

**MINUTES OF MEETING  
ENTERPRISE COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of the Enterprise Community Development District was held Wednesday, February 3, 2021, 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. Herrick 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. Herrick 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**

**Consent Agenda**

**A. Acceptance of the Minutes of the December 2, 2020, Meeting**

Mr. Herrick 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.

Mr. Harkness stated page 13 fifth line from the bottom should read, "Mr. Rivera asked are we including the bypass pump or a vacuum ~~baek~~ truck?"

Ms. Sandy stated I emailed comments to staff to incorporate on pages 12 and 13, clarifying on page 12 if we have not hit certain thresholds, then we do not have to do a

public procurement process, and clarifying page 13 my recommendation for the Board to consider accepting the lower bid.

**B. Check Register and Invoices**

Mr. Herrick 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 #16 to Mattamy Homes**

Mr. Herrick 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, minutes as amended.
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**FIFTH ORDER OF BUSINESS**

**Business Matters**

There being no business matters to consider, the next order of business followed.

**SIXTH ORDER OF BUSINESS**

**Staff Reports**

**A. District Manager**

**i. Financial Statements** (*December 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 we levied \$364,861 for non-ad valorem assessments, and through December 31, 2020, we have collected \$335,000, which is not unusual. As the Board is aware, real estate tax bills go out in November and are discounted through March. People usually pay during the month of December, so we are doing quite well on revenues. On the general fund, operation and maintenance expenses are \$31,781 under budget. On the water/sewer fund, prorated revenues are \$1,845,000, and we collected \$1,680,000. The vast majority of the difference is due to connection fees. We have not collected what we anticipated through the first quarter of fiscal year 2021, but it is difficult to anticipate when those connection fees will come in. Mattamy Homes is building model homes in Island Village, and for the most part, that is where we would expect connection fees to come from. We will monitor that line item; it is not overly serious.

Mr. Johnson asked what is their schedule?

Mr. Moyer stated I think they will start sales about March or early April.

Mr. Thrash stated they are coordinating through The Celebration Company and gave the timing of March or April for sales. Their model homes are about to receive certificates of occupancy.

Mr. Moyer stated administrative expenses are \$12,000 under budget on the water/sewer fund, and field expenses are \$14,378 under budget. Generally, the utilities are in good financial position.

**ii. E-Verify Memorandum of Understanding**

Mr. Moyer stated the E-verify memorandum of understanding was provided by legal counsel as a requirement to stay in compliance with a law that was passed by the State of Florida. It basically identifies units of local governments as employers. Even though the District does not have any employees, we still have to go through the E-verify system. As it relates to what we need to do going forward, any contracts we enter into in the future will include a paragraph that says contractors and subcontractors have gone through the E-verify system.

Ms. Sandy stated this will not have a huge impact on us because, as Mr. Moyer said, we do not have direct employees. If we do in the future, we will be using this system. Either way, we are required to register for it. I will ask the Board for a motion to direct staff to register the District with the E-verify system.

Mr. Harkness stated as I read this, it says “public employer,” which is the District. It says we may not enter into a contract unless each party registers with this system, so that is saying Inframark and every construction contractor have to register. We cannot sign a contract with them unless they are registered.

Mr. Moyer stated when we renew Inframark’s contract, they will have to be registered. It is not retroactive.

Mr. Herrick asked when is it effective?

Mr. Moyer stated it was effective January 1, 2021.

On MOTION by Ms. Locher, seconded by Mr. Harkness, with all in favor, unanimous approval was given to direct staff to register the District with the E-verify system.
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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 mowing is occurring every other week. We finally will receive the fence and the gates. They called today, and we ordered them in November. We will get them installed once they are delivered, maybe next week. Comcast is getting ready to do a directional bore again from the east side of the Publix entrance on that side all the way down to the North Village traffic signal. We will keep an eye on that project because there is a lot of stuff in the ground. Everything has been located.

Mr. Herrick asked who does the locates?

Mr. Simmons stated Mr. Rivera does the water utilities, and I do the irrigation locates. We have a lot of irrigation lines, and I spent four hours today doing just that. There are a lot of points to connect. It is not just one wire; we have five different controllers in that area.

Mr. Herrick asked they still submit locates through Sunshine One-Call or 8-1-1?

Mr. Simmons stated yes.

Ms. Locher asked how is Yellowstone doing?

Mr. Simmons stated pretty well. We had to address some things with them about a month ago, and they got right on it.

Ms. Locher asked are you having weekly meetings with them?

Mr. Simmons stated yes.

### **C. Utility Operations**

#### **i. Utility Report** *(November and December 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 stated November's report describes the visit we paid to Windsor at Celebration, the senior living center. This is the project we are having trouble with. I inspected their grease traps, which had never been cleaned. The pictures in the report show the grease traps. They have had a lot of turnover with management. I gave them a deadline to make that repair and keep a log of when the grease traps are cleaned, because that can affect the District in the long run. They started logging everything. I gave them a pointer that if they put different color codes on the lids, each time they clean it, they can move to that color code. Then the log sheet is marked red, orange, or green. When I look at it, I can see the color on the log as well as the color of the lid.

Mr. Herrick asked do we have an industrial pretreatment program?

Mr. Rivera stated no. We keep an eye on it. We had trouble with them before, so we monitor it, and I visit them every quarter to be sure they are following up.

Mr. Herrick asked what about the other businesses and retail?

Mr. Rivera stated we do not normally have trouble with anyone else, but if we do, then I check the businesses on either side but not all of them have kitchens. We performed a leak repair on Banks Rose Court on the corner. We had to locate the leak. Apparently when they put in both lines, they did not put sleeves underneath the road. It is hard to locate where the water is coming from because it is not contained. Since they did not have a sleeve, we had to do a locate, and we found it. We had to take out a section of asphalt about 10 feet x 10 feet, and we performed that repair.

Mr. Herrick stated typically it is harder to find a leak when there is a sleeve.

Mr. Rivera stated no, actually it is easier to find a leak when it is in a sleeve because the water is contained. Without a sleeve, the water goes everywhere. With a sleeve, at least we know it stays in that area.

Mr. Herrick stated we always find with leaks in sleeves, water leaks out at the ends, so we do not really know where the leak is. We end up digging up the whole area.

Mr. Rivera stated that is not the case here.

Mr. Herrick stated that is good news.

Mr. Rivera stated in December's report, Ms. Cruz Millheim and Mr. Simmons found a fire hydrant was missing on Celebration Avenue by the school. Something hit it and ran it into the ditch. We were able to recover the fire hydrant. We had another one here and were able to make the repair. Instead of having to buy a new one, we changed the inside and repaired it and put it back online.

Mr. Simmons stated the hydrant was in a ditch about eight feet down, near 851 Celebration Avenue. We all drove past it. I thought it was a radar speed sign box.

Mr. Harkness asked did it blow water when it broke off?

Mr. Simmons stated no, it is not like in the movies.

Mr. Harkness stated the valve must have been shut off.

Mr. Rivera stated they have break-aways, so when it gets hit, it breaks off and water does not spray out. I visited Windsor at Celebration on December 17, and they did all their cleanouts and lots. We started installing meters in Island Village at their request. We installed six irrigation meters and eight potable meters. As that project progresses, we

will start seeing revenues from those installations. WLW Site Construction finished installing the sanitary lines in Island Village, and they are doing a good job. We are staying in constant contact with them.

Ms. Locher stated a leak happened at 1202 Celebration Avenue in South Village. I know Mr. Rivera was talking with them. Did that get repaired?

Mr. Rivera stated yes, we came out and it was repaired. Another one happened today at 1231 at the townhomes, which will be repaired tomorrow morning. The service line that goes across the street to service the house has a leak, about six feet.

Ms. Locher stated I saw all the water, and I happen to know the person who lives in front of there, so I asked what was going on.

Mr. Rivera stated we prioritize which one is the biggest.

Ms. Locher stated her biggest concern when I talked with her is if there is going to be a sinkhole, and I replied there would not. She also commented that Mr. Rivera said her bill would be adjusted because it is a verified leak.

Mr. Rivera stated another customer was worried that they saw water and thought their whole house was going to fall into a sinkhole the little bit of water would create. I tell everyone not to worry because everything will be fine.

Ms. Locher stated unlike others who have a leak inside their house and ignore it, and then they receive their large water bill.

Mr. Herrick asked was there an item that needed Board approval?

Mr. Rivera stated yes, but I will move it to the next meeting. It was for the SCADA system that went down. Our phones are attached to that SCADA system. When the repairman came out, the system was down via a power outage in the area, and the computer did not want to come back on. He requested an upgrade since it has never been upgraded, but I forgot to include the proposal in this report. I will include it in the next report. He said it is not urgent, and sometime in October would be best. We cannot let it go just in case that happens again because we will not have access to the lift stations or know what is going on.

Mr. Johnson asked is it temporarily fixed?

Mr. Rivera stated yes, for now. He said we can wait until the next fiscal year when the new budget begins in October. He assured me we should be fine until then, but we do not want to wait until the following fiscal year.

Mr. Harkness stated I noticed for lift station #4, you had to get a loaner pump. Are you finding that our lead time to get new pumps is being excessive?

Mr. Rivera stated yes. He did not charge us for it.

Mr. Harkness asked do we have a small inventory of pumps? I know they can be made to order. If there are certain sizes available on the shelf, maybe we ought to be buying a spare and making our own inventory. Even the contractors and suppliers may not have them.

Mr. Herrick asked are we standardized by manufacturer?

Mr. Rivera stated yes, we try to get Flygt since the system is made for Flygt.

Mr. Herrick asked how many lift stations do we have?

Mr. Rivera stated 11.

Mr. Harkness asked do they all have different size pumps?

Mr. Rivera stated we have probably four different sizes among all the pumps.

Mr. Harkness stated it is a small amount of money for peace of mind. If you are down and the contractor or vendor does not have our size, then you are down to one pump and really in a bind.

Mr. Rivera stated the pumps that are really messing up do not have a lot of high flow. The one pump can maintain it until we get the other one fixed.

Mr. Simmons stated the bypass pumps do not go down in the well; they are on a trailer above ground. Pumps are now about three months out.

Ms. Leo stated yes, for a new Flygt pump.

Mr. Harkness stated we ought to see what makes sense. Maybe we should purchase a couple spares and keep them in inventory so we will not have to wait three months.

Mr. Rivera stated I will provide some prices.

Mr. Harkness stated they are all duplexes designed for one pump to run it all, and when one pump is down, there is a backup until it also goes down a week later.

Mr. Simmons stated we can use a bypass pump.

Mr. Harkness stated then we also have to maintain and monitor that.

#### **D. Attorney**

##### **i. Approval of L7 Construction Contract**

Ms. Sandy stated this is the contract for the work the Board awarded at the last meeting for lift station #2. It is fully executed. One additional update that has been made from the version provided to the Board is, we received a recorded payment and

performance bond, so the agreement is complete. The next step from the legal side is to finalize a temporary construction easement so we have access to the lands as well as recording a notice of commencement and issuing a notice to proceed for L7 to proceed under the contract.

Mr. Harkness asked is this contract subject to the E-verify system we just approved that is effective January 1, 2021, since this is dated January 15, 2021?

Ms. Sandy stated yes, it is, and the E-verify language should be included in it, but I will double check and confirm.

Mr. Harkness stated I noticed we had a direct purchase for materials. Did we figure out what we are going to purchase yet?

Ms. Leo stated yes, we had a pre-construction meeting just before this Board meeting, and they will provide a list of materials to purchase so the District can save the sales tax.

Ms. Sandy stated we generally include that provision in all large construction agreements in the event the District wants to utilize it.

Mr. Harkness stated I thought this was approved at the last meeting.

Ms. Sandy stated the motion at the December meeting was to move forward and authorize staff to negotiate a contract with L7 Construction. This is the contract that was negotiated, and it has been executed. Since the contract did not come before the Board previously, we will ask the Board to ratify it.

On MOTION by Ms. Locher, seconded by Mr. Harkness, with all in favor, unanimous approval was given to ratify the construction contract with L7 Construction for lift station #2.
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Ms. Sandy stated I will be going on maternity leave in about a month. Since coming on board with the transition from Mr. Jason Walters, both Ms. Jennifer Kilinski and I have been involved in everything related to this District. Ms. Kilinski will continue to stay plugged in and involved while I am out, likely through June.

*The Board expressed its congratulations to Ms. Sandy.*

**E. Engineer**

**i. Consideration of Work Authorization #4 with GAI Consultants for Continuation of Construction Engineering Inspection Services in Island Village**

Ms. Leo stated we took on construction inspection for Celebration Boulevard when the extension started, essentially with a pot of money in the budget. When we got into it,

we realized a lot of the utilities were actually in the ground, so we had to do a little work to get caught up. Everything has been going very well, and we have been following up with Mattamy Homes and their contractors, which we reported at a previous meeting, in Island Village and the next few phases to keep an eye on construction to make sure utilities are going in the way they should. We are about out of that original authorization. This authorization is 15 weeks.

Mr. Herrick asked was the original amendment time based?

Ms. Leo stated yes, it is an estimate of how much time per week. Some weeks may have more hours and some weeks fewer hours. We were essentially shut down over the holidays. It is an estimated average. We think this will keep pace with them for the foreseeable future. Based on the relationship we have with them and how things have been going in the ground, I am comfortable with it. This request is for additional funding to keep the inspection services going.

Mr. Johnson asked will this get us through the end of Phase 1B? Or will it go into additional phases?

Ms. Leo stated the end of Phase 1B. We just had a permit clearance request come through. We have already watched the tapes and have seen all this come through. It is much faster to get things processed and be able to have a hand on it all the time, versus getting a huge pile at the end and not having seen the work. I feel much better with this arrangement.

On MOTION by Mr. Harkness, seconded by Ms. Locher, with all in favor, unanimous approval was given to work authorization #4 with GAI Consultants for continued construction engineering inspection services at an estimated rate of \$2,016 per week, not to exceed \$30,240, as presented.
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**ii. Delamarre Lift Stations**

Ms. Leo stated we had a construction meeting just prior to this Board meeting with L7 Construction. They are ready to go. We made introductions with the District staff they will be working with. We walked the site. They are having a long lead time on pumps, like three months. We are working through the schedule with what we are doing and what Delamarre is doing, in tandem with Windsor at Celebration for construction easements. We think they will all fall in together timing-wise, but we are working through some

contingency ideas if for some reason the schedule is vastly different. Right now, they are saying the apartments will be done in May, which is pretty aggressive. We will continue to monitor and do what we can to accelerate the pumps as far as drawing reviews and things like that.

Mr. Herrick asked these are Flygt pumps, too?

Ms. Leo stated yes.

**iii. Utility Extensions**

Ms. Leo stated we were struggling with some easements and wetland impacts. I think we have a route that will satisfy all of that. Easements have been the biggest struggle because we are going back and forth with the apartments changing ownership and lawsuits. We just do not want to get bogged down in that. I think we have a good route now and will proceed with those alignments.

Mr. Herrick asked will they be the standard temporary construction easements and then a full easement, or are you going with a full easement right away?

Ms. Leo stated it will probably be a temporary and then a full easement.

Mr. Herrick stated that might make the most sense.

Ms. Leo stated I want to make sure we have it within the bounds. We are trying to leverage easements that exist outside of private ownership. There are easements with Celebration CDD, so we will work some of that out with them. I think we have something that is workable.

Mr. Johnson asked what is the general timing on the utility extension?

Ms. Leo stated we probably need another month to finish design, probably two to three months to permit, and then time to bid it out. We could be out to bid in the summer.

**F. District Representative**

There being no report, the next item followed.

**G. Mattamy Homes (Island Village)**

There being no report, the next order of business followed.

**SEVENTH ORDER OF BUSINESS**

**Other Business and Supervisor Requests**

There being none, the next order of business followed.

**EIGHTH ORDER OF BUSINESS**

**Adjournment**

The next meeting is scheduled for Wednesday, March 3, 2021, at 4:00 p.m.

On MOTION by Ms. Locher, seconded by Mr. Harkness,  
with all in favor, the meeting adjourned at 4:35 p.m.

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Gary L. Moyer, Secretary

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Jason Herrick, Chairman