

**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, July 2, 2018, at 10:00 a.m., at the offices of D.R. Horton, 10541 Ben C. Pratt Six Mile Cypress Parkway, Fort Meyers, Florida 33966.

Present and constituting a quorum were:

J. Wayne Everett	Chair
Charles Cook	Assistant Secretary
Roy MacDermott	Assistant Secretary

Also present were:

Chuck Adams	District Manager
Jennifer Kilinski (<i>via telephone</i>)	District Counsel
Jennings Cooksey (<i>via telephone</i>)	Hopping Green & Sams
Dave Underhill	District Engineer

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Adams called the meeting to order at 10:00 a.m. Supervisors Everett, Cook and MacDermott were present, in person. Supervisors Swann and Ratz were not present.

SECOND ORDER OF BUSINESS

Public Comments

There being no public comments, the next item followed.

THIRD ORDER OF BUSINESS

**Consideration of Seasons at Bonita Plat –
Phase One**

Mr. Underhill presented the Seasons at Bonita Plat – Phase One. The Plat lays out the lots for Phase One and sets up the dedications in the areas that the District will own and maintain, including perimeter buffers, lakes and the public roadway tract at the entrance. The Plat was reviewed by the City several times and District Counsel reviewed it. Mr. Adams stated that District Counsel had a few minor changes, which would be incorporated. Mr. Underhill

stated that the District would maintain the infrastructure identified in the Engineer’s Report. It identifies the Phase Two area, not yet being purchased, as a future development tract and establishes the lake tracts and provides for a temporary access easement through the future development tract for the District to access those lakes, as necessary. Mr. Adams stated that work is underway for a license and maintenance agreement, which would, essentially, shift the day-to-day maintenance responsibilities to the Master Association, on behalf of the District, including collecting the fees to complete those services. Since the Master Association already has maintenance responsibility for certain areas inside the gates, it makes sense for the Master Association to maintain the District’s areas, as well.

On MOTION by Mr. Everett and seconded by Mr. Cook, with all in favor, the Seasons at Bonita Plat – Phase One, as amended to include District Counsel’s edits, was approved.

FOURTH ORDER OF BUSINESS

Ratification of FMSbonds, Inc., Agreement for Underwriter Services and G-17 Disclosure

Mr. Adams presented the FMSbonds, Inc. (FMS) Agreement for Underwriter Services and G-17 Disclosure. The Agreement was standard. The Underwriter would not collect any fees unless the District had a successful bond closing, at which time the fees would be 1.5% of the par amount of the bonds. The G-17 Disclosure discloses that FMS is working for the District as an Underwriter and not as a Financial Advisor.

On MOTION by Mr. Cook and seconded by Mr. MacDermott, with all in favor, the FMSbonds, Inc., Agreement for Underwriter Services and G-17 Disclosure, was approved.

FIFTH ORDER OF BUSINESS

Approval of Unaudited Financial Statements as of May 31, 2018

Mr. Adams presented the Unaudited Financial Statements as of May 31, 2018. Off-roll assessment revenue collections were at 100% and expenditures were at 83%. Expenditures reflected that activity has increased. Work related to the “Intergovernmental: shared

maintenance costs” commenced May 1, 2018; therefore, bills related to that should be received and booked very soon. The shared-costs work includes the Hendry County Panther Mitigation Property, as well as the Bonita Beach Road extension, and all associated common landscaping.

SIXTH ORDER OF BUSINESS

Approval of May 14, 2018 Regular Meeting Minutes

Mr. Adams presented the May 14, 2018 Regular Meeting Minutes and asked for any additions, deletions or corrections.

On MOTION by Mr. Everett and seconded by Mr. Cook, with all in favor, the May 14, 2018 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: *Hopping Green & Sams, P.A.*

Mr. Cooksey stated that finalizing the Easement and Maintenance Agreement with the HOA was underway; once the HOA Declaration is finalized, District Counsel would finalize it, as well.

B. District Engineer: *Banks Engineering*

There being no report, the next item followed.

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

i. Ratification of ADA Site Compliance Agreement

Mr. Adams discussed current litigation against numerous CDDs and governmental entities regarding Americans with Disabilities Act (ADA) compliance issues related to the CDD websites not being ADA compliant for the visually impaired. To date, this District had not been sued; however, a number of Management’s Districts were. Management proactively hired ADA Site Compliance Incorporated (ADASC) to bring all of those websites into ADA compliance. ADASC was working with Management’s Staff regarding the steps necessary to make the

website documents ADA-compliant. ADASC, in conjunction with Management’s website manager has reviewed all of the websites of Management’s CDDs, and took the first step towards bringing them into compliance. An ADA Compliance Certification was placed on the home page of the CDD websites, which explains that the District is in the process of bringing the website into ADA-compliance. The District’s insurance carrier would handle the legal defense and hiring of a law firm to represent the Districts in this matter, as was already done with other CDDs. Motions to Dismiss were already filed for several CDDs.

Ms. Kilinski confirmed the information provided by Mr. Adams.

Mr. Adams stated that the Board would be notified if a complaint is filed against this District.

ii. NEXT MEETING DATE: August 20, 2018 at 10:00 A.M.

The next meeting will be held on August 20, 2018 at 10:00 a.m., at this location. Interim meetings would be scheduled, if necessary for the bond issuance.

NINTH ORDER OF BUSINESS

**Audience
Requests**

Comments/Supervisors’

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

TENTH ORDER OF BUSINESS

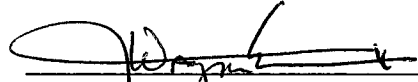
Adjournment

There being nothing further to discuss, the meeting adjourned.

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

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]


Secretary/Assistant Secretary


Chair/Vice Chair