

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

The Board of Supervisors of the Edgewater East Community Development District held a Regular Meeting on April 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	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 9:07 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 Southern Development & Construction RFC

Mr. Torres presented the following:

- A. Clay Whaley, Phase 2 RFC 018 - Owner Direct Purchase Credit from Contract Agreement in the amount of \$413,223.21.
- B. 2222 RFC 024 - Sod 4' Back of Curb Deduct [SDP21-0157 Clay Whaley Rd] for \$18,275.
- C. RFC 021 - Export Excess Fill from ED2 to ED5 [Clay Whaley Rd Widening] for \$38,851.

Mr. Wanas stated Item C is to help complete an area that needed to be balanced out.

On MOTION by Mr. Wanas and seconded by Mr. Kramer, with all in favor, the Southern Development & Construction RFC Clay Whaley, Phase 2 RFC 018 - Owner Direct Purchase Credit from Contract Agreement, in the amount of \$413,223.21; 2222 RFC 024 - Sod 4' Back of Curb Deduct [SDP21-0157 Clay Whaley Rd], for \$18,275; and RFC 021 - Export Excess Fill from ED2 to ED5 [Clay Whaley Rd Widening], for \$38,851, were approved.

Mr. Osborn stated he is working with Mr. Tim Bayer, at SCC, on a change order related to Structure S-4. He discussed an issue with the County experiencing delays in paving a road and converting to a manhole because of the structure. He will meet with County officials to resolve this and provide an update at the next meeting.

FOURTH ORDER OF BUSINESS

Consideration of Jr. Davis Construction Company Request for Change Order 07R2 [ED6 -Framework Roadway Phase 1 Civil Work, FM & RM Steel Casing Plus WM PVC Casing Behind Retaining Wall

Mr. Torres presented the Jr. Davis Construction Company Request for Change Order 07R2 for ED6 -Framework Roadway Phase 1 Civil Work, FM & RM Steel Casing Plus WM PVC Casing Behind Retaining Wall, in the amount of \$394,852.54.

Mr. Wanas stated the change order is associated with the Eden Six Roadway project. He explained that it is a steel casing and some pipe upgrades for the water to accommodate that.

On MOTION by Mr. Wanas and seconded by Mr. Kramer, with all in favor, the Jr. Davis Construction Company Request for Change Order 07R2 for ED6 - Framework Roadway Phase 1 Civil Work, FM & RM Steel Casing Plus WM PVC Casing Behind Retaining Wall, in the amount of \$394,852.54, was approved.

FIFTH ORDER OF BUSINESS

Consideration of Southern Development & Construction RFC019 - DBI Grading & Erosion Control [Clay Whaley Rd Widening]

Mr. Torres presented the Southern Development & Construction RFC019 - DBI Grading & Erosion Control related to the Clay Whaley Road widening, in the amount of \$3,781.

Mr. Wanas stated this item goes with Item 3C that was just approved. Additional fill was necessary to balance out one of the areas; this is the grading around some existing inlets to make sure it is handled appropriately for drainage.

On MOTION by Mr. Wanas and seconded by Mr. Kramer, with all in favor, the Southern Development & Construction RFC019 - DBI Grading & Erosion Control related to the Clay Whaley Road widening, in the amount of \$3,781, was approved.

SIXTH ORDER OF BUSINESS

Discussion: Fiscal Year 2025 Draft Maintenance Budget

Mr. Torres stated he and Mr. Eckert are working on a draft Fiscal Year 2025 budget. He reviewed a spreadsheet that was produced by Mr. Eckert and Mr. Wanas.

Discussion ensued regarding a potential assessment increase, landscaping increases, streetlights, repairs, maintenance, stormwater maintenance, three months' working capital, Operation and Maintenance (O&M) expenses, mailed notices, inlets, mulching and the HOA.

Mr. Torres will email a copy of the spreadsheet to the Board and present a draft budget at the next meeting that includes the adjustments in landscaping and other budget line items as well as added items such as pond maintenance and dog waste stations.

SEVENTH ORDER OF BUSINESS

Consideration of Osceola County Tax Collector Agreement

Mr. Torres presented the Agreement between the CDD and the Osceola County Tax Collector.

On MOTION by Mr. Kramer and seconded by Mr. Mays, with all in favor, the Osceola County Tax Collector Agreement, was approved.

EIGHTH ORDER OF BUSINESS

Ratification Items

Mr. Torres presented the following:

- A. SSS Down to Earth Opco LLC, dba Down to Earth Change Order No 001 [Phase 1 Clay Whaley Road, Add Bahia Sod]**
- B. Central Florida Underground Work Authorization #1 [Utility Repair, Installation and Replacement Services]**

On MOTION by Mr. Kramer and seconded by Mr. Wanas, with all in favor, SSS Down to Earth Opco LLC, dba Down to Earth Change Order No 001 for Phase 1 Clay Whaley Road to add Bahia sod, and Central Florida Underground Work Authorization #1 for Utility Repair, Installation and Replacement Services, were ratified.

NINTH ORDER OF BUSINESS

Consideration of Financing Matters

- A. Presentation of Second Amendment to Engineer’s Report (Master)**
- B. Consideration of Resolution 2024-XX, Adopting a Second Amendment to the Engineer’s Report to Reflect New Lands Added to the District**
- C. Presentation of Second Amendment to Master Special Assessment Methodology Report**
- D. Consideration of Resolution 2024-XX, 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

- E. **Consideration of Resolution 2024-XX, 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**
- F. **Consideration of Form of Mailed and Published Notices for Assessment Hearing on New 3.24 Acres**
 - **Form of Affidavit of Mailing**
- G. **Consideration of Preliminary First Amendment to Supplemental Engineer’s Report for Assessment Area Two**
- H. **Consideration of Preliminary First Amendment to Second Supplemental Special Assessment Methodology Report for Assessment Area Two**

Items A through H were deferred.

TENTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of February 29, 2024

Mr. Torres presented the Unaudited Financial Statements as of February 29, 2024.

Discussion ensued regarding the billing information for the Toho Water Authority (TWA), Cross Prairie Parkway, the meters, the lift stations and the electric.

On MOTION by Mr. Kramer and seconded by Mr. Mays, with all in favor, the Unaudited Financial Statements as of February 29, 2024, were accepted.

ELEVENTH ORDER OF BUSINESS

Approval of March 7, 2024 Public Hearing and Regular Meeting Minutes

On MOTION by Mr. Mays and seconded by Mr. Kramer, with all in favor, the March 7, 2024 Public Hearing and Regular Meeting Minutes, as presented, were approved.

TWELFTH ORDER OF BUSINESS

Staff Reports

A. District Counsel: Kutak Rock LLP

Mr. Eckert reported the following:

- Regarding an earlier statement, in going over the Surveyor's affidavit, a bunch of open spaces were given back to the HOA, not the ponds. The ponds were not subject to the Surveyor's affidavit; they were correct on the plats.
- In reviewing the EB-4 plats, two parcels have yet to be platted; an MI Homes tract and a Meritage tract.
- Staff will continue to monitor the platting, as there are various deeds that go back and forth between the CDD and home builders for those areas. He prepared and sent sample deeds to MI Homes and Meritage representatives and copied Mr. Hindle.
- For the plats that have dedications to the CDD that were corrected by the Surveyor's affidavit, he prepared and forwarded quitclaim deeds to HOA Counsel and copied Mr. Hindle and Mr. Kramer

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

Mr. Hindle reported the following:

- A special meeting will be held on April 11, 2024 to review post-claim bids, as there were a few late bidders.
- The TWA asked for a pipe size to be revised; Staff modified the plans and bid forms and extended the bid to April 16, 2024.
- Mr. Hindle noted an error in the bid addendum. The correction will be made and revised bid addendums and a new bid form will be sent tomorrow morning.
- The bid evaluation and award will occur at the May 2, 2024 meeting.

Discussion ensued regarding the bidders, the Y connection in the ED-6 North project, the off-site force main project, the utility agreement and the TWA.

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

Mr. Torres reported the following:

- The proposed Fiscal Year 2025 budget will be presented at the May 2, 2024 meeting.
- The July 4, 2024 meeting date was moved to July 10, 2024 at 2:30 p.m.
 - **UPCOMING MEETINGS**
 - **April 11, 2024 at 9:00 AM [Special Meeting]**
 - **May 2, 2024 at 9:00 AM [Regular Meeting]**
 - **QUORUM CHECK**

The April 11, 2024 meeting will be canceled. The next meeting will be held on May 2, 2024.

THIRTEENTH ORDER OF BUSINESS

Board Members' Comments/Requests

Mr. Wanas stated that he and Mr. Torres are streamlining the requisition process and are considering Docu-sign.

Mr. Torres explained the requisition/Docu-sign process that he utilizes for another client.

Discussion ensued regarding spam issues caused by Docu-sign and emails.

FOURTEENTH ORDER OF BUSINESS

Public Comments

There were no public comments.

FIFTEENTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Mays and seconded by Mr. Kramer, with all in favor, the meeting adjourned at 9:53 a.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]


Secretary/Assistant Secretary


Chair/Vice Chair