

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

A Public Hearing and Regular Meeting of the East Bonita Beach Road Community Development District's Board of Supervisors was held on **Monday, July 25, 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
Jennifer Kilinski ( <i>via telephone</i> )	District Counsel
Carl Barraco	District Engineer

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Mr. Adams called the meeting to order at 10:11 a.m., and noted, for the record, that Supervisors Swann, Cook and MacDermott were present, in person. Two seats remain 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**

This item was deferred.

**FOURTH ORDER OF BUSINESS**

**Presentation of Audited Financial Report for Fiscal Year Ended September 30, 2015, Prepared by Grau & Associates**

Mr. Adams stated that the audit was an unmodified, or clean opinion. On Page 9, “Total revenues” were \$21,706, which included \$7 in “Interest”. “Total expenditures” were \$16,978. Revenues exceeded expenditures by \$4,728, which increased the “Fund balance – ending” to \$5,678. On Pages 17 and 18, the “Independent Auditor’s Report on Internal Control Over Financial Reporting and On Compliance and Other Matters” reflected no instances of noncompliance or material weaknesses and there were no deficiencies in the District’s internal control. The District was in compliance in all other matters. The “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”, reflected that the District’s investments complied with the requirements and followed proper investment guidelines. The “Report to Management”, on Page 21, reflected no current or prior year findings and there were no recommendations.

**FIFTH ORDER OF BUSINESS**

**Consideration of Resolution 2016-2, Accepting the Audited Financial Report for the Fiscal Year Ended September 30, 2015**

Mr. Adams presented Resolution 2016-2 for the Board’s consideration.

**On MOTION by Mr. Cook and seconded by Mr. MacDermott, with all in favor, Resolution 2016-2, Accepting the Audited Financial Report for the Fiscal Year Ended September 30, 2015, was adopted.**

**SIXTH ORDER OF BUSINESS**

**Public Hearing to Hear Comments and Objections on Adoption of Fiscal Year 2016/2017 Budget**

**A. Proof of Publication**

Mr. Adams presented the proof of publication for today’s Public Hearing and Regular Meeting.

**B. Consideration of Resolution 2016-3, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2016 and Ending September 30, 2017**

Mr. Adams presented Resolution 2016-3 for the Board’s consideration. He reviewed the Fiscal Year 2017 budget line items noting the addition of a Developer contribution. Revenue

collections were at \$25,198. The Beach Road Golf Estates CDD (BRGECDD) controlled the Panther Mitigation Property, which all properties, at the end of Bonita Beach Road, relied upon for proper mitigation. The Developers controlling the four Districts involved had an agreement for a five-year maintenance monitoring requirement that would end in 2019; however, maintenance would continue, in perpetuity. As a result, the Developers wanted to shift the agreement to the Districts, through an Interlocal Agreement, and share the costs, accordingly. The predetermined cost sharing, in the current Agreement, would be replicated in the Interlocal Agreement. On Page 1, “Intergovernmental: mitigation maintenance & monitoring” was the portion assigned to the East Bonita Beach Road CDD. Because the issue materialized so late, there was no time to send separate mailed notices, which must occur a minimum of 20 days in advance advising of the increase to assessment levels; therefore, for Fiscal Year 2017, funding for that expense would be through a developer contribution. In Fiscal Year 2018, a separate mailed notice would notify Landowners of the increase in assessments. BRGECDD’s attorney was preparing the Agreement, which would be provided to Ms. Kilinski. BRGECDD would enter into Agreements for monitoring and maintenance responsibilities and seek reimbursement from the other Districts for their proportionate share of the actual expense. Monitoring would continue until 2019; if a successful final report was received, monitoring would cease but maintenance would continue. Total costs were approximately \$49,000. Approximately \$30,000 was for maintenance and the remainder was for monitoring.

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

No members of the public spoke.

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

<p><b>On MOTION by Mr. Swann and seconded by Mr. Cook, with all in favor, Resolution 2016-3, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2016, and Ending September 30, 2017, was adopted.</b></p>
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**SEVENTH ORDER OF BUSINESS**

**Consideration of Resolution 2016-4, Imposing Special Assessments and Certifying an Assessment Roll**

Mr. Adams presented Resolution 2016-4 for the Board's consideration. The Resolution identified the assessment amounts to be collected, off-roll, from the sole property owner and the collection schedule, noted in Section 3.

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

No members of the public spoke.

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

**On MOTION by Mr. Swann and seconded by Mr. MacDermott, with all in favor, Resolution 2016-4, Imposing Special Assessments and Certifying an Assessment Roll, was adopted.**

**EIGHTH ORDER OF BUSINESS**

**Consideration of Resolution 2016-5,  
Adopting the Annual Meeting Schedule  
for Fiscal Year 2016/2017**

Mr. Adams presented Resolution 2016-5 for the Board's consideration. The only difference from Fiscal Year 2016 would be the Landowners' Meeting. The Interlocal Agreement should be completed by that time; therefore, a Regular Meeting may be necessary.

**On MOTION by Mr. Cook and seconded by Mr. MacDermott, with all in favor, Resolution 2016-5, Adopting the Annual Meeting Schedule for Fiscal Year 2016/2017, was adopted.**

**NINTH ORDER OF BUSINESS**

**Acceptance of Unaudited Financial  
Statements as of June 30, 2016**

Mr. Adams presented the Unaudited Financial Statements as of June 30, 2016.

**TENTH ORDER OF BUSINESS**

**Approval of May 6, 2016 Regular  
Meeting Minutes**

Mr. Adams presented the May 6, 2016 Regular Meeting Minutes and asked for any additions, deletions or corrections.

**On MOTION by Mr. Swann and seconded by Mr. Cook, with all in favor, the May 6, 2016 Regular 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**

There being no report, the next item followed.

**B. District Engineer**

There being no report, the next item followed.

**C. District Manager**

**i. Landowners' Meeting: November 14, 2016 [Seats 1, 2, 4]**

Mr. Adams stated that a Landowners' Meeting will be held on November 14, 2016 at 10:00 a.m., at this location. Seats 1, 2 and 4 would be up for election.

**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. Swann and seconded by Mr. MacDermott, with all in favor, the meeting adjourned at 10:31 a.m.**

  
Secretary/Assistant Secretary

  
Chair/Vice Chair