

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, July 1, 2021 at 2:00 p.m. at the Hilton Bonnet Creek, 14100 Bonnet Creek Resort Lane, Orlando, Florida.

Present and constituting a quorum were:

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

Also present were:

George Flint	District Manager
Jan Carpenter	District Counsel
Kristen Trucco	District Counsel
Jim Nugent	District Engineer
Clayton Smith	Field Manager
Robert Fohr	Wyndham Grand Hotel General Manager

The following is a summary of the discussions and actions taken at the July 1, 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 when the item comes up I want to talk about the Chelonia Parkway closure.

THIRD ORDER OF BUSINESS

Approval of the Minutes of the June 3, 2021 Meeting

On MOTION by Mr. Gaul seconded by Mr. Sawyers with all in favor the minutes of the June 3, 2021 meeting were approved as amended.

FOURTH ORDER OF BUSINESS

Hilton/Park Hotels Construction Issue – Consideration of Alternatives to Indemnification Agreement

Ms. Carpenter stated we had very few comments from Park Hotels, they were pretty content with the agreement, but the contractor who was going to be on the agreement with Park Hotels had refused to be on the agreement initially. We initially structured it so that Park Hotels who owns the property and hires the contractor would be the party who would be indemnifying the CDD because they are the one responsible for the work. They had refused to sign it and wanted the contractor to sign it. We have been negotiating with them for several months, the contractor finally came back with a lot of comments and we just said, this isn't going to work. The contractor was relatively agreeable and we spent some time researching the real property interests and we had easements to show them, we had a property interest, they were able to get a bond for up to \$5 million and Park Hotels seemingly decided the indemnification would be a better alternative. We had a couple calls with Park Hotels, their outside counsel, the contractor and folks and we have come around now to revising the agreement to make Park Hotels and two of their entities, the one that owns the hotels and the one that owns the golf course, their parcels are both around the pond. They came back this morning and said they agreed to it in substantially final form, had a couple tweaks they said nothing substantial. The contractor was also going to name the CDD directly on their insurance policy and confirmed today that they can do that, which is something they had not agreed to before. I think we are kind of where we wanted to be two years ago. We look for the Board to accept the agreement in substantially final form and delegate to the chair the authority to approve the final form so we can have it signed and ready. They plan to start construction in July. The agreement is primarily the same it just switches the hotel entities to be the party that is responsible and ensuring the contractor does all the things they need to do.

On MOTION by Mr. Gaul seconded by Mr. Von Kluge with all in favor the indemnification agreement with Park Hotels was approved in substantially final form and the Chair was delegated the authorization to approve the final form.

Ms. Perry joined the meeting by telephone at this time.

FIFTH ORDER OF BUSINESS

Staff Reports

A. Attorney

There being none, the next item followed.

B. Engineer

i. Update on Entry Monumentation Construction

Mr. Nugent stated the entry monumentation is proceeding, they have all three core structures up. The spire is yet to go on.

ii. Update on Irrigation Pump Station Replacement

Mr. Nugent stated everything is up and operating. I had some correspondence with Jim Boyd and he is still coordinating with Watertronics to retrofit the control panels. There is a delay because of COVID shutdowns they are having a hard time getting the microchips to finish the circuit board. I believe George circulated the MOT plan. We reviewed it several times and they made changes and everyone was happy with it.

The median cut that is shown on the MOT plan to provide access down the fire corridor to effect the Hilton construction by itself requires a prior MOT plan so they can build a median crossover. It is effectively rerouting the travel lanes but it opens up a work area for the contractor to do the median cut that is necessary to implement the longer term plan. This will have signs and barricades and the flagmen will be there for the longer term duration. As part of the review process of this initial MOT plan we responded to the submittal from Whiting Turner asking them to provide a signed and sealed version by a professional engineer just as we have on the original. This is a shorter duration of about a month then merge into the longer term plan, which is an approximate duration of two years.

Mr. Gaul stated this probably doesn't impact the Wyndham Resort and it probably doesn't Randall's property at all. It is just the three middle properties that have the issue.

Mr. Fohr: stated looking at the picture I have some questions and comments. This intersection where we added the stop signs a year or two ago is very busy now that the Marriot is

here. Having to close down one-lane for that, will cause a little bit of congestion at that intersection. From our hotel perspective having all these orange cones in front of our entire hotel is an issue. For two years I don't want to listen to people complain about driving into that and looking at that view. There is still going to be construction going on at the Hilton. Why do we not have the construction trucks come out of the Hilton, you are going to have a flag person there to let people come in and out of through the construction area that takes them to the bridge. Why not have another flag person on the other side of the median so they can still come through there, or create a lane that goes up along the side so they can merge into the traffic. I don't think it is necessary to close us down for two years and have barrels up there. It may cost an extra person but from my standpoint and Randall's standpoint all these guests are driving past this when they leave and I think there has to be a better solution.

Mr. Nugent stated we can go back to the contractor and ask him to get his traffic engineer to take a look at it, but this is about the third version of this adding the flagmen on the inside and the idea was to have the traffic rerouted for a free flow and in some instances there would be a flagman in the median for deliveries when it is necessary. I don't know that the entire row of barricades can be deleted and have full lane passage on both lanes, while the construction is in process.

Mr. Fohr: stated today is the first I have seen this. This left turn lane that turns into our hotel is very long so maybe there is a way to use some of that to help. As someone who owns this land and represents our membership I definitely would not want all this here as part of our hotel.

Mr. Von Kluge stated I assume you are using barrels. What if you were to use something not quite as large such as cones?

Mr. Fohr: stated cones or barrels are not going to be good for of our guests. However, if you go to Disney and see some areas where they have those things in the road, a stick with reflective coating, that is more of a temporary thing, but it is not a construction thing that people are going to see. That would be an alternative. I'm disappointed this is going to be sitting in front of our hotel.

Mr. Flint stated this plan has already been approved by the Board some time ago and they are starting construction next week. The reason it was brought up today is because the request from the contractor to be able to leave these and not have to remove the barrels every night and

reinstall them the next day. A middle ground alternative to that would be to leave them in place and have them removed on weekends and holidays, but that is why the issue was brought back for Board discussion.

Mr. Fohr: stated I understand why they are going through the median because it makes construction quick.

Mr. Flint stated the alternative would be to make a U-turn at that intersection.

Mr. Fohr: asked why not have two flagmen out there to stop traffic when the trucks are coming and going and you don't have to worry about the cones and leaving them there.

Mr. Sawyers stated there is a safety issue here. People move fairly quickly through that intersection and I worry about the slow moving truck coming out of there. If you have flagmen there, where do you put them to make sure that somebody at the last minute does not have to weave over?

Mr. Nugent stated I will work with Whiting Turner about the installation of delineators rather than barrels and cones. Everything in the MOT plan is in accordance with DOT traffic control standards, there I will find out if there may be an option for delineators.

Mr. Gaul stated we will try to beautify the construction area for the next two years to have something we can live with.

Mr. Flint stated it sounds like the first 6-weeks we can leave them and Jim is going to work on the other plan.

C. Manager

i. Consideration of Check Register

On MOTION by Mr. Gaul seconded by Mr. Von Kluge 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. Field Manager's Report

Mr. Smith gave an overview of the field manager's report and presented a proposal for maintenance of the new pump station.

The maintenance program for the new pump station, one is quarterly, which is what we did with the other pump station and is also recommended by the engineer and the other is two visits a year. Both include an option for \$850 annual cleaning, which the contractor doesn't believe is necessary, but the option is there in case they do an inspection and recommend it.

On MOTION by Mr. Sawyers seconded by Mr. Gaul with all in favor the proposal from ProPump for quarterly maintenance of the new pump station in the amount of \$3,000 annually was approved.

SIXTH ORDER OF BUSINESS

Supervisor's Requests

There being none, the next item followed.

SEVENTH ORDER OF BUSINESS

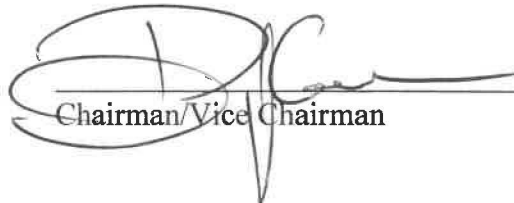
Other Business

There being none,

On MOTION by Mr. Gaul seconded by Mr. Sawyers with all in favor the meeting adjourned at 2:52 p.m.



Secretary/Assistant Secretary



Chairman/Vice Chairman