOR THE PERIOD ENDED JUNE 30, 2021**

	Current Month	Year to Date	Budget	% of Budget
REVENUES				
Assessment levy: on-roll	\$ -	\$ 68,527	\$ 68,471	100%
Assessment levy: off-roll	-	75,324	62,988	120%
Interest	-	6	-	N/A
Total revenues	<u>-</u>	<u>143,857</u>	<u>131,459</u>	109%
EXPENDITURES				
Professional & administrative fees				
Management fees	4,000	36,000	48,000	75%
Supervisor fees	-	200	600	33%
Audit	-	5,000	5,000	100%
Dissemination agent fees	83	750	1,000	75%
Trustee	-	4,031	5,000	81%
Arbitrage rebate calculation	-	-	1,200	0%
Legal fees	6,795	19,408	12,000	162%
Engineering	-	-	5,000	0%
Postage	114	268	200	134%
Insurance	-	5,381	5,300	102%
Legal advertising	5,812	9,753	1,000	975%
Other current charges	64	599	685	87%
Office supplies	-	285	-	N/A
Annual district filing fee	-	175	175	100%
Website	-	705	705	100%
ADA website compliance	-	-	200	0%
Preserve maint., monitoring & reporting	-	11,378	15,000	76%
Intergovernmental: shared maintenance costs	5	15,874	29,680	53%
Total professional & administrative fees	<u>16,873</u>	<u>109,807</u>	<u>130,745</u>	84%
Other fees and charges				
Tax collector	-	69	426	16%
Property appraiser	-	287	284	101%
Total other fees and charges	<u>-</u>	<u>356</u>	<u>710</u>	50%
Total expenditures	<u>16,873</u>	<u>110,163</u>	<u>131,455</u>	84%
Excess/(deficiency) of revenues over/(under) expenditures	(16,873)	33,694	4	
Fund balance - beginning	<u>18,770</u>	<u>(31,797)</u>	<u>16,089</u>	
Fund balance - ending	<u>\$ 1,897</u>	<u>\$ 1,897</u>	<u>\$ 16,093</u>	

**EAST BONITA BEACH ROAD
COMMUNITY DEVELOPMENT DISTRICT
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
DEBT SERVICE FUND: SERIES 2018
FOR THE PERIOD ENDED JUNE 30, 2021**

	Current Month	Year to Date	Budget	% of Budget
REVENUES				
Assessment levy: on-roll	\$ -	\$ 339,130	338,836	100%
Interest	3	18	-	N/A
Total revenues	<u>3</u>	<u>339,148</u>	<u>338,836</u>	100%
EXPENDITURES				
Principal	-	90,000	90,000	100%
Interest	-	245,506	245,506	100%
Tax collector	-	343	-	N/A
Total expenditures	<u>-</u>	<u>335,849</u>	<u>335,506</u>	100%
Excess/(deficiency) of revenues over/(under) expenditures	3	3,299	3,330	
Fund balance - beginning	398,546	395,250	394,269	
Fund balance - ending	<u>\$ 398,549</u>	<u>\$ 398,549</u>	<u>\$ 397,599</u>	

**EAST BONITA BEACH ROAD
COMMUNITY DEVELOPMENT DISTRICT
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
CAPITAL PROJECTS FUND: SERIES 2018
FOR THE PERIOD ENDED JUNE 30, 2021**

	Current Month	Year to Date
REVENUES	\$ -	\$ -
Total revenues	-	-
 EXPENDITURES	 \$ -	 \$ -
Total expenditures	-	-
 Excess/(deficiency) of revenues over/(under) expenditures	-	-
 Fund balance - beginning	 2,903	 2,903
Fund balance - ending	\$ 2,903	\$ 2,903

EAST BONITA BEACH ROAD
COMMUNITY DEVELOPMENT DISTRICT

11

DRAFT

**MINUTES OF MEETING
EAST BONITA BEACH ROAD
COMMUNITY DEVELOPMENT DISTRICT**

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The Board of Supervisors of the East Bonita Beach Road Community Development District held Multiple Public Hearings and a Special Public Meeting on May 17, 2021, at 10:30 a.m., at the offices of D.R. Horton, 10541 Ben C. Pratt Six Mile Cypress Parkway, Fort Myers, Florida 33966.

Present were:

Ashley Koza	Assistant Secretary
Landon Thomas	Assistant Secretary
Tim Martin	Assistant Secretary

Also present were:

Chuck Adams	District Manager
Jennifer Kilinski	District Counsel
Peter Dame	District Engineer

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Adams called the meeting to order at 10:31 a.m. Supervisors Thomas, Martin and Koza were present, in person. Supervisors Everett and Bone were not present.

SECOND ORDER OF BUSINESS

Public Comments

There being no public comments, the next item followed.

THIRD ORDER OF BUSINESS

Public Hearing to Consider the Adoption of an Assessment Roll and the Imposition of Special Assessments Relating to the Financing and Securing of Certain Public Improvements

- A. Presentation/Consideration of Amended and Restated Engineer’s Report, [Assessment Area 2 Project (*for informational purposes only*)**

41 Mr. Adams stated that the Engineer's Report was provided for informational purposes.
42 There were no material changes to the Report since it was last viewed and approved.

43 **B. Presentation/Consideration of Final Methodology Report - Assessment Area Two (for**
44 **informational purposes)**

45 Mr. Adams stated final pricing on the bond was received and incorporated into the Final
46 Methodology Report. This Report was included for informational purposes.

47 **C. Affidavit/Proof of Publication**

48 The affidavit of publication was included for informational purposes.

49 **D. Mailed Notice to Property Owner(s)**

50 The Mailed Notice was included for informational purposes

51 **E. Consideration of Resolution 2021-05, Making Certain Findings; Authorizing an**
52 **Improvement Plan For Assessment Area Two; Updating the Master Improvement Plan;**
53 **Providing an Estimated Cost of Improvements; Adopting an Assessment Area 2**
54 **Assessment Report; Equalizing, Approving, Confirming and Levying Debt Assessments**
55 **on Assessment Area Two; Addressing the Finalization of Special Assessments;**
56 **Addressing the Payment of Debt Assessments and the Method of Collection; Providing**
57 **for the Allocation of Debt Assessments and True-Up Payments; Addressing**
58 **Government Property and Transfers of Property To Units of Local, State and Federal**
59 **Government; Authorizing an Assessment Notice; and Providing for Severability,**
60 **Conflicts and an Effective Date**

61 Ms. Kilinski discussed the steps taken in the process leading up to Resolution 2021-05.
62 She noted that the assessment lien, in this instance, is not being levied over Assessment Area 1;
63 rather, it is over Assessment Area 2. Resolution 2021-05 provides for the following:

- 64 ➤ Section 1 grants the authority to adopt the Resolution.
- 65 ➤ Section 2 makes various historical findings, including the processes, such as the process
66 that will be followed for the Supplemental Methodology.
- 67 ➤ Section 3 authorizes the Area 2 project, which has remained the same since last viewed.
- 68 ➤ Section 4 approves the cost of the Area 2 project and for those costs to be paid by the
69 proposed special assessments.
- 70 ➤ Section 5 formally adopts the Assessment Area 2 Methodology for use in conjunction
71 with the Master Lien.

- 72 ➤ Section 6 serves as the equalization approval, confirmation and levy of the 2021 special
- 73 assessments.
- 74 ➤ Section 7 finalizes and equalizes the special assessments in accordance with the
- 75 Assessment Methodology Report and provides the mechanism for finalizing the assessments,
- 76 upon completion of the Master Capital Improvement Plan (CIP), as it pertains to the
- 77 Assessment Area 2 property.
- 78 ➤ Section 8 provides for the payment and prepayment of the Master Special Assessments;
- 79 specifically, the 2021 assessments and the manner of collection.
- 80 ➤ Section 9 provides for the application of a True-up payment.
- 81 ➤ Section 10 discusses how property could be transferred to HOAs or other governmental
- 82 entities.
- 83 ➤ Section 11 allows for recording of the assessment notice, which would be done shortly
- 84 after the meeting today.

85 **Mr. Adams opened the Public Hearing.**

86 No members of the public spoke.

87 **Mr. Adams closed the Public Hearing.**

88 Mr. Adams presented Resolution 2021-05.

90 **On MOTION by Ms. Koza and seconded by Mr. Thomas, with all in favor,**

91 **Resolution 2021-05, Making Certain Findings; Authorizing an Improvement**

92 **Plan For Assessment Area Two; Updating the Master Improvement Plan;**

93 **Providing an Estimated Cost of Improvements; Adopting an Assessment Area 2**

94 **Assessment Report; Equalizing, Approving, Confirming and Levying Debt**

95 **Assessments on Assessment Area Two; Addressing the Finalization of Special**

96 **Assessments; Addressing the Payment of Debt Assessments and the Method of**

97 **Collection; Providing for the Allocation of Debt Assessments and True-Up**

98 **Payments; Addressing Government Property and Transfers of Property To**

99 **Units of Local, State and Federal Government; Authorizing an Assessment**

100 **Notice; and Providing for Severability, Conflicts and an Effective Date, was**

101 **adopted.**

104 **FOURTH ORDER OF BUSINESS**

105 **Consideration of Resolution 2021-06,**

106 **Approving a Proposed Budget for Fiscal**

107 **Year 2021/2022 and Setting a Public**

108 **Hearing Thereon Pursuant to Florida Law;**

Addressing Transmittal, Posting and

Publication Requirements; Addressing Severability; and Providing an Effective Date

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Mr. Adams presented Resolution 2021-06. He explained the annual budget preparation, deliberation, public hearing and adoption process and reviewed the proposed Fiscal Year 2022 budget, highlighting any line item increases, decreases and adjustments, compared to the Fiscal Year 2021 budget, and explained the reasons for any adjustments.

Mr. Adams discussed a decrease that was the result of a reduction in the cost-sharing expenses related to the one-time capital costs for the streetlighting project; the construction phase of the streetlight project was expected to commence soon.

On MOTION by Mr. Thomas and seconded by Mr. Martin, with all in favor, Resolution 2021-06, Approving a Proposed Budget for Fiscal Year 2021/2022 and Setting a Public Hearing Thereon Pursuant to Florida Law on August 16, 2021 at 10:30 a.m., at the offices of D.R. Horton, 10541 Ben C. Pratt Six Mile Cypress Parkway, Fort Myers, Florida 33966, Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing an Effective Date, was adopted.

FIFTH ORDER OF BUSINESS

Consideration of Resolution 2021-07, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2021/2022 and Providing for an Effective Date

Mr. Adams presented Resolution 2021-07.

On MOTION by Mr. Martin and seconded by Ms. Koza, with all in favor, Resolution 2021-07, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2021/2022 and Providing for an Effective Date, was adopted.

SIXTH ORDER OF BUSINESS

Consideration of Seasons at Bonita Phase Two Subdivision Plat

148 Mr. Dame stated that the last plat, which is the Phase 3 plat, was submitted to the City;
 149 it is consistent with the Engineer’s Report for the platting of the Assessment Area 2 project
 150 area. It is the same as the plats that the Board previously viewed, with similar dedications. This
 151 covers the far eastern portion of the property and is the final subdivision plat that will establish
 152 all the lots.

153 Mr. Adams stated that approval of the Seasons at Bonita Phase Two Subdivision Plat
 154 would constitute acceptance of the dedications in that Plat.

On MOTION by Mr. Thomas and seconded by Mr. Martin, with all in favor, the Seasons at Bonita Phase Two Subdivision Plat, was approved.

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 160 **SEVENTH ORDER OF BUSINESS**

Approval of Documents Related to the Acquisition of Real Property

161
 162
 163 Ms. Kilinski stated that, in conjunction with the bonds that should close today and as
 164 related to various portions of the CIP for acquisition to reimburse the Landowner/Developer,
 165 the following items were being presented for approval, not ratification:

- 166 **A. Special Warranty Deed/Acquisition Package**
- 167 **B. General Assignment and Assumption Agreement**

168 Ms. Kilinski stated that the Board previously approved the appraisal documents related
 169 to real property for both Assessment Areas 1 and 2, previously accepted the real property for
 170 Assessment Area 1 and this is related to the real property for Assessment Area 2. She
 171 requested approval of the acquisition documents, in substantial form.

On MOTION by Mr. Thomas and seconded by Ms. Koza, with all in favor, the Special Warranty Deed/Acquisition Package and the General Assignment and Assumption Agreement, all in substantial form, and authorizing the Chair or Vice Chair to execute the final documents, was approved.

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 179 **EIGHTH ORDER OF BUSINESS**

Consideration of Acquisition of AA1 and AA2 Completed Improvements

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 182 Regarding acquisition of the AA1 and AA2 completed improvements, Ms. Kilinski stated
 183 that the agenda package contains completed acquisition documentation that is pending final

184 review and execution by the Landowner and the District Engineer, for the purposes of the
185 District acquiring the improvements. This includes improvements, such as irrigation, buffers,
186 landscape, a small portion of public roadway, wetland and wildlife mitigation, stormwater and
187 work product.

188 She requested approval of the form of the Acquisition Package, in an amount not-to-
189 exceed the construction proceeds that will be in the construction account today, in the amount
190 of \$5,583,349, so that everything can be completed and the Landowner can be reimbursed, and
191 authorization for the Chair or Vice Chair to execute the documents; this would be presented for
192 ratification at the next meeting.

193

194 **On MOTION by Mr. Martin and seconded by Mr. Thomas, with all in favor,**
195 **acquisition of AA1 and AA2 completed improvements and all related**
196 **Acquisition Package documents, in substantial form, in an amount not-to-**
197 **exceed the construction proceeds of \$5,583,349, and authorizing the Chair or**
198 **Vice Chair to execute the necessary documents, was approved.**

199

200

201 **NINTH ORDER OF BUSINESS**

**Consideration of Ancillary Financing
Matters**

202

203

204

There were no ancillary financing matters to discuss.

205

206 **TENTH ORDER OF BUSINESS**

**Approval of April 27, 2021 Special Meeting
Minutes**

207

208

209

Mr. Adams presented the April 27, 2021 Special Meeting Minutes.

210

211 **On MOTION by Ms. Koza and seconded by Mr. Thomas, with all in favor, the**
212 **April 27, 2021 Special Meeting Minutes, as presented, were approved.**

213

214

215 **ELEVENTH ORDER OF BUSINESS**

Other Business

216

217

There being no other business, the next item followed.

218

219 **TWELFTH ORDER OF BUSINESS**

Staff Reports

220

221

A. District Counsel: *Hopping, Green & Sams, PA*

222 Ms. Kilinski had nothing additional to report.

223 **B. District Engineer: *Banks Engineering, Inc.***

224 • **Consideration of Requisition No. 1**

225 This item was not discussed.

226 **C. District Manager: *Wrathell, Hunt and Associates, LLC***

227 **I. 163 Registered Voters in District as of April 15, 2021**

228 **II. NEXT MEETING DATE: August 16, 2021 at 10:30 A.M.**

229 ○ **QUORUM CHECK**

230 The next meeting will be held August 16, 2021.

231

232 **THIRTEENTH ORDER OF BUSINESS**

**Audience
Requests**

Comments/Supervisors'

233

234

235 There being no audience comments or Supervisors' requests, the next item followed.

236

237 **FOURTEENTH ORDER OF BUSINESS**

Adjournment

238

239 There being nothing further to discuss, the meeting adjourned.

240

241 **On MOTION by Mr. Martin and seconded by Mr. Thomas, with all in favor, the**
242 **meeting adjourned at 10:50 a.m.**

243

244

245

246

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

247
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254

Secretary/Assistant Secretary

Chair/Vice Chair

**EAST BONITA BEACH ROAD
COMMUNITY DEVELOPMENT DISTRICT**

13C