

**MINUTES OF MEETING
BONITA LANDING
COMMUNITY DEVELOPMENT DISTRICT**

Public Hearings and a Regular Meeting of the Board of Supervisors of the Bonita Landing Community Development District were held on **Monday, June 20, 2016**, *immediately following the landowners' meeting at 1:30 p.m.*, at the offices of **Lennar, 10481 Six Mile Cypress Parkway, Fort Myers, Florida 33966**.

Present at the meeting were:

Russell Smith	Chair
Ashley Kingston	Assistant Secretary
David Negip	Assistant Secretary

Also present were:

Chuck Adams	District Manager
Greg Urbancic	District Counsel
Dave Underhill	District Engineer

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Adams called the meeting to order at 1:36 p.m., and noted, for the record, that Supervisors-Elect Smith, Kingston and Negip were present, in person. Supervisors-Elect Drake and Dolan were not present.

SECOND ORDER OF BUSINESS

Public Comments

There being no public comments, the next item followed.

THIRD ORDER OF BUSINESS

Administration of Oath of Office to Newly Elected Supervisors *(the following to be provided in a separate package)*

Mr. Adams, a Notary of the State of Florida and duly authorized, administered the Oath of Office to Mr. Russell Smith, Ms. Ashley Kingston and Mr. David Negip. The Supervisors waived the \$200 meeting fee.

Mr. Adams noted that the Board Members were incumbents; therefore, he would forego an explanation of the following items:

- A. Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees**
- B. Membership, Obligations and Responsibilities**
- C. Financial Disclosure Forms**
 - i. Form 1: Statement of Financial Interests**
 - ii. Form 1X: Amendment to Form 1, Statement of Financial Interests**
 - iii. Form 1F: Final Statement of Financial Interests**
- D. Form 8B – Memorandum of Voting Conflict**

FOURTH ORDER OF BUSINESS

Consideration of Resolution 2016-24, Canvassing and Certifying the Results of the Landowners’ Election

Mr. Adams presented Resolution 2016-24 for the Board’s consideration. The resolution canvasses and certifies the results of the Landowners’ election, as follows:

Seat 1	Russell Smith
Seat 2	Ashley Kingston
Seat 3	Terry Dolan
Seat 4	Dalton Drake
Seat 5	David Negip

Mr. Dolan and Mr. Drake each received 105 votes. Mr. Smith, Ms. Kingston and Mr. Negip received 104 votes, each. Mr. Dolan and Mr. Drake, receiving the highest number of votes, would serve four-year terms. Mr. Smith, Ms. Kingston and Mr. Negip would serve two-year terms.

On MOTION by Mr. Smith and seconded by Ms. Kingston, with all in favor, Resolution 2016-24, Canvassing and Certifying the Results of the Landowners’ Election, was adopted.

FIFTH ORDER OF BUSINESS

Consideration of Resolution 2016-25, Electing Officers of the District

Mr. Adams presented Resolution 2016-25 for the Board’s consideration. Mr. Smith nominated the existing slate of officers, as follows:

Russell Smith	Chair
Terry Dolan	Vice Chair
Chuck Adams	Secretary
Craig Wrathell	Treasurer
Craig Wrathell	Assistant Secretary
Dalton Drake	Assistant Secretary
Ashley Kingston	Assistant Secretary
David Negip	Assistant Secretary

No other nominations were made.

On MOTION by Mr. Smith and seconded by Ms. Kingston, with all in favor, Resolution 2016-25, Electing the Officers of the District, as nominated, was adopted.

SIXTH ORDER OF BUSINESS

Public Hearing to Hear Comments and Objections on the Adoption of the District’s Final Budget for Fiscal Year 2015/2016, Pursuant to Florida Law

A. Affidavit of Publication

Mr. Adams presented the Affidavit of Publication for today’s Public Hearing.

B. Consideration of Resolution 2016-26, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning on the District’s Establishment Date of April 1, 2016, and Ending September 30, 2016; Authorizing Budget Amendments; and Providing an Effective Date

Mr. Adams presented Resolution 2016-26 for the Board’s consideration. The Fiscal Year 2016 budget began on the date of establishment. The District is developer-funded, meaning, periodically, funding requests would be submitted to the developer, for payment, based on actual costs.

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

There were no public comments.

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

On MOTION by Mr. Smith and seconded by Mr. Kingston, with all in favor, Resolution 2016-26, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning on the District’s Establishment Date of April 1, 2016, and Ending September 30, 2016; Authorizing Budget Amendments; and Providing an Effective Date, was adopted.

SEVENTH ORDER OF BUSINESS

Public Hearing to Hear Public Comment and Objections to the Adoption of the Rules of Procedure, Pursuant to Sections 120.54 and 190.035, Florida Statutes

Mr. Adams explained that the resolution adopts the Rules of Procedure, which outline how the District would operate.

A. Affidavits of Publication

- **Notice of Rule Development**
- **Notice of Rule Making**

The Affidavits of Publication were included for informational purposes.

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

There were no public comments.

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

B. Consideration of Resolution 2016-27, Adopting Rules of Procedure; Providing a Severability Clause; and Providing an Effective Date

Mr. Adams presented Resolution 2016-17 for the Board’s consideration.

On MOTION by Mr. Smith and seconded by Ms. Kingston, with all in favor, Resolution 2016-27, Adopting Rules of Procedure; Providing a Severability Clause; and Providing an Effective Date, was adopted.

EIGHTH ORDER OF BUSINESS

Consideration of Responses to Request for Qualifications for District Engineering Services

A. Affidavit of Publication

The Affidavit of Publication was included for informational purposes.

B. Responses from Qualified Firms

- i. **Banks Engineering**
- ii. **Morris-Depew Associates, Inc.**

The responses to the Request for Qualifications (RFQ) were included for informational purposes.

Mr. Adams noted that Banks Engineering (Banks) currently served as the Interim District Engineer.

C. Ranking Criteria

Mr. Adams noted the following ranking scores:

- Ms. Kingston 100 for Banks and 70 for Morris-Depew Associates, Inc., (MDA)
- Mr. Smith 95 for Banks and 50 for MDA
- Mr. Negip 95 for Banks and 50 for MDA

D. Authorization to Negotiate with Number-One Ranked Firm

Mr. Adams would proceed with negotiations with the number one ranked firm.

On MOTION by Mr. Smith and seconded by Ms. Kingston, with all in favor, the rankings and authorizing the District Manager to negotiate with number-one ranked firm, Banks Engineering, were approved.

NINTH ORDER OF BUSINESS

Consideration of Resolution 2016-28, Rescinding Resolution 2016-22 Which Resolution, Among Other Things, Expressed the Intent of the District to Use the Uniform Method of Levy, Collection and Enforcement of Non-Ad Valorem Assessments as Authorized and Permitted by Section 197.3632, Florida Statutes and Called for a Public Hearing on the Use of Said Uniform Method; Providing for Severability, Providing for Conflict; and Providing for an Effective Date

Mr. Adams presented Resolution 2016-28 for the Board’s consideration. Resolution 2016-22, which provided for a Public Hearing today, was being rescinded due to publishing errors by the Fort Myers News Press. The new Public Hearing date would be August 15, 2016. Mr. Smith asked if the upcoming Validation Hearing would be affected due to rescheduling the Public Hearing date. Mr. Adams stated no.

On MOTION by Mr. Smith and seconded by Ms. Kingston, with all in favor, Resolution 2016-28, Rescinding Resolution 2016-22 Which Resolution, Among Other Things, Expressed the Intent of the District to Use the Uniform Method of Levy, Collection and Enforcement of Non-Ad Valorem Assessments as Authorized and Permitted by Section 197.3632, Florida Statutes and Called for a Public Hearing on the Use of Said Uniform Method; Providing for Severability, Providing for Conflict; and Providing for an Effective Date, was adopted.

TENTH ORDER OF BUSINESS

Consideration of Resolution 2016-29, Expressing the Intent of the District to Use the Uniform Method of Levy, Collection and Enforcement of Non-Ad Valorem Assessments as Authorized and Permitted by Section 197.3632, Florida Statutes; Expressing the Need for the Levy of Non-Ad Valorem Assessments and Setting Forth the Legal Description of the Real Property Within the District’s Jurisdictional Boundaries that May or Shall be Subject to the Levy of District Non-Ad Valorem Assessments; Providing for Severability and Invalid Provisions; Providing for Conflict and Providing for an Effective Date

Mr. Adams presented Resolution 2016-29 for the Board’s consideration. The resolution sets the Public Hearing for August 15, 2016 at 1:30 p.m.

On MOTION by Mr. Smith and seconded by Ms. Kingston, with all in favor, Resolution 2016-29, Expressing the Intent of the District to Use the Uniform Method of Levy, Collection and Enforcement of Non-Ad Valorem Assessments as Authorized and Permitted by Section 197.3632, Florida Statutes; Expressing the Need for the Levy of Non-Ad Valorem Assessments and Setting Forth the Legal Description of the Real Property Within the District’s Jurisdictional Boundaries that May or Shall be Subject to the Levy of District Non-Ad Valorem Assessments; Providing for Severability and Invalid Provisions; Providing for Conflict and Providing for an Effective Date, was adopted.

ELEVENTH ORDER OF BUSINESS

Approval of May 16, 2016 Public Hearing and Regular Meeting Minutes

Mr. Adams presented the May 16, 2016 Public Hearing and Regular Meeting Minutes and asked for any additions, deletions or corrections.

On MOTION by Mr. Smith and seconded by Ms. Kingston, with all in favor, the May 16, 2016 Public Hearing and Regular Meeting Minutes, as presented, were approved.

TWELFTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of April 30, 2016

Mr. Adams presented the Unaudited Financial Statements as of April 30, 2016. There was little activity, as expected.

THIRTEENTH ORDER OF BUSINESS

Other Business

▪ **Resolution 2016-30, Relating to Acceptance of the Phase 1 Plat Dedications**

****This item was an addition to the agenda.****

Mr. Adams presented Resolution 2016-30 for the Board’s consideration. The resolution related to acceptance of the Phase 1 Plat dedications.

Mr. Underhill stated that the Phase 1 Plat plats the entire project area but only subdivides the Phase 1 area that was contemplated in the Engineer’s Report. The dedications on the cover sheet required one correction. The roadways would be dedicated to the HOA, not to the CDD. The dedication consisted of a drainage easement, irrigation, landscape buffer and the lake. The District is required, by the City, to sign the cover of the plat.

On MOTION by Mr. Smith and seconded by Ms. Kingston, with all in favor, Resolution 2016-30, Dedication of the Phase 1 Plat and Authorizing the Chair to execute the final cover of the Plat, were adopted.

FOURTEENTH ORDER OF BUSINESS

Staff Reports

A. District Counsel

Mr. Urbancic advised that the new statutory language, for the disclosures, must be included in the Engineering contract. The Validation Hearing was scheduled for June 29, 2016 at 9:00 a.m., and a reminder would be sent. Mr. Urbancic met with the State Attorney last week, to review the Joint Stipulation, which was executed by the State Attorney. The State Attorney authorized Mr. Urbancic to sign the Joint Stipulation once the resolution regarding the Landowners' election and the approved May 16, 2016 Meeting Minutes were received. Mr. Urbancic would then file the Joint Stipulation.

B. Interim District Engineer

Mr. Underhill stated that the developer commenced construction of the first phase of the project's infrastructure. Utilities were installed, roadways were beginning and drainage was nearly completed. Construction would continue for three to four months.

C. District Manager

i. NEXT MEETING DATE: September 19, 2016 at 1:30 P.M.

▪ Public Hearing to Consider the Adoption of the Fiscal Year 2016/2017

Mr. Adams indicated that the next meeting is scheduled for September 19, 2016 at 1:30 p.m.; although, it would likely occur on August 15, as previously discussed.

FIFTEENTH ORDER OF BUSINESS

Adjournment

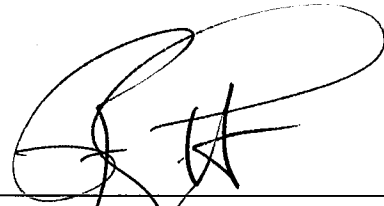
There being nothing further to discuss, the meeting adjourned.

**On MOTION by Mr. Negip and seconded by Mr. Kingston,
with all in favor, the meeting adjourned at 1:55 p.m.**

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]



Secretary/Assistant Secretary



Chair/Vice Chair