

MINUTES OF MEETING
BONNET CREEK RESORT
COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Bonnet Creek Resort Community Development District was held Thursday, May 6, 2021 at 2:00 p.m. at the Wyndham Bonnet Creek Resort, 9560 Via Encinas, Lake Buena Vista, Florida.

Present and constituting a quorum were:

Bob Gaul	Chairman
Randall Greene	Vice Chairman
Fred Sawyers	Secretary
Herb Von Kluge	Assistant Secretary
Ruth Perry	Treasurer by telephone

Also present were:

George Flint	District Manager
Kristen Trucco	District Counsel
Jim Nugent	District Engineer
Clayton Smith	Field Manager
Don Bell	Don Bell signs by telephone
Jim Wetherall	Don Bell Signs by telephone
Robert Fohr	Wyndham Grand Hotel General Manager

The following is a summary of the discussions and actions taken at the May 6, 2021 meeting. An audio copy of the proceedings can be obtained by contacting the District Manager.

FIRST ORDER OF BUSINESS

Roll Call

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

SECOND ORDER OF BUSINESS

Public Comment Period

Mr. Fohr stated I'm here on behalf of the Wyndham Hotel. The front entrance has taken longer than anyone expected. On my behalf on the hotel side I don't feel like I got much information informing me of what was going on with the delays that were taking place. If it is going to be delayed is there an opportunity to make that entrance look more palatable to our

guests arriving. I think that is our biggest concern the arrival experience and right now it is just not there. I'm sure it is something you are addressing but I wanted to address that.

Mr. Gaul stated I understand a lot of these cones in the front are gone now but I didn't understand that behind here where you are heading to the center palm tree, I don't think they excavated anything there. I think it is pretty much our original landscaping back there.

Mr. Nugent stated the excavation won't extend that far into the entrance.

Mr. Gaul asked can we start there taking some of those cones away? Do they serve a purpose or is there some code we don't know about?

Mr. Nugent stated no, they are there because when the work begins on the median sign that lane will be closed.

Update on Entry Monumentation Construction

Mr. Nugent stated there is a chronology in the memorandum George circulated for me going back to April about trying to get the electric line relocated. In the interim while that was going on the Geotechnical engineer had their crews come out to do the borings for the foundation preparation necessary for the signs. I got an update this morning that the utility locates have been done, the locate ticket information has been submitted to Reedy Creek Energy Services and they are waiting to hear back from Reedy Creek when they can mobilize a crew to come out and ground out the line and remove it and get it out of the way. Concurrent with that Greg Witherspoon, our landscape architect, has come up with some alternative landscaping that will allow the current stormwater facilities to remain in place in a reconfigured position until such time as Reedy Creek and Disney build the ultimate condition of Buena Vista Drive. There was a hiccup in the plans because the plans anticipated relocation of some of the existing drainage facilities, but that was the ultimate condition, we are still dealing with the interim condition. I just got the plans before I came to the meeting and I will get those to George to circulate.

The game plan right now is to get Reedy Creek's schedule at which point the contractor will remobilize with equipment to do the excavation at the west side and get the line moved. Assuming things are progressing in the revised landscape plan to be approved, they will continue to progress the construction. We have asked that while that is in process that they work at least on the median and the east side and currently as I understand it from speaking with Greg at Canin yesterday they will probably start progressing the plantings on the east side where we have

Canin yesterday they will probably start progressing the plantings on the east side where we have all the exposed soils so the grow-in can get started, staying away from the actual excavation and construction area for the sign.

Mr. Gaul stated thanks for bringing us up to speed. This basically tells us what we have accomplished to this date. I think what I would like to know starting today until the project is done, what are we looking at? How many days, when are we going to see some fabrication or erection of the sign and things like that? Can you speak to that?

Mr. Nugent stated my understanding is that once Terry mobilizes to come out with Reedy Creek Energy Services and remove the line we will be remaining onsite progressing the construction.

Mr. Wetherall stated that is correct. That is our overall goal. The subcontractors have only planned one mobilization for them to get their stuff done and go. For example, when these guys start the foundation work, they planned on having all three sites ready to go, pour all three foundations with one concrete pour. Whereas now we are probably going to have at least one additional mobilization possibly if we elect to try to do the east side first with the median and come back and finish the west side Terry and their guys are done with the final grading and excavation over there.

Mr. Gaul stated my only experience with construction is working about hotels, Randall and others at this table have a lot more experience than I but speaking in layman's terms can you help guide us to the best course of action, the quickest course of action, what options do we have so we as an elected group of officials help you get to from A to Z the fastest.

Mr. Wetherall stated as Jim alluded to earlier you will be handed shortly the revised grade plans. Once we get those and I can get Terry back out there and get started with those I can get a better understanding of his timeline, how it is going to progress and then backfill the rest of the schedule from there. The rebar for the foundations is going to be delivered sometime the week of the 18th so I believe they are going to start on the foundations the Monday after that. You will start to see a whole lot more work, but we need a couple more approvals as we progress through these last couple of challenges.

Mr. Nugent stated essentially from the Board on the changes in the landscaping plan incorporating the grading.

Mr. Gaul stated we can fast track that.

Mr. Nugent stated unfortunately, I was unable to forward the email before I left. I will get that to George so everybody can look at it. Right now they are a little raw and need to be cleaned up, but at least you can see what plantings they are planning, how it is going to integrate with the grading and the west wall you won't see it from the road but the west wall will have a short retaining wall behind it to support it around the existing drainage facilities.

Mr. Gaul stated you are not ready for approvals today.

Mr. Nugent stated no.

Mr. Flint stated at the end of the meeting we can continue it a week.

Mr. Nugent stated I will get the plans out to George and hopefully Greg will be available if we continue the meeting and I will ask him to attend or call in to be able to answer any questions or concerns.

Mr. Gaul asked is there any way to move the traffic barricades or are you saying you are going to need them in a couple weeks?

Mr. Wetherall stated yes, Clayton already moved a handful of them.

Mr. Flint stated we can move the rest.

Mr. Wetherall stated as long as we don't lose them because we are going to need them in the near future.

Mr. Flint stated we will stockpile them close by, but at least get them out of there.

Mr. Gaul stated I will make space for you.

Mr. Nugent stated the clearing on the east side is pretty expansive because of the viewshed and that would probably be the easiest thing to do and they would be proximate to the site.

Mr. Flint stated part of the reason we didn't move them is we didn't know when they would remobilize.

Mr. Wetherall stated we may be ready to remobilize as soon as we hear from Reedy Creek. Our subcontractor is ready to jump when Reedy Creek says they are going to meet them out there.

Mr. Gaul asked after a couple more of these approvals will you be able to give us a timeline on completion?

Mr. Wetherall stated absolutely. After speaking with the landscape subcontractor yesterday, there are some things we can do to pretty it up a little bit without impeding on the

construction area and without us having to do things twice. Once he mobilizes we will put some grass and stuff on the east side to make it look a little better than it does now.

Mr. Wetherall left the telephone conference at this time.

THIRD ORDER OF BUSINESS

Approval of the Minutes of the April 1, 2021 Meeting

On MOTION by Mr. Gaul seconded by Mr. Greene with all in favor the minutes of the April 1, 2021 meeting were approved as presented.

FOURTH ORDER OF BUSINESS

Consideration of Proposals for Irrigation Line Repair (2)

Mr. Smith stated during the pump station project there was a line that was attached to the outgoing pipe before it crossed Chelonia that was grouted in and shut down and this attached to two zones close to the storage yard. We have some quotes to tie those back in and it requires digging down and tapping into our new outflow line from the pump station. The original quote from the contractor was just over \$10,000 and I have a proposal from the original contractor to come out and dig the hole, do the tap, stub it up and the landscaper will go from there and reattach to the zones. The savings is not huge, but this way the landscaper is responsible for everything they are tying back into the zones, they will know where everything is for maintenance. The savings is not that much the total is \$9,604.30.

On MOTION by Mr. Sawyers seconded by Mr. Gaul with all in favor the proposal from ProPump & Controls for irrigation system repair in the amount of \$9,200 and the proposal from Yellowstone in the amount of \$404.36 was approved.

FIFTH ORDER OF BUSINESS

Consideration of Proposal from Fausnight to Restripe Bus Lane

Mr. Flint stated next is a quote from Fausnight to restripe the bus lane.

Mr. Smith stated it is not for new thermoplastic, it says repaint the thermoplastic and I reached back out to them. They are going to put down new paint and I want to make sure they were painting more than just the thermoplastic and they are going to repaint the entire bus lane with what they call high durable paint.

On MOTION by Mr. Gaul seconded by Mr. Greene with all in favor the proposal from Fausnight Stripe & Line in the amount of \$2,600 was approved.

SIXTH ORDER OF BUSINESS

Ratification of Pay Application No. 2 with Don Bell Signs, LLC

On MOTION by Mr. Gaul seconded by Mr. Greene with all in favor pay application no. 2 for Don Bell Signs, LLC in the amount of \$72,540 was ratified.

SEVENTH ORDER OF BUSINESS

Ratification of Pay Application No. 5 with ProPump & Controls, Inc.

EIGHTH ORDER OF BUSINESS

Ratification of Pay Application No. 6 with ProPump & Controls, Inc.

On MOTION by Mr. Gaul seconded by Mr. Greene with all in favor pay applications no. 5 in the amount of \$7,920 & no. 6 in the amount of \$45,365.30 from ProPump & Controls, Inc. were ratified.

NINTH ORDER OF BUSINESS

Staff Reports

A. Attorney

Ms. Trucco stated we incorporated the Board's revisions in the compliance and indemnification agreement regarding the construction for the Hilton expansion. My understanding is that it has been submitted to counsel for Hilton and we are waiting their comments back and we will keep the Board updated.

Mr. Gaul asked with your new brand is this still applicable or is it a different entity?

Mr. Sawyers stated it is not a different entity at this point.

Ms. Trucco stated there was a question on the payment and performance bond and we did take that out of the draft so we just required insurance and indemnification provisions.

B. Engineer

i. Update on Entry Monumentation Construction

This item taken earlier in the meeting.

ii. Update on Irrigation Pump Station Replacement

Mr. Nugent stated the pump station is substantially complete, it is in operation and everything is working well. We met with the contractor earlier in April to go through punch list items and he has pretty much wrapped up those. The outstanding issues to be finished before we release the retainage is retrofitting the control panel for the backup well so it can talk to the station. Also there is some programming that needs to be done for some optional run times for the individual services. All the POC retrofits are in place and functioning properly, that is what Jim Boyd, our environmental engineer, related to me. It was a successful installation on a challenging project.

C. Manager**i. Consideration of Check Register**

On MOTION by Mr. Gaul seconded by Mr. Sawyers with all in favor the check register was approved.

ii. Balance Sheet and Income Statement

A copy of the balance sheet and income statement were included in the agenda package.

iii. Presentation of Number of Registered Voters - 0

A copy of the letter from the supervisor of elections was included in the agenda package.

iv. Field Manager's Report

Mr. Smith gave an overview of the field manager's report, copy of which was included in the agenda package.

TENTH ORDER OF BUSINESS**Supervisor's Requests**

Mr. Von Kluge stated a suit is being filed on behalf of the Waters of the State especially in Orange County and in the area we are in. Crosby Island mitigation area was built to enable this development to be built, in other words we had to rehydrate 180 acres so this 480 acre site that Disney drained by putting through the C-1 Canal. Disney did all that work before the environmental laws were passed. We had to rehydrate these 180 acres before removing about 100 isolated dead wetlands onsite, we had to find a 740 acre site that used to be a wetland that had been destroyed and made into a tomato farm. That is the Crosby Island mitigation area. It took a lot of work and it is now a poster child for the South Florida Water Management District, basically showing what can happen if you throw enough money at something, which is what we did.

Now, this suit is the first one in the United States and a referendum was passed last year and I think the paper said 95% affirmative votes for the referendum in Orange County and the basic premise is that the case in a courtroom showdown between environmental groups and business interests over the legal idea that nature has inalienable rights to exist and flourish. The concept upheld in some foreign countries but is yet untested in U.S. courts. This will become a landmark case because it will set out whether or not individuals can halt development on behalf of nature. Unfortunately, the Crosby Island mitigation area is within the Crosby Island Marsh so as the developers we are working with Shutts & Bowen, our attorneys, to see what response we are going to put forward as far as this lawsuit is concerned. I just alerted the CDD of what might be transpiring and we will see where this goes.

Mr. Greene asked who do they sue?

Mr. Von Kluge stated basically it is an individual suing the State of Florida.

Mr. Flint stated he is suing on behalf of the Waters of the State.

Mr. Gaul asked who is the attorney?

Ms. Trucco responded Steven Myers of Myers and Stanley in Orlando.

Mr. Flint stated it did name Beachline South Residential, LLC and it named the secretary of the Florida Department of Environmental Protection as defendants.

ELEVENTH ORDER OF BUSINESS**Other Business**

There being none,

TWELTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Gaul seconded by Mr. Greene with all in favor the meeting was continued to May 13, 2021 at 2:00 p.m. in the same location.


Secretary/Assistant Secretary


Chairman/Vice Chairman