

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

The Board of Supervisors of the Edgewater East Community Development District held a Continued Regular Meeting on January 4, 2024 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:**

Ernesto Torres	District Manager
Mike Eckert	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 9:11 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 Award of Contract: RFP  
for ED6 Framework Roadway, Phase 1  
Landscape & Irrigation Work**

Mr. Torres stated the December meeting was continued so that the Board can consider both respondents to the Request for Proposals (RFP) for ED6 Framework Roadway, Phase 1 Landscape & Irrigation Work. The respondents are BrightView Landscape Development, Inc. (BrightView) and Down to Earth Landscaping and Engineering (DTE).

Mr. Eckert stated that both proposals were reviewed and found to be missing a significant amount of information. He discussed the deficiencies with each proposal and stated, while some of the requirements could be waived, the deficiencies are significant enough to find both proposals nonresponsive according to the CDD's Rules of Procedure. He recommended both proposals be found nonresponsive, after which another RFP can be published or Staff can be authorized to negotiate a direct contract with either or both of the respondents or another vendor altogether without going through the RFP process again.

Mr. Wanas stated the Board is familiar with both respondents and, although some of the information was missing, he believes both respondents are viable. He supports negotiating directly with both to determine which is the best for the CDD.

Mr. Wanas stated Siefert Landscaping (Seifert) was also interested in submitting a proposal; however, they were unable to meet some of the deadlines due to the short response time. He suggested also considering Seifert, if the CDD has the ability to negotiate multiple contracts.

Mr. Eckert stated, if that is the Board's wish, it is not be necessary to re-publish the RFP.

**On MOTION by Mr. Kramer and seconded by Mr. Mays, with all in favor, finding both responses to the RFP for ED6 Framework Roadway, Phase 1 Landscape & Irrigation Work as nonresponsive, was approved.**

**On MOTION by Mr. Mays and seconded by Mr. Kramer, with all in favor, directing District Staff, working with Mr. Wanas, to locate a contractor to perform the work outlined in the RFP for ED6 Framework Roadway, Phase 1 Landscape & Irrigation Work and negotiate a contract, was approved.**

Mr. Mays asked if the timing of when installation of irrigation and landscaping are needed will be affected. Mr. Wanas did not believe so. He stated one critical path for this

project is building the box culvert for purposes of utilities, which is estimated to be in late February.

Mr. Wanas asked if a contract needs to be presented to the Board or if he and District Staff can authorize it. Mr. Eckert suggested approving a not-to-exceed amount.

**On MOTION by Mr. Mays and seconded by Mr. Kramer, with all in favor, once the landscape contract is negotiated with the contractor, authorizing Mr. Wanas to execute the contract/agreement, for a not-to-exceed amount of \$1 million, was approved.**

**FOURTH ORDER OF BUSINESS**

**Consideration of Resolution 2024-01, Relating to the Amendment of the Budget for the Fiscal Year Beginning October 1, 2022 and Ending September 30, 2023; and Providing for an Effective Date**

Mr. Torres presented Resolution 2024-01. He stated the budget amendment was adopted at the November meeting and Staff was authorized to prepare a Resolution and the Vice Chair was authorized to execute it.

Discussion ensued regarding the updated line items, including correction of a misbilling related to irrigation.

**On MOTION by Mr. Kramer and seconded by Mr. Mays, with all in favor, Resolution 2024-01, Relating to the Amendment of the Budget for the Fiscal Year Beginning October 1, 2022 and Ending September 30, 2023; and Providing for an Effective Date, was adopted/ratified.**

**FIFTH ORDER OF BUSINESS**

**Consideration of Down to Earth Landscape & Irrigation Estimate #70768 CO-001 Additional Sod [Clay Whaley Roadway, Phase 1 - Construction]**

Mr. Wanas presented DTE Estimate #70768 for sod in the right-of-way (ROW) in conjunction with Clay Whaley Roadway Phase 1 construction. The sod in question was included as a price line within SDC’s contract; however, due to a timing issue, it was decided to engage

DTE to provide the sod. A corresponding deduction on the SDC contract will be made accordingly.

**On MOTION by Mr. Kramer and seconded by Mr. Wanas, with all in favor, Down to Earth Landscape & Irrigation Estimate #70768 CO-001 for additional sod, in the amount of \$16,703.99, was approved.**

**SIXTH ORDER OF BUSINESS**

**Consideration of GAI Consultants, Inc. Construction Administration Supplement No. 01 [ED5 Roadway, Phase 1]**

Mr. Torres presented GAI Consultants, Inc. Construction Administration Supplement No. 01 for ED5 Roadway Phase 1.

Mr. Eckert believes this is due to the construction work continuing longer than originally anticipated and contracted.

**On MOTION by Mr. Kramer and seconded by Mr. Wanas, with all in favor, GAI Consultants, Inc. Construction Administration Supplement No. 01 for ED5 Roadway, Phase 1, was approved.**

**SEVENTH ORDER OF BUSINESS**

**Consideration of Stormwater Pond Maintenance Estimates**

Mr. Torres presented the stormwater pond maintenance estimates from Aquatic Management Strategies, Inc., and The Lake Doctors, Inc.

The Board and Staff discussed the proposals, cost, vendors, need for lake maintenance and the agreements.

Mr. Eckert stated he will draft an agreement for the vendor selected.

Mr. Torres noted that the lake maintenance expenditure was not anticipated in the Fiscal Year 2024 budget but funds are available from some budgeted line items that have not yet come online. The "Repairs and maintenance" line item is budgeted at \$24,386, providing additional funds that can be redirected for this expenditure.

**On MOTION by Mr. Wanas and seconded by Mr. Mays, with all in favor, the Lake Doctors, Inc., estimate, in the amount of \$699 monthly, and authorizing Staff to prepare a form of agreement, was approved.**

**EIGHTH ORDER OF BUSINESS**

**Consideration of Amended and Restated Notice of Assessments for Series 2021**

Mr. Eckert stated the Boundary Amendment adding 3.24 acres to the CDD was approved. In reviewing the paperwork necessary to include these acres into the assessment proceedings he discovered the need to include this cleanup item for a previously approved Boundary Amendment.

**On MOTION by Mr. Kramer and seconded by Mr. Mays, with all in favor, the Amended and Restated Notice of Assessments for Series 2021, was approved.**

**NINTH ORDER OF BUSINESS**

**Acceptance of Unaudited Financial Statements as of November 30, 2023**

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

**TENTH ORDER OF BUSINESS**

**Approval of December 7, 2023 Regular Meeting Minutes**

**On MOTION by Mr. Kramer and seconded by Mr. Wanas, with all in favor, the December 7, 2023 Regular Meeting Minutes, as presented, were approved.**

**ELEVENTH ORDER OF BUSINESS**

**Staff Reports**

**A. District Counsel: Kutak Rock, LLP**

Mr. Eckert stated the Boundary Amendment was approved on December 18, 2023. The Assessment and Uniform Method processes for that parcel, which allow for collection of assessments on the County tax roll, will begin in February 2024 and conclude in March 2024. The next meeting will be held on February 1, 2024 and the Assessment Hearing will be on

March 7, 2024. The documents were prepared and will be forwarded to Mr. Torres. Amendments to the Engineer's Report and Assessment Methodology will be necessary to reflect a difference in the number of acres, which reduced the number of Equivalent Residential Units (ERUs) that can be developed on that parcel. District Management and Staff have been informed accordingly.

Discussion ensued regarding revisions to the Engineer's Report.

Mr. Eckert stated he is working on getting deeds prepared from the various builders who have platted property that lists the CDD as an owner but for which the CDD does not yet own because the deeds have not been received. In the next six months, he hopes to present a Project Completion and Assessment Finalization Resolution for the 2021 bonds; all permits, easements, etc., are needed before the project can be declared complete. It was noted that, if legal descriptions are needed for platted tracts, the request should be sent to Mr. John Hughes.

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

Mr. Hindle stated the final walkthrough for ED5 was completed yesterday; he has not received a debrief yet. Mr. Wanas stated the checklist was received from TWA and the punch list items were all very minor. The City of St. Cloud had no major issues; landscaping must be installed before a Certificate of Completion will be issued, which is scheduled to be completed within three weeks. Mr. Hindle discussed punch list items and the Certificate of Completion.

Mr. Hindle discussed a meeting scheduled with GAI to review the intersection of Cross Prairie Parkway and Clay Whaley Road. When GAI's plans were overlaid on the CDD's plans, some errant lines were noted and what the CDD assumed to be existing roadway is not CDD roadway. While there is very little road that needs to be replaced, it does push the intersection north a little on the west side and the CDD does not own that property. If the CDD or the County must buy the ROW, the CDD would want them to buy slope easements as well.

Mr. Wanas stated he wants to attend the meeting to ensure that all options are exhausted before affecting that property.

Mr. Hindle discussed a meeting scheduled with the Simi Parkway Development Committee; representatives for all large projects and some small projects will be in attendance to discuss the fact that the force main sizes that TOHO and/or St Cloud originally dictated for

the units do not serve the needs of all the Developers. TOHO will present options to increase service; the plans were not bid yet because this answer is pending and the permits would have been affected. A final answer is expected next week to move the agreement forward if the Developers make a decision tomorrow.

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

- **NEXT MEETING DATE: February 1, 2024 at 9:00 A.M.**
  - **QUORUM CHECK**

Supervisors Kramer, Mayo and Wanas confirmed their attendance at the February 1, 2024 meeting.

**TWELFTH ORDER OF BUSINESS**

**Board Members' Comments/Requests**

Mr. Wanas discussed the need for a Change Order for the ED5 project to move some fill dirt from the CDD stockpile to the school site. It will happen quickly and will be based on the amount of dirt moved, with a set price per cubic yard. A tabulation of what is moved will be done. The work will likely need to begin before the next Board meeting.

Discussion ensued regarding pond, roadway and school site elevations.

**On MOTION by Mr. Kramer and seconded by Mr. Mays, with all in favor, authorizing Staff to work with the District Engineer to authorize a Change Order that can be executed by the Vice Chair if the fill dirt needs to be moved before the next meeting, was approved.**

**THIRTEENTH ORDER OF BUSINESS**

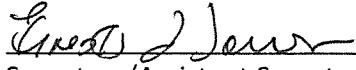
**Public Comments**

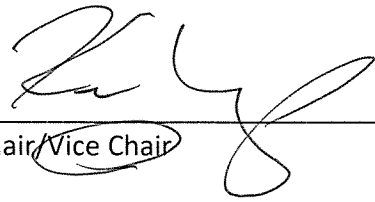
There were no public comments.

**FOURTEENTH ORDER OF BUSINESS**

**Adjournment**

**On MOTION by Mr. Mays and seconded by Mr. Kramer, with all in favor, the meeting adjourned at 9:48 a.m.**

  
Secretary/Assistant Secretary

  
Chair/Vice Chair