

**MINUTES OF MEETING
ENTERPRISE COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of the Enterprise Community Development District was held Wednesday, December 2, 2020, at 4:00 p.m. at the District Office, 313 Campus Street, Celebration, Florida 34747.

Present and constituting a quorum were:

Jason Herrick	Chairman
Kimberly Locher	Vice Chairman
Gregg Harkness	Assistant Secretary
Paul Johnson	Assistant Secretary
Henry Thrash	Assistant Secretary

Also present, either in person or via conference phone, were:

Gary L. Moyer	Manager: Moyer Management Group
Sarah Sandy	Attorney: Hopping Green & Sams
Kathy Leo	Engineer: GAI Consulting
Natasha Cruz Millheim	Inframark, Management Division
Angel Montagna	Inframark, Management Division
Jose Rivera	Inframark, Utility Operations Division
Russ Simmons	Inframark, Management Division

FIRST ORDER OF BUSINESS

Call to Order and Roll Call

Mr. Moyer called the meeting to order at 4:00 p.m.

Mr. Moyer called the roll and stated a quorum was present for the meeting.

SECOND ORDER OF BUSINESS

Pledge of Allegiance

Mr. Moyer led the *Pledge of Allegiance*.

THIRD ORDER OF BUSINESS

Public Comment Period

There being none, the next order of business followed.

FOURTH ORDER OF BUSINESS

Administrative Matters

A. Oath of Office for Newly Elected Supervisors

Mr. Moyer stated for the record, I am a Notary of the State of Florida, and as such, can administer oaths of office.

Mr. Moyer administered the oath of office to Mr. Herrick, Mr. Johnson, and Mr. Thrash.

B. Consideration of Resolution 2021-02 Canvassing and Certifying the Results of the Landowners Election

Mr. Moyer read Resolution 2021-02 into the record by title.

Mr. Moyer stated as indicated in the Resolution, the District had a landowners meeting in November, at which time Mr. Thrash represented one of the landowners and

went through that process as provided for in Chapter 190, Florida Statutes. At that time, the Supervisors elected were done so in a fashion where the two who received the most number of votes were elected to four-year terms, and the third to a two-year term. That is how we end up with staggered terms. When you play that out, every two years, three members of this Board will stand for election as long as it is a landowner election format. Once the District reaches 250 registered voters and is six years old, we would transition to a general election format, in which Supervisors will each serve four-year terms. Since the District is primarily commercial, there is no indication of when that will happen. This Resolution does nothing more than memorialize that we had the landowners meeting, and it will become a part of the District's official records.

On MOTION by Mr. Harkness, seconded by Mr. Herrick, with all in favor, unanimous approval was given to Resolution 2021-02 canvassing and certifying the results of the landowners election.

C. Consideration of Resolution 2021-03 Designating Officers

Mr. Moyer read Resolution 2021-03 into the record by title.

Mr. Moyer stated Mr. Marty Pawlikowski was our Chairman. He was not nominated for a seat on the Board, so we do not have a Chairman at the present time.

Ms. Locher nominated Mr. Herrick.

On NOMINATION by Ms. Locher, with all in favor, unanimous approval was given to elect Mr. Herrick as Chairman.

On NOMINATION by Mr. Harkness, with all in favor, unanimous approval was given to elect Ms. Locher as Vice Chairman.

Mr. Moyer stated several names have already been filled in on the Resolution. I am listed as Secretary, which is the position I currently serve in. Mr. Stephen Bloom serves as Treasurer, and Mr. Alan Baldwin serves as Assistant Treasurer. They work for Inframark, which is the management service provider, who provides all the clerking, secretarial, accounting, and managerial functions for the District. I work as a consultant to Inframark under a consulting agreement with my firm. I do not feel strongly at all about serving as Secretary. If I am not Secretary, I would like to be Assistant Secretary so

that I can sign documents without bothering one of the Supervisors. To the extent that I remain Secretary, then I will ask that the remaining Supervisors be designated Assistant Secretaries in the event I am not available.

On MOTION by Mr. Harkness, seconded by Mr. Pawlikowski, with all in favor, unanimous approval was given to Resolution 2021-03 designating the following officers: Mr. Herrick as Chairman; Ms. Locher as Vice Chairman; Mr. Moyer as Secretary; Mr. Bloom as Treasurer; Mr. Baldwin as Assistant Treasurer; and Mr. Harkness, Mr. Johnson, and Mr. Thrash as Assistant Secretaries.

FIFTH ORDER OF BUSINESS

Consent Agenda

A. Acceptance of the Minutes of the October 7, 2020, Meeting

Mr. Moyer reviewed the minutes included in the agenda package and available for public review in the District Office during normal business hours, and requested corrections, additions, or deletions.

B. Check Register and Invoices

Mr. Moyer reviewed the check register and invoices included in the agenda package and available for public review in the District Office during normal business hours.

C. Funding Request #15 to Mattamy Homes

Mr. Moyer reviewed the funding request included in the agenda package and available for public review in the District Office during normal business hours.

On MOTION by Mr. Harkness, seconded by Ms. Locher, with all in favor, unanimous approval was given to the consent agenda, as presented.

SIXTH ORDER OF BUSINESS

Business Matters

A. Consideration of Resolution 2021-04 Authorizing the Direct Purchase of Materials

Mr. Moyer read Resolution 2021-04 into the record by title.

Mr. Moyer stated Ms. Leo will bring an item before the Board on future construction of infrastructure. Much of that is for pipe related to the lift station. If the District hires a general contractor, which we will do in this process, and he is responsible for purchasing those types of items, then he will have to pay the 7% sales tax. The way we do this on contracts that have a lot of infrastructure components, not just labor, is for the District to identify a program where the District will purchase the materials. Because we are a tax-

exempt purchaser, we will not pay the 7% sales tax. The general contractor will then be charged with maintaining the deliveries of those materials and implementing the construction of the overall project using those materials. That is the reason for this Resolution. We did not have much specificity in our operating protocols dealing with direct purchases, so our legal counsel recommended we go ahead and adopt this as a formal policy.

Ms. Sandy stated in order for the District to directly purchase materials, we have to follow certain protocols in order to make sure we continue to receive tax exemption, which includes having a purchasing agent, which is usually the engineer or manager, keeping certain documentation as described in the Resolution including the purchase requisition request form and the purchase order, as well as a certificate of entitlement. We have to ensure the materials being purchased are in the name of the District and not in the name of the general contractor, but they can accept the materials on the District's behalf. We keep all that documentation in case the Department of Revenue checks to make sure we are properly complying with our tax-exemption requirements. We are doing this at this time because the Board has discussed directly purchasing materials in connection with the work being done for lift station #2. We want to make sure everything is in place so when the bids come in, we are able to move forward without a Board meeting.

Mr. Harkness stated a simple reconstruction of a lift station is one thing, but when you use this for a major construction project, you have to include explicit language in the contractor's agreement. The reality is, it is better for them to write the purchase order on a District purchase order, give it to the engineer, and then the engineer goes out and buys it. They can get three bids since they are high-dollar items, not a \$5,000 pump. A lot of work needs to go into this. He also has to accept responsibility that he will coordinate the delivery of that item. All those things have to be covered in the contractor's agreement. All this says is it allows the District to purchase items, but a lot more needs to be covered. I want everyone to understand that. It is a lot of work, which will affect the engineer's fee. Will Ms. Leo do it as the engineer or on a separate work authorization just for this project.

Ms. Sandy stated the form contract we provided for lift station #2 work includes provisions regarding the direct purchase of materials and the District's right to directly purchase materials that have been included within the contract. If we determined there

would be enough cost savings for the District in order to do it, then we would change order the cost of the materials out of the main contract, and have the District directly purchase them. Traditionally, in my experience, the contractors will work with the suppliers providing the materials and help the District get the proposals for those materials. Usually the engineer and the contractor work together with the supplier to coordinate everything.

Mr. Harkness stated I do not have a problem with it, but the devil is in the details. The contractor's agreement describes exactly what he has to do. He is not getting a markup but more than likely will charge you for dealing with this. He has to know that up front. He will not just do it for free. He has scheduling and coordinating costs that he will have to include in his bid. It needs to be spelled out in the contractor's agreement. I know the suppliers always work with the contractor; that is not a problem. We just need to make sure everything goes smoothly and everyone involved knows who is doing what.

Mr. Thrash stated there is a certain amount of administrative work that goes into this. Is there a minimum threshold of the dollar amount before we consider doing direct purchases? There should be.

Mr. Harkness stated I agree.

Mr. Thrash stated 6.5% of \$5,000 is nothing and not worth it, but if the materials cost \$1 million or \$500,000, it might be. The County's threshold is \$10 million. Do we want to establish a threshold?

Mr. Harkness stated we do not want to do this for \$5,000. It is not worth the effort.

Ms. Locher stated no, not if it is just one item, but that \$5,000 might be one component compared to many things overall.

Mr. Harkness stated not necessarily. If I have a \$5 million contract with \$1 million in pipe and a \$5,000 pump and a \$200 item, they will be from different suppliers so each one will need a different purchase order. I do not want to have a purchase order for the \$200 or \$5,000 item. I want the purchase order for the \$1 million in pipe. It should be a threshold by item.

Ms. Sandy stated typically that is something staff would determine before bringing it to the Board, if there is a cost benefit and enough savings to make it worthwhile for all the paperwork in bringing it forward to the Board. On something like the lift station

contract, that is something Ms. Leo would look at. If we direct purchase, we will need a change order to the contract, which we would bring to the Board to approve.

Ms. Leo stated there are components that will make sense for lift station #2. It may just be the pumps, which would be \$100,000.

Mr. Harkness stated that dollar amount is worthwhile. The pumps may be coming from one contractor, but another part is coming from another vendor that is only worth \$500, let us not go through the paperwork of doing that. Let us figure out what those specific items are pursuant to the contract, and tell the contractor what items the District will direct purchase. Then everything else he has to get.

Ms. Leo stated most of the infrastructure of Celebration was built under the premise of taking advantage of the sales tax savings. The onus was on the contractor the majority of the time. The purchase order would come in showing the line item for tax that we would save, and it worked fairly well. But it will take a little extra effort.

On MOTION by Ms. Locher, seconded by Mr. Thrash, with all in favor, unanimous approval was given to Resolution 2021-04 authorizing the direct purchase of materials.
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SEVENTH ORDER OF BUSINESS

Staff Reports

A. District Manager

i. Financial Statements (*October 2020*)

Mr. Moyer reviewed the financial statements included in the agenda package and available for public review in the District Office during normal business hours.

Mr. Moyer stated October is the first month of our fiscal year, so there is not a lot of activity in terms of our governmental funds, which revenues we receive through the levy of non-ad valorem assessments that are collected by the tax collector. No revenues are generally received from the tax collector in October; most of our assessments are received in December and January. On the operation and maintenance expenses in the general fund, we are \$14,218 under budget. The second part of the financials is the enterprise fund for our water, sewer, and reuse utility system. We are a little below on revenues because of connection fees since we did not receive any in October, which put us about \$70,540 less than what we budgeted, and \$70,000 is for connection fees. Generally, in terms of revenues, we are on schedule except for connection fees, which is not linear, as the Board is aware. Last year, we received a connection fee of \$1.2 million

from a project, which exceeded our budget with one connection fee for a multi-story residential building. It is hard to actually target when those come in, but overall, when you take revenues minus expenses, we are currently behind by about \$53,000. That will all work itself out as the year goes on.

ii. Motion to Assign Fund Balance

Mr. Moyer reviewed the request to assign fund balance, as presented. Every year, staff asks the Board to make those allocations for fund balance, as follows: operating reserve of \$187,565 and capital projects of \$83,020. Unassigned reserves can be used for any legal purpose of the District and totals \$2,315,494. We have a very strong fund balance in terms of what we are doing in the general fund and operations. For the water/sewer fund, restricted for debt service is \$3,789,000, and unrestricted/unreserved is \$12 million, part of which will be used in the construction reimbursement of Island Village because that deals with the system expansion fund. As they are building out Island Village and installing utility lines, they will want to turn those over to the District, which the District will purchase from unrestricted/unreserved of \$12 million.

Mr. Herrick asked the developer will build the infrastructure, and the District will purchase it?

Mr. Moyer stated yes. Ms. Leo reviews the documentation to be sure that what they are asking to be paid is typical of similar work in that type of utility.

Mr. Herrick stated I am used to the developer donating that.

On MOTION by Ms. Locher, seconded by Mr. Harkness, with all in favor, unanimous approval was given to assign fund balance, as presented.
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iii. Ratification of Resolution 2021-05 Amending the Budget for Fiscal Year 2020

Mr. Moyer read Resolution 2021-05 into the record by title.

Mr. Moyer stated the purpose of the budget amendment is to reallocate portions of the utility budget. In fiscal year 2020, the District spent a significant amount of money on renewal and replacement items. The amendment will reallocate dollars into various line items. We ended up with a positive variance of \$1,469,304, much of which came from the \$1.2 million connection fee. Years ago when we refinanced the bonds for the utility system, we were permitted to count connection fees as part of the revenue to meet

coverage requirements of the trust indenture. We are not violating any trust indentures by not generating sufficient connection fees.

Mr. Herrick stated it looks like renewal and replacement budget is \$300,000, and we need to amend it to \$550,000 for fiscal year 2020. Did we adjust the budget for fiscal year 2021 since we will likely have additional need for monies in that line item?

Mr. Moyer stated yes, we increased the budget from \$300,000 in fiscal year 2020 to \$450,000 in fiscal year 2021. Part of the reason for the expenditures from that line item is because the system is 25 years old.

Mr. Herrick stated that line item should continue to increase.

Mr. Moyer stated we may be over budget on this line item. It depends on what we find in the field going forward.

On MOTION by Mr. Harkness, seconded by Ms. Locher, with all in favor, unanimous approval was given to ratify Resolution 2021-05 amending the budget for fiscal year 2020, as presented.

iv. Ratification of Audit Engagement Letter to Perform Auditing Services for Fiscal Year 2020

Mr. Moyer reviewed the audit engagement letter from McDirmit Davis to perform auditing services for fiscal year 2020, in the amount of \$9,600. McDirmit Davis has been providing auditing services for the last two years, and next year we will probably solicit proposals from auditors. We like to do that every few years to get new eyes on our financials. Considering this District has a full-blown utility with 10,000 or 11,000 units, the fee proposed is reasonable.

Ms. Sandy stated we have a couple comments on the engagement letter, if the motion to ratify can be made subject to final review by legal counsel.

On MOTION by Mr. Harkness, seconded by Ms. Locher, with all in favor, unanimous approval was given to ratify the auditing engagement letter with McDirmit Davis to perform auditing services for fiscal year 2020, in the amount of \$9,600, subject to final review by legal counsel.
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B. Field Operations

i. Field Management Reports

Mr. Simmons reviewed the field management reports included in the agenda package, which are available for public review in the District Office during normal business hours.

Mr. Simmons stated there was an accident on Celebration Avenue with the pvc fence, and they are about a month behind building the gates for it. We have been doing a lot of locates at S.R. 417 and Celebration Avenue for new traffic signals that are currently on wood poles. Comcast is running a new cable from Publix down almost to North Village. We replaced the computer in the field that runs all the irrigation clocks. At our monthly street light outage review, not many street lights were out.

C. Utility Operations

i. Utility Report (*September and October 2020*)

Mr. Rivera reviewed the utility reports included in the agenda package and available for public review in the District Office during normal business hours.

Mr. Rivera reviewed an issue with the Water Street canal and the alum vault, which was running dry, making a loud noise, and leaking out the side, which was caused by a turtle lodged in the impeller.

Mr. Moyer stated this is not the first time this has happened.

Mr. Simmons stated we are thinking about getting some metal grating to put in one of the manholes at the hotel.

Mr. Rivera stated water flows in the manhole there, but throughout the year, vegetation slips in it and starts growing. Somehow the turtles find their way in it.

Mr. Simmons stated we need to decide how big a square we want. We could get some rebar and get it welded. We do not want it too small because it will clog up with vegetation quickly.

Mr. Rivera stated the cost to repair it was \$1,080 and could have been worse if no one called us about the noise. We are having issues with the sleeves where the service lines go into at road crossings; the trees are growing into the pipes and crushing them.

Mr. Simmons stated for that repair, we had to remove a 60-foot sycamore tree.

Mr. Herrick stated with those sleeves, you could have a leak anywhere under the road and not know where it is.

Mr. Rivera stated that has happened. We are changing out the whole line so we do not have to keep coming back to it. If we clamp it, you will see it next year somewhere down the line and will have another leak. When we can, we change them out. They are the ¾-inch lines.

Ms. Locher asked will you be replacing the sycamore tree that was removed?

Mr. Rivera stated yes, I think Mr. Simmons already replaced it.

Mr. Herrick asked do you usually have to replace the trees when you have these issues?

Mr. Simmons stated if we have to remove it, then we will replace it. This is only the second or third time we have had to do that.

D. Attorney

There being nothing to report, the next item followed.

E. Engineer

Ms. Leo stated we received bids today for the lift station work and forcemain extension for Delamarre. As Mr. Moyer mentioned, we received connection fees in the spring for that project. The forcemain that the lift station connects to is undersized. The scope of the project we bid out was for about 1,300 feet of forcemain. It included a drill under Celebration Boulevard under a culvert, and then we were going back to the existing lift station with new forcemains. Some complications arose when we were working on the project concept in the spring. Through the parking lot is an existing utility easement that has been granted to the District for the forcemain that is there now. It cuts through the lot in the worst way possible to be able to maintain any traffic or parking. The alternate of going to the edge of the project would require a new easement and probably going into wetlands at the edge. We opted to go with a directional drill through the parking lot in that same corridor where the easement exists, also because there were no utility conflicts, which there were in other locations. We put the project out to bid the beginning of November. Bidding is tough right now. I bring this to the Board to discuss what to do. We put it out to about eight people. We worked with Hopping Green & Sams on the documentation. Initially, we received bids on the Tuesday before Thanksgiving, but they needed extra time. We extended it until today at noon, and we received two bids. We were expecting to get bids from contractors that are working here with Mattamy Homes, but we did not receive them. The two we received were from L7 Construction and Jimmy Hickman Excavation. L7 Construction came in as the low bid at \$377,000 with 90 days to complete the project. In working with the Delamarre development team, they had talked about needing the project ready to go for their early units in late March or early April. In looking at what is out there now, I do not know if that is still the schedule. We need to get an update from them. The 90 days in the bid would be close to that timeframe. The second bid was higher at \$412,049 with 60 days to completion. I have not had a chance to review the bids in detail. One thing I need to analyze is, Mr. Vijay

Seelam and I had prepared an estimate, and the project came in under \$300,000. At first glance, the general conditions were more than we estimated. Demolition of existing pavement includes a pit they will need to tear out and replace. Drilling came in about \$45,000 higher than our estimate. Pavement repair came in higher. I think part of it is the quantities are low, so the unit prices we used may not have been for such a small project. It is not really a small project, but it is when you start looking at these quantities and the pieces that have to be pulled together. We rushed the bid a little. We pushed to get them for today's Board meeting so we could get the contractor going the first of the year and be able to meet that end-of-March/April date. I am coming to you with a bid over our estimate. Money is available in connection fees for this work, and we are looking at the low bid of \$377,000 from L7 Construction.

Ms. Locher asked do you think if you gave it a little more time, you will get more responses?

Ms. Leo stated a couple bidders today said they needed more time.

Mr. Herrick asked how much time did you give them?

Ms. Leo stated it was two weeks, and the extension turned it into three weeks, but Thanksgiving was during that time. It could have been more, but it is not a large job. We asked for some qualifications, as well as the price and contract documents.

Mr. Herrick stated we have worked with L7 Construction, and they are a good company. I do not know the other company at all.

Ms. Leo stated one of our staff has worked with them and had success.

Mr. Simmons stated they have done work out here.

Mr. Herrick stated we just bid out an emergency repair job on Buena Vista Drive. We put it out to five contractors and received two bids. People are busy. They could not staff the work. I do not know if that is the same situation here because you are trying to get this done quickly.

Ms. Leo stated I think that has something to do with it, the scale of the work and they are busy. This is a lower priority.

Mr. Herrick stated your estimate was \$300,000, and the lower bid came in at \$377,000.

Ms. Leo stated yes, our estimate was less than \$300,000, closer to \$260,000.

Mr. Thrash asked what timeframe was the estimate based on, 60 days or 90 days or other?

Ms. Leo stated Delamarre when they came in did not go through the process right for capacity, which is why the connection fees came in later, and then the need for the forcemain surfaced. Atkins put a number out of \$128,000 but did not include any restoration. Their estimate was incomplete and strictly for the pipe. Our estimate was at about the same timeframe, which is when we discovered there is more to this project. I do not think, considering pre-pandemic and where we are now, there will be much change in the prices. I think it is the market that we did not anticipate being as tight as it is.

Mr. Herrick stated we are finding the same thing. Your options seem very limited.

Ms. Locher asked do we take the lower price or the shorter time?

Mr. Harkness stated 90 days still works for their timeframe.

Ms. Sandy stated the bid from Jimmy Hickman Excavation is above the bidding threshold coming in at over \$400,000.

Ms. Leo stated that was the discussion we had with Hopping Green & Sams. We felt the bids were going to be less than the threshold.

Mr. Herrick stated I am not familiar with the bidding threshold.

Ms. Sandy stated as a public entity, we have certain thresholds under which we do not have to do a public procurement process. For construction services, if we estimate the project will be less than \$383,000, then we do not have to go through a formal request for proposals process. Here we provided certain documents similar to a formal process, but we did not go through the formalized process. We did not advertise and follow all the steps that we would typically do for a formal process. If we were to formally bid it out, we would advertise, and we have to provide a certain number of days between advertising it and receiving the bids, and we would open the bids at a noticed meeting. Overall we followed the process pretty closely. I do not know if things would change much in the two proposals we received other than the timing aspect.

Ms. Leo stated we held a pre-proposal meeting. We issued addenda. Beyond that, we reached out to each contractor to get what we thought would be a handful of prices.

Mr. Herrick stated it sounds like we went through a fair process. We have two options. We can award it to the lower price, understanding it was higher than the estimate, and get it done in 90 days so the customer is happy. Or we can go to the

customer and say we need an extra two months, and then we go through the formal bid process. What might the developer say if we asked them for two more months? I know what my customers would say when they have paid \$1.2 million in connection fees. I think we move forward.

Mr. Harkness stated I agree.

Mr. Simmons asked were other contractors interested in providing pricing but just needed another week or so?

Ms. Leo stated yes, but we did not change the deadline since this meeting was happening today. We already extended the deadline once.

Mr. Herrick asked did they call you or send a letter asking for an additional couple weeks in order to provide a bid?

Ms. Leo stated I do not know that detail since others in my office were doing various parts of this process.

Mr. Harkness stated there were probably no promises, though. You could give everyone another two weeks, but you might not get any new bids, so we would have lost that time. I think we award it.

Ms. Leo stated if the Board is prepared to award the contract, I will ask that it be subject to review of the bids by staff because we just received them.

Ms. Sandy stated as part of the project manual, we included a matrix that had certain point allocations, if the Board wants to review that. Since one price is over the bidding threshold, the Board should consider going with the lower bid or else look at doing a formalized process.

Mr. Herrick stated we have no guarantee that if we go through the formalized process we will save anything.

Mr. Harkness stated it may not get us more responses, either.

Mr. Herrick stated I think we should just award the contract to L7 Construction.

Mr. Rivera asked are we including the bypass pump or a vacuum truck?

Ms. Leo stated when I briefly reviewed these, I saw the bypass pump was included in their prices that we did not include in our estimate.

Mr. Rivera stated technically it would be better to do a bypass pump because it will fit there.

Mr. Herrick stated the bypass repair we did as an emergency was \$350,000. If you missed including an item, we are probably okay.

On MOTION by Mr. Harkness, seconded by Ms. Locher, with all in favor, unanimous approval was given to award a contract to L7 Construction for lift station #2 in the amount of \$377,000, as discussed, subject to final review of the bids by staff.

Ms. Leo stated we are still working on the extension of utilities down Celebration Boulevard to serve Island Village. It is the parallel forcemain and the reclaimed line that are coming from Artisan Park across some of the wetlands and coming out to Celebration Boulevard. We are still discussing with Reedy Creek about how that connection should happen. We are trying to minimize any other impacts. We have done our due diligence, and there is no other alternative that is viable. We are working through that with Ms. Kate Kolbo at Reedy Creek, and we will have that alignment settled. Regardless, it really needs to be a drill.

Mr. Herrick asked what are Ms. Kolbo's issues?

Ms. Leo stated it is through the wetland mitigation and conservation area. A trail exists, but mounting it under the boardwalk is not really a viable issue.

Mr. Harkness stated I agree, just drill it.

Ms. Leo stated a couple corridors have existing Celebration CDD easements that we will review. The plans show no impacts to the wetlands because we will just drill.

Mr. Harkness stated you will drill under the wetlands, whether there are pits or not.

Ms. Leo stated we still need to work it through. We are permitting. We already permitted the forcemain, but I want to do it all together and bid it all together. This will be a much larger project.

F. District Representative

Mr. Moyer stated this is an opportunity for a representative from Walt Disney Imagineering or The Celebration Company to bring up any issues or answer questions. We keep this on the agenda for when they have something to report.

G. Mattamy Homes (Island Village)

Mr. Moyer stated this is an opportunity for Mattamy Homes to inform the Board of their development. We just reimbursed them \$1.5 million for Phase 1.

EIGHTH ORDER OF BUSINESS

Other Business and Supervisor Requests

Mr. Moyer introduced the staff: Ms. Cruz Millheim, Mr. Simmons, Mr. Rivera, and Ms. Montagna. In a year or 18 months, I plan to retire and do more traveling. Ms. Montagna has been a District manager in Tampa for six years, so this is not new to her. We will bring her up to speed on things related to what we are doing here. If any of the new Supervisors want to know more about the Sunshine Law, I can go through that.

Mr. Herrick asked what about the financial disclosure form?

Mr. Harkness stated they will start coming to you in the mail.

Mr. Moyer stated we will provide those to everyone, and then going forward, they will be mailed to you from the Supervisor of Elections every year. You are now considered to be an elected official and governed by certain rules and regulations of the State of Florida, including certain Statutes and auditing requirements for the District and so forth. A couple of them you need to be aware of. One is called the Sunshine Law. Simply stated, that means no two elected officials serving on the same Board can meet outside of a publicly noticed meeting, like we are having today, to discuss District business or anything that you reasonably think will come before the Board in the future. All those discussions have to take place in an advertised meeting. The second is the public records law. Anything you have in your possession, these agenda packages for example, that we send to you via email or in printed form, to the degree you keep that, it is subject to a public records request if someone comes to you and asks to see your public records for this District. We recommend to the extent you keep any of this material that you segregate it and keep it in a separate file so you do not have to go through your business files if someone asks for this information. In the normal course of business, most of those requests will come through the management company, and we respond to public records requests. If something gets adversarial, it is not unusual for people to go directly to the Supervisors and want to see your public records, not just the records of the District but of the Supervisors. Same thing applies to emails or text messages or anything like that, keep those separate so if someone wants to see it, then all you have to do is turn them over. To the degree you want us to setup email addresses for you specific to the District, we will be happy to do that for you. My secretary, Ms. Brenda Burgess, will send you that information.

Ms. Sandy stated we have information for new Supervisors that we will be sending to you. Please reach out to Mr. Moyer or me with any questions.

Mr. Harkness stated once a month, we receive an email asking if we are able to attend the upcoming meeting. I recommend you not reply to all; just reply to the person who sent the email.

NINTH ORDER OF BUSINESS

Adjournment

The next meeting is scheduled for Wednesday, January 6, 2021, at 4:00 p.m.

On MOTION by Ms. Locher, seconded by Mr. Harkness, with all in favor, the meeting adjourned at 5:05 p.m.

Gary L. Moyer, Secretary

Jason Herrick, Chairman