

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

The Board of Supervisors of the Bonita Landing Community Development District held a Regular Meeting on November 10, 2022, immediately following the Landowners' Meeting, scheduled to commence at 1:00 p.m., at Bonita Springs Fire Control, 27701 Bonita Grande Drive, Bonita Springs, Florida 34135.

Present were:

Alex Hinebaugh	Chair
Ashley Kingston	Vice Chair
Dalton Drake	Assistant Secretary
Carolyn Heim	Assistant Secretary

Also present were:

Chuck Adams	District Manager
Shane Willis	Operations Manager
Greg Urbancic (via telephone)	District Counsel
Michelle Ambler	Resident
Jonathan Ehret	Resident

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Adams called the meeting to order at 1:13 p.m. Supervisors Drake, Kingston, Hinebaugh and Supervisor-Elect Heim were present. Supervisor Negip was not present.

SECOND ORDER OF BUSINESS

Public Comments

A resident asked how the CDD was established.

Mr. Adams stated a property owner/Developer-Builder will devise a development plan, identify the costs and make a business decision as to whether to proceed and create a CDD. The primary purpose of a CDD is to help finance the primary assets that operate the facility such as

roads, water, sewer, stormwater management system, etc. The Bonita Landing CDD was created by an ordinance of the City of Bonita Springs, as it was under 1,000 acres at the time.

Mr. Adams discussed the need to create a financing plan, bond validation, bond issuance, installing infrastructure, assessment levels and the Assessment Methodology Report.

Asked if the District Manager can include what the CDD monitors or owns in the meeting minutes, Mr. Adams replied affirmatively and stated, for the Bonita Landing CDD, it is primarily exterior landscaping, wall, irrigation distribution system and the stormwater system, which is the pond. The water and sewer utilities were not financed by the CDD.

Ms. Heim asked if the information conveyed is being noted. Mr. Adams stated the meetings are recorded and the audio file is used to transcribe the summary minutes. More information regarding the CDD can be found on the CDD website.

Mr. Adams responded to questions regarding how his firm was chosen as the District Manager, along with questions about Lennar, Land Development Orders (LDOs), open permits with the South Florida Water Management District (SFWMD) and Phases I and II.

Resident Michelle Ambler referred to her email about a month ago and asked for the status of the emergency lake bank erosion repairs. She felt that the erosion issues have worsened in the five years that Management has been facilitating the repairs and especially after Hurricane Ian. She requested additional meetings to discuss ongoing progress.

Mr. Adams stated that he did not receive Ms. Ambler's email. Mr. Hinebaugh stated a contractor was lined up to commence the repairs but, due to insufficient insurance, the contractor was dismissed and another one is being sought.

Asked to recap Phases I and II, in terms of compliance, Mr. Hinebaugh stated the permit plans are available through the SFWMD or the City. Per Ms. Ambler's request, Mr. Adams will email the permit plans to every homeowner in the CDD.

Discussion ensued regarding excessive erosion in Phases I and II, lake bank repair methods, the need to restore the shoreline and residential backyards, whether a survey is needed, Lennar, damage from the rainy season, erecting a sea wall, yard drains and the CDD's plan of action/commitment to homeowners.

Ms. Ambler expressed her perception that Management is unresponsive and her opinion that the meeting schedule is unsatisfactory. She felt that a change is needed and Staff should come on site.

Resident Jonathan Ehret echoed Ms. Ambler's comments regarding the lake and asked why the CDD is not utilizing Bonita National's contractor, as they have similar issues. He voiced his opinion that the bocce ball court is unsightly and will impede his efforts to sell his home.

Mr. Adams stated the repair at the water's edge is identical to what was done at Bonita National but the circumstances are different between the lake in Bonita Landing CDD versus the lakes in Bonita National. Asked if the Board intends to make improvements to any facilities other than the lake, Mr. Adams stated the facilities are the responsibility of the HOA and Lennar. Asked for an update on the streetlights, Mr. Adams stated the action that will be taken will be disclosed at Bonita National's meeting on Monday, which will be on Zoom at 1:00 p.m.

Discussion ensued regarding whether new homeowners were made aware of the streetlight and lake erosion issues, photographs that were emailed to Mr. Adams, the current plan to install cement pillars through the front entrances of nearby communities, speeding on Bonita Beach Road, road calming devices and a traffic study.

Regarding speeding, Mr. Adams stated the CDD has an agreement with the Sheriff to patrol and issue citations on the CDD's section of the road. He recommended entering into an off-duty officer traffic agreement with the Sheriff, at a cost of \$50 per hour, with a four-hour minimum. The costs can be shared with neighboring communities.

Mr. Adams responded to questions about the financials, Interlocal Agreement, cost-sharing agreement between the CDD, Bonita National, Beach Road Golf Estates CDD (BRGECDD) and the Valencia HOA. He discussed whether the CDD contributed to the power washing of the sidewalks, advertisements in the public right-of-way (ROW), turnover of a portion of Bonita Beach Road to the City, whether the Master Association can take over lake maintenance and whether Lennar would suffer any penalties for not changing the permit to operational.

Mr. Hinebaugh responded to questions about completion of shoreline Phases I and II, if the CDD went out to bid for the lake erosion repair work, repair costs, if the Board is considering a sea wall option, sea wall pricing, types of contractors and the time frame for the repair work.

In response to a resident’s question regarding removal of handicapped parking spots, Mr. Adams stated the CDD had nothing to do with that.

THIRD ORDER OF BUSINESS

Administration of Oath of Office to Newly Elected Supervisor, [Seat 3] *(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 Ms. Carolyn Heim. He provided and briefly explained 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 2023-01, Canvassing and Certifying the Results of the Landowners’ Election of Supervisors Held Pursuant to Section 190.006(2), Florida Statutes; and Providing for an Effective Date

Mr. Adams presented Resolution 2023-01 and recapped the results of the Landowners’ Election, as follows:

Seat 3	Carolyn Heim	7 Votes	4-year Term
Seat 3	Bill McCormick	5 votes	

Mr. Adams stated that, having received the highest number of votes, Ms. Heim was elected to Seat 3 for a four-year term.

On MOTION by Mr. Drake and seconded by Ms. Kingston, with all in favor, Resolution 2023-01, Canvassing and Certifying the Results of the Landowners’ Election of Supervisors Held Pursuant to Section 190.006(2), Florida Statutes; and Providing for an Effective Date, was adopted.

FIFTH ORDER OF BUSINESS

Consideration of Resolution 2023-02, Designating a Chair, a Vice Chair, a Secretary, Assistant Secretaries, a Treasurer and an Assistant Treasurer of the Bonita Landing Community Development District, and Providing for an Effective Date

Mr. Adams presented Resolution 2023-02. Mr. Hinebaugh nominated himself for Chair with Ms. Kingston remaining as Vice Chair and the remainder of the slate of officers, as follows:

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|---------------------|---------------------|
| Chair | Alex Hinebaugh |
| Vice Chair | Ashley Kingston |
| Secretary | Chuck Adams |
| Assistant Secretary | Carolyn Heim |
| Assistant Secretary | Dalton Drake |
| Assistant Secretary | David Negip |
| Assistant Secretary | Craig Wrathell |
| Craig Wrathell | Treasurer |
| Jeff Pinder | Assistant Treasurer |

No other nominations were made.

On MOTION by Mr. Hinebaugh and seconded by Mr. Drake, with all in favor, Resolution 2023-02, Designating a Chair, a Vice Chair, a Secretary, Assistant Secretaries, a Treasurer and an Assistant Treasurer of the Bonita Landing Community Development District, as nominated, and Providing for an Effective Date, was adopted.

SIXTH ORDER OF BUSINESS

Consideration of Resolution 2023-03, Declaring a Vacancy in Seat 4 of the Board of Supervisors Pursuant to Section

190.006(3)(b), Florida Statutes; and Providing an Effective Date

Mr. Adams presented Resolution 2023-03.

On MOTION by Mr. Drake and seconded by Ms. Kingston, with all in favor, Resolution 2023-03, Declaring a Vacancy in Seat 4 of the Board of Supervisors Pursuant to Section 190.006(3)(b), Florida Statutes; and Providing an Effective Date, was adopted.

SEVENTH ORDER OF BUSINESS

Consideration of Resolution 2023-04, Relating to the Amendment of the General Fund Portion of the Budget for the Fiscal Year Beginning October 1, 2021 and Ending September 30, 2022; and Providing for an Effective Date

Mr. Adams presented Resolution 2023-04. The primary reason for this amendment is to adjust the appropriations and revenues to deal with the \$80,000 contribution that was provided to the CDD over a two-year period in which the first step in the lake bank erosion repairs was implemented. The amendment will prevent a finding in the annual audit.

On MOTION by Mr. Hinebaugh and seconded by Ms. Kingston, with all in favor, Resolution 2023-04, Relating to the Amendment of the General Fund Portion of the Budget for the Fiscal Year Beginning October 1, 2021 and Ending September 30, 2022; and Providing for an Effective Date, was adopted.

EIGHTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of September 30, 2022

Mr. Adams presented the Unaudited Financial Statements as of September 30, 2022. The financials were accepted.

NINTH ORDER OF BUSINESS

Approval of August 11, 2022 Public Hearing and Regular Meeting Minutes

Mr. Adams presented the August 11, 2022 Public Hearing and Regular Meeting Minutes.

On MOTION by Mr. Hinebaugh and seconded by Ms. Kingston, with all in favor, the August 11, 2022 Public Hearing and Regular Meeting Minutes, as presented, were approved.

TENTH ORDER OF BUSINESS

Staff Reports

A. District Counsel: *Coleman, Yovanovich & Koester, P.A.*

Mr. Urbancic stated once all new Board Members are seated, he would be happy to answer any questions regarding the Sunshine Law and public records. He urged Ms. Heim and Mr. Applegate to contact him if they have any questions in the meantime.

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

There was no report.

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

- **NEXT MEETING DATE: December 8, 2022 at 1:00 P.M.**
 - **QUORUM CHECK**

The next meeting will be held on December 8, 2022, wherein Mr. Applegate, who was elected through the General Election, will be seated and the Board will consider an appointment to Seat 4.

ELEVENTH ORDER OF BUSINESS

Audience Requests

Comments/Supervisors'

There were no audience comments or Supervisors' requests.

TWELFTH ORDER OF BUSINESS

Adjournment

There being no further business to discuss, the meeting adjourned.

On MOTION by Mr. Hinebaugh and seconded by Ms. Kingston, with all in favor, the meeting adjourned at 2:13 p.m.


Secretary/Assistant Secretary


Chair/Vice Chair