

MINUTES OF MEETING
CHAMPIONSGATE
COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the ChampionsGate Community Development District was held Monday, February 12, 2024 at 2:00 p.m. at the offices of RIDA Development, 8390 ChampionsGate Boulevard, Suite 104, ChampionsGate, Florida.

Present and constituting a quorum were:

Lee Dawson	Chairman
Darin Tennyson	Vice Chairman <i>by telephone</i>
Elizabeth Allen	Assistant Secretary
Darlene Clevenger	Assistant Secretary
Douglas Cady	Assistant Secretary

Also present were:

Jason Showe	District Manager
Scott Clark	District Counsel
Pete Glasscock	District Engineer <i>by telephone</i>
Marc Reicher	RIDA Associates
Evan Fracaso	RIDA Associates
Yvonne Shouey	RIDA Associates

FIRST ORDER OF BUSINESS

Roll Call

Mr. Showe called the meeting to order and called the roll.

SECOND ORDER OF BUSINESS

Public Comment Period

There being no comments, the next item followed.

THIRD ORDER OF BUSINESS

Approval of the Minutes of the December 11, 2023 Meeting

On MOTION by Ms. Clevenger seconded by Ms. Allen with all in favor the minutes of the December 11, 2023 meeting were approved, as presented.

FOURTH ORDER OF BUSINESS

Ratification of Agreement with Grau & Associates to Provide Auditing Services for Fiscal Year 2023

On MOTION by Mr. Dawson seconded by Mr. Cady with all in favor the agreement with Grau & Associates to perform the Fiscal Year 2023 audit was ratified.

FIFTH ORDER OF BUSINESS

Consideration of FDOT Right of Way Acquisition Documents – 1581 Berwick Drive (Parcel 800)

- A. Quit Claim Deed**
- B. Subordination Agreement**

Mr. Clark stated as you will recall at the last meeting they had sent us a quit claim deed to execute to a little piece of property that they are taking an easement on. We don't own it and it wouldn't be appropriate to do that. I said if you can explain to me why we need to sign something then I will take it to the Board. They sent me a copy of the declaration of covenants and restrictions that was recorded with the Phase 1 Plat and pointing me to some language that granted an easement over this area in favor of the developer and in favor of the CDD. We talked about that and agreed it would be more appropriate to just have us subordinate our interest in the easement to their interest in the easement. It is not an easement that I can see that we would ever exercise or that we even need to have. In the agenda is the old quit claim deed and the new document, which is a subordination agreement to separate and subordinate our interest in that tiny area to the interest of the FDOT. I told them that was more appropriate and would bring it to the Board and recommend that the Board approve it and have the CDD execute it.

On MOTION by Ms. Allen seconded by Mr. Dawson with all in favor the Subordination Agreement was approved.

SIXTH ORDER OF BUSINESS

Staff Reports

- A. Attorney**

Mr. Clark stated since the last meeting we drafted the ABC Paving thermoplastic replacement agreement, drafted the Allstate Lighting pole replacement and I believe both those jobs are done. We drafted the GSI direction sign contract and the Cascade Fountains motor work contract.

After discussion at the last meeting, I prepared a form of right of way utilization agreement with Toho. We sent that to them, had expected their comments back so we could put a final version in this agenda and as of today, we don't have that. I have given you a copy of the form as we drafted and sent to them and I'm going to ask for your direction on this. The Board

can approve this in substantial form subject to my approval of any changes that they want. The agreement is very much consistent with what we used on a couple projects in the past, we get the hold harmless and all the protections that we need, or we can wait and bring it back since they were not prompt with their comments.

On MOTION by Ms. Allen seconded by Ms. Clevenger with all in favor the right of way utilization agreement with Toho was approved in substantial form.

Mr. Clark stated we talked over several meetings about my discussions with DOT on the damage to the electric out front. I finally have gotten some engagement from the attorney working on that. We discovered that there exists in some file somewhere, a right of way utilization agreement that I think contains terms that protect us. It hasn't immediately been located and I don't think we have found one in our files, and I have searched the public records and it was never recorded that I can find. I have made a public records request for that document and they are trying to find that and supply it to me. There is a construction agreement that makes reference to a right of way utilization agreement that apparently the county and DOT signed that has protections in favor of us. We might even be a party to that. I will know when I see it. That is the document that would give us the legal right to recover from them. Since we had some things that were on their property they destroyed and our position is they were on the plans, you should have stopped and taken precautions, their position is they were on the plans to be removed and you didn't say anything. If there is an agreement that says that if you destroy it you have to replace it then that would get us where we need to be.

B. Engineer

i. Review of CIP Information

This item taken later in the meeting.

C. Manager

i. Approval of Check Register

Mr. Showe presented the check register from December 31, 2023 through January 31, 2024 in the amount of \$732,106.59.

On MOTION by Mr. Dawson seconded by Ms. Clevenger with all in favor the check register was approved.

ii. Balance Sheet and Income Statement

A copy of the financials was included in the agenda package.

D. Onsite Manager’s Report

Mr. Fracaso stated GSI has completed the directional signage throughout the District on monument signs. Someone took out one of the crosswalk signs by the entrance to Bella Trae. The other one looks like it has been hit as well and I will have them both replaced.

Mr. Glasscock joined the meeting by telephone at this time.

Mr. Fracaso stated the pole lights were replaced; we are waiting for insurance to cut us a check for the one pole light we were able to get the information for the incident report. All of our underground is competed up front for the electric for the fountains.

i. Mulching of Landscape Beds Throughout the District

Mr. Fracaso stated I have two prices from Weber, Option A is \$26,550 for everything throughout the District and Option B is \$14,750 to do all the large beds and omit the stand alone palm tree rings. This item was not in the budget. Mulching has not been done for quite a while.

Ms. Allen stated I would like to do the beds now and the tree rings in the new budget.

On MOTION by Ms. Allen seconded by Mr. Dawson with all in favor Option B of the proposal from Weber for mulch for the large beds throughout the District in the amount of \$14,750 to be taken out of landscape contingency was approved.

ii. Concrete Repair Quotes

Mr. Fracaso stated I have two proposals for concrete based on the Engineer’s Report, conditions of sidewalks, storm drains, ADA crosswalks. I have a proposal from Miller Sealing Striping and Concrete in the amount of \$28,950 and a proposal from ABC of \$29,795. The proposals are much the same; Miller has done a lot of concrete work recently for Omni and I had an opportunity to see what they did and I was very impressed with their work. This is budgeted.

Mr. Dawson stated there is a depression on Legends that we repaired.

Mr. Fracaso stated there is something going on there. That is one of the things the concrete guy and I discussed. When he pops out the old concrete there, we might have to do some digging to figure out what is causing that.

On MOTION by Mr. Dawson seconded by Ms. Clevenger with all in favor the proposal from Miller Sealing, Striping and Concrete in the amount of \$28,950 was approved.

iii. Engineer’s Report – Review of CIP Information

Mr. Glasscock stated the only thing I have are the repaving budget numbers that you had requested. I couldn’t get a price without plans, so I took a contract that we currently have under construction, and I applied those numbers to our project based on our last repave and I added some depending on when you want to do it and added some numbers for inflation and price increase and came up with roughly \$580,000. That is a budget number, probably heavy. It is a little early to think about a full repave.

Mr. Fracaso asked is that the entirety of ChampionsGate?

Mr. Glasscock stated no, that is from the county line to Goodman Road.

Mr. Dawson stated we did this for planning purposes so we can figure out what we will need.

Mr. Showe asked when would we need to do this?

Mr. Glasscock stated if you do some patchwork in the next year or two I think probably move this to three years down the road after this budget.

Mr. Showe stated that gives us enough to put something in the next proposed budget that will accommodate the patching and setting aside reserves to accomplish this in three years.

SEVENTH ORDER OF BUSINESS Other Business

There being no comments, the next item followed.

EIGHTH ORDER OF BUSINESS Supervisor’s Requests

Ms. Clevenger stated we received something about ethics training.

Mr. Clark stated during the calendar year the FASD program I think is excellent. There is a four-hour program that Florida State University developed and they have done a deal with the Florida Association of Special Districts, which they revised to make it more specialized for

special districts not all governments. I took that course and I thought it was excellent. It is online, which means you don't have to go sit in a room for four hours, it is broken up into little sections and is very easy to take.

Ms. Clevenger stated it says if you are a member of the Florida Association of Special Districts the cost is \$49 per District official, if you are not a member it is \$79 for each District official. Are we a member?

Mr. Showe responded probably not; each District would have to become a member. Typically, they don't do that. GMS is a member because they advocate in Tallahassee for bills on behalf of special districts.

Ms. Allen asked who pays for this training, the District?

Mr. Showe stated if you pay for it just send me the receipt and we will reimburse.

Mr. Clark stated you will continue to file the form 1 statement of financial interests. You will file it electronically this year and you probably have received an email about that if not, you will. Instead of doing it on paper and taking it to the Supervisor of Elections you will go to the Commission on Ethics website and do it online.

Mr. Showe stated we will send out a memo with a link to the Commission on Ethics.

NINTH ORDER OF BUSINESS

Adjournment

On MOTION by Ms. Clevenger seconded by Ms. Allen with all in favor the meeting adjourned at 3:10 p.m.


Secretary/Assistant Secretary


Chairman/Vice Chairman