

## MINUTES OF MEETING ENTERPRISE COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Enterprise Community Development District was held Wednesday, May 4, 2022, at 4:00 p.m. at the District Office, 313 Campus Street, Celebration, Florida 34747.

Present and constituting a quorum were:

Gregg Harkness	Assistant Secretary
Paul Johnson	Assistant Secretary
Henry Thrash	Assistant Secretary

Also present, either in person or communications media technology, were:

Angel Montagna	Manager: Inframark, Management Division
Sarah Sandy	Attorney: Kutak Rock LLP
Kathy Leo	Engineer: GAI Consulting
Brad Brown	Inframark, Utility Operations Division
Brenda Burgess	Inframark, Management Division
Greg Kolb	GAI Consulting
Kent Kaughman	Inframark, Utility Operations Division
Rick Lavoie	Inframark, Utility Operations Division
Danny Lyndall	Inframark, Utility Operations Division/ESG
Renea McRoberts	Inframark, Utility Operations Division
Russ Simmons	Inframark, Management Division
Edward Smith	Inframark, Utility Operations Division
Members of the Public	

### **FIRST ORDER OF BUSINESS**

#### **Call to Order and Roll Call**

Ms. Montagna called the meeting to order at 4:00 p.m.

Ms. Montagna called the roll and stated a quorum was present for the meeting.

### **SECOND ORDER OF BUSINESS**

#### **Pledge of Allegiance**

Ms. Montagna 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 February 2, 2022, Regular Meeting**

The minutes are included in the agenda package and available for public review in the District Office during normal business hours.

##### **B. Check Register and Invoices**

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

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

**FIFTH ORDER OF BUSINESS**

**Business Matters**

**A. Resolution 2022-04, Appointing an Assistant Treasurer**

Mr. Harkness read Resolution 2022-04 into the record by title.

Ms. Montagna stated we will correct the Resolution to remove reference to Harmony.

On MOTION by Mr. Johnson, seconded by Mr. Thrash, with all in favor, unanimous approval was given to Resolution 2022-04, as amended, appointing Ms. Montagna as Assistant Treasurer.

**B. Ratification of Acceptance of Fiscal Year 2021 Audited Financial Statements**

On MOTION by Mr. Johnson, seconded by Mr. Thrash, with all in favor, unanimous approval was given to ratify acceptance of the fiscal year 2021 audited financial statements and staff's filing with various governmental agencies.

**C. Number of Registered Voters – 0**

Mr. Harkness entered the number of registered voters into the record.

**D. Presentation of Proposed Fiscal Year 2023 Budget**

**i. Proposed Fiscal Year 2023 Budget**

**ii. Resolution 2022-05, Approving the Proposed Fiscal Year 2023 Budget and Setting a Public Hearing Thereon**

Ms. Montagna stated we will discuss the budget at the June meeting.

**E. Consideration of Acquisition of the Celebration Island Village Phase 1A Foremain Reroute Improvements and Work Product**

Ms. Sandy stated we were notified by Mattamy Homes that this work is complete and is ready for acquisition by the District of the forcemain reroute and some related work product. We are currently finalizing the improvement and legal description with Mattamy Homes now. It is close to final. I will ask the Board to approve the acquisition of Island Village Phase 1A forcemain reroute and work product, subject to receipt and review by District counsel of the documentation required pursuant to the acquisition agreement, in an amount not to exceed \$160,000.

Mr. Harkness asked you are still pending receipt of as-builts and other documents?

Ms. Sandy stated yes. We typically request Board approval on the front end of an acquisition and then work with Mattamy Homes to get all the documents and final sign-offs from Osceola County.

Ms. Montagna stated I thought we received preliminary documentation.

Ms. Sandy stated yes it was included on the email sent yesterday, which were two warranty bills of sale. One is for the improvement and one is for the work product. The work product is the engineering drawings, construction drawings, and so forth. The improvement is the actual forcemain improvement.

Mr. Thrash asked what is the basis for the amount of \$160,000?

Mr. Harkness asked was it based on a bid or something other?

Ms. Sandy stated it is the cost Mattamy Homes incurred for the improvement. Part of the documentation we requested will include cost information, and we will include that information.

Mr. Harkness asked have we previously approved an acquisition agreement?

Ms. Sandy stated yes, we have an acquisition agreement in place, and we will be requiring these documents pursuant to that agreement.

On MOTION by Mr. Johnson, seconded by Mr. Thrash, with all in favor, unanimous approval was given to approve acquisition of Island Village Phase 1A forcemain reroute and work product, in substantial form, subject to receipt and review by legal counsel of the documentation required pursuant to the acquisition agreement, in an amount not to exceed \$160,000.

#### **F. Declaration of Surplus Property**

Mr. Simmons stated I provided a couple pictures of an old motor and pontoon boat the District purchased years ago. We have not used them for 12 years, and we are cleaning up the back staging area. We have the boat, trailer, and motor.

On MOTION by Mr. Johnson, seconded by Mr. Thrash, with all in favor, unanimous approval was given to declare surplus property of the pontoon boat, motor, and trailer, as described.

### **SIXTH ORDER OF BUSINESS**

#### **Staff Reports**

#### **A. District Manager**

##### **i. Financial Statements (March 2022)**

The financial statements are included in the agenda package and available for public review in the District Office during normal business hours.

Ms. Montagna stated we are about 78% ahead of budget.

**B. Field Operations**

**i. Field Management Reports**

The field management reports are included in the agenda package and available for public review in the District Office during normal business hours.

**ii. Landscaping Services**

Mr. Simmons stated my report included pictures of a site audit I did recently, and it is time to let the landscaping company go. Celebration CDD just went out for a request for proposals (RFP), and I was thinking of inviting the same proposers to provide a proposal for this District. Yellowstone has been doing downhill for quite some time, mostly due to management problems.

Mr. Harkness asked how long is the contract term remaining?

Ms. Montagna stated we have a 30-day or 60-day termination provision. I am not sure if the term expires this year or next year, but we can terminate early. We have had multiple conversations with them onsite and at our meetings, but nothing is changing. We are asking the Board to authorize staff to solicit proposals. The amount is under the bidding threshold, so we do not have to go out for a public bid. We can invite vendors to provide a proposal on the scope of services. Since Celebration CDD just solicited for proposals, we will invite those proposers to provide a proposal for this District, as well. Their bids are due within the next two weeks, and the Celebration CDD Board will be considering award of that contract at their May meeting. The turf looks really bad.

Mr. Simmons stated they are tearing up the pvc fence. Some areas on Celebration Place are drying out because they do not have an irrigation person anymore. If the Board will recall, Ms. Kimberly Locher recommended this company, and at that time, they performed really well. They were here all the time, and they were responsive to all our requests. We have gone through probably three project managers during this contract.

Ms. Montagna stated CROA also just terminated Yellowstone's contract.

On MOTION by Mr. Johnson, seconded by Mr. Thrash, with all in favor, unanimous approval was given to direct staff to solicit proposals for landscaping services.
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**C. Utility Operations**

**i. Utility Report** (*February and March 2022*)

The utility report is included in the agenda package and available for public review in the District Office during normal business hours.

Ms. McRoberts stated we have had some issues with lift stations. One of the rails came loose where the pin that was connected to the rail caused some pump damage, and we had to replace the pump. We repaired the rail. One of the lift stations looked like it was hit by lightning and burnt out one of the pumps. The pump for the alum vault has been received, but it has not yet been installed. We have been waiting for this since October. Because it is a new pump due to the previous pump being discontinued, we have to make some adjustments with the base and are machine shopping it to get it to fit. We have had some leaks. A lot of them we were able to repair in-house, and some were caused by tree roots.

Mr. Simmons stated we had to pull another huge oak tree that damaged the p-line right underneath it.

Ms. McRoberts stated everything is under these trees. The other day, we saw one with electricity and fiber underneath.

Mr. Simmons stated the Board has previously discussed driveways to the lift stations. We do not need to provide all of them, and we met with the County to discuss this.

Ms. Montagna stated the Board approved this work some time ago and wanted the work to be done in phases.

Ms. McRoberts stated we have the lining for lift station #9 scheduled to be installed, which was also approved.

#### **D. Attorney**

There being nothing to report, the next item followed.

#### **E. Engineer**

##### **i. Consideration of Bids for Utility Operation, Maintenance, and Billing**

Ms. Leo stated over the last several months, we have gone through the process to rebid the contract for operation and maintenance of the utility system. We had a pre-bid meeting. We provided some addenda and contacted several bidders. We had a little more interest during the process, but by the deadline, we received only one submittal, from Inframark. The bid package was complete as far as paperwork and other required items. Over the last week or so, I have emailed documents to the Board. I provided copies to the Board. I had a conversation with Inframark regarding their bid because I wanted to ask a couple questions. By way of history, the contract was a five-year contract, and we opted to extend that for two years at the same dollar amount. The bid we received is for 2023 through 2027. I want to highlight a few things in the numbers and the delta between this bid and the previous bid. It comes down to inflation and additional staffing. When you

leave out the additional area to compare them equally, the total is \$936,590 from last year's price of \$647,000. In talking with Inframark, they have a value-added option. One of the things in the RFP required more testing than AWA required, so that is a discount over the five-year term straight lined. It is a fairly significant increase. For clarification, a unit price schedule was left blank. It was explained to me that it is difficult to assign a fixed cost for a valve or a hydrant for six months from now, let alone five years from now.

Mr. Harkness stated that seems fair.

Ms. Leo stated the added scope does include Island Village Phases 1 and 2, and more is to come as it comes online which will be additions to the contract price. We do not have final designs yet, and they cannot quote that yet.

Mr. Harkness asked is the billing software something new?

Mr. Brown stated I am the business development director for this region and will be your client manager, along with the team on the ground: Mr. Lyndall, Mr. Kaughman, Mr. Smith, and Ms. McRoberts. Understand that the additional scope for billing, as we began to dissect this project in where we are today, it is our fault that we have this particular increase. We have been providing services and have not amended the agreement to include some of the costs we have incurred since 2016. This is taking the opportunity through this bid to meet the scope of work and bring in the additional full-time employees. The billing software came about many years ago when AS/400 went away. The support for it went away, and we could not be held in the lurch without a billing program. We have been toiling with this for a month, and we cannot fix that right now, but we intend to bring in these billing costs that are high, even in our minds. We will be transparent with you and what process we will go through to select a new billing platform, and we will share in the savings we come up with moving forward. The current billing platform has been in place since 2019 which cost we never passed onto the District. The billing work was subcontracted out before, but when the AS/400 software went away, we had to get new software and a new provider, which essentially tripled the cost. The cost for what it takes to do this in-house will be exponentially higher to start from scratch and bring in more staff to manage it. We are exploring some avenues now that will substantially reduce the cost, but it is not feasible to bring this service in-house.

Mr. Harkness asked the price is annually? What does it include?

Ms. McRoberts stated yes, it is annually and it includes everything for subcontracting the billing.

Mr. Brown stated that is the cost of producing bills and receiving revenues from those bills for utilities. The company we are using is MuniBilling.

Mr. Harkness stated I am not so concerned that we received only one bid. The key is if they do a great job and we are happy with them. I want to know we are getting our money's worth.

Mr. Brown stated understood, and we have been your vendor since 1995. We hope to continue for the same amount of time and beyond. This new team has much experience in operations and maintenance in running utilities and public works functions. Inframark recently merged with ESG, which will bring on additional capabilities and services that we can provide to you. It became official December 29, 2021. As we begin to look at this, we will explore ways we can begin to do some of the services, like excavation repairs. If it means bringing on one or two people that will save \$250,000 to you, then we will do that. We are already thinking through those processes to not only provide the services at a high quality but also reduce some of these extra costs.

Mr. Thrash asked does this take into account as other phases of Island Village come online?

Ms. Leo stated it includes Phases 1 and 2 but not beyond that.

Ms. Montagna stated as future phases come online, the contract will be amended through an addendum.

Mr. Brown stated that is something this team will look at and determine at that time what resources it will take to add that scope for service.

Discussion ensued on the anticipated development of Island Village, number of expected units in the phases, various products coming online, suggestion for staff to negotiate further, need for analysis of the bid, and option to table until June.

Mr. Harkness asked are these numbers included in the proposed budget?

Ms. Montagna stated I wanted to have the Board consider this contract and then present the budget in June after it has been awarded. We discussed increases in other line items just before Mr. Gary Moyer left. Based on this contract, we might be able to reduce some of those numbers, like the utility maintenance line, that has historically been about \$800,000 but we budgeted only \$450,000. That number could change based on this contract, as well.

Mr. Harkness stated this contract is a big part of our budget, and we need to fully understand how this bid will affect the budget to see if we need to adjust it.

Ms. Montagna stated I included the \$1,042,000 in the proposed budget now, but the Board can consider the bid and the proposed budget in June. I will be sending the preliminary budget in the next week or two for your advanced review once I get all the numbers plugged in.

Mr. Johnson asked can this wait another month?

Ms. Montagna stated yes.

Mr. Harkness asked can we consider the budget in June?

Ms. Montagna stated you will have to. The deadline to present the budget is June 15.

Mr. Harkness stated if nothing else, we will approve the budget and then consider the contract.

Ms. Leo asked should we extend the current contract for another month?

Ms. Sandy stated yes, as long as Inframark is amenable to waiting until next month for award of the contract and will continue to operate under the current maintenance contract for an additional month.

Mr. Brown stated we are amendable to extending the contract. In working with Ms. Leo, we can come with something more in line with AWA standard scope of work and frequency for these assets that we can utilize. The bid you received was in response to the RFP, and if you are open to working on it, we can collectively come up with a scope to move forward.

On MOTION by Mr. Johnson, seconded by Mr. Thrash, with all in favor, unanimous approval was given to table consideration of the bid for utility maintenance services and to extend the current utility maintenance contract until June 30, 2022.
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Mr. Brown stated we will continue to work on this with Ms. Leo and be prepared for the meeting on June 1.

Ms. Leo introduced Mr. Kolb.

**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.



**EIGHTH ORDER OF BUSINESS**

**Other Business and Supervisor Requests**

Ms. Burgess stated I would like to follow up on the request Mr. Simmons brought to you to declare surplus property. Our procedure is to advertise it on our website and however else to sell that property to a member of the public. Whatever funds we received go to the District. We just needed the Board to declare it as surplus property so that we could dispose of it, and you will receive the funds for it.

Mr. Simmons stated between 200 Celebration Place parking lot and the main entrance to the hospital on Celebration Place, we need to replace 15 sidewalk panels. I am meeting with the County to discuss maintenance of traffic. The work will take three or four days, and the sidewalk will be closed. They suggested we put out concrete road barriers, but they also said if we close the sidewalk, people will have to walk all the way around. I think we are going to do that because we do not have enough money in the budget for sidewalk repairs with concrete barriers. We would need to do the whole 600-foot length if we used them. We do not know any other way to do it.

**NINTH ORDER OF BUSINESS**

**Adjournment**

The next meeting is scheduled for Wednesday, June 1, 2022, at 4:00 p.m.

On MOTION by Mr. Johnson, seconded by Mr. Thrash, with all in favor, the meeting adjourned at 4:50 p.m.
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Angel Montagna, Secretary

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Chairman/Vice Chairman