

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

The Board of Supervisors of the East Bonita Beach Road Community Development District held 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.

**Present were:**

J. Wayne Everett  
Ashley Koza  
Landon Thomas

Chair  
Assistant Secretary  
Assistant Secretary

**Also present were:**

Chuck Adams  
Shane Willis  
Lauren Gentry (via telephone)

District Manager  
Operations Manager  
District Counsel

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Mr. Adams called the meeting to order at 11:30 a.m. Supervisors Everett, Thomas and Koza were present, in person. Supervisors Martin and Bone were not present.

**SECOND ORDER OF BUSINESS**

**Public Comments**

There were no public comments.

**THIRD ORDER OF BUSINESS**

**Presentation of Audited Financial Report  
for Fiscal Year Ended September 30, 2020,  
Prepared by Grau & Associates**

Mr. Adams presented the Audited Financial Report for the Fiscal Year Ended September 30, 2020 and noted the pertinent information. There were no findings, recommendations, deficiencies on internal control or instances of non-compliance; it was a clean audit.

**FOURTH ORDER OF BUSINESS**

**Consideration of Resolution 2021-08, Hereby Accepting the Audited Financial Report for the Fiscal Year Ended September 30, 2020**

Mr. Adams presented Resolution 2021-08.

**On MOTION by Mr. Thomas and seconded by Mr. Everett, with all in favor, Resolution 2021-08, Hereby Accepting the Audited Financial Report for the Fiscal Year Ended September 30, 2020, was adopted.**

**FIFTH ORDER OF BUSINESS**

**Ratification of Engagement with KE Law Group, PLLC**

- **Consideration of Fee Agreement**

Ms. Gentry presented the joint letter by Hopping Green & Sams (HGS) and KE Law Group, PLLC, announcing the departure of several attorneys from HGS and their transition to KE Law Group, PLLC. In order to avoid an interruption in services, the engagement letter was executed by the Chair between meetings.

**On MOTION by Mr. Everett and seconded by Ms. Koza, with all in favor, the Engagement with KE Law Group, PLLC, was ratified.**

Ms. Gentry presented the KE Law Group, PLLC Fee Agreement, which is consistent with the previously negotiated fees and provides that the CDD can terminate the agreement at any time without penalties.

**On MOTION by Mr. Everett and seconded by Mr. Thomas, with all in favor, the KE Law Group, PLLC Fee Agreement, was approved.**

**SIXTH ORDER OF BUSINESS**

**Public Hearing on Adoption of Fiscal Year 2021/2022 Budget**

**A. Proof/Affidavit of Publication**

The affidavit of publication was included for informational purposes.

**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**

Mr. Adams reviewed the proposed Fiscal Year 2022 budget, which was unchanged since it was last presented.

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

No members of the public spoke.

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

Mr. Adams presented Resolution 2021-09.

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

**SEVENTH ORDER OF BUSINESS**

**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**

Mr. Adams presented Resolution 2021-10. The Resolution accomplishes the following:

- Levies the assessments.
- Takes into consideration the Fiscal Year 2022 budget that was just adopted and the assessment levels contained therein.
- Directs the District Manager to prepare a lien roll for submittal to the Tax Collector for on-roll collection of the assessments.
- Outlines a collection enforcement schedule.

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

**EIGHTH ORDER OF BUSINESS**

**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**

Mr. Adams presented Resolution 2021-11.

**On MOTION by Mr. Thomas and seconded by Mr. Everett, with all in favor, Resolution 2021-11, Adopting the Annual Meeting Schedule for Fiscal Year 2021-2022; and Providing for an Effective Date, was adopted.**

**NINTH ORDER OF BUSINESS**

**Ratification of AA1 and AA2 Acquisition Transaction**

Mr. Adams presented the AA1 and AA2 Acquisition Transactions, which were executed by the Chair between meetings.

**On MOTION by Mr. Everett and seconded by Ms. Koza, with all in favor, the AA1 and AA2 Acquisition Transactions, were ratified.**

**TENTH ORDER OF BUSINESS**

**Acceptance of Unaudited Financial Statements as of June 30, 2021**

Mr. Adams presented the Unaudited Financial Statements as of June 30, 2021.

The financials were accepted.

**ELEVENTH ORDER OF BUSINESS**

**Approval of May 17, 2021 Public Hearings and Special Meeting Minutes**

Mr. Adams presented the May 17, 2021 Public Hearings and Special Meeting Minutes.

**On MOTION by Ms. Koza and seconded by Mr. Thomas, with all in favor, the May 17, 2021 Public Hearings and Special Meeting Minutes, as presented, were approved.**

**TWELFTH ORDER OF BUSINESS**

**Other Business**

There was no other business.

**THIRTEENTH ORDER OF BUSINESS**

**Staff Reports**

**A. District Counsel: *KE Law Group, PLLC***

There was no report.

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

- **Consideration of Requisition No. 1**

This item was previously addressed.

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

- **NEXT MEETING DATE: May 16, 2022, Time TBD**
  - **QUORUM CHECK**

The next meeting will be held on May 16, 2022.

**FOURTEENTH ORDER OF BUSINESS**

**Audience Comments/Supervisors' Requests**

There were no audience comments or Supervisors' requests.

**FIFTEENTH ORDER OF BUSINESS**

**Adjournment**

There being nothing further to discuss, the meeting adjourned.

**On MOTION by Mr. Thomas and seconded by Ms. Koza, with all in favor, the meeting adjourned at 11:46 a.m.**

COP EA  
Secretary/Assistant Secretary

Mue PB  
Chair/Vice Chair