

MINUTES OF MEETING
CHAMPIONSGATE COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the ChampionsGate Community Development District was held Friday, November 21, 2014 at 10:00 a.m. at the offices of RIDA Development, 8390 ChampionsGate Boulevard, Suite 104, ChampionsGate, Florida.

Present and constituting a quorum were:

Ron Root	Chairman
Phillip Montalvo	Vice Chairman
John Lambert	Assistant Secretary
Larry Arseniadis	Assistant Secretary
Darin Tennyson	Assistant Secretary

Also present were:

George Flint	District Manager
Scott Clark	District Counsel
Mark Vincutonis	Hanson Walter
Yvonne Shouey	RIDA Development
Marc Reicher	RIDA Development
Teresa Viscarra	GMS

FIRST ORDER OF BUSINESS

Roll Call

Mr. Flint called the meeting to order.

SECOND ORDER OF BUSINESS

Public Comment Period

There not being any, the next item followed.

THIRD ORDER OF BUSINESS

Organizational Matters

A. Administration of Oaths of Office

Mr. Flint being a notary public of the State of Florida administered the oath of office to Mr. Root and Mr. Arseniadis.

B. Consideration of Resolution 2015-01 Electing Officers

Mr. Flint stated after each election the statutes require that you consider election of officers and in your agenda packet is Resolution 2015-01, which would elect those officers. We can take each office individually or if a Board member chose they could make a motion to elect a slate of officers. Currently Mr. Root is Chairman, there is no Vice Chair designated, Mr. Arseniadis, Mr. Montalvo and Mr. Lambert are Assistant Secretaries and Mr. Tennyson has not been designated an office because he was placed on the Board recently. As District Manager I was elected Secretary, and the District Accountant Ariel Lovera was Treasurer and Yvonne Shouey was Assistant Treasurer.

On MOTION by Mr. Lambert seconded by Mr. Arseniadis with all in favor Resolution 2015-01 was approved as follows: Mr. Root Chairman, Mr. Montalvo Vice Chairman, Mr. Arseniadis, Mr. Lambert and Mr. Tennyson Assistant Secretaries, Mr. Flint Secretary, Ariel Lovera Treasurer and Yvonne Shouey Assistant Treasurer.

FOURTH ORDER OF BUSINESS

Approval of the Minutes of the August 11, 2014 and September 3, 2014 Meetings

Mr. Flint stated next is approval of the minutes of the August 11, 2014 and September 3, 2014 meetings. Are there any additions, deletions or corrections to those?

There not being any,

On MOTION by Mr. Arseniadis seconded by Mr. Lambert with all in favor the minutes of the August 11, and September 3, 2014 meetings were approved as presented.

FIFTH ORDER OF BUSINESS

Consideration of Resolution 2015-02 Amending the Fiscal Year 2014 Budget

Mr. Flint stated any time the actual expenses exceed your total budget, the Board needs to approve a budget amendment within 60 days of the end of the fiscal year. The fiscal year ended on September 30th and that required a budget amendment to be approved before the end of November. We do have the detail of the specific line items that were over, any of the major expenses the , would have either approved in advance or ratified. We are asking the Board to consider a budget amendment that would recognize \$38,217 of carry forward, which in the current year we did not budget any carry forward for purposes of balancing the budget. This

budget amendment would recognize that, it would recognize a developer contribution of \$7,543, which was not budgeted and those total \$45,760 and we increased various expense line items to equal that increase in revenue so that your budget meets the actual expenses.

On MOTION by Mr. Root seconded by Mr. Arseniadis with all in favor Resolution 2015-02 was approved.

SIXTH ORDER OF BUSINESS

Ratifications

A. Ratification of Proposal from Creative Sign Designs for Installation of Street Signs

Mr. Flint stated next is a ratification of a proposal from Creative Sign Designs for installation of street signs.

B. Ratification of Proposal from Fountain Design Group to Repair Fountain

Ms. Shouey stated this is for the big fountain on the right side and they had to take it out completely and redo all the jets on it but it had been there 14 years.

On MOTION by Mr. Montalvo seconded by Mr. Lambert with all in favor the proposals from Creative Sign Designs and Fountain Design Group were ratified.

C. Ratification of Amendment to Petition to Expand District Boundaries

Mr. Clark stated at the September 3rd meeting we approved Resolution 2014-08, which dealt with authorizing the petition for expansion of the District. As we got past that we discovered some things we had to do regarding the legal descriptions, which got quite expansive and confusing. The statute calls for us to attach metes and bounds legal descriptions of the existing boundaries of the District and the area we are trying to add and what was currently present in the ordinance with the county were plat legals and that went back a couple generations in the way that the expansions had been handled before. We looked at that and we debated sending it in the same way but were concerned the county would kick it back because it really wasn't what the statute asked us to do. We went to the surveying team and asked them to come up with those and it proved to be a fairly difficult task because of the number of replats that had occurred. When they finished the task they determined that some little slivers of area that we

were trying to expand into the District were already there. As a result of that the legal descriptions have changed and I wouldn't have bothered doing this if it was just a different description that described the same property but we are actually adding a little bit less property because part of it was already in the District. The end result is we are not doing anything different from what we agreed to do before we are just dealing with the technicalities of the legal. Just to make sure that our record is clear I presented a revised copy of Resolution 2014-08 it now has attached to it the correct legal descriptions of the existing boundary and the property we are proposing to add, much more lengthy than what was there but they comply with the statute. The action I would like you to take is to ratify this amended version of Resolution 2014-08 and District management will correct its records to reflect this is the resolution; the same action we discussed before just different exhibits to it.

On MOTION by Mr. Arseniadis seconded by Mr. Montalvo with all in favor Resolution 2014-08 was ratified as amended.

SEVENTH ORDER OF BUSINESS

Consideration of Proposal from Terry Roberts Site Work, Inc. to Repair Sidewalk on Goodman Road

Ms. Shouey stated I intend to get a couple more bids and would like to get approval for the work in a not to exceed amount for the continuation of the sidewalk.

Mr. Flint stated Yvonne will get one or two additional proposals and we can delegate authority to the Chair for final approval.

On MOTION by Mr. Montalvo seconded by Mr. Root with all in favor staff was authorized to obtain additional proposals and to contract for the continuation of the sidewalk in an amount not to exceed \$7,500 and the Chairman was authorized to approve and execute the contract.

SEVENTH ORDER OF BUSINESS

Staff Reports

A. Attorney

There not being any, the next item followed.

B. Engineer

There not being any, the next item followed.

C. Manager

i. Approval of Check Register

Mr. Flint stated you have approval of the check register for August 1 through November 17th totaling \$230,172.64 and the detailed register is behind the summary.

On MOTION by Mr. Arseniadis seconded by Mr. Montalvo with all in favor the check register was approved.

ii. Balance Sheet and Income Statement

Mr. Flint stated you also have the financial statements unaudited for September 30th and for October 31st, the first month of the new fiscal year. There is no action required on the financials if you have any questions we can discuss those.

EIGHTH ORDER OF BUSINESS

Other Business

Mr. Reicher stated we have an item from a property management standpoint that we discovered.

Ms. Shouey stated since we are building the Wendy's we had to get power to them on the part of the developer.

Mr. Reicher stated in the interim we found out that our irrigation electric is also being supplied there and we have some of our controls and shutoff boxes also on their property. They are going to have to be moved and there are four of these meters and shutoff boxes two of them relate to the irrigation main control and pump. It is something we were unaware of, we didn't realize when we did the initial infrastructure that it was on what would ultimately be private property.

Ms. Shouey stated five have to be relocated and two of them should be our responsibility because it takes care of the irrigation and pump for that area. I received a bid yesterday to do all four for \$30,000 and I'm waiting for two more bids but it is something that has to be done very quickly.

Mr. Root stated you want us to say it is okay to do that subject to looking at the actual fair share numbers and get our agreement that those are in fact fair share numbers.

Mr. Reicher stated we won't be able to convene a meeting prior to needing that to be done.

Ms. Shouey stated Duke Energy is scheduled to go in there next week and if we don't get them moved we are holding them up for another six to eight weeks.

Mr. Flint asked is the Board clear on what the issue is? The Board doesn't have any numbers to be able to approve anything and I'm still not real clear on what the issue is.

Mr. Reicher stated the issue is that the power tree that holds the disconnects is on private property.

Mr. Flint stated you are saying the two that the District is involved with is associated with the irrigation controllers.

Ms. Shouey stated irrigation and the well pump.

Mr. Flint asked is the controller itself and the well pump on their property or is it just the disconnect?

Ms. Shouey responded no, just the disconnects. The transformer was set in front of the Toho lift station so everything came off there so it is sitting right to the south of it.

Mr. Reicher stated that was never inside any easement or inside Toho's area it was set there arbitrarily in 1998 and 1997 when we originally spent the money.

Mr. Flint asked is Wendy's not willing to give an easement to allow it to remain?

Mr. Reicher responded they can't because it doesn't fit their site plan there is a parking space that is ultimately going there. We were unaware that there was any District property on there when the transaction took place.

Mr. Flint asked who originally put that in, Toho for their lift station?

Ms. Shouey responded I think as developer we did it.

Mr. Reicher stated we did it to service the lift station and then because it is a looped system the power ultimately connects in loops and we were unaware that there were any District assets on there until yesterday when we went down and looked at it.

Ms. Shouey stated they are afraid if they try to move them that the wiring would be no good and they would have problems going forward. They are either going to try to move the existing ones or four new ones.

Mr. Reicher stated from what we know from the first bid moving the whole segment and roughly half the impact is the District's can be as low as \$16,000 but then he said if the wire

breaks it is another \$7,000 and your disconnects might not be to code because they are from 1998 and you will be out of power four or five days versus hours if you just put in a new system.

Mr. Montalvo asked who put this in incorrectly in the first place?

Mr. Reicher responded it was District money.

Ms. Shouey stated it really wasn't incorrectly but it turns out it was.

Mr. Montalvo asked the total project is \$30,000?

Ms. Shouey responded yes if we get new cans and move them where they need to go.

Mr. Montalvo stated you are suggesting that it is roughly 50/50.

Ms. Shouey stated yes, two are Toho's and two are the Districts'.

Mr. Flint asked where are you proposing to move them?

Mr. Reicher responded about 10 feet.

Mr. Flint asked will it be on CDD property at that point or on Toho's?

Mr. Reicher responded no it will be on their property but I think we can probably get an easement.

Mr. Flint stated we will need to get an easement so we don't have to move it again.

Mr. Montalvo asked the cost will be totally borne by Toho and the District.

Ms. Shouey responded yes.

Mr. Montalvo stated if we take no action today it won't prevent it from being moved. I don't understand where it is going, how it got there, what the proportionate share is, what the cost is going to be.

Ms. Shouey stated I have two more electricians coming in with numbers because we felt it was high.

Mr. Montalvo stated I understand that but if they are going to be relocated onto CDD property then that raises other questions in terms of liability, access, easements what was going to be in the Wendy's property easements. If we do not do anything right now, we say okay fine the Board will act upon it at the appropriate time, would that be okay?

Ms. Shouey responded that is fine. Also if you want to go down there with me I will show you.

Mr. Reicher stated we apologize for the late notice but we didn't understand until yesterday afternoon.

Mr. Flint asked when you sold the property to Wendy's and had a survey done they didn't identify any of it?

Mr. Reicher stated they identified it but they didn't identify it directly to the CDD, they identified it as developer JAA and Duke Energy did an agreement, at closing we set aside almost \$25,000 to have the transformers moved and during the transaction nobody thought to figure out whose meters and whose disconnects they were. Some money was set aside for Duke to go forward and Duke is doing the majority of the work readjusting line, resetting transformers it is just that no one realized there was an impact to the District because no one went down there and said look at these disconnects.

Mr. Clark asked whose money was set aside?

Mr. Reicher stated there was a combination of proceeds and contribution, so it was a combination of money from the developer and money from the purchaser, which was paid to Duke Energy to do their design and continue the system. Wendy's is paying for their portion of the run and their disconnect to their building. Candidly it was just missed the Toho relocation and the District relocation.

Mr. Montalvo stated my sense is the District should do what it needs to do at the appropriate time once we know exactly what it is we are going to do.

Mr. Clark stated we ought not to make the same mistake twice. We ought to move it to someplace with an easement or it is ours.

Mr. Reicher stated it would be an easement because we are sharing that area.

Mr. Montalvo stated I don't want the District to do or fail to do something that will in any way interfere with that happening. As long as it can go forward and get it done let's do that.

Ms. Shouey asked does Toho have an easement in there? If so it would be very easy.

Mr. Reicher stated I don't think there is an easement yet. Maybe ask the engineer at the end of the day we can create an easement for a disconnect or an assembly to sit pretty easily.

Mr. Vincutonis stated yes it should be a utility easement, decide who you want to grant it to.

Mr. Clark stated I think what I hear the Board say is that we don't have enough information to act. If someone else wants to act and then bring it back for a contribution along with where did it go and do we have an easement and have we done it all correct then the Board will act on it at that time. If the Board's inaction causes a delay I suspect that the party who

doesn't want the delay will move forward then come back to us and ask for money or if it is not important to them then they will wait until we meet again.

Mr. Montalvo stated I ask that wherever it winds up that it makes sense.

Mr. Reicher stated that will be the case because what happened is this was a vacant parcel and now the parcel will be fully developed with a functioning Wendy's so those transformers have been moved to probably their final destination with the exception that if Wendy's goes out of business and somebody reworks the whole site, which would not be likely. Whereas initially you are just guessing and there was a whole notion when that was built there were section lines there and stuff because Toho doesn't have an easement either in certain things.

NINTH ORDER OF BUSINESS

Supervisor's Requests

Mr. Montalvo asked have you had any further traffic analysis done with those businesses going in that corner? We already have a substantial backup during certain time of the day.

Mr. Reicher stated we are concurrent through section 2A at 42,000 trips, that is the existing road network capacity before you have to look at any more monitoring and modeling. We are currently expended about 24,000 of those trips it would indicate there is still tremendous capacity to be able to develop the balance of the project without further modifications or obligations to the District or to anyone else to expand roads.

Mr. Montalvo stated when you leave there at 8:00 a.m. the traffic is backed up to Walgreen's and beyond.

Mr. Reicher stated we have through roads, which were an obligation, we have more homes here that translates into more traffic and you can expect that trend to continue. There is a road network that is expanding in this marketplace but not in the District. Westside Boulevard, which is a north/south connector that may take some traffic off, eventually is being improved. Westside is a road that starts at 192 goes due south and stops a mile or mile and a half north of Tri-County Road and when you get to the south side of Tri-County Road Westside Boulevard winds all the way through to the Osceola County/Polk County line. That is going to change a lot of the traffic pattern.

Mr. Reicher then pointed out on the map proposed regional changes in roadways expected in the near future and suggested that Dave Tomack or his representative come to the

next meeting to give a more up to date presentation of the proposed roadway changes and improvements.

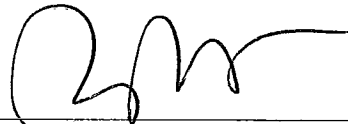
TENTH ORDER OF BUSINESS

Next Meeting Date

On MOTION by Mr. Montalvo seconded by Mr. Lambert with all in favor the meeting adjourned at 11:20 a.m.



Secretary/Assistant Secretary



Chairman/Vice Chairman