

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

The Board of Supervisors of the Edgewater East Community Development District held a Public Hearing and Regular Meeting on March 7, 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:**

Craig Wrathell	District Manager
Mike Eckert	District Counsel
Shawn Hindle	District Engineer
Michael Osborn	BTI

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Mr. Wrathell called the meeting to order at 9:04 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.

Mr. Eckert asked the Board to consider amending the agenda to add several agenda items after the Seventeenth Order of Business. He suggested deferring the Fourth through Twelfth Orders of Business to the next meeting, when the Engineer’s Report and Assessment Methodology Report relating to the new three acres added to the CDD boundaries will be presented.

**On MOTION by Mr. Kramer and seconded by Mr. Mays, with all in favor, amending the agenda as outlined by District Counsel, was approved.**

**THIRD ORDER OF BUSINESS**

**Public Hearing Confirming the Intent of the District to Use the Uniform Method of Levy, Collection and Enforcement of Non-Ad Valorem Assessments as Authorized and Permitted by Section 197.3632, Florida Statutes; Expressing the Need for the Levy of Non-Ad Valorem Assessments and Setting Forth the Legal Description of the Real Property Within the District’s Jurisdictional Boundaries that May or Shall Be Subject to the Levy of District Non-Ad Valorem Assessments; Providing for Severability; Providing for Conflict and Providing for an Effective Date**

Mr. Wrathell stated that this Resolution is related to the CDD’s intent to utilize the Uniform Method of levying and collecting assessments for the additional 3.24 acres via the services of the Property Appraiser and Tax Collector.

**A. Affidavit/Proof of Publication**

The affidavit of publication was provided for informational purposes.

**B. Consideration of Resolution 2024-03, Expressing its Intent to Utilize the Uniform Method of Levying, Collecting, and Enforcing Non-Ad Valorem Assessments Which May Be Levied by the Edgewater East Community Development District in Accordance with Section 197.3632, Florida Statutes; Providing a Severability Clause; and Providing an Effective Date**

**On MOTION by Mr. Mays and seconded by Mr. Kramer, with all in favor, the Public Hearing was opened.**

No members of the public spoke.

**On MOTION by Mr. Mays and seconded by Mr. Kramer, with all in favor, the Public Hearing was closed.**

Mr. Wrathell presented Resolution 2024-03 and read the title.

**On MOTION by Mr. Kramer and seconded by Mr. Mays, with all in favor, Resolution 2024-03, Expressing its Intent to Utilize the Uniform Method of Levying, Collecting, and Enforcing Non-Ad Valorem Assessments Which May Be Levied by the Edgewater East Community Development District in Accordance with Section 197.3632, Florida Statutes; Providing a Severability Clause; and Providing an Effective Date, was adopted.**

**FOURTH ORDER OF BUSINESS**

**Presentation of Second Amendment to Engineer’s Report (Master)**

This item was deferred.

**FIFTH ORDER OF BUSINESS**

**Consideration of Resolution 2024-04, Adopting a Second Amendment to the Engineer’s Report to Reflect New Lands Added to the District**

This item was deferred.

**SIXTH ORDER OF BUSINESS**

**Presentation of Second Amendment to Master Special Assessment Methodology**

This item was deferred.

**SEVENTH ORDER OF BUSINESS**

**Consideration of Resolution 2024-05, Declaring Special Assessments; Indicating the Location, Nature And Estimated Cost of Those Infrastructure Improvements Whose Cost is to be Defrayed by the Special Assessments; Providing the Portion of the Estimated Cost of the Improvements to be Defrayed by the Special Assessments; Providing the Manner in Which Such Special Assessments Shall Be Made; Providing When Such Special Assessments Shall Be Paid; Designating Lands Upon Which the Special Assessments Shall be Levied; Providing for an Assessment Plat;**

**Adopting a Preliminary Assessment Roll;  
Providing for Publication of this Resolution**

This item was deferred.

**EIGHTH ORDER OF BUSINESS**

**Consideration of Resolution 2024-06, Setting a Public Hearing to Be Held on \_\_\_\_\_2024, at 9:00 A.M. at the Offices of Hanson, Walter and Associates, Inc., Located at 8 Broadway, Suite 104, Kissimmee, Florida 34741, for the Purpose of Hearing Public Comment on Imposing Special Assessments on Approximately 3.24 Acres of Land Recently Added Within the Boundaries of the Edgewater East Community Development District in Accordance with Chapters 170, 190 and 197, Florida Statutes**

This item was deferred.

**NINTH ORDER OF BUSINESS**

**Consideration of Form of Mailed and Published Notices for Assessment Hearing on New 3.24 Acres**

**A. Form of Affidavit of Mailing**

This item was deferred.

**TENTH ORDER OF BUSINESS**

**Consideration of Preliminary First Amendment to Supplemental Engineer's Report for Assessment Area Two**

This item was deferred.

**ELEVENTH ORDER OF BUSINESS**

**Consideration of Preliminary First Amendment to Second Supplemental Special Assessment Methodology Report for Assessment Area Two**

This item was deferred.

**Consideration of Amended and Restated  
Notice of Series 2022 Special Assessments  
(Assessment Area Two)**

This item was deferred.

**THIRTEENTH ORDER OF BUSINESS**

**Consideration of Central Florida  
Underground, Inc., Quotation for  
Relocating Duct Bank by Open Cut [Adjust  
Conduits at Clay Whaley Road Project]**

Mr. Wanas presented the Central Florida Underground, Inc. (CFU), Quotation. He stated that several power poles relocated on Clay Whaley Road were inadvertently relocated into the future Phase 2 construction location. This quote to relocate the power poles to the other side of the street adjusts the power to the power poles. This will require a Work Authorization or an Addendum to the existing contract with CFU.

**On MOTION by Mr. Wanas and seconded by Mr. Kramer, with all in favor, the Central Florida Underground, Inc., Quotation for Relocating Duct Bank by Open Cut, in the amount of \$40,608, was approved.**

**FOURTEENTH ORDER OF BUSINESS**

**Consideration of Jr. Davis Construction  
Company Request for Change Order 09:  
Station 89+00 Intersection [Intersection  
Underdrain - ED6 Roadway - Phase 1]**

Mr. Wanas stated this relates to additional work for the ED6 project that is currently under construction. The contractor observed that the roadway is consistently wet. The Engineer of Record recommended adding temporary underdrain, which will ultimately be removed when the roadway is extended. It was noted that the road terminates into a wetland.

**On MOTION by Mr. Wanas and seconded by Mr. Kramer, with all in favor, the Jr. Davis Construction Company Request for Change Order 09: Station 89+00 Intersection [Intersection Underdrain - ED6 Roadway - Phase 1], in the amount of \$14,451.97, was approved.**

**Consideration of Jr. Davis Construction Company Change Order No 007 [Phase 1 Civil Work ED-5]**

Mr. Wanas presented Jr. Davis Construction Company Change Order No 007, which will true-up the Owner Direct Purchase of unused materials and tax.

**On MOTION by Mr. Wanas and seconded by Mr. Kramer, with all in favor, Jr. Davis Construction Company Change Order No 007 related to Phase 1 Civil Work ED-5, in the amount of \$26,283.75, was approved.**

**SIXTEENTH ORDER OF BUSINESS**

**Ratification of Partial Termination and Release of Temporary Construction Easement**

Mr. Eckert presented the Partial Termination and Release of Temporary Construction Easement related to a parcel of land with an easement in favor of the CDD that was transferred to a homebuilder, to be transferred to TOHO.

**On MOTION by Mr. Kramer and seconded by Mr. Mays, with all in favor, the Partial Termination and Release of Temporary Construction Easement, was ratified.**

**SEVENTEENTH ORDER OF BUSINESS**

**Consideration of Down to Earth Landscape & Irrigation ED-5 Roadway Phase 1 Landscape and Irrigation Maintenance Proposal**

Mr. Osborn presented the Down to Earth Landscape & Irrigation (DTE) ED-5 Roadway Phase 1 Landscape and Irrigation Maintenance Proposal. He noted that DTE is the original installer, and a warranty is in effect.

It was noted that BrightView currently maintains the existing Cross Prairie Parkway.

Mr. Wrathell noted that ED-5 roadway maintenance is budgeted under the lake maintenance contracts.

**On MOTION by Mr. Kramer and seconded by Mr. Wanas, with all in favor, the Down to Earth Landscape & Irrigation ED-5 Roadway Phase 1 Landscape and Irrigation Maintenance Proposal, in the amount of \$57,443, and authorizing Staff to prepare a form of agreement and authorizing the Chair or Vice Chair to execute, were approved.**

- **Consideration of Southern Development & Construction, Inc. Request to Install a Construction Trailer on CDD Land**

**This item was an addition to the agenda.**

Mr. Eckert stated Southern Development & Construction, Inc. (SDC), one of the CDD's existing contractors, asked for permission to install a construction trailer on CDD land. This type of request is typically accommodated while contractors are working on CDD projects; however, due to this request to extend the time past the completion of CDD projects, a license agreement with some sort of market value rent and an agreement to restore the property is necessary. He stated the proposed location is at the end of Clay Whaley Road.

Discussion ensued regarding the term, market value rent rate, termination of lease, storage of materials and the need to check with the builder.

**On MOTION by Mr. Kramer and seconded by Mr. Mays, with all in favor, Southern Development & Construction, Inc.'s request to install a construction trailer on CDD land, extending the time beyond the completion date of CDD projects, designating Mr. Wanas to finalize the terms with SDC, authorizing Staff to prepare a form of agreement and authorizing the Chair or Vice Chair to execute, were approved.**

- **Consideration of Resolution Providing for Transfer of Certain Funds Released in the 2021 Account to be Transferred to the 2022 Account**

**This item was an addition to the agenda.**

Mr. Eckert provided a Resolution he prepared to address the matter of a provision in the 2021 bond series that releases 50% of reserve funds when the Developer has sold all the lots to homebuilders. His understanding is that the condition has been met. He does not recall if the funds were released and he does not know the amount that was released but it was 50% of the reserve requirement.

Mr. Kramer believes approximately \$556,000 was deposited into the 2021 account.

Mr. Eckert stated the 2022 bonds had a project-wide fund for master infrastructure throughout the development and it is his understanding that some of those funds were spent in Assessment Area One, which is the primary area securing the 2021 bonds. Now a situation exists where money released into the Construction Account for the 2021 bonds could have been used in Assessment Area One but for the timing of the release. The proposal included in this Resolution would be for the CDD to authorize the Trustee to transfer the funds from the Series 2021 Construction Fund to the Series 2022 Construction Fund as a reimbursement for the project-wide funds that were spent in Assessment Area One. If adopted today, the Resolution would be subject to District Engineer and District Counsel review and the Chair or Vice Chair's final execution. The other alternative would be to amend the 2021 Engineer's Report to include some additional items; however, in his opinion, that seems the more difficult way to address the situation, but that would be the recourse if the Trustee has a concern with this approach. Upon adoption of the Resolution, this request would be forwarded to the Trustee with a Requisition from the District Engineer; the request would not be forwarded to the Trustee if the District Engineer is not comfortable with it.

Discussion ensued regarding whether it might be cleaner to reimburse the Developer for any funds due, given future development.

The consensus was that reimbursing the Developer could be a good means of addressing the situation; however, Mr. Wrathell advised that no funds are due to the Developer from the Series 2021 bonds.

**On MOTION by Mr. Kramer and seconded by Mr. Mays, with all in favor, authorizing District Counsel to prepare a Resolution asking the Trustee to transfer \$556,290 from the Series 2021 Bonds recent Debt Service Reserve release from the 2021 Bond Construction Account to the Series 2022 Bond Construction Account, and approval of this transfer, subject to final approval by the District Engineer, District Manager and District Counsel, and Chair or Vice Chair, was approved.**

**EIGHTEENTH ORDER OF BUSINESS****Discussion: Fiscal Year 2025 Budget**

Mr. Wrathell stated Mr. Torres will coordinate with Board Members as necessary regarding the proposed Fiscal Year 2025 budget, to be presented at the May or June meeting.



**NINETEENTH ORDER OF BUSINESS**

**Consideration of BrightView Roadway Landscape Maintenance [CP Pkwy]**

Mr. Osborn discussed the BrightView Roadway Landscape Maintenance proposal, which provides for replacement of damaged turf and dying landscape along Cross Prairie Parkway. It was noted that some of these areas are on CDD property at builder entrances.

**On MOTION by Mr. Wanas and seconded by Mr. Kramer, with all in favor, the BrightView Roadway Landscape Maintenance proposal, in the amount of \$20,683, was approved.**

**TWENTIETH ORDER OF BUSINESS**

**Consideration of RFP for ED3/ED7 Framework Roadways A & B, Phase 1 and ED5 Framework Roadway, Phase 2 Civil Site Work**

No action was taken on this item, as it pertains to the Edgewater West CDD.

**TWENTY-FIRST ORDER OF BUSINESS**

**Acceptance of Unaudited Financial Statements as of January 31, 2024**

**On MOTION by Mr. Kramer and seconded by Mr. Mays, with all in favor, the Unaudited Financial Statements as of January 31, 2024, were accepted.**

**TWENTY-SECOND ORDER OF BUSINESS**

**Approval of February 1, 2024 Regular Meeting Minutes**

**On MOTION by Mr. Kramer and seconded by Mr. Mays, with all in favor, the February 1, 2024 Regular Meeting Minutes, as presented, were approved.**

**TWENTY-THIRD ORDER OF BUSINESS**

**Staff Reports**

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

Mr. Eckert discussed the need to consider any maintenance or cost items that should be shared with the Edgewater West CDD and whether an Interlocal Agreement is needed.

It was noted that retention ponds might be taken into consideration.

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

Mr. Hindle stated the off-site force main projects are out to bid. He is unsure if one of the respondents is capable of doing the project and he is seeking additional bids.

Discussion ensued regarding bidders and the bid due date of April 2, 2024.

A Special Meeting will be scheduled on April 11, 2024 at 9:00 a.m., for ranking of bids received for the off-site force main project.

**On MOTION by Mr. Kramer and seconded by Mr. Mays, with all in favor, scheduling a Special Meeting on April 11, 2024 at 9:00 a.m., at the offices of Hanson, Walter & Associates, Inc., located at 8 Broadway, Suite 104, Kissimmee, Florida 34741, to evaluate and rank of bids received for the Off-site Force Main Project and other business items, was approved.**

Mr. Hindle discussed one of the reimbursements for mobility fees for Cross Prairie Parkway that has gone through some government minutiae. Some rain events last year brought trash from the homebuilders and blocked an inlet from being able to discharge to the pond, so the bioswale backflooded the roadway, causing a big issue. Staff suspected dirt in the pipes and, when the cause was discovered, Staff began policing the issue of debris. However, the County decided to reevaluate the roadway drainage. The County created a different model for evaluating storm inlets, basically creating a pond for every single inlet where no pond exists. A copy of the digital model was obtained and 17 errors were identified in the model. He discussed the errors and stated the County was notified of the errors. He called the St. Johns River Water Management District (SJRWMD) to check the parameters the County used and they provided different parameters that, when entered into the model, indicated no flooding. Blockage was clearly the issue and not the roadway construction. The City and the Transportation and Transit Department have no issues; copies of the drainage analysis were sent to them. He will meet with the County tomorrow; any resolution of this matter must be approved by the City Council and the County. The City's next meeting is March 28, 2024. The County's next meeting is the first Monday in April. Copies will be sent to Kevin in case he would like to attend.

Mr. Kramer voiced his opinion that, if a meeting cannot be scheduled within the next two days and, if that meeting is not successful there is no choice but to involve the County Manager.

Mr. Eckert asked which bond account the reimbursement should go into. Mr. Hindle stated this work applies to Cross Prairie Parkway, which serves all developments. More discussion is necessary but his suggestion is to replenish the 2022 bond. It was noted that the impact fee credits that would be sold to the builders are for the oversizing of the road above and beyond what was needed for that phase. Mr. Eckert stated it will be documented before the revenue comes in.

Mr. Hindle discussed a questionable Change Order issued for a delay on Clay Whaley Road. He and Mr. Wanas met with the contractor, who wants \$137,000 because they were delayed in paving the project. When asked why they did not pave, the contractor claimed that the inlet was not fixed, to which he replied that it is not a parking space. He will meet with the contractor and advise of the outcome, which will most likely be a negotiated settlement. Mr. Wanas appreciated Mr. Hindle’s handling of this matter.

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

- **NEXT MEETING DATE: April 4, 2024 at 9:00 A.M.**
  - **QUORUM CHECK**

The next regular meeting will be held on April 4, 2024.

A Special Meeting will be held on April 11, 2024 at 9:00 a.m.

**TWENTY-FOURTH ORDER OF BUSINESS**

**Board Members’ Comments/Requests**

There were no Board Members’ comments or requests.

**TWENTY-FIFTH ORDER OF BUSINESS**

**Public Comments**

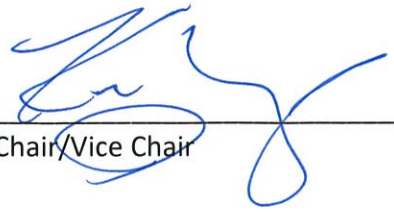
There were no public comments.

**TWENTY-SIXTH ORDER OF BUSINESS**

**Adjournment**

**On MOTION by Mr. Kramer and seconded by Mr. Wanas, with all in favor, the meeting adjourned at 9:57 a.m.**

  
Secretary/Assistant Secretary

  
Chair/Vice Chair