MINUTES OF MEETING
EDGEWATER EAST
COMMUNITY DEVELOPMENT DISTRICT

The Board of Supervisors of the Edgewater East Community Development District held a Regular Meeting on July 10, 2024 at 2:30 p.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 (via telephone)	District Counsel
Shawn Hindle	District Engineer
Bob Gang (via telephone)	Public

FIRST ORDER OF BUSINESS **Call to Order/Roll Call**

Mr. Torres called the meeting to order at 2:30 p.m. Supervisors Mays, Kramer and Wanas were present. Supervisors Onorato and Breakstone were absent.

SECOND ORDER OF BUSINESS **Public Comments**

No members of the public spoke.

THIRD ORDER OF BUSINESS **Review/Ranking of Proposals for Off-Site Force Main Construction**

Mr. Hindle stated that Jr. Davis Construction (JDC) and Southern Development & Construction, Inc. (SDC) responded to the Request for Proposals for the Off-Site Force Main Construction project; both proposals are compliant. After speaking with Shane Cox, of SDC, he was told that personnel working at SDC have the required years of experience for what the CDD is constructing, not SDC itself. As such, since this is a criteria in the Toho Agreement, Mr. Cox advised that SDC will not contest the contract award, if the CDD awards the contract to JDC.

Mr. Hindle distributed the Evaluation Criteria and ranking form to the Board Members to complete and reported the following:

- Southern Development & Construction, Inc.: The proposal is $12,226,740, based on the proposer's time period of 340 days. The accelerated cost is $12,691,440, based on a nine-month schedule.
- Jr. Davis Construction: The proposal is $12,355,113.70, based on the proposer's time period of 365 days. The accelerated cost is $12,946,145.70, based on a nine-month schedule.

Mr. Hindle stated that the other developers are in favor of accepting the Board's decision to award the contract but the developers prefer the nine month expedited schedule and they are more comfortable with engaging JDC. A Board Members asked if the contract has liquidated damages if the criteria for accepting that dollar amount is a nine month schedule. Mr. Hindle stated the contract includes liquidated damages.

Mr. Eckert stated that the Board will need to rank the two respondents, unless SDC officially withdrew its proposal. Mr. Hindle stated that SDC did not withdraw its proposal.

Mr. Hindle prepared a spreadsheet with statistical information as to the amount of credits the CDD will receive from The Toho Water Authority (Toho), the amount the CDD will have to place in escrow, along with the pro-rated amount the other developers will reimburse the CDD for soft cost expenditures, surveys, design and permitting. The CEI services for construction management and closeout and inspection fees will probably be in escrow and then paid out of the escrow accounts. The CDD will be required to escrow $4,032,971.26, plus soft costs, which are not included in that amount; therefore the CDD's overall cost of the project is $4,398,473.46, which includes a 10% contingency. The CDD's obligation is about $400,000 and about $400,000 has been spent to date.

The Board consensus was to complete individual scoring for each respondent, in each category, based on the accelerated proposal. The Board discussed scoring between themselves and submitted their individual forms completed at the board meeting to Mr. Torres.

Mr. Torres presented the scores and ranking, as follows:

#1	Jr. Davis Construction	99 Points
#2	Southern Development & Construction, Inc.	90 Points

Asked about the Force Main Agreement with Toho, Mr. Eckert stated that he exchanged emails with Mr. Thacker and a conference call is scheduled on Friday. It was noted that the Agreement was supposed to be presented to the Toho Board today, but the meeting was rescheduled to the end of July; they are awaiting confirmation that the Agreement is placed on the agenda.

On MOTION by Mr. Kramer and seconded by Mr. May, with all in favor, ranking Jr. Davis Construction as the #1 respondent to the Request for Proposals for the Off-Site Force Maine Construction Project and authorizing Staff to negotiate a contract with the #1 ranked proposer after the protest period expires, subject to an agreement between the Toho Water Authority and the other Developers, which is needed to fund the project, was approved.

FOURTH ORDER OF BUSINESS **Presentation of Audited Financial Report for Fiscal Year Ended September 30, 2023, Prepared by Grau & Associates**

Mr. Torres presented the Audited Financial Report for Fiscal Year Ended September 30, 2023 and noted the pertinent information. It was a clean audit; there were no findings, recommendations, deficiencies on internal control or instances of non-compliance.

FIFTH ORDER OF BUSINESS **Consideration of Resolution 2024-12, Hereby Accepting the Audited Financial Statements for the Fiscal Year Ended September 30, 2023**

On MOTION by Mr. Kramer and seconded by Mr. Mays, with all in favor, Resolution 2024-12, Hereby Accepting the Audited Financial Statements for the Fiscal Year Ended September 30, 2023, was adopted.

SIXTH ORDER OF BUSINESS **Consideration of Special Warranty Deed**

Mr. Eckert stated that he prepared the form of the JCH CP, LLC Special Warranty Deed and recommends approval, whereby the CDD accepts the deed for the tracts identified on the first page, in Assessment Area One, from the homebuilder Jones Homes for dedication into the CDD's record.

On MOTION by Mr. Kramer and seconded by Mr. Wanas, with all in favor, the JCH CP, LLC Special Warranty Deed for the tracts identified on Page 1, was approved.

SEVENTH ORDER OF BUSINESS **Acceptance of Unaudited Financial Statements as of May 31, 2024**

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

EIGHTH ORDER OF BUSINESS **Approval of Minutes**

A. June 6, 2024 Regular Meeting

B. June 20, 2024 Special Meeting

On MOTION by Mr. Kramer and seconded by Mr. Mays, with all in favor, the June 6, 2024 Regular Meeting and the June 20, 2024 Special Meeting Minutes, as presented, were approved.

NINTH ORDER OF BUSINESS **Staff Reports**

A. District Counsel: Kutak Rock LLP

Mr. Eckert stated that he is working on several items.

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

Mr. Hindle reported on drainage issues and requested approval to engage a contractor to clean the inlets to address grading and drainage concerns in the swale. He noted ED5 drainage is not an issue, as he believes the crews addressed that this morning.

On MOTION by Mr. Kramer and seconded by Mr. Wanas, with all in favor, engaging SDC to clean blocked CDD inlets to address grading and drainage concerns in the swale, in a not-to-exceed amount of $15,000, was approved.

Mr. Hindle stated that the designs for Kissimmee Park Road are almost complete and will be submitted soon.

Discussion ensued regarding the Developer selling property and updating the right-of-way (ROW) easements and pond to the correct entity and making sure the posting to the property appraiser's website is correct.

Mr. Hindle and Mr. Kramer will discuss this matter outside the CDD meeting.

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

- **NEXT MEETING DATE: August 1, 2024 at 9:00 AM at Hart Memorial Library, 211 East Dakin Avenue, Second Floor, Roseada Room, Kissimmee, Florida 34741 [Boundary Amendment Assessment Hearing, Adoption of FY2025 Budget]**
  - **QUORUM CHECK**

Regarding the Fiscal Year 2025 budget and $200 assessment increase, Mr. Torres stated this is the first time the CDD sent Mailed Notices informing property owners of an assessment increase.

TENTH ORDER OF BUSINESS **Board Members' Comments/Requests**

There were no Board Members' comments or requests.

ELEVENTH ORDER OF BUSINESS **Public Comments**

No members of the public spoke.

TWELFTH ORDER OF BUSINESS **Adjournment**

On MOTION by Mr. Kramer and seconded by Mr. Wanas, with all in favor, the meeting adjourned at 3:04 p.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

____
Secretary/Assistant Secretary

____
Chair/Vice Chair