

**MINUTES OF MEETING
EDGEWATER EAST
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Edgewater East Community Development District held a Regular Meeting on June 1, 2023, at 9:00 a.m., at the offices of Hanson, Walter & Associates, Inc., located at 8 Broadway, Suite 104, Kissimmee, Florida 34741.

Present were:

Kevin Mays	Vice Chair
Kevin Kramer	Assistant Secretary
Robert “Bobby” Wanas	Assistant Secretary

Also present were:

Ernesto Torres	District Manager
Mike Eckert (via telephone)	District Counsel
Kate John	Kutak Rock LLP
Shawn Hindle	District Engineer
Michael Osborn	BTI

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Torres called the meeting to order at 9:00 a.m. Supervisors Mays, Kramer and Wanas were present. Supervisors Onorato and Breakstone were not present.

Mr. Eckert asked to amend the agenda to include Resolution 2023-06 related to the CDD’s intent to operate and maintain the surface water management system and JR Davis Contract Change Order RFCO 06 DP.

On MOTION by Mr. Mays and seconded by Mr. Kramer, with all in favor, amending the agenda to add the two items for consideration, was approved.

SECOND ORDER OF BUSINESS

Public Comments

There were no public comments.

THIRD ORDER OF BUSINESS

Consideration of Down To Earth Landscape & Irrigation Estimates

- A. #51080 [Clay Whaley Roadway Project]**
- B. #51081 [ED5 Roadway Project]**

Mr. Wanas stated that these items are related to landscaping and irrigation. Both estimates are below the amount that would necessitate a Request for Proposals (RFP). Mr. Eckert asked if this is related to the Construction bond. Mr. Wanas stated it is the Construction bond. Mr. Eckert stated that Agreements will be prepared.

On MOTION by Mr. Wanas and seconded by Mr. Kramer, with all in favor, Down To Earth Landscape & Irrigation Estimate #51080 for the Clay Whaley Roadway Project and Estimate #51081 for the ED5 Roadway Project, authorizing District Counsel to prepare Agreements and authorizing the Chair or Vice Chair to execute, were approved.

FOURTH ORDER OF BUSINESS

Consideration of Jr. Davis Construction ED5 RFCO#05 Haul material to ED5 stockpile

Mr. Wanas presented Jr. Davis Construction proposal ED5 RFCO#05 to haul materials to the ED5 stockpile.

On MOTION by Mr. Kramer and seconded by Mr. Wanas, with all in favor, Jr. Davis Construction proposal ED5 RFCO#05 to haul material to ED5 stockpile, was approved.

FIFTH ORDER OF BUSINESS

Consideration of Southern Development & Construction, Inc., 2222 RFC 008rev2 - Turn Lane & Plan Revisions [Clay Whaley]

Mr. Wanas presented the Southern Development & Construction, Inc. proposal 2222 RFC 008rev2 for Turn Lane & Plan Revisions for Clay Whaley Road. This Change Order adds the work to the contract.

On MOTION by Mr. Kramer and seconded by Mr. Wanas, with all in favor, Southern Development & Construction, Inc., proposal 2222 RFC 008rev2 for Turn Lane & Plan Revisions for Clay Whaley Road, was approved.

SIXTH ORDER OF BUSINESS

Consideration of OUC Service Agreement for Lighting Service Clay Whaley Road

Mr. Wanas presented the Orlando Utilities Commission (OUC) Service Agreement of the Lighting Service on Clay Whaley Road for the CDD’s portion.

On MOTION by Mr. Mays and seconded by Mr. Kramer, with all in favor, the OUC Service Agreement for Lighting Service on Clay Whaley Road, was approved.

SEVENTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of April 30, 2023

Mr. Torres presented the Unaudited Financial Statements as of April 30, 2023.

On MOTION by Mr. Kramer and seconded by Mr. Mays, with all in favor, the Unaudited Financial Statements as of April 30, 2023, were accepted.

EIGHTH ORDER OF BUSINESS

Approval of May 10, 2023 Regular Meeting Minutes

Mr. Torres presented the May 10, 2023 Regular Meeting Minutes.

On MOTION by Mr. Kramer and seconded by Mr. Wanas, with all in favor, the May 10, 2023 Regular Meeting Minutes, as presented, were approved.

NINTH ORDER OF BUSINESS

Staff Reports

A. District Counsel: Kutak Rock, LLP

Mr. Eckert reported the following:

➤ Ethics Training: The bill passed and was signed by the Governor. Starting the requirement will become effective for the year beginning January 1, 2024. All Board Members must take a four-hour ethics training course.

➤ Sovereign Immunity: The limits were not raised.

▪ **Consideration of Resolution 2023-06, Expressing the District's Intent to Operate and Maintain the Surface Water Management System**

This item was an addition to the agenda.

Mr. Eckert presented Resolution 2023-06.

On MOTION by Mr. Mays and seconded by Mr. Kramer, with all in favor, the Resolution 2023-06, Expressing the District's Intent to Operate and Maintain the Surface Water Management System, in substantial form and pending review by the South Florida Water Management District and authorizing the Chair or Vice Chair to execute, was adopted.

▪ **JR Davis Contract Change Order RFCO 06 DP for Owner Direct Purchase Deducting \$2,307,302.64**

This item was an addition to the agenda.

Mr. Wanas presented JR Davis Contract Change Order RFCO 06 DP. This is a deductive Change Order to the original contract for the owner direct-purchase of materials, for a total reduction of \$2,307,302.64.

On MOTION by Mr. Wanas and seconded by Mr. Kramer, with all in favor, JR Davis Contract Change Order RFCO 06 DP deducting \$2,307,302.64 from the original contract for owner-direct purchases, was approved.

B. District Engineer: Hanson, Walter & Associates, Inc.

Mr. Hindle stated that an overall utility model for wastewater was submitted to the Toho Water Authority (TWA); the model will go through several reviews and the project will likely go out to bid in August or September. Work related to the turnpike is underway. Once

comments are received from TWA, changes will be made and then the Agreement will be transmitted to Mr. Eckert for review.

Regarding ED6 construction of Crossprairie Parkway, Mr. Hindle and Mr. Wanas are working on a right of entry and locating documentation defining the easement so permission to access the property to reach the canal will be requested.

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

- **NEXT MEETING DATE: July 6, 2023 at 9:00 A.M.**
 - **QUORUM CHECK**

TENTH ORDER OF BUSINESS

Board Members' Comments/Requests

There were no Board Members' comments or requests.

ELEVENTH ORDER OF BUSINESS

Public Comments

Ms. John, of Kutak Rock LLP, introduced herself. She will work in conjunction with Mr. Eckert.


TWELFTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Kramer and seconded by Mr. Mays, with all in favor, the meeting adjourned at 9:29 p.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]


Secretary/Assistant Secretary


Chair/Vice Chair