

**MINUTES OF SPECIAL MEETING
ENTERPRISE COMMUNITY DEVELOPMENT DISTRICT**

A special meeting of the Board of Supervisors of the Enterprise Community Development District was held Wednesday, November 30, 2022, 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
Paul Johnson	Assistant Secretary
Henry Thrash	Assistant Secretary

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

Angel Montagna	Manager: Inframark, Management Division
Michelle Rigoni (<i>by phone</i>)	Attorney: Kutak Rock LLP
Gregory Kolb	Engineer: GAI Consulting
Brad Brown	Inframark, Utility Operations Division
Kent Kaughman	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 4:01 p.m.

Ms. Montagna 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

No members of the public being present, the next order of business followed.

FOURTH ORDER OF BUSINESS

Business Matters

A. Administrative Matters

- i. Resolution 2023-03, Canvassing and Certifying the Landowners Election**
- ii. Oath of Office for Newly Elected Supervisors**
- iii. Resolution 2023-04, Designating Officers of the District**

This item not being considered, the next item followed.

B. Motion to Assign Fiscal Year 2022 Fund Balance

Ms. Montagna reviewed the request to assign fund balance for fiscal year 2022 to operating reserves, in the amount of \$172,567

On MOTION by Ms. Locher, seconded by Mr. Johnson, with all in favor, unanimous approval was given to assign fund balance for fiscal year 2022 to operating reserves, as presented.
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C. Resolution 2023-02, Amending the Fiscal Year 2022 Budget

Ms. Montagna read Resolution 2023-02 into the record by title.

Ms. Montagna reviewed the budget items to be amended, including landscaping due to a change in contractors, sidewalks due to materials for repairs, wastewater, and utility maintenance. All overages are consistent with what has been experienced in the past.

On MOTION by Mr. Thrash, seconded by Ms. Locher, with all in favor, unanimous approval was given to Resolution 2023-02, amending the fiscal year 2022 budget.

D. Right-of-Way Assignment from TECO Energy

Ms. Rigoni reviewed the right-of-way assignment from Peoples Gas System (“Peoples Gas”), which merged into TECO Energy (“TECO”). As part of that process, TECO is going through a reorganization and assuming all the assets, rights, and obligations of Peoples Gas. Some of the obligations will be transferred to a new corporation, Peoples Gas System, Inc., which will be a subsidiary of TECO, who has certain easements and agreements with the District. TECO is requesting the District consent to the assignment of those existing agreements and easements, which is an administrative change and will not alter or delete any obligations in the existing agreements. The first request is to consent to the assignment of the right-of-way utilization agreement, dated August 31, 1995, among Peoples Gas System (a division of Tampa Electric Company), Enterprise CDD, and Celebration CDD. The agreement allows Peoples Gas to utilize the rights-of-way in which it has installed gasline improvements and facilities, for which Peoples Gas pays a fee to both Districts for this use. It gives the Enterprise CDD the ability to consent on behalf of both Districts.

On MOTION by Ms. Locher, seconded by Mr. Johnson, with all in favor, unanimous approval was given to consent to the assignment of the right-of-way utilization agreement dated August 31, 1995, with Peoples Gas System, Enterprise CDD, and Celebration CDD, to Peoples Gas System, Inc.

Ms. Rigoni described the second request, to consent to the assignment of a non-exclusive utility easement agreement among Enterprise CDD, Celebration CDD, TECO, and Peoples Gas, pursuant to the right-of-way utilization agreement. This also requires consent from the Celebration CDD, which TECO is working on separately.

On MOTION by Ms. Locher, seconded by Mr. Johnson, with all in favor, unanimous approval was given to consent to the assignment of the non-exclusive utility easement agreement with Enterprise CDD, Celebration CDD, TECO Energy, and Peoples Gas, to Peoples Gas System, Inc.

E. Resolution 2023-05, Resetting the Landowners Meeting Date

Ms. Montagna read Resolution 2023-05 by title into the record.

Ms. Montagna explained the landowners meeting was scheduled for November 10, 2022, and held via teleconference due to inclement weather, but no Executive Order was issued as anticipated. Staff rescheduled the landowner meeting for December 30, 2022, at 11:00 a.m.

On MOTION by Ms. Locher, seconded by Mr. Thrash, with all in favor, unanimous approval was given to Resolution 2023-06 resetting the landowners meeting to December 30, 2022, at 11:00 a.m.

Ms. Montagna clarified this is not a regular Board meeting, just a meeting for the landowner to nominate and vote for Supervisors whose terms expire this month. Newly elected Supervisors will be sworn in at the next meeting.

Ms. Rigoni stated the landowner or his proxy will need to appear in person at the landowner meeting, which has been confirmed for Mr. Todd Rimmer to attend.

F. Booster Station Above-Grade Pipework Proposal

Mr. Brown reviewed the proposal for the booster station pipework. The coating system is starting to break down, and if the pipe is not properly prepped before it is coated, the pipe will fail in various places. Staff has investigated and taken samples. This is a small coating project that larger companies are not interested in providing a proposal to perform. He reached out to a contact at TNEMEC, which is a reputable paint manufacturer in the industry and will warranty the work for the coating, and they recommended a local contractor, Amherst Maintenance, who has agreed to do this work at the quoted price of \$39,400, which is reasonable.

On MOTION by Mr. Johnson, seconded by Ms. Locher, with all in favor, unanimous approval was given to the proposal from Amherst Maintenance for surface preparation and coating of the above-grade pipework for potable and reuse water supplies at the main booster pump station, in the amount of \$39,400, as presented.

Ms. Rigoni stated due to the nature of the work, counsel recommends the proposal be put into a formal District form of agreement for the protection of the District.

Ms. Montagna confirmed that is always understood and implied in the motion.

FIFTH ORDER OF BUSINESS

Consent Agenda

A. Acceptance of the Minutes of the October 5, 2022, Regular Meeting and November 10, 2022, Landowner Meeting

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

The November 10, 2022, landowner meeting minutes will be removed from the consent agenda.

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. Thrash, seconded by Mr. Johnson, with all in favor, unanimous approval was given to the consent agenda, as presented, with removal of November 10, 2022, landowner meeting minutes.

SIXTH ORDER OF BUSINESS

Staff Reports

A. District Manager

i. Financial Statements

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

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.

C. Utility Operations

i. Utility Report

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

D. District Counsel

Ms. Rigoni reported on Island Village, Phase 2A plat, which is anticipated to be recorded early 2023. Counsel will review the plat and provide comments, if necessary.

E. Engineer

Mr. Kolb indicated Mattamy Homes submitted Phase 2B plans that are 90%. Staff provided comments before last week, and the plans are proceeding to the permitting

phase. The new booster pump station for Island Village is under review, satisfactory comments have been provided to the engineer, and this is moving to permitting and approval with DEP. The engineer is reviewing the plat.

Discussion ensued regarding construction of the next phase, permitting for Phase 2A is wrapping up, and it is unknown when Mattamy Homes will break ground for future phases.

Mr. Kolb reported GIS conversion of utility data is on the radar, and staff continues to work on existing pump station improvements and electrical maintenance program. Staff is undergoing due diligence for GIS to see what can be done most efficiently and is using Toho Water Authority (“Toho”) as a model for the District’s standards. Information is being obtained from as-builts, and other frameworks are available to review.

Ms. Montagna indicated Inframark also has something that will be presented to the Board at an upcoming meeting.

Ms. Locher suggested all options be presented to the Board for comparison and review, noting the District does not want to be in conflict with Toho.

Mr. Kolb noted the goal is to make it as easy as possible and also be functional, so it can be used for modeling in the future for other functions.

F. 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, December 7, 2022, at 4:00 p.m.

On MOTION by Mr. Thrash, seconded by Ms. Locher, with all in favor, the meeting adjourned at 4:17 p.m.

Angel Montagna, Secretary

Chairman, Jason Herrick