EDGEWATER WEST

COMMUNITY DEVELOPMENT DISTRICT

April 4, 2024

BOARD OF SUPERVISORS

REGULAR MEETING AGENDA

EDGEWATER WEST

COMMUNITY DEVELOPMENT DISTRICT

AGENDA LETTER

Edgewater West Community Development District

OFFICE OF THE DISTRICT MANAGER

2300 Glades Road, Suite 410W●Boca Raton, Florida 33431

Phone: (561) 571-0010●Toll-free: (877) 276-0889●Fax: (561) 571-0013

ATTENDEES:
Please identify yourself each time you speak to facilitate accurate transcription of meeting minutes.

March 28, 2024

Board of Supervisors
Edgewater West Community Development District

Dear Board Members:

The Board of Supervisor of the Edgewater West Community Development District will hold a Regular Meeting on April 4, 2024 at 9:15 a.m., or as soon thereafter as the matter may be heard, at the offices of Hanson, Walter & Associates, Inc., located at 8 Broadway, Suite 104, Kissimmee, Florida 34741. The agenda is as follows:

1. Call to Order/Roll Call

2. Public Comments

3. Consideration of Interlocal Agreement Regarding the Exercise of Powers and Cooperation on Providing Additional Disclosure and Notices and the Provision of Enhanced Improvements and Infrastructure

4. Approval of Minutes

   A. March 7, 2024 Organizational Meeting

   B. March 18, 2024 Regular Meeting

5. Staff Reports

   A. District Counsel: *Kutak Rock LLP*

      - Update: Validation

   B. District Engineer (Interim): *Hanson, Walter & Associates, Inc.*

      - Update: ED3 and ED7 Bids

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

      - UPCOMING MEETINGS

        - ➢ May 2, 2024 at 9:15 AM [Landowners' Meeting, Uniform Method, Debt Assessment & Rules Hearings, Award of ED3/ED7 Framework Roadways A & B Construction Contract]

➢ June 6, 2024 at 9:15 AM [Fiscal Year 2024 & Fiscal Year 2025 Budget Public Hearings]

○ QUORUM CHECK

SEAT 1	NOAH BREAKSTONE	☐ IN PERSON	☐ PHONE	☐ NO
SEAT 2	JUSTIN ONORATO	☐ IN PERSON	☐ PHONE	☐ NO
SEAT 3	KEVIN MAYS	☐ IN PERSON	☐ PHONE	☐ NO
SEAT 4	KEVIN KRAMER	☐ IN PERSON	☐ PHONE	☐ NO
SEAT 5	BOBBY WANAS	☐ IN PERSON	☐ PHONE	☐ NO

6. Board Members' Comments/Requests

7. Public Comments

8. Adjournment

Should have any questions or concerns, please do not hesitate to contact me directly at (561) 719-8675 or Ernesto Torres at (904) 295-5714.

FOR BOARD MEMBERS AND STAFF TO ATTEND BY TELEPHONE
CALL-IN NUMBER: 1-888-354-0094
PARTICIPANT PASSCODE: 782 134 6157

Sincerely,

Craig Wrathell
District Manager

EDGEWATER WEST

COMMUNITY DEVELOPMENT DISTRICT

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This instrument prepared by and return to:

KUTAK ROCK LLP
107 West College Avenue
Tallahassee, Florida 32301

INTERLOCAL AGREEMENT BETWEEN OSCEOLA COUNTY, FLORIDA AND EDGEWATER WEST COMMUNITY DEVELOPMENT DISTRICT REGARDING THE EXERCISE OF POWERS AND COOPERATION ON PROVIDING ADDITIONAL DISCLOSURE AND NOTICES AND THE PROVISION OF ENHANCED IMPROVEMENTS AND INFRASTRUCTURE

THIS INTERLOCAL AGREEMENT (the "**Interlocal Agreement**"), dated as of ___________________, 2024, is entered into by and between Osceola County, Florida (the "**County**"), a political subdivision of the State of Florida and the Edgewater West Community Development District (the "**District**"), a community development district created pursuant to the provisions of Chapter 190, *Florida Statutes*, c/o Wrathell, Hunt and Associates, LLC, 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431 and.

RECITALS:

WHEREAS, W1 Property Holdings, LLC, a Delaware limited liability company and EW Property Holdings, LLC, a Delaware limited liability company (collectively the "**Petitioner**"), as fee simple owners of certain real property located in Osceola County, Florida, did file with the County on or about March 9, 2023, an Amended and Restated Petition (the "**Petition**") pursuant to the Act (as defined herein) to establish the Edgewater West Community Development District; and

WHEREAS, upon review of the Petition and supporting testimony, evidence and documentation, including but not limited to surveys, plans and specifications and financial data, the Board of County Commissioners of Osceola County (the "**County Board**"), on February 19, 2024, granted the Petition; and

WHEREAS, on February 19, 2024, concurrent with or subsequent to the action of the County Board granting the Petition, the County Board enacted Ordinance No. 2024-13, establishing the District (the "**Ordinance**"); and

WHEREAS, the District is an independent special district and a local unit of special-purpose government which is created pursuant to the Act, and is limited to the performance of those specialized functions authorized by the Act and the Ordinance; and

WHEREAS, the District consists of that real property wholly within the boundaries described in the Ordinance; and

WHEREAS, all of the real property that constitutes the boundaries of the Edgewater West Community Development District and that is subject to this Interlocal Agreement may be in the future, annexed into and made a part of the municipal boundaries of the City of St. Cloud, Florida (the **"City"**); and

WHEREAS, the governing body of the District is created, organized, constituted, and authorized to function specifically as prescribed in the Act and the Ordinance for the delivery of urban community development services; and

WHEREAS, pursuant to the Act, the District is presently authorized to construct, acquire, and maintain infrastructure improvements and services set forth in Section 190.012(1) of the Act, for which the District may impose, levy and collect non-ad valorem special assessments on land within the boundaries of lie District; and

WHEREAS, in accordance with the Act, the County expressed in the Ordinance its consent to the District Board (as defined herein) having the additional powers to plan, establish, acquire, construct or reconstruct, enlarge or extend, equip, operate and maintain additional systems and facilities described and authorized by Sections 190.012(1), 190.012(2)(a) and 190.012(2)(d) of the Act, for which the District may impose, levy and collect non-ad valorem special assessments on land within the boundaries of the District; and

WHEREAS, it is in the mutual interest of the County and the District to establish intergovernmental relations that encourage, promote and improve the coordination, overall effectiveness and efficiency of governmental activities and services within the boundaries of the District; and

WHEREAS, the County and the District desire to exercise jointly their common powers and authority concerning the cost effective financing of the acquisition and construction of the infrastructure, public improvements and community facilities; the avoidance of inefficiencies caused by the unnecessary duplication of services and facilities; and the clarification of responsibilities, obligations, duties, powers, and liabilities of each of the governmental bodies; and

WHEREAS, Section 163.01, *Florida Statutes*, known as the "Florida Interlocal Cooperation Act of 1969" (hereinafter, the "**Cooperation Act**"), permits local governmental units to make the most efficient use of their powers by enabling them to cooperate with other localities on a basis of mutual advantage and thereby to provide services and facilities in a manner and pursuant to forms of governmental organization that will accord best with geographic, economic, population, and other factors influencing the needs and development of local communities; and

WHEREAS, the Petitioner presented to the District Board, after its establishment, a proposed Interlocal Agreement between the County and the District to further define the responsibility of the District to (i) provide for certain enhanced disclosure regarding the establishment of the District and the existence of liens and special assessments on lands contained within the District's boundaries, (ii) provide that annual notice be given by the District to all landowners within the District regarding the date, time and place of the scheduled monthly meetings of the Board of Supervisors for its ensuing fiscal year and (iii) provide that annual notice be given by the District to all landowners within the District regarding the date, time and place of its budget hearing; and

WHEREAS, the County and the District desire to entered into this Interlocal Agreement finding it to be necessary, proper, and convenient to the exercise of their powers, duties and purposes authorized by law; and

WHEREAS, the County and the District desire to enter into this Interlocal Agreement so that the terms of the Interlocal Agreement apply to all property within the District's boundaries.

NOW, THEREFORE, in consideration of the mutual understandings and covenants set forth herein, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the County and the District agree as follows:

ARTICLE I - INTRODUCTION

Section 1.01 Authority. This Interlocal Agreement is entered into pursuant to the authority set forth in the Cooperation Act and the Act, and other applicable provisions of law.

Section 1.02 Recitals and Exhibits. The recitals so stated are true and correct and by this reference are incorporated into and form a material part of this Interlocal Agreement. All exhibits identified herein are hereby incorporated by reference to the same extent as if fully set forth herein.

Section 1.03 Authority to Contract. The execution of this Interlocal Agreement has been duly authorized by the appropriate body or official(s) of the County and the District, each party has complied with all applicable requirements of law, and each party has full power and authority to comply with the terms and provisions of this instrument.

Section 1.04 Definitions. The following terms when used in capitalized form herein shall have the respective meaning indicated below unless the context shall clearly indicate otherwise:

"District Board" means the initial Board of Supervisors and all subsequent forms of the Board of Supervisors for the District.

"Capital Assessments" means an apportioned charge levied by the District against a Parcel to satisfy the costs and expenses of the infrastructure improvements, which shall constitute a special assessment lien on the Parcel. This assessment is intended to refer to the Benefit Special Assessments and Special Assessments, as set forth and described in Section 190.021(2) and 190.022 of the Act, respectively.

"Act" means the "Uniform Community Development District Act of 1980" codified in Chapter 190, *Florida Statutes*, as amended from time to time.

"Parcel" means a portion of the Property such as a lot, parcel, tract or any other quantity of land capable of being separately conveyed and having a separate folio number assigned by the Tax Collector for Osceola County.

"Property" means the lands within the boundaries of the District as established by the Ordinance and as identified in the attached **Exhibit A**, which is hereby incorporated herein.

ARTICLE II - DISTRICT POWERS

Section 2.01 Exercise of Powers.

A. Powers. The District has and shall retain all powers, rights, obligations and responsibilities granted or imposed by the Act, as amended from time to time, including but not limited to, all general powers and special powers set forth in Sections 190.011, 190.012(1), 190.012(2)(a), 190.012(2)(d), 190.012(3) and 190.012(4), *Florida Statutes*.

B. Acknowledgment of Powers. The District hereby acknowledges that its additional powers under the Ordinance do not include those set forth in Sections 190.012(2)(b), 190.012(2)(c), 190.012(2)(e) and 190.012(2)(f), *Florida Statutes*, and the District agrees that it will not provide such improvements or services, nor collect assessments therefor without the prior approval and amendment to the Ordinance by the County Board.

ARTICLE III - ENHANCED DISCLOSURE AND NOTICE

Section 3.01 Enhanced Disclosure of District and Assessments. In addition to the statutory requirements for disclosure set forth in Sections 190.008, 190.009, 190.048 and 190.0485, the District Board hereby agrees to have executed and filed in the Official Records of Osceola County a "Declaration of Consent to Jurisdiction of Community Development District and to Imposition of Special Assessments" and a "Notice of Lien," (or similar notices) at the time any Capital Assessments are placed on Parcels within the District. Such notices are intended to inform potential future landowners of land within the boundaries of the District of both the establishment of the District and the existence of liens and special assessments on lands contained within the District, which liens run with the land.

This notice supplements the following notices that will also be placed in the public records of the County on all property within the District:

Notice of Establishment of the District
Disclosure of Public Financing
This Interlocal Agreement

Section 3.02 Notice of District Meeting Schedule. In addition to the statutory notice requirement set forth in Section 190.008(2)(a), the District hereby agrees to publish in a newspaper that meets the requirements of Chapter 190, once a year a notice of District's adopted schedule of meetings of its Board of Supervisors for the ensuing fiscal year ("**District Meeting Schedule**"), which notice shall designate the date, time and place of each of the scheduled meetings. The described District Meeting Schedule will also be provided to the Osceola County Manager by mail to the County Administration Building, 1 Courthouse Square, Suite 4700, Kissimmee, Florida 34741 or such other address as directed in writing by the County Manager. The District Meeting Schedule shall also be posted online on the District's website as noted in Section 3.03 hereunder.

Section 3.03 District Website Information. The District shall establish a website within 120 days of its establishment. The District website shall include the District's Meeting Schedule and all other information as required by Chapter 189.015(1), 189.016 and 189.069, Florida Statutes, which currently includes, but is not limited to, the:

1. Full legal name of the District.
2. Public purpose of the District.
3. Name, official addresses, official e-mail address, and, if applicable, term and appointing authority for each member of the governing body of the District.
4. Fiscal year of the District.
5. Full text of the special district's charter, the date of establishment, the establishing entity, and a reference to Chapter 190, Florida Statutes, under which the District operates, include information relating to any grant of special powers.
6. The mailing address, e-mail address, telephone number, and website uniform resource locator of the District.
7. Description of the boundaries or service area of, and the services provided by, the District.
8. Listing of all taxes, fees, assessments, or charges imposed and collected by the District, including the rates or amounts for the fiscal year and the statutory authority for the levy of the tax, fee, assessment, or charge.
9. Primary contact information for the District for purposes of communication from the department.
10. A code of ethics adopted by the District, if applicable, and a hyperlink to generally applicable ethics provisions.
11. Budget of the District and any amendments thereto in accordance with s. 189.016.
12. Final, complete audit report for the most recent completed fiscal year and audit reports required by law or authorized by the governing body of the District. If the District has submitted its most recent final, complete audit report to the Auditor General, this requirement may be satisfied by providing a link to the audit report on the Auditor General's website.
13. A listing of its regularly scheduled public meetings as required by s. 189.015(1).
14. The link to the Department of Financial Services' website as set forth in s. 218.32(1)(g).
15. At least 7 days before each meeting or workshop, the agenda of the event, excluding confidential and exempt information.

Section 3.04 Notice of Annual Budget Hearing. In addition to the statutory notice requirement set forth in Section 190.008(2)(a), the District hereby agrees to work in cooperation with the Osceola County Property Appraiser and Tax Collector to have notice of the date, time and places of the annual budget hearing placed on the TRIM Notice sent to each landowner in the District. In the event of any increase to assessments, each affected landowner will get notice of the proposed increase and date, place and time of public hearing to consider such increase. The District shall also post budget information on its Website, as noted in Section 3.03 above.

ARTICLE IV –ENHANCED IMPROVEMENTS AND INFRASTRUCTURE

Section 4.01 Acknowledgement of Edgewater West Enhancements. The District hereby acknowledges that the following Edgewater West Enhancements, i.e., elements of enhanced infrastructure intended to be delivered by District or Petitioner to the residents of the development, will exceed the County's design standards or otherwise deliver infrastructure or services that would not otherwise be provided by the County:

A. Multiuse Trails and Linear Park System: The District is adding 5.21 miles of 10-foot wide multiuse trails and Linear Parks along the community collector roads and lakefront area. This interconnected system of trails will provide easy access to recreation and park areas as well as neighborhood centers and schools. Linear Parks shall meet County criteria and are to be owned and maintained by the District.

B. Recreation: Specific ponds will be activated for boating activities, to include roadways engineered to span pond connections and a lift to transfer boats between the community pond system and adjacent lake.

C. Maintenance of Stormwater System. The development of the Property within the District will involve the construction of a stormwater system and ongoing operation and maintenance of such system in compliance with SFWMD permits. The stormwater system includes joint stormwater management designed to handle drainage from District land and privately owned properties within the District. The concept of the lake system is to create a treatment train that provides treatment of runoff. The District system will help improve water quality prior to discharging to tributaries that outfall into lake basins. The District is anticipated to undertake the responsibility of the ongoing operation and maintenance of the stormwater system in compliance with SFWMD permits. This is a unique benefit of establishing the District, as a public governmental entity, as SFWMD is often reluctant to accept operation and maintenance of the SFWMD permit by a private entity.

D. Maintenance of Local Roads, Sidewalks and Right-of-Way Landscaping. Upon construction and approval by the County in accordance with applicable standards, all roads, sidewalks, and landscaping within rights-of-way for neighborhood roads shall be owned and maintained in perpetuity by the District at District's expense. The District shall not own and maintain the right-of-way for framework roads within the project, except the District shall be responsible for maintenance of enhanced landscaping and irrigation installed by the District therein. The District reserves the right to request from the County or City, as appropriate, that future subdivision specific development approvals include gated neighborhood roads. The County agrees to evaluate such requests on a case by case basis for impacts to the transportation network and Cross Prairie Parkway. Gates shall not negatively impact the general goal of local roadway connectivity. The County recognizes that the neighborhoods subject to PS22-00052 and PS22-00057 may be suitable for gated access with appropriate adjustments to plans.

E. Habitat Conservation and Management Plan. The District will provide all sign content and technical assistance needed to provide for the protection of species and safety of residents. The District will fund the maintenance, preservation, and improvement of wetlands, lakes, wildlife linkages and corridors; as well as the monitoring and biennial reporting of the HCMP and provide accurate and timely monitoring and reporting per HCMP requirements to meet protection and management goals for all areas including unregulated activities. The County shall enforce these commitments regardless of jurisdiction.

ARTICLE V - MISCELLANEOUS PROVISIONS

Section 5.01 Notices. Any notices required or allowed to be delivered shall be in writing and be deemed to be delivered when: (i) hand delivered to the official hereinafter designated, or (ii) upon receipt of such notice when deposited in the United States mail, postage prepaid, certified mail, return receipt requested, addressed to a party at the address set forth opposite the party's name below, or at such other address as the party or parties shall have been specified by written notice to the other party delivered in accordance herewith. The County has designated an individual within County staff (CDD Coordinator) as the recipient of all notices to be transmitted to the County as described in Article III herein. The District may deliver such notices to the CDD Coordinator by electronic mail (email), hand delivery, certified mail, facsimile, or any other mutually acceptable method of delivery.

If to the County:	County Attorney County Administration Building 1 Courthouse Square, Suite 4200 Kissimmee, Florida 34741
If to the CDD Coordinator:	______________________________ ______________________________ ______________________________ ______________________________
If to the District:	Edgewater West Community Development District c/o Wrathell, Hunt and Associates, LLC 2300 Glades Road, Suite 410W Boca Raton, Florida 33431 Attn: District Manager
With a copy to:	Kutak Rock LLP 107 West College Avenue Tallahassee, Florida 32301 Attn: District Counsel

Section 5.02 Binding Effect. This Agreement shall be binding upon and shall inure to the benefit of the County and the District, and their respective successors and assigns.

Section 5.03 Filing. The County Board and the District Board hereby authorize and direct, after execution of this Interlocal Agreement by the duly qualified and authorized officers of each of the parties hereto, that this Interlocal Agreement be filed with the Clerk of the Circuit Court of Osceola County. Florida, in accordance with the requirements of Section 163.01(11) of the Cooperation Act.

Section 5.04 Applicable Law and Venue. This Interlocal Agreement and the provisions contained herein shall be governed by and construed in accordance with the laws of the State of Florida. In any action, in equity or law, with respect to the enforcement or interpretation of this Interlocal Agreement, venue shall be solely in Osceola County, Florida.

Section 5.05 Entire Agreement. This instrument and its exhibits constitute the entire agreement between the parties and supersede all previous discussions, understandings and agreement between the parties relating to the subject matter of this Second Amended and Restated. Amendments to and waivers of the provisions herein shall be made by the parties in writing by formal amendment, except changes in Chapter 189, 190 or any other Florida Law shall automatically amend this agreement.

Section 5.06 Continued Effect; Remedies. Notwithstanding anything herein to the contrary, no provision of this Interlocal Agreement shall be construed to affect, alter, or otherwise impair the District's power to impose, levy and collect Capital Assessments or assessments for operation and maintenance purposes and the failure of the District to comply with or provide the enhanced disclosure or notices as described herein shall not in any manner render the Capital Assessments, the operation and maintenance assessments, or any of the proceedings related thereto ineffective; provided, however, that the District must comply with the additional notice requirement set forth in Section 3.03 hereof for its annual operations and maintenance budget hearing to be considered effective. The County's sole remedy for the District's failure to perform in accordance with the terms of this Interlocal Agreement shall be an action for mandamus or specific performance, as applicable, by court order, to cause the District to comply with its obligations hereunder. Notwithstanding the foregoing, in the event of the either party’s failure to perform in accordance with the terms of this Interlocal, the other party may exercise any legal remedy available to it to enforce the terms and conditions hereof or any Development Order or Permit issued for or related to the enhanced improvements and infrastructure.

Section 5.07 Effective Date. This Interlocal Agreement shall become effective after its execution by the authorized representatives of both parties and upon the date of its filing with the Clerk of the Circuit Court of Osceola County, Florida. This Interlocal Agreement shall also be recorded in the public records of the County to become a part of the title history of properties in the District.

Section 5.08 Future Annexation and Joinder by the City; Third-Party Beneficiary. At such time lands within the District are annexed into the City in the future, the District hereby consents to the amendment of this Interlocal Agreement to add the City as a party with the similar rights and obligations with respect to the District and lands within the District as contained in the *SECOND AMENDED AND RESTATED INTERLOCAL AGREEMENT BETWEEN OSCEOLA COUNTY, FLORIDA, THE CITY OF ST. CLOUD, FLORIDA, AND EDGEWATER EAST COMMUNITY DEVELOPMENT DISTRICT REGARDING THE EXERCISE OF POWERS AND COOPERATION ON PROVIDING ADDITIONAL DISCLOSURE AND NOTICES AND THE PROVISION OF ENHANCED IMPROVEMENTS AND INFRASTRUCTURE* dated ______________, 2024, and recorded in Osceola County Official Records Book _____, Page _____. Upon such annexation, the City shall automatically become a third-party beneficiary to this Interlocal Agreement. With the exception of the Habitat Conservation and Management Plan, the power to enforce commitments of the District named in Article IV herein shall automatically be transferred from the County to the City.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF, the parties hereto, by and through the undersigned, have entered into this Interlocal Agreement on this date and year first above written.

BOARD OF COUNTY COMMISSIONERS
OF OSCEOLA COUNTY, FLORIDA

By: ______________________________
Name: ____________________________
Title: _____________________________

ATTEST:

____
Name: _____________________
Title: ______________________

STATE OF FLORIDA
COUNTY OF __________________

The foregoing instrument was acknowledged before me by means of ▢ physical presence or ▢ online notarization, this ___ day of ______________, 2024, by __________________, as _____________ of ___________________________, on its behalf. He [___] is personally known to me or [___] produced _______________________________ as identification.

____
Notary Public, State of Florida

SIGNATURE PAGE TO INTERLOCAL AGREEMENT

EDGEWATER WEST COMMUNITY DEVELOPMENT DISTRICT

By: ______________________________
Name: ____________________________
Title: _____________________________

ATTEST:

____
Name: _____________________
Title: ______________________

STATE OF FLORIDA
COUNTY OF __________________

The foregoing instrument was acknowledged before me by means of ▢ physical presence or ▢ online notarization, this ___ day of ______________, 2024, by __________________, as _____________ of ____________________________, on its behalf. He [___] is personally known to me or [___] produced ________________________________ as identification.

____
Notary Public, State of Florida

EXHIBIT "A"

TO INTERLOCAL AGREEMENT

Legal Description
EDGEWATER WEST COMMUNITY DEVELOPMENT DISTRICT

A portion of Kissimmee Park, as recorded in Plat Book 1, Page 41 and Seminole Land and Investment Company's Subdivision of Section 19, Township 26 South, Range 30 East, recorded in Plat Book B, Page 56 and Seminole Land and Investment Company's Subdivision of Section 20, Township 26 South, Range 30 East, recorded in Plat Book B, Page 7, Public Records of Osceola County, Florida, all lying in Sections 18, 19 and 20, Township 26 South, Range 30 East and Sections 13 and 24, Township 26 South, Range 29 East, and being more particularly described as follows:

C**OMMENCE** at the Southwest corner of Section 19, Township 26 South, Range 30 East; thence run N 89°56'31" E along the South line of said Section 19, a distance of 2053.97 feet; thence departing said South line, run N 00°03'30" W, a distance of 15.43 feet to the POINT OF BEGINNING; thence N 00°10'21" W, a distance of 654.24 feet; thence S 89°56'31" W, a distance of 660.04 feet; thence N 00°10'21" W, a distance of 327.12 feet; thence N 89°56'31" E, a distance of 660.04 feet; thence N 00°10'21" W, a distance of 327.12 feet; thence S 89°56'31" W, a distance of 710.04 feet; thence S 00°10'21" E, a distance of 327.12 feet; thence S 89°56'31" W, a distance of 659.48 feet; thence S 00°10'26" E, a distance of 327.12 feet; thence S 89°56'31" W, a distance of 659.48 feet; thence N 00°10'21" W, a distance of 654.24 feet; thence N 89°52'09" W, a distance of 713.23 feet; thence N 00°18'39" W, a distance of 1358.50 feet; thence N 89°57'52" W, a distance of 1370.09 feet; thence N 00°18'41" W, a distance of 1308.50 feet; thence N 89°53'26" W, a distance of 1213.78 feet to a point on the Easterly Right-of-way of Cherokee Road, thence run along said Easterly Right-of-way line the following two (2) courses: 1) N 13°30'44" E, a distance of 2389.66 feet; 2) N 00°04'33" W, a distance of 23.23 feet; thence departing said Easterly Right-of-way line, run N 89°58'34" E, a distance of 330.02 feet; thence N 00°04'33" W, a distance of 990.06 feet; thence N 89°58'34" E, a distance of 1014.38 feet; thence N 00°05'19" W, a distance of 330.16 feet; thence S 89°58'13" W, a distance of 685.04 feet; thence N 00°02'05" W, a distance of 1370.08 feet; thence N 89°58'13" E, a distance of 2056.54 feet; thence N 89°58'13" E, a distance of 683.81 feet; thence S 00°00'13" E, a distance of 650.57 feet; thence S 62°53'31" E, a distance of 744.27 feet; thence S 43°37'13" E, a distance of 69.04 feet; thence S 34°02'25" E, a distance of 2363.64 feet; thence N 89°31'31" E, a distance of 140.26 feet; thence S 13°56'04" E, a distance of 678.68 feet; thence S 34°21'49" E, a distance of 1701.52 feet; thence N 00°05'07" W, a distance of 872.96 feet; thence N 78°00'00" E, a distance of 788.74 feet; thence N 89°43'54" E, a distance of 510.83 feet; thence S 00°05'07" E, a distance of 333.24 feet; thence S 89°38'46" E, a distance of 680.26 feet; thence S 00°06'03" E, a distance of 998.12 feet; thence S 89°52'25" E, a distance of 642.02 feet; thence S 00°05'09" E, a distance of 663.76 feet; thence N 89°56'10" E, a distance of 1355.03 feet; thence N 00°05'11" W, a distance of 329.78 feet; thence S 89°30'15" E, a distance of 2608.72 feet; thence S 00°15'17" E, a distance of 3285.66 feet; thence S 89°53'22" W, a distance of 643.93 feet; thence N 00°12'45" W, a distance of 310.03 feet; thence S 89°51'52" W, a distance of 663.71 feet; thence N 00°10'13" W, a distance of 995.18 feet; thence N 89°57'29" W, a distance of 662.98 feet; thence S 00°07'41" E, a distance of 331.67 feet; thence N 89°59'46" W, a distance of 645.72 feet; thence N 00°05'11" W, a distance of 343.76 feet; thence S 43°56'33" W, a distance of 50.02 feet; thence S 61°04'54" W, a distance of 369.91 feet; thence S 77°39'58" W, a distance of 305.54 feet; thence S 61°41'00" W, a distance of 341.57 feet; thence S 60°58'49" W, a distance of 342.23 feet; thence S 70°34'31" W, a distance of 424.01 feet; thence S

00°06'49" E, a distance of 574.24 feet; thence S 89°55'29" W, a distance of 199.94 feet; thence N 00°08'28" W, a distance of 584.21 feet; thence N 81°52'57" W, a distance of 404.44 feet; thence N 75°26'08" W, a distance of 412.52 feet; thence N 00°05'07" W, a distance of 569.07 feet; thence S 89°49'59" W, a distance of 1320.08 feet; thence S 00°04'42" E, a distance of 769.80 feet; thence N 90°00'00" W, a distance of 1187.41 feet; thence S 00°10'21" E, a distance of 547.78 feet; thence S 89°49'39" W, a distance of 709.97 feet to the POINT OF BEGINNING.

LESS AND EXCEPT THE FOLLOWING DESCRIBED LAND:

Lot 33 of Seminole Land and Investment Company's Subdivision of Section 19, Township 26 South, Range 30 East, recorded in Plat Book B, Page 56, lying in Section 19, Township 26 South, Range 30 East, and being more particularly described as follows:

C**OMMENCE** at the Northeast corner of Section 19, Township 26 South, Range 30 East; thence run S 00°05'07" E along the East line of said Section 19, a distance of 1335.39 feet to the POINT OF BEGINNING; thence continue along said East line, S 00°05'07" E, a distance of 333.85 feet; thence departing said East line, run S 89°43'54" W, a distance of 660.04 feet; thence N 00°05'07" W, a distance of 333.85 feet; thence N 89°43'54" E, a distance of 660.04 feet to the POINT OF BEGINNING.

Containing 5.059 acres, more or less.

Containing a total of 1,378.542 acres, more or less.

EDGEWATER WEST

COMMUNITY DEVELOPMENT DISTRICT

MINUTES

A

DRAFT

MINUTES OF MEETING
EDGEWATER WEST COMMUNITY DEVELOPMENT DISTRICT

An Organizational Meeting of the Edgewater West Community Development District was held on March 7, 2024 at 9:15 a.m., or as soon thereafter as the matter may be heard, 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:

Craig Wrathell	District Manager
Michael Eckert	District Counsel
Shawn Hindle	District Engineer
Robert Gang (via telephone)	Bond Counsel
Jason Gonzalez (via telephone)	Greenberg Traurig, P.A.

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

Mr. Wrathell called the meeting to order at 9:15 a.m.

Mr. Kevin Mays, Mr. Kevin Kramer and Mr. Robert Wanas, named in the Petition to Establish the District as Initial Board Supervisors, were present. Mr. Noah Breakstone and Mr. Justin Onorato, also named in the Petition to Establish the District as an Initial Board Supervisor, were not present.

SECOND ORDER OF BUSINESS **Public Comments**

No members of the public spoke.

GENERAL DISTRICT ITEMS

THIRD ORDER OF BUSINESS **Administration of Oath of Office to Initial Board of Supervisors**

Mr. Wrathell, a Notary of the State of Florida and duly authorized, administered the Oath of Office to Mr. Kevin Mays, Mr. Kevin Kramer and Mr. Robert Wanas.

A. Required Ethics Training and Disclosure Filing

Mr. Wrathell provided and explained the forms that Supervisors must submit. He noted that all the Board Members are familiar with the Sunshine Law, public records law and other Board Member responsibilities. Form 1 will now be submitted electronically to the Florida Commission on Ethics rather than with the Supervisor of Elections. Each Board Member is aware of the requirement to complete four hours of ethics training by December 31, 2024 and completion will be recorded on Form 1 when it is submitted in 2025.

FOURTH ORDER OF BUSINESS **Consideration of Resolution 2024-01, Designating Certain Officers of the District, and Providing for an Effective Date**

Mr. Wrathell presented Resolution 2024-01. Mr. Kramer nominated the following slate:

Chair	Noah Breakstone
Vice Chair	Kevin Mays
Secretary	Craig Wrathell
Assistant Secretary	Justin Onorato
Assistant Secretary	Kevin Kramer
Assistant Secretary	Robert Wanas
Assistant Secretary	Ernesto Torres
Treasurer	Craig Wrathell
Assistant Treasurer	Jeffrey Pinder

No other nominations were made.

On MOTION by Mr. Kramer and seconded by Mr. Wanas, with all in favor, Resolution 2024-01, Designating Certain Officers of the District, as nominated, and Providing for an Effective Date, was adopted.

FIFTH ORDER OF BUSINESS **Consideration of Resolution 2024-02, Designating a Date, Time, and Location for Landowners' Meeting of the District, and Providing for an Effective Date**

Mr. Wrathell presented Resolution 2024-02.

On MOTION by Mr. Kramer and seconded by Mr. Wanas, with all in favor, Resolution 2024-02, Designating a Date, Time, and Location of May 2, 2024 at 9:15 a.m., at the offices of Hanson, Walter & Associates, Inc., located at 8 Broadway, Suite 104, Kissimmee, Florida 34741, for a Landowners' Meeting of the District, and Providing for an Effective Date, was adopted.

ORGANIZATIONAL ITEMS

SIXTH ORDER OF BUSINESS **Consideration of the Following Organizational Items:**

A. Resolution 2024-03, Appointing and Fixing the Compensation of the District Manager and Methodology Consultant; Providing an Effective Date

- **Agreement for District Management Services: Wrathell, Hunt and Associates, LLC**

Mr. Wrathell presented Resolution 2024-03 and the Fee Schedule and Management Agreement. Management's fee is discounted to $2,000 per month prior to issuance of the first series of bonds.

On MOTION by Mr. Kramer and seconded by Mr. Mays, with all in favor, Resolution 2024-03, Appointing and Fixing the Compensation of Wrathell, Hunt and Associates, LLC as the District Manager and Methodology Consultant; Providing an Effective Date, was adopted.

B. Resolution 2024-04, Appointing District Counsel for the District, and Authorizing Compensation; and Providing for an Effective Date

- **Fee Agreement: Kutak Rock LLP**

Mr. Wrathell presented Resolution 2024-04 and the Kutak Rock LLP Fee Agreement.

On MOTION by Mr. Kramer and seconded by Mr. Wanas, with all in favor, Resolution 2024-04, Appointing Kutak Rock LLP as District Counsel for the District, and Authorizing Compensation; and Providing for an Effective Date, was adopted.

C. Resolution 2024-05, Designating a Registered Agent and Registered Office of the District, and Providing for an Effective Date

Mr. Wrathell presented Resolution 2024-05.

On MOTION by Mr. Kramer and seconded by Mr. Wanas, with all in favor, Resolution 2024-05, Designating Michael Eckert as Registered Agent and Kutak Rock LLP, 107 West College Avenue, Tallahassee, Florida 32301, as the Registered Office of the District, and Providing for an Effective Date, was adopted.

D. Resolution 2024-06, Appointing an Interim District Engineer for the Edgewater West Community Development District, Authorizing Its Compensation and Providing for an Effective Date

- **Interim Engineering Services Agreement: Hanson, Walter & Associates, Inc.**

Mr. Wrathell presented Resolution 2024-06 and the Interim Engineering Services Agreement.

On MOTION by Mr. Kramer and seconded by Mr. Wanas, with all in favor, Resolution 2024-06, Appointing Hanson, Walter & Associates, Inc., as Interim District Engineer for the Edgewater West Community Development District, Authorizing Its Compensation and Providing for an Effective Date, was adopted.

E. Authorization of Request for Qualifications (RFQ) for Engineering Services

Mr. Wrathell presented the RFQ for Engineering Services and the Competitive Selection Criteria.

On MOTION by Mr. Kramer and seconded by Mr. Wanas, with all in favor, the Request for Qualifications for Engineering Services, Competitive Selection Criteria and authorizing Staff to advertise, were approved.

F. Board Member Compensation: 190.006 (8), F.S.

The Board Members declined compensation.

G. Resolution 2024-07, Designating the Primary Administrative Office and Principal Headquarters of the District; and Providing an Effective Date

Mr. Wrathell presented Resolution 2024-07.

On MOTION by Mr. Kramer and seconded by Mr. Wanas, with all in favor, Resolution 2024-07, Designating 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431, as the Primary Administrative Office of the District; and Providing an Effective Date, was adopted.

H. Resolution 2024-08, Designating the Location of the Local District Records Office and Providing an Effective Date

Mr. Wrathell presented Resolution 2024-08.

On MOTION by Mr. Kramer and seconded by Mr. Wanas, with all in favor, Resolution 2024-08, Designating the offices of Hanson, Walter & Associates, Inc., located at 8 Broadway, Suite 104, Kissimmee, Florida 34741, as the Location of the Local District Records Office and Providing an Effective Date, was adopted.

I. Resolution 2024-09, Setting Forth the Policy of the Edgewater West Community Development District Board of Supervisors with Regard to the Support and Legal Defense of the Board of Supervisors

- **Authorization to Obtain General Liability and Public Officers' Insurance**

Mr. Wrathell presented Resolution 2024-09. The Resolution requires a copy of any complaint, summons, etc., to be provided, as outlined, within 30 calendar days of receipt.

On MOTION by Mr. Kramer and seconded by Mr. Mays, with all in favor, Resolution 2024-09, Setting Forth the Policy of the Edgewater West Community Development District Board of Supervisors with Regard to the Support and Legal Defense of the Board of Supervisors, was adopted.

On MOTION by Mr. Kramer and seconded by Mr. Mays, with all in favor, authorizing Staff to obtain General Liability and Public Officers' Insurance, was approved.

J. Resolution 2024-10, Providing for the Public's Opportunity to Be Heard; Designating Public Comment Periods; Designating a Procedure to Identify Individuals Seeking to Be Heard; Addressing Public Decorum; Addressing Exceptions; and Providing for Severability and an Effective Date

Mr. Wrathell presented Resolution 2024-10.

On MOTION by Mr. Kramer and seconded by Mr. Wanas, with all in favor, Resolution 2024-10, Providing for the Public's Opportunity to Be Heard; Designating Public Comment Periods; Designating a Procedure to Identify Individuals Seeking to Be Heard; Addressing Public Decorum; Addressing Exceptions; and Providing for Severability and an Effective Date, was adopted.

K. Resolution 2024-11, Providing for the Appointment of a Records Management Liaison Officer; Providing the Duties of the Records Management Liaison Officer; Adopting a Records Retention Policy; and Providing for Severability and Effective Date

Mr. Wrathell presented Resolution 2024-11 and discussed Option 1, in which records are destroyed according to a schedule, and Option 2, in which all documents are retained.

On MOTION by Mr. Kramer and seconded by Mr. Mays, with all in favor, Resolution 2024-11, Option 2, Providing for the Appointment of a Records Management Liaison Officer; Providing the Duties of the Records Management Liaison Officer; Adopting a Records Retention Policy; and Providing for Severability and Effective Date, was adopted.

L. Resolution 2024-12, Granting the Chair and Vice Chair the Authority to Execute Real and Personal Property Conveyance and Dedication Documents, Plats and Other Documents Related to the Development of the District's Improvements; Approving the Scope and Terms of Such Authorization; Providing a Severability Clause; and Providing an Effective Date

Mr. Wrathell presented Resolution 2024-12. This Resolution grants the Chair and Vice Chair and other officers, in the Chair's absence, the authority to work with the District Engineer, District Counsel and District Staff and to execute certain documents in between meetings, to avoid delays in construction.

On MOTION by Mr. Kramer and seconded by Mr. Mays, with all in favor, Resolution 2024-12, Granting the Chair and Vice Chair the Authority to Execute Real and Personal Property Conveyance and Dedication Documents, Plats and Other Documents Related to the Development of the District's Improvements; Approving the Scope and Terms of Such Authorization; Providing a Severability Clause; and Providing an Effective Date, was adopted.

M. Resolution 2024-13, Ratifying, Confirming and Approving the Recording of the Notice of Establishment of the Edgewater West Community Development District and Providing for an Effective Date

Mr. Wrathell presented Resolution 2024-13.

On MOTION by Mr. Kramer and seconded by Mr. Mays, with all in favor, Resolution 2024-13, Ratifying, Confirming and Approving the Recording of the Notice of Establishment of the Edgewater West Community Development District and Providing for an Effective Date, was adopted.

N. Authorization of Request for Proposals (RFP) for Annual Audit Services

Mr. Wrathell presented the RFP For Annual Audit Services.

- **Designation of Board of Supervisors as Audit Committee**

On MOTION by Mr. Kramer and seconded by Mr. Mays, with all in favor, the Request for Proposals for Annual Audit Services, authorizing the District Manager to advertise the RFP and designating the Board of Supervisors as the Audit Committee, were approved.

O. Strange Zone, Inc., Quotation #M24-1009 for District Website Design, Maintenance and Domain Web-Site Design Agreement

Mr. Wrathell presented the Strange Zone, Inc. (SZI) proposal.

On MOTION by Mr. Kramer and seconded by Mr. Wanas, with all in favor, Strange Zone, Inc., Quotation #M24-1009 for District Website Design, Maintenance and Domain Web-Site Design Agreement, in the amount of $1,679.99 for the first year and approximately $705 annually thereafter, subject to District Counsel review and drafting an agreement, if necessary, was approved.

P. ADA Site Compliance Proposal for Website Compliance Shield, Accessibility Policy and One (1) Annual Technological Audit

Mr. Wrathell presented the ADA Site Compliance proposal.

On MOTION by Mr. Kramer and seconded by Mr. Wanas, with all in favor, the ADA Site Compliance Proposal for Website Compliance Shield, Accessibility Policy and One (1) Annual Technological Audit, in the annual amount of $210, was approved.

Q. Resolution 2024-14, to Designate Date, Time and Place of Public Hearing and Authorization to Publish Notice of Such Hearing for the Purpose of Adopting Rules of Procedure; and Providing an Effective Date

I. Rules of Procedure

II. Notices [Rule Development and Rulemaking]

Mr. Wrathell presented Resolution 2024-14.

On MOTION by Mr. Kramer and seconded by Mr. Mays, with all in favor, Resolution 2024-14, to Designate May 2, 2024 at 9:15 a.m., at the offices of Hanson, Walter & Associates, Inc., located at 8 Broadway, Suite 104, Kissimmee, Florida 34741, as the Date, Time and Place of Public Hearing and Authorization to Publish Notice of Such Hearing for the Purpose of Adopting Rules of Procedure; and Providing an Effective Date, was adopted.

R. Resolution 2024-15, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2023/2024 and Providing for an Effective Date

Mr. Wrathell presented Resolution 2024-15.

The following will be inserted in the Fiscal Year 2024 Meeting Schedule:

TIME: 9:15 AM

On MOTION by Mr. Kramer and seconded by Mr. Mays, with all in favor, Resolution 2024-15, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2023/2024 and Providing for an Effective Date, was adopted.

S. Resolution 2024-16, Approving the Florida Statewide Mutual Aid Agreement; Providing for Severability; and Providing for an Effective Date

Mr. Wrathell presented Resolution 2024-16.

On MOTION by Mr. Kramer and seconded by Mr. Mays, with all in favor, Resolution 2024-16, Approving the Florida Statewide Mutual Aid Agreement; Providing for Severability; and Providing for an Effective Date, was adopted.

T. Stormwater Management Needs Analysis Reporting Requirements

Mr. Wrathell stated CDDs are required to prepare and submit a 20-year Stormwater Management Needs Analysis Report to document the future needs of its stormwater system. The Report will be submitted when required.

BANKING ITEMS

SEVENTH ORDER OF BUSINESS Consideration of the Following Banking Items:

A. Resolution 2024-17, Designating a Public Depository for Funds of the District; Authorizing Certain Officers of the District to Execute and Deliver Any and All Financial Reports Required by Rule, Statute, Law, Ordinance or Regulation; and Providing an Effective Date

Mr. Wrathell presented Resolution 2024-17.

Funding requests will be submitted to Mr. Kramer.

On MOTION by Mr. Kramer and seconded by Mr. Mays, with all in favor, Resolution 2024-17, Designating Truist Bank as Public Depository for Funds of the District; Authorizing Certain Officers of the District to Execute and Deliver Any and All Financial Reports Required by Rule, Statute, Law, Ordinance or Regulation; and Providing an Effective Date, was adopted.

B. Resolution 2024-18, Directing the District Manager to Appoint Signors on the Local Bank Account; and Providing an Effective Date

Mr. Wrathell presented Resolution 2024-18. The Resolution will be amended to also include the Vice Chair as a signor on the local bank account.

On MOTION by Mr. Kramer and seconded by Mr. Mays, with all in favor, Resolution 2024-18, as amended to include the Vice Chair as an account signor, Directing the District Manager to Appoint Signors on the Local Bank Account; and Providing an Effective Date, was adopted.

C. Resolution 2024-19, Authorizing the District Manager or Treasurer to Execute the Public Depositors Report; Authorizing the Execution of Any Other Financial Reports as Required by Law; Providing for an Effective Date

> **On MOTION by Mr. Kramer and seconded by Mr. Wanas, with all in favor, Resolution 2024-19, Authorizing the District Manager or Treasurer to Execute the Public Depositors Report; Authorizing the Execution of Any Other Financial Reports as Required by Law; Providing for an Effective Date, was adopted.**

BUDGETARY ITEMS

EIGHTH ORDER OF BUSINESS **Consideration of the Following Budgetary Items:**

A. Resolution 2024-20, Approving a Proposed Budget for Fiscal Year 2023/2024 and Setting a Public Hearing Thereon Pursuant to Florida Law; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing for an Effective Date

Mr. Wrathell presented Resolution 2024-20. He reviewed the proposed Fiscal Year 2024 budget, which is Landowner-funded, with expenses being funded as they are incurred.

> **On MOTION by Mr. Kramer and seconded by Mr. Mays, with all in favor, Resolution 2024-20, Approving a Proposed Budget for Fiscal Year 2023/2024 and Setting a Public Hearing Thereon Pursuant to Florida Law for June 6, 2024 at 9:15 a.m., at the offices of Hanson, Walter & Associates, Inc., located at 8 Broadway, Suite 104, Kissimmee, Florida 34741; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing for an Effective Date, was adopted.**

B. Fiscal Year 2023/2024 Budget Funding Agreement

Mr. Wrathell presented the Budget Funding Agreement.

> **On MOTION by Mr. Kramer and seconded by Mr. Mays, with all in favor, the Fiscal Year 2023/2024 Budget Funding Agreement, was approved.**

C. Resolution 2024-21, Approving a Proposed Budget for Fiscal Year 2024/2025 and Setting a Public Hearing Thereon Pursuant to Florida Law; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing for an Effective Date

Mr. Wrathell presented Resolution 2024-21. He reviewed the proposed Fiscal Year 2025 budget, which is Landowner-funded, with expenses being funded as they are incurred.

> **On MOTION by Mr. Kramer and seconded by Mr. Mays, with all in favor, Resolution 2024-21, Approving a Proposed Budget for Fiscal Year 2024/2025 and Setting a Public Hearing Thereon Pursuant to Florida Law for June 6, 2024 at 9:15 a.m., at the offices of Hanson, Walter & Associates, Inc., located at 8 Broadway, Suite 104, Kissimmee, Florida 34741; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing for an Effective Date, was adopted.**

D. Fiscal Year 2024/2025 Budget Funding Agreement

Mr. Wrathell presented the Budget Funding Agreement.

> **On MOTION by Mr. Kramer and seconded by Mr. Mays, with all in favor, the Fiscal Year 2024/2025 Budget Funding Agreement, was approved.**

E. Resolution 2024-22, Adopting the Alternative Investment Guidelines for Investing Public Funds in Excess of Amounts Needed to Meet Current Operating Expenses, in Accordance with Section 218.415(17), Florida Statutes; Providing for an Effective Date

Mr. Wrathell presented Resolution 2024-22.

> **On MOTION by Mr. Kramer and seconded by Mr. Mays, with all in favor, Resolution 2024-22, Adopting the Alternative Investment Guidelines for Investing Public Funds in Excess of Amounts Needed to Meet Current Operating Expenses, in Accordance with Section 218.415(17), Florida Statutes; Providing for an Effective Date, was adopted.**

F. Resolution 2024-23, Authorizing the Disbursement of Funds for Payment of Certain Continuing Expenses Without Prior Approval of the Board of Supervisors; Authorizing the Disbursement of Funds for Payment of Certain Non-Continuing Expenses Without

Prior Approval of the Board of Supervisors; Providing for a Monetary Threshold; and Providing for an Effective Date

Mr. Wrathell presented Resolution 2024-23.

> **On MOTION by Mr. Kramer and seconded by Mr. Mays, with all in favor, Resolution 2024-23, Authorizing the Disbursement of Funds for Payment of Certain Continuing Expenses Without Prior Approval of the Board of Supervisors; Authorizing the Disbursement of Funds for Payment of Certain Non-Continuing Expenses Without Prior Approval of the Board of Supervisors; Providing for a Monetary Threshold; and Providing for an Effective Date, was adopted.**

G. Resolution 2024-24, Adopting a Policy for Reimbursement of District Travel Expenses; and Providing for Severability and an Effective Date

Mr. Wrathell presented Resolution 2024-24.

> **On MOTION by Mr. Kramer and seconded by Mr. Mays, with all in favor, Resolution 2024-24, Adopting a Policy for Reimbursement of District Travel Expenses; and Providing for Severability and an Effective Date, was adopted.**

H. Resolution 2024-25, Adopting Prompt Payment Policies and Procedures Pursuant to Chapter 218, Florida Statutes; Providing a Severability Clause; and Providing an Effective Date

Mr. Wrathell presented Resolution 2024-25.

> **On MOTION by Mr. Kramer and seconded by Mr. Mays, with all in favor, Resolution 2024-25, Adopting Prompt Payment Policies and Procedures Pursuant to Chapter 218, Florida Statutes; Providing a Severability Clause; and Providing an Effective Date, was adopted.**

I. Resolution 2024-26, Adopting an Internal Controls Policy Consistent with Section 218.33, Florida Statutes; Providing an Effective Date

Mr. Wrathell presented Resolution 2024-26.

On MOTION by Mr. Kramer and seconded by Mr. Mays, with all in favor, Resolution 2024-26, Adopting an Internal Controls Policy Consistent with Section 218.33, Florida Statutes; Providing an Effective Date, was adopted.

J. Consideration of E-Verify Memo with MOU

Mr. Wrathell presented E-Verify information related to the requirement for all employers to verify employment eligibility utilizing the E-Verify System and for the CDD to enroll with E-Verify and execute a Memorandum of Understanding (MOU) with E-Verify.

On MOTION by Mr. Kramer and seconded by Mr. Mays, with all in favor, acknowledging the E-Verify Memo requirements, as set forth in the Memorandum of Understanding, and authorizing enrollment and utilization of the E-Verify program, was approved.

BOND FINANCING ITEMS

NINTH ORDER OF BUSINESS **Consideration of the Following Bond Financing Related Items:**

A. Bond Financing Team Funding Agreement

Mr. Wrathell presented the Bond Financing Team Funding Agreement.

On MOTION by Mr. Kramer and seconded by Mr. Mays, with all in favor, the Bond Financing Team Funding Agreement, was approved.

B. Engagement of Bond Financing Professionals

I. Underwriter/Investment Banker: FMSbonds, Inc.

Mr. Wrathell presented the FMSbonds, Inc., Engagement Letter for Underwriter Services and G-17 Disclosure.

On MOTION by Mr. Mays and seconded by Mr. Kramer, with all in favor, the FMSbonds, Inc., Engagement Letter for Underwriter Services and G-17 Disclosure, was approved.

II. Bond Counsel: Greenberg Traurig, P.A.

Mr. Wrathell presented the Greenberg Traurig, P.A., Engagement Letter to serve as Bond Counsel.

> **On MOTION by Mr. Kramer and seconded by Mr. Mays, with all in favor, the Greenberg Traurig, P.A., Engagement Letter for Bond Counsel Services, was approved.**

III. Trustee, Paying Agent and Registrar: US Bank Trust Company, N.A.

Mr. Wrathell presented the US Bank Trust Company, N.A., Engagement Letter to serve as Trustee, Paying Agent and Registrar.

> **On MOTION by Mr. Kramer and seconded by Mr. Mays, with all in favor, the US Bank Trust Company, N.A., Engagement Letter to serve as Trustee, Paying Agent and Registrar, was approved.**

Mr. Eckert asked the Board to consider amending the agenda to include an RFP for horizontal infrastructure.

> **On MOTION by Mr. Kramer and seconded by Mr. Mays, with all in favor, amending the agenda as outlined by District Counsel, was approved.**

- **Request for Proposals (RFP) for ED3/ED7 Framework Roadways A & B, Phase I and an Adjacent Roadway, ED5 Framework Roadway, Phase 2**

Mr. Wanas presented a draft version of the RFP for the first road segments going into Edgewater West. The RFP was submitted as part of the record, including dates. He requested approval in draft form so that he can work with the legal team to finalize and advertise the RFP.

Mr. Eckert noted that the Board would authorize the issuance of the RFP and the Evaluation Criteria.

> **On MOTION by Mr. Kramer and seconded by Mr. Mays, with all in favor, the Request for Proposals for ED3/ED7 Framework Roadways A & B, Phase I and an Adjacent Roadway, ED5 Framework Roadway, Phase 2, in substantial form, and authorizing the District Manager to advertise the RFP, were approved.**

TENTH ORDER OF BUSINESS **Staff Reports**

A. District Counsel: Kutak Rock LLP

B. District Engineer (Interim): Hanson, Walter & Associates, Inc.

There were no District Counsel or Interim District Engineer reports.

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

Discussion ensued regarding upcoming meetings and the need for a Special Meeting.

On MOTION by Mr. Kramer and seconded by Mr. Mays, with all in favor, authorizing Staff to advertise and schedule a Special Meeting on March 18, 2024 at 10:30 a.m., at the offices of Hanson, Walter & Associates, Inc., located at 8 Broadway, Suite 104, Kissimmee, Florida 34741, was approved.

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

There were no Board Members' comments or requests.

TWELFTH ORDER OF BUSINESS **Public Comments**

No members of the public spoke.

THIRTEENTH ORDER OF BUSINESS **Adjournment**

On MOTION by Mr. Kramer and seconded by Mr. Mays, with all in favor, the meeting adjourned at 10:39 a.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

_______________________________ _______________________________

Secretary/Assistant Secretary Chair/Vice Chair

EDGEWATER WEST

COMMUNITY DEVELOPMENT DISTRICT

MINUTES

B

DRAFT

MINUTES OF MEETING
EDGEWATER WEST COMMUNITY DEVELOPMENT DISTRICT

The Board of Supervisors of the Edgewater West Community Development District held a Regular Meeting on March 18, 2024 at 10:30 a.m., or as soon thereafter as the matter could be heard, 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
Michael Eckert	District Counsel
Shawn Hindle	District Engineer
Bob Gang (via telephone)	Bond Counsel
Jason Gonzalez (via telephone)	Greenberg Traurig, P.A.

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

Mr. Torres called the meeting to order at 10:32 a.m. Supervisors Mays, Kramer and Mr. Wanas were present. Mr. Noah Breakstone and Mr. Justin Onorato, named in the Petition to Establish the District as Initial Board Supervisors, were not present.

SECOND ORDER OF BUSINESS **Public Comments**

No members of the public spoke.

THIRD ORDER OF BUSINESS **Administration of Oath of Office to Supervisors Noah Breakstone and Justin Onorato**

- **Required Ethics Training and Disclosure Filing**

Mr. Eckert stated the Oath of Office will be administered to Mr. Breakstone and Mr. Onorato at their office locations, if they are unable to attend the meeting prior to bond validation.

FOURTH ORDER OF BUSINESS **Consideration of Resolution 2024-27, Designating a Date, Time, and Location of a Public Hearing Regarding the District's Intent to Use the Uniform Method for the Levy, Collection, and Enforcement of Non-Ad Valorem Special Assessments as Authorized by Section 197.3632, Florida Statutes; Authorizing the Publication of the Notice of Such Hearing; and Providing an Effective Date**

Mr. Torres presented Resolution 2024-27.

On MOTION by Mr. Kramer and seconded by Mr. Mays, with all in favor, Resolution 2024-27, Designating a Date, Time, and Location of May 2, 2024 at 9:15 a.m., at the offices of Hanson, Walter & Associates, Inc., located at 8 Broadway, Suite 104, Kissimmee, Florida 34741, for a Public Hearing Regarding the District's Intent to Use the Uniform Method for the Levy, Collection, and Enforcement of Non-Ad Valorem Special Assessments as Authorized by Section 197.3632, Florida Statutes; Authorizing the Publication of the Notice of Such Hearing; and Providing an Effective Date, was adopted.

FIFTH ORDER OF BUSINESS **Presentation of Master Engineer's Report**

Mr. Torres stated that Mr. Hindle delivered a signed and sealed Master Engineer's Report. Updated copies of the Report were distributed to the Board and Staff.

Mr. Hindle presented the Draft Engineer's Report dated March 18, 2024 and noted the following:

- The District consists of approximately 1,378.5 acres, located west of the Florida Turnpike and the Edgewater East Community Development District, and east of Lake Tohopekaliga.
- The master infrastructure includes master water distribution and sanitary sewer collection systems, master stormwater management system, landscaping, irrigation, hardscape, conservation mitigation areas, electrical service system (underground differential cost only),

entry features, trails, parks, recreation and security, amenity center and other improvements, infrastructure or facilities authorized by Chapter 190, Florida Statutes.

- The project will be completed in numerous phases.
- The Exhibits to the Report provide the location maps, illustration of the properties and the appropriate legal descriptions.
- The Opinion of Probable Construction Costs contained in Exhibit F totals $144,508,760, including professional fees, permits and contingency.
- The Neighborhood Infrastructure Costs are estimated at $294,515,000.
- Table 3 provides a Product Type Unit Count Mix for each of the phases of development, which corresponds with the Assessment Methodology Report.
- This totals $439,023,760, the same value listed in the Methodology.

Mr. Kramer noted that the possibility of Impact Fee Credits is mentioned in Section Four.

SIXTH ORDER OF BUSINESS **Presentation of Master Special Assessment Methodology Report**

Mr. Torres presented the pertinent data in each Section of the First Supplemental Special Assessment Methodology Report, dated March 18, 2024, which would be included in the bond offering. He noted the following:

- The District consists of approximately 1,378.542 acres.
- Development is anticipated to be conducted by EW Property Holdings, LLC.
- The current Development Plan envisions a total of 3,286 single-family dwelling units and 1,245 multi-family dwelling units, which is consistent with the Engineer's Report.
- The total cost of the CIP is estimated to total $439,023,760.
- The total par amount of bonds, including the cost of financing, capitalized interest and debt service reserve, would be $601,125,000.

Mr. Eckert noted the following correction will be made to Exhibit A:

Exhibit "A": Change "$600,780,000" to "$601,125,000"

SEVENTH ORDER OF BUSINESS **Consideration of Resolution 2024-28, Declaring Special Assessments; Indicating the Location, Nature and Estimated Cost of those Infrastructure Improvements Whose**

Cost is to be Defrayed by the Special Assessments; Providing the Portion of the Estimated Cost of the Improvements to be Defrayed by the Special Assessments; Providing the Manner in Which Such Special Assessments Shall be Made; Providing When Such Special Assessments Shall be Paid; Designating Lands Upon Which the Special Assessments Shall be Levied; Providing for an Assessment Plat; Adopting a Preliminary Assessment Roll; Providing for Publication of this Resolution

Mr. Eckert presented Resolution 2024-28. The Declaring Resolution starts the multi-step assessment process, incorporates the Master Engineer's Report and the Master Assessment Methodology Report, and provides for advertising the public hearing.

The following change was made to Resolution 2024-28:

Page 2 of 3, Section 4: Change "$600,780,000.00" to "$601,125,000.00"

On MOTION by Mr. Kramer and seconded by Mr. Mays, with all in favor, Resolution 2024-28, as amended, Declaring Special Assessments; Indicating the Location, Nature and Estimated Cost of those Infrastructure Improvements Whose Cost is to be Defrayed by the Special Assessments; Providing the Portion of the Estimated Cost of the Improvements to be Defrayed by the Special Assessments; Providing the Manner in Which Such Special Assessments Shall be Made; Providing When Such Special Assessments Shall be Paid; Designating Lands Upon Which the Special Assessments Shall be Levied; Providing for an Assessment Plat; Adopting a Preliminary Assessment Roll; Providing for Publication of this Resolution, was adopted.

EIGHTH ORDER OF BUSINESS **Consideration Resolution 2024-29, Setting a Public Hearing to Be Held on May 2, 2024, at 9:15 A.M. at the Offices of Hanson, Walter & Associates, Inc., Located at 8 Broadway, Suite 104, Kissimmee, Florida 34741 for the Purpose of Hearing Public Comment on Imposing Special Assessments on Certain Property Within the District Generally Described as the Edgewater West Community Development District in Accordance with Chapters 170, 190 and 197, Florida Statutes**

Mr. Torres presented Resolution 2024-29.

> **On MOTION by Mr. Kramer and seconded by Mr. Mays, with all in favor, Resolution 2024-29, Setting a Public Hearing to Be Held on May 2, 2024, at 9:15 A.M. at the Offices of Hanson, Walter & Associates, Inc., Located at 8 Broadway, Suite 104, Kissimmee, Florida 34741 for the Purpose of Hearing Public Comment on Imposing Special Assessments on Certain Property Within the District Generally Described as the Edgewater West Community Development District in Accordance with Chapters 170, 190 and 197, Florida Statutes, was adopted.**

NINTH ORDER OF BUSINESS **Consideration of Resolution 2024-30, Authorizing the issuance of Not to Exceed $[600,780,000] Aggregate Principal Amount of Edgewater West Community Development District Special Assessment Revenue Bonds, in One or More Series to Pay All or A Portion of the Costs of the Planning, Financing, Construction and/or Acquisition of Public Infrastructure Improvements Including, But Not Limited to Entry Features and Signage, Stormwater Facilities, Water and Sewer Facilities, Recreation Facilities and Road Construction, and Associated Professional Fees and Incidental Costs Related Thereto Pursuant to Chapter 190, Florida Statutes, as Amended; Appointing A Trustee; Approving the Form of and Authorizing the Execution and Delivery of A Master Trust Indenture; Providing that Such Bonds Shall Not Constitute A Debt, Liability or Obligation of Edgewater West Community Development District, Osceola County, Florida, or the State of Florida or of Any Political Subdivision Thereof, But Shall Be Payable From Special Assessments Assessed and Levied on the Property Within the District Benefited by the Improvements and Subject to Assessment; Providing for the Judicial Validation of Such Bonds; and Providing for Other Related Matters**

Mr. Gang presented Resolution 2024-30. This Resolution accomplishes the following:

- ➢ Authorizes the issuance of the Series 2024 Bonds in an amount not to exceed $601,125,000.00, in one or more series.
- ➢ Approves the Master Trust Indenture.
- ➢ Appoints US Bank Trust Company, NA, as Trustee, Paying Agent and Registrar.
- ➢ Delegates authority to the Chair to execute the Purchase Contract with the Underwriter, pursuant to the parameters set forth in Section 5.
- ➢ Approves the Preliminary Limited Offering Memorandum, which will be used to market and sell the bonds to accredited investors.
- ➢ Approves the form of a Continuing Disclosure Agreement and appoints the Dissemination Agent.
- ➢ Authorizes and directs District Counsel and Bond Counsel to proceed with filing for validation.

The following changes were made to Resolution 2024-30:

Page 1 of 5, TITLE and Page 2 of 5, first “WHEREAS” paragraph and Section 2: Change “$600,780,000.00” to “$601,125,000.00”

On MOTION by Mr. Mays and seconded by Mr. Kramer, with all in favor, Resolution 2024-30, as amended, Authorizing the issuance of Not to Exceed $[600,780,000] Aggregate Principal Amount of Edgewater West Community Development District Special Assessment Revenue Bonds, in One or More Series to Pay All or A Portion of the Costs of the Planning, Financing, Construction and/or Acquisition of Public Infrastructure Improvements Including, But Not Limited to Entry Features and Signage, Stormwater Facilities, Water and Sewer Facilities, Recreation Facilities and Road Construction, and Associated Professional Fees and Incidental Costs Related Thereto Pursuant to Chapter 190, Florida Statutes, as Amended; Appointing A Trustee; Approving the Form of and Authorizing the Execution and Delivery of A Master Trust Indenture; Providing that Such Bonds Shall Not Constitute A Debt, Liability or Obligation of Edgewater West Community Development District, Osceola County, Florida, or the State of Florida or of Any Political Subdivision Thereof, But Shall Be Payable From Special Assessments Assessed and Levied on the Property Within the District Benefited by the Improvements and Subject to Assessment; Providing for the Judicial Validation of Such Bonds; and Providing for Other Related Matters.

TENTH ORDER OF BUSINESS **Staff Reports**

A. District Counsel: Kutak Rock LLP

Mr. Eckert stated he anticipates filing for bond validation and assessments in May. An update will be provided as soon as possible.

B. District Engineer (Interim): Hanson, Walter & Associates, Inc.

Mr. Hindle stated an RFP is in progress for three portions of roadways, including an extension of the ED5 framework road, a north-south framework road that goes through the northern part of ED3 and a north-south framework road that goes along the west boundary of the high school site. The bid is due in April; three individuals have requested the plans.

Discussion ensued regarding considering the bids at the May 2, 2024 meeting.

Mr. Hindle stated an RFP is in progress for a large off-site force main. Bids might be presented at the April meeting.

Discussion ensued regarding an Agreement to be prepared by Mr. Joe Thacker to address cost sharing with the off-site force main, for which Edgewater East CDD will be the contracting entity and for which the CDDs and Toho Water Authority must escrow funds.

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

- **UPCOMING MEETINGS**
  - **April 4, 2024 at 9:15 AM**
  - **May 2, 2024 at 9:15 AM [Landowners' Meeting, Uniform Method, Debt Assessment & Rules Hearings]**
  - **QUORUM CHECK**

Supervisors Mays, Kramer and Wanas confirmed their attendance at the April 4, 2024 meeting.

ELEVENTH ORDER OF BUSINESS Board Members' Comments/Requests

There were no Board Members' comments or requests.

TWELFTH ORDER OF BUSINESS Public Comments

No members of the public spoke.

THIRTEENTH ORDER OF BUSINESS Adjournment

On MOTION by Mr. Wanas and seconded by Mr. Kramer, with all in favor, the meeting adjourned at 10:58 a.m.

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Secretary/Assistant Secretary Chair/Vice Chair

EDGEWATER WEST

COMMUNITY DEVELOPMENT DISTRICT

STAFF REPORTS

EDGEWATER WEST COMMUNITY DEVELOPMENT DISTRICT		
BOARD OF SUPERVISORS FISCAL YEAR 2023/2024 MEETING SCHEDULE		
LOCATION *Offices of Hanson, Walter & Associates, Inc.* *8 Broadway, Suite 104, Kissimmee, Florida 34741*		
DATE	**POTENTIAL DISCUSSION/FOCUS**	**TIME**
April 4, 2024	**Regular Meeting**	**9:15 AM**
May 2, 2024	**Landowners' Meeting, Public Hearings & Regular Meeting**	**9:15 AM**
June 6, 2024	**Public Hearings & Regular Meeting**	**9:15 AM**
July 4, 2024	**Regular Meeting**	**9:15 AM**
August 1, 2024	**Regular Meeting**	**9:15 AM**
September 5, 2024	**Regular Meeting**	**9:15 AM**