

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

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*)**

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

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

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

C. Affidavit/Proof of Publication

The affidavit of publication was included for informational purposes.

D. Mailed Notice to Property Owner(s)

The Mailed Notice was included for informational purposes

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

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

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

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

Mr. Adams opened the Public Hearing.

No members of the public spoke.

Mr. Adams closed the Public Hearing.

Mr. Adams presented Resolution 2021-05.

On MOTION by Ms. Koza and seconded by Mr. Thomas, with all in favor, Resolution 2021-05, Making Certain Findings; Authorizing an Improvement Plan For Assessment Area Two; Updating the Master Improvement Plan; Providing an Estimated Cost of Improvements; Adopting an Assessment Area 2 Assessment Report; Equalizing, Approving, Confirming and Levying Debt Assessments on Assessment Area Two; Addressing the Finalization of Special Assessments; Addressing the Payment of Debt Assessments and the Method of Collection; Providing for the Allocation of Debt Assessments and True-Up Payments; Addressing Government Property and Transfers of Property To Units of Local, State and Federal Government; Authorizing an Assessment Notice; and Providing for Severability, Conflicts and an Effective Date, was adopted.

FOURTH ORDER OF BUSINESS

Consideration of Resolution 2021-06, Approving a Proposed Budget for Fiscal Year 2021/2022 and Setting a Public Hearing Thereon Pursuant to Florida Law; Addressing Transmittal, Posting and

Publication Requirements; Addressing Severability; and Providing an Effective Date

Mr. Adams presented 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

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

Mr. Adams stated that approval of the Seasons at Bonita Phase Two Subdivision Plat 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.

SEVENTH ORDER OF BUSINESS

Approval of Documents Related to the Acquisition of Real Property

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

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

Ms. Kilinski stated that the Board previously approved the appraisal documents related to real property for both Assessment Areas 1 and 2, previously accepted the real property for Assessment Area 1 and this is related to the real property for Assessment Area 2. She 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.

EIGHTH ORDER OF BUSINESS

Consideration of Acquisition of AA1 and AA2 Completed Improvements

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

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

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

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

NINTH ORDER OF BUSINESS

Consideration of Ancillary Financing Matters

There were no ancillary financing matters to discuss.

TENTH ORDER OF BUSINESS

Approval of April 27, 2021 Special Meeting Minutes

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

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

ELEVENTH ORDER OF BUSINESS

Other Business

There being no other business, the next item followed.

TWELFTH ORDER OF BUSINESS

Staff Reports

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

Ms. Kilinski had nothing additional to report.

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

- **Consideration of Requisition No. 1**

This item was not discussed.

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

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

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

- **QUORUM CHECK**

The next meeting will be held August 16, 2021.

THIRTEENTH ORDER OF BUSINESS

**Audience
Requests**

Comments/Supervisors'

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

FOURTEENTH ORDER OF BUSINESS

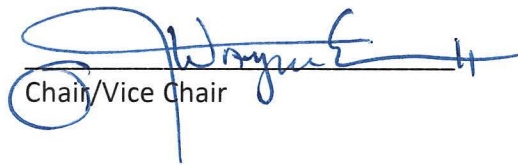
Adjournment

There being nothing further to discuss, the meeting adjourned.

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

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]


Secretary/Assistant Secretary


Chair/Vice Chair