

**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 Special Meeting on April 27, 2021, at 4:00 p.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	Chair
Michael Bone	Vice Chair
Ashley Koza	Assistant Secretary
Landon Thomas	Assistant Secretary

**Also present were:**

Chuck Adams	District Manager
Jennifer Kilinski	District Counsel

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Mr. Adams called the meeting to order at 4:00 p.m. Supervisors Everett, Bone, Thomas and Koza were present, in person. Supervisor Martin was not present.

**SECOND ORDER OF BUSINESS**

**Public Comments**

There being no public comments, the next item followed.

**THIRD ORDER OF BUSINESS**

**Presentation of Amended and Restated  
Engineer's Report, dated September 28,  
2020 (for informational purposes only)**

Mr. Adams stated the District Engineer was not present. There were no material changes to the Engineer's Report since it was last viewed and approved by the Board.

**FOURTH ORDER OF BUSINESS****Presentation of Final Methodology Report -  
Assessment Area Two, dated April 15, 2021**

Mr. Adams stated final pricing on the bond was received. He reviewed the Final Methodology Report for Assessment Area Two, dated April 15, 2021, highlighting the updates in Section 4.1, on Page 4 under "Overview", and in the Appendix Tables, on Pages 11 through 14. The Total Bond Assessment Apportionment equaled \$6,015,000.

Ms. Kilinski stated the after-assessment lien that was previously approved was redone because the par amount of bonds assigned to each parcel increased. As a result, a Resolution would be presented declaring the assessment hearing for May 17, 2021 and ratifying Staff's actions to carry out the noticing requirements of publicizing a notice in the newspaper and transmitting a mailed notice to the Landowner.

**FIFTH ORDER OF BUSINESS****Consideration of Resolution 2021-04,  
Declaring Special Assessments for  
Assessment Area Two; Designating the  
Nature and Location of the Proposed  
Assessment Area Two Project  
Improvements; Declaring the Total  
Estimated Cost of the Improvements, the  
Portion to Be Paid By Assessments, and the  
Manner and Timing in Which the  
Assessments are to Be Paid; Designating the  
Lands Upon Which the Assessments Shall  
Be Levied; Providing for an Assessment Plan  
and a Preliminary Assessment Roll;  
Addressing the Setting of Public Hearings;  
Providing for Publication of this Resolution;  
and Addressing Conflicts, Severability and  
an Effective Date**

Mr. Adams presented Resolution 2021-04.

A Board Member commented that it seemed as though assessments increased and questioned the Table 2 "Irrigation", "Stormwater Management" and "Professional Services", under Assessment Area Two Estimated Construction Costs, on Page 12. Mr. Adams stated the amount of the lien increased but the annual repayment amount remained unchanged due to

savings on the interest side of the assumptions. He explained that several items were reimbursed, as the construction funds were depleted. Since there were qualifying expenses that were not realized for reimbursement in Assessment Area One, some or all of the infrastructure items shifted into Phase 2, Assessment Area Two.

**On MOTION by Mr. Bone and seconded by Mr. Thomas, with all in favor, Resolution 2021-04, Declaring Special Assessments for Assessment Area Two; Designating the Nature and Location of the Proposed Assessment Area Two Project Improvements; Declaring the Total Estimated Cost of the Improvements, the Portion to Be Paid By Assessments, and the Manner and Timing in Which the Assessments are to Be Paid; Designating the Lands Upon Which the Assessments Shall Be Levied; Providing for an Assessment Plan and a Preliminary Assessment Roll; Addressing the Setting of Public Hearings; Providing for Publication of this Resolution; and Addressing Conflicts, Severability and an Effective Date, was adopted.**

**SIXTH ORDER OF BUSINESS**

**Consideration of Financing Matters**

Mr. Kilinski recommended approval of the Bond Financing Agreements and stated similar forms of agreements were presented and approved in 2018. If there are any substantive changes, Staff would present them at the May 17<sup>th</sup> meeting. She reviewed each of the following Agreements:

- A. Agreement by and Between the East Bonita Beach Road Community Development District and Forestar (USA) Real Estate Group Inc., Regarding the Completion of Certain Improvements**

**On MOTION by Mr. Everett and seconded by Mr. Thomas, with all in favor, the Agreement by and Between the East Bonita Beach Road Community Development District and Forestar (USA) Real Estate Group Inc., Regarding the Completion of Certain Improvements, was approved.**

- B. Collateral Assignment and Assumption of Development Rights Series 2021 Bonds, Assessment Area Two**

**On MOTION by Mr. Thomas and seconded by Mr. Everett, with all in favor, the Collateral Assignment and Assumption of Development Rights Series 2021 Bonds, Assessment Area Two, were approved.**

- C. **Agreement by and Between the East Bonita Beach Road Community Development District and Forestar (USA) Real Estate Group Inc., Regarding the True-Up and Payment of 2021 Assessments**

**On MOTION by Ms. Koza and seconded by Mr. Thomas, with all in favor, the Agreement by and Between the East Bonita Beach Road Community Development District and Forestar (USA) Real Estate Group Inc., Regarding the True-Up and Payment of 2021 Assessments, was approved.**

- D. **Agreement Between the East Bonita Beach Road Community Development District and Forestar (USA) Real Estate Group Inc., Regarding the Acquisition of Certain Work Product, Improvements and Real Property – Series 2021 Bonds**

**On MOTION by Mr. Thomas and seconded by Ms. Koza, with all in favor, the Agreement Between the East Bonita Beach Road Community Development District and Forestar (USA) Real Estate Group Inc., Regarding the Acquisition of Certain Work Product, Improvements and Real Property – Series 2021 Bonds, was approved.**

- E. **Declaration of Consent to Jurisdiction of East Bonita Beach Road Community Development District and to Imposition of Special Assessments (Assessment Area Two)**

Ms. Kilinski recommended approval of this item, in substantial form, with a final signature from the Board Chair.

**On MOTION by Mr. Bone and seconded by Mr. Thomas, with all in favor, the Declaration of Consent to Jurisdiction of East Bonita Beach Road Community Development District and to Imposition of Special Assessments (Assessment Area Two), in substantial form, and authorizing execution by the Chair upon completion, was approved.**

**SEVENTH ORDER OF BUSINESS**

**Consideration of FMSbonds, Inc., Rule G-17 Disclosure Letter**

Mr. Adams presented the FMSbonds, Inc., Rule G-17 Disclosure Letter, to serve as the District’s Underwriter.

**On MOTION by Ms. Koza and seconded by Mr. Thomas, with all in favor, the FMSbonds, Inc., Rule G-17 Disclosure Letter, was approved**

**EIGHTH ORDER OF BUSINESS**

**Consideration of Acquisition of Improvements and Work Product *(to be provided under separate cover)***

This item was deferred to the May meeting.

**NINTH ORDER OF BUSINESS**

**Acceptance of Unaudited Financial Statements as of March 31, 2021**

Mr. Adams presented the Unaudited Financial Statements as of March 31, 2021. Assessment revenue collections were at 99%. The financials were accepted.

**TENTH ORDER OF BUSINESS**

**Approval of December 14, 2020 Special Meeting Minutes**

Mr. Adams presented the December 14, 2020 Special Meeting Minutes.

**On MOTION by Mr. Bone and seconded by Mr. Thomas, with all in favor, the December 14, 2020 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 stated there would be a brief legislative session update at the May meeting.

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

There being no report, the next item followed.

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

- **NEXT MEETING DATE: May 17, 2021 at 10:30 A.M.**

- **QUORUM CHECK**

Supervisors Bone, Thomas and Koza confirmed their attendance at the May 17, 2021 meeting.

**THIRTEENTH ORDER OF BUSINESS**

**Audience Comments/Supervisors' Requests**

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. Bone and seconded by Mr. Thomas, with all in favor, the meeting adjourned at 4:20 p.m.**

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

  
Secretary/Assistant Secretary

  
Chair/Vice Chair  
**ASSISTANT SECRETARY**