

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

The Board of Supervisors of the Edgewater East Community Development District held a Regular Meeting on November 2, 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 (via telephone)	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.

SECOND ORDER OF BUSINESS

Public Comments

There were no public comments.

THIRD ORDER OF BUSINESS

**Consideration of Funding Agreement for
Fiscal Year 2022-2023**

Mr. Torres presented the Fiscal Year 2022-2023 Funding Agreement.

Mr. Eckert stated the CDD actually levied assessments during Fiscal Year 2023; however, assessment revenues were insufficient due to a billing error by The Toho Water

Authority (Toho). The Agreement provides that, when the refund in the amount of approximately \$49,000 is received from Toho, the Developer will be repaid.

On MOTION by Mr. Kramer and seconded by Mr. Mays, the Fiscal Year 2022-2023 Funding Agreement, was approved.

FOURTH ORDER OF BUSINESS

Consideration of Construction Items

The following were presented and discussed:

A. Clay Whaley Roadway, Phase 1 (SDC)

I. RFC 011 – Concrete Driveway Widening

Mr. Wanas stated the County asked the CDD to widen a neighbor’s driveway.

II. RFC 012 – Driveway Deletion

Mr. Wanas stated a plan revision was done to remove an alleyway access to Clay Whaley Road and a previously installed curb.

III. RFC 013 – Stockpile Regrading

Mr. Wanas stated some deterioration and erosion occurred to the stockpile and regrading was necessary to maintain compliance. It was noted that the stockpile currently serves as a reserve, should additional dirt be needed. The neighboring development and others are willing to purchase dirt not needed by the CDD so it will be a source of revenue when it is certain the CDD will not need it.

B. ED5 Roadway, Phase 1 (JDC)

• RFCO 09 - Stockpile Regrading

Mr. Wanas stated the stockpile was also in need of regrading to maintain compliance. It was noted that, while mass grading permits are not allowed, permits can be issued for land alteration.

On MOTION by Mr. Wanas and seconded by Mr. Kramer, with all in favor, Clay Whaley Roadway, Phase 1 Construction RFC 011, RFC 012 and RFC 013 and ED5 Roadway, Phase 1 Construction RFCO-09, as listed, were approved.

FIFTH ORDER OF BUSINESS

Ratification Item(s)

- **Brightview Landscape Services, Inc. Agreement for Landscape and Irrigation Maintenance Services**

On MOTION by Mr. Kramer and seconded by Mr. Wanas, with all in favor, the Brightview Landscape Services, Inc., Agreement for Landscape and Irrigation Maintenance Services, was ratified.

- **Discussion: Authorizing the Vice Chair and District Engineer to Execute Change Orders**
This item was an addition to the agenda.

Discussion ensued regarding the need to grant authority to execute Change Orders for the items approved during the Fourth Order of Business.

On MOTION by Mr. Wanas and seconded by Mr. Mays, with all in favor, authorizing the Vice Chair and District Engineer to execute the Items, including Change Orders approved during the Fourth Order of Business, was approved.

Mr. Hindle stated he will create Change Orders for those items and they will be presented to the Board but will not require ratification.

SIXTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of September 30, 2023

Mr. Torres presented the Unaudited Financial Statements as of September 30, 2023. He noted that budgeted total expenditures were approximately \$503,000 and total expenditures for Fiscal Year 2023 were approximately \$544,000.

On MOTION by Mr. Mays and seconded by Mr. Kramer, with all in favor, authorizing Staff to prepare a Resolution and adopting said Resolution amending the Fiscal Year 2023 budget, as necessary, and authorizing the Vice Chair to execute, was approved.

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

SEVENTH ORDER OF BUSINESS

Approval of October 5, 2023 Regular Meeting Minutes

On MOTION by Mr. Kramer and seconded by Mr. Mays, with all in favor, the October 5, 2023 Regular Meeting Minutes, as presented, were approved.

EIGHTH ORDER OF BUSINESS

Staff Reports

A. District Counsel: Kutak Rock, LLP

Mr. Eckert reported the following:

- It is anticipated that the County will consider the 3.24-acre Boundary Amendment on December 18, 2023. Further updates will be provided.
- Construction for the 2021 bonds for ED-4 is complete. Termination and Release of the Temporary Construction Easement was prepared and circulated.

On MOTION by Mr. Kramer and seconded by Mr. Mays, with all in favor, authorizing Staff to finalize the Termination and Release of the Temporary Construction Easement, was approved.

Mr. Eckert will work with Mr. Hindle to determine if any other permit transfers or details related to the Series 2021 bonds need to be addressed. A Resolution declaring the project complete will be presented during the First Quarter of the fiscal year, as some real estate transfers still need to occur.

- As discussed in conjunction with the Boundary Amendment, the CDD will own and maintain the neighborhood roads already owned by another party. Accordingly, the Second Amended and Restated Interlocal Agreement with the County and the City must be executed.

It was noted that the CDD is complying with this under extreme duress.

On MOTION by Mr. Kramer and seconded by Mr. Mays, with all in favor, the Second Amended and Restated Interlocal Agreement with the County and the City, and authorizing the Vice Chair to execute, was approved.

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

Mr. Hindle stated a bid is coming up for the landscaping in ED 6; he prepared an Addendum and a response from a Landscape Architect is pending. Bids should be at the same time and ready for review and the December 7, 2023 meeting.

Meritage is readdressing some of the repairs to items damaged during construction; Mr. Eckert is assisting in this regard. The inlets and the bio-swale still need to be addressed.

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

- **NEXT MEETING DATE: December 7, 2023 at 9:00 A.M.**
 - **QUORUM CHECK**

The next meeting will be held on December 7, 2023, unless canceled.

NINTH ORDER OF BUSINESS

Board Members' Comments/Requests

There were no Board Members' comments or requests.

TENTH ORDER OF BUSINESS

Public Comments

There were no public comments.

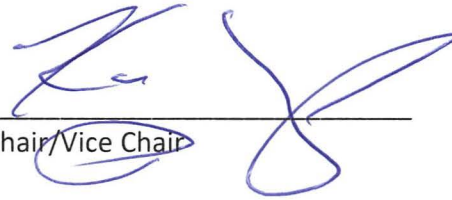
ELEVENTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Kramer and seconded by Mr. Mays, with all in favor, the meeting adjourned at 9:18 a.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]


Secretary/Assistant Secretary


Chair/Vice Chair