

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

A Regular Meeting of the East Bonita Beach Road Community Development District's Board of Supervisors was held on **Monday, May 16, 2016**, at **10:00 a.m.**, at the offices of **Barraco & Associates, Inc., 2271 McGregor Boulevard, Suite 100, Fort Myers, Florida 33901.**

**Present and constituting a quorum were:**

Christian Swann	Chair
Charles Cook	Vice Chair
Roy MacDermott	Assistant Secretary

**Also present were:**

Chuck Adams	District Manager
Jere Earlywine ( <i>via telephone</i> )	District Counsel

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Mr. Adams called the meeting to order at 10:02 a.m., and noted, for the record, that Supervisors Swann, Cook and MacDermott were present, in person. Two seats remained vacant.

**SECOND ORDER OF BUSINESS**

**Public Comments**

There being no public comments, the next item followed.

**THIRD ORDER OF BUSINESS**

**Consideration of Appointment to Vacant Board Seats**

- A. Seat 2; Term Expires November, 2016**
- B. Seat 4; Term Expires November 2016**

Mr. Adams stated that Seats 2 and 4 were vacant and both expire in November. There would be one more meeting before the Landowners' meeting, in November.

This item was deferred.

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**FOURTH ORDER OF BUSINESS**

**Consideration of Resolution 2016-1, Approving the District's Proposed Budget for Fiscal Year 2016/2017 and Setting a Public Hearing Thereon Pursuant to Florida Law and Providing an Effective Date**

Mr. Adams presented Resolution 2016-1 for the Board's consideration. The Public Hearing date was changed to July 25, 2016 at 10:00 a.m., at this location. The number of assessable units decreased to 168.45 units because Lennar annexed some units out of the CDD and established another CDD. The proposed Fiscal Year 2017 assessment levy amount was slightly less than Fiscal Year 2016, decreasing from \$128.82 to \$127.93.

**On MOTION by Mr. Swann and seconded by Mr. Cook, with all in favor, Resolution 2016-1, Approving the District's Proposed Budget for Fiscal Year 2016/2017 and Setting a Public Hearing for July 25, 2016 at 10:00 a.m., at this location, as amended, was adopted.**

**FIFTH ORDER OF BUSINESS**

**Notice of Landowners' Meeting November 14, 2016 [Seat 1, 2, 4]**

- A. Sample Notice of Landowners' Meeting**
- B. Sample Election Instructions**
- C. Sample Landowner Proxy**

Mr. Adams stated that the Landowners' Meeting would be held on November 14, 2016 at 10:00 a.m., at this location. It would not be necessary for the Board Members to attend; typically, the votes were proxied to the Chair. The number of acres on the notice was incorrect and the number would be changed from 293.85 acres to 168.45 acres. Seat 1, currently held by Mr. MacDermott, and Seats 2 and 4, which were vacant, would be up for election.

**SIXTH ORDER OF BUSINESS**

**Approval of August 17, 2015 Public Hearing and Regular Meeting Minutes**

Mr. Adams presented the August 17, 2015 Public Hearing and Regular Meeting Minutes and asked for any additions, deletions or corrections.

**On MOTION by Mr. Cook and seconded by Mr. MacDermott, with all in favor, the August 17, 2015 Public Hearing and Regular Meeting Minutes, as presented, were approved.**

**SEVENTH ORDER OF BUSINESS**

**Other Business**

There being no other business, the next item followed.

**EIGHTH ORDER OF BUSINESS**

**Staff Reports**

**A. District Counsel**

Mr. Swann asked if Mr. Earlywine was familiar with the IRS proposing rule changes eliminating the tax exemptions from CDD bonds. Mr. Earlywine was familiar with the IRS proposal. The IRS developed the proposed rule because of The Villages case. The IRS proposal was aggressive but it was early, with the process. District Counsel's advice was not to change position on current projects until clarification on the ruling was received. Changes to the Chapter 190 Statutes format might be necessary, which would resemble the formats of other states.

Mr. Adams stated that Management was following the progress and believed there might be changes affecting residential CDDs but was comfortable that the IRS would not remove the tax-exempt status; however, if the IRS does, the general feeling was that there would still be value issuing taxable bonds. Mr. Earlywine noted other CDDs that successfully issued taxable bonds and the rates were similar.

Mr. Swann inquired if the IRS matter was specific to Florida. Mr. Earlywine stated it was a national issue.

**B. District Engineer**

There being no report, the next item followed.

**C. District Manager**

**i. Approval of Unaudited Financial Statements as of March 31, 2016**

- o **Check Register (to be provided under separate cover)**

Mr. Adams presented the Unaudited Financial Statements as of March 31, 2016. There was little activity and expenditures were under budget.

**ii. 0 Registered Voters in District as of April 15, 2016**

There were zero registered voters residing within the boundaries of the District as of April 15, 2016.

**iii. NEXT MEETING DATE: August 15, 2016 at 10:00 A.M.**

The next meeting would be held on July 25, 2016 at 10:00 a.m., at this location, rather than on August 15.

**NINTH ORDER OF BUSINESS**

**Audience  
Requests**

**Comments/Supervisors'**

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

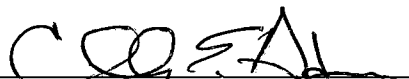
**TENTH ORDER OF BUSINESS**


**Adjournment**

There being nothing further to discuss, the meeting adjourned.

**On MOTION by Mr. Cook and seconded by Mr. MacDermott,  
with all in favor, the meeting adjourned at 10:16 a.m.**

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

  
Secretary/Assistant Secretary

  
Chair/Vice Chair