

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

The Board of Supervisors of the Edgewater East Community Development District held a Regular Meeting on February 1, 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
Pete Glasscock	District Engineer

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 Resolution 2024-02, Designating a Date, Time, and Location of a Public Hearing Regarding the District's Intent to Use the Uniform Method for the Levy, Collection, and Enforcement of Non-Ad Valorem Special Assessments for 3.24 Acres of Land Recently Added Within the

District’s Boundaries as Authorized by Section 197.3632, Florida Statutes; Authorizing the Publication of the Notice of Such Hearing; and Providing an Effective Date

A. Form of Published Notice of Hearing for Uniform Method

Mr. Eckert presented Resolution 2024-02.

On MOTION by Mr. Kramer and seconded by Mr. Mays, with all in favor, Resolution 2024-02, Designating a Date, Time, and Location of March 7, 2024, at 9:00 a.m., at the offices of Hanson, Walter & Associates, Inc., 8 Broadway, Suite 104, Kissimmee, Florida 34741, for a Public Hearing Regarding the District's Intent to Use the Uniform Method for the Levy, Collection, and Enforcement of Non-Ad Valorem Special Assessments for 3.24 Acres of Land Recently Added Within the District’s Boundaries as Authorized by Section 197.3632, Florida Statutes; Authorizing the Publication of the Notice of Such Hearing; and Providing an Effective Date, was adopted.

FOURTH ORDER OF BUSINESS

Consideration of Recording of Notice of Boundary Amendment

Mr. Eckert presented the Notice of Boundary Amendment, which will be recorded to officially record the new legal description of the CDD in the property records.

On MOTION by Mr. Mays and seconded by Mr. Kramer, with all in favor, the Notice of Boundary Amendment and recording thereof, was approved.

FIFTH ORDER OF BUSINESS

Consideration of Amended and Restated Disclosure of Public Financing

Mr. Eckert presented the Amended and Restated Disclosure of Public Financing.

On MOTION by Mr. Kramer and seconded by Mr. Mays, with all in favor, the Amended and Restated Disclosure of Public Financing, was approved.

SIXTH ORDER OF BUSINESS

Consideration of Jr. Davis Construction Company Request for Change Orders

The following were presented and discussed:

A. ED6 RFCO 08: Wallauer Driveway

This relates to relocation of a homeowner’s driveway to allow for a retaining wall and still provide access to the property.

B. ED5 RFCO #11 Rinker ODP (not used)

This relates to materials purchased as part of a lump sum contract.

Mr. Wanas stated a Purchase Order that was never fulfilled was backed out of the contract. This Change Order represents the returning of funds to the contract because the full quantity of anticipated materials was not ordered.

Discussion ensued regarding the lump sum contract terms, the Owner Direct Purchase (ODP) of materials and whether future contracts should be written differently.

On MOTION by Mr. Wanas and seconded by Mr. Kramer, with all in favor, Jr. Davis Construction Change Orders ED6 RFCO #08, in the amount of \$33,714.79, and Change Order ED5 RFCO #11 in the amount of \$26,283.75, were approved.

SEVENTH ORDER OF BUSINESS

Consideration of Southern Development & Construction Inc. Request for Change Order RFC014-WM & RM POC

Mr. Wanas presented the Southern Development & Construction Inc., Request for Change Order RFC014-WM & RM POC. The Clay Whaley project includes extending utilities down Clay Whaley Roadway. This Change Order addresses a connection point at the Cross Prairie Parkway intersection that requires some reconfiguration.

On MOTION by Mr. Mays and seconded by Mr. Kramer, Southern Development and Construction Inc. Request for Change Order RFC014 -WM & RM POC, in the amount of \$9,139, was approved.

EIGHTH ORDER OF BUSINESS

**Ratification of The Lake Doctors, Inc.,
Agreement for Water Management
Services**

Mr. Torres recalled that the Board previously considered from two contractors proposals to maintain six ponds. While finalizing the contract it was determined that an additional pond was added; however, this morning it was determined that the additional pond is not yet owned by the CDD and not yet in need of maintenance.

The Board and Staff discussed the Agreement and the ponds that will require maintenance in the future, as shown on the map.

Mr. Torres stated Ms. John added language to the new Agreement that was executed. Mr. Eckert stated, in order to default to the previously executed Agreement for six ponds, the Board can motion to not ratify the Agreement in the agenda, which is for seven ponds.

On MOTION by Mr. Kramer and seconded by Mr. Wanas, with all in favor, The Lake Doctors, Inc., Agreement for Water Management Services for seven ponds, was not ratified.

Mr. Eckert stated, when necessary, additional ponds can be added and presented at the subsequent meeting. It was suggested that such addendums be for short terms so that all ponds are included when the contract renews.

Mr. Eckert noted that all the contracts include a 30-day termination clause and none are approaching the threshold of \$195,000 that would necessitate the competitive bid process.

NINTH ORDER OF BUSINESS

**Consideration of Orlando Utilities
Commission Work Orders**

A. #853762

Mr. Wanas stated this relates to utility connections that are part of the Clay Whaley project. A light pole that was installed as part of the Cross Prairie Parkway project needs to be removed to allow utility connections to be made. He believes this is a Cross Prairie Parkway expenditure.

B. #855201

Mr. Wanas stated that distribution power lines were relocated in an incorrect place on Clay Whaley Road that now conflicts with Phase II stormwater. The Phase II design originally placed the stormwater on the south side of the road but the redesign placed the stormwater on the north side of the road. This work order provides for shifting the power poles to the south side of the road. An additional cost will be incurred for the underground contractor to extend the lines to the poles from the north to the south side; this work order is specific to the Orlando Utilities Commission (OUC) to relocate the poles and power lines.

On MOTION by Mr. Kramer and seconded by Mr. Mays, with all in favor, Orlando Utilities Commission Work Orders #853762 and #855201, in the amounts of \$4,394.97 and \$5,716.57, respectively, were approved.

TENTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of December 31, 2023

On MOTION by Mr. Kramer and seconded by Mr. Mays, with all in favor, the Unaudited Financial Statements as of December 31, 2023, were accepted.

ELEVENTH ORDER OF BUSINESS

Approval of January 4, 2024 Continued Regular Meeting Minutes

On MOTION by Mr. Mays and seconded by Mr. Kramer, with all in favor, the January 4, 2024 Continued Regular Meeting Minutes, as presented, were approved.

TWELFTH ORDER OF BUSINESS

Staff Reports

A. District Counsel: Kutak Rock, LLP

- **Update: Required Ethics Training**

Mr. Eckert presented a Memorandum explaining the ethics training requirements. The number of hours of training required is per person, not per District, so one course will satisfy

the requirements for all CDDs on which an individual serves. He suggested Supervisors document their course completion by taking a photo or a screenshot of the first and last page of coursework and email it to himself or to Mr. Torres advising that this course was taken on the applicable date, so that Staff has a record that can be produced. The course must be completed by December 31, 2024 and completion will be reported by checking a box on Form 1 in 2025.

A Board Member asked if other continuing education ethics training courses taken might satisfy a portion of the requirement. Mr. Eckert stated the course must be approved by the Florida Commission on Ethics; if other coursework is taken, to the extent that the course has a syllabus or other documentation, his staff will be happy to inquire as to whether it meets the requirements.

Mr. Eckert discussed the need to go through the assessment process to allocate the Operation & Maintenance (O&M) and debt assessments on the 3.24 acres included in the Boundary Amendment. It was noted that the Developer currently owns the land. Mr. Eckert asked to be informed if it will be sold anytime soon.

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

There was no report.

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

- **NEXT MEETING DATE: March 7, 2024 at 9:00 A.M.**
 - **QUORUM CHECK**

Supervisors Kramer, Mayo and Wanas confirmed their attendance at the March 7, 2024 meeting. The proposed Fiscal Year 2025 budget will be presented at upcoming meetings, approved at the May 2, 2024 meeting and presented for adoption on August 1, 2024.

THIRTEENTH ORDER OF BUSINESS

Board Members' Comments/Requests

Mr. Wanas stated some landscape maintenance will be done to replenish some dying landscaping on Cross Prairie Parkway. He discussed damage in some of the common areas by the CDD; some has been corrected and some has not. The retaining wall was fixed but the

sidewalks have not been repaired. There has been no response to multiple letters sent to explore the next step.

Mr. Eckert discussed legal and business remedies that the CDD can utilize and stated that the CDD also has the discretion to perform and fund repairs, as needed.

FOURTEENTH ORDER OF BUSINESS

Public Comments

There were no public comments.

FIFTEENTH ORDER OF BUSINESS

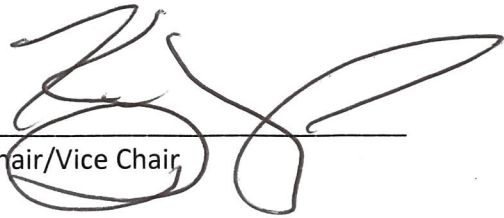
Adjournment

On MOTION by Mr. Kramer and seconded by Mr. Mays, with all in favor, the meeting adjourned at 9:28 a.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]



Secretary/Assistant Secretary



Chair/Vice Chair