

**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, **February 1, 2024** at 1:30 p.m. at the Wyndham Bonnet Creek Resort, 9560 Via Encinas, Orlando, Florida.

Present and constituting a quorum were:

Randall Greene	Chairman
Fred Sawyers	Secretary
Herb Von Kluge	Assistant Secretary
Richard Scinta	Assistant Secretary

Also Present were:

George Flint	District Manager
Jay Lazarovich	District Counsel
Jeff Newton	District Engineer
Clayton Smith	Field Manager

The following is a summary of the discussions and actions taken at the February 1, 2024 Bonnet Creek Resort Community Development District Board of Supervisor's regular meeting.

FIRST ORDER OF BUSINESS

Roll Call

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

SECOND ORDER OF BUSINESS

Public Comment Period

There being no comments, the next item followed.

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THRD ORDER OF BUSINESS

Approval of the Minutes of the December 7, 2023 Meeting

On MOTION by Mr. Scinta seconded by Mr. Von Kluge with all in favor the minutes of the December 7, 2023 meeting were approved as presented.

FOURTH ORDER OF BUSINESS

Ratification of Second Amendment to the Agreement for Maintenance with Yellowstone for Berms and Irrigation Improvements

Mr. Flint stated this agreement is in accordance with the adopted budget and you agreed in the budget process to extend this through September 2024. The amendment was executed, and we are asking the board to ratify that action.

On MOTION by Mr. Von Kluge seconded by Mr. Greene with all in favor the second amendment to the agreement for maintenance for berms and irrigation improvements with Yellowstone was ratified.

FIFTH ORDER OF BUSINESS

Approval of Maintenance and Indemnification Agreement with G/B/H Four Star, LLC (Park Hotels) for Bridges on Signia Expansion Property

Mr. Lazarovich stated this is the indemnification agreement with Park Hotels for bridges to access their lawn space, they have requested to make those permanent and this agreement has indemnification language if anything were to happen to the ponds that we own, they will be responsible to correct that.

On MOTION by Mr. Greene seconded by Mr. Von Kluge with all in favor the maintenance and indemnification agreement with G/B/H Four Start, LLC for bridges on Hilton expansion property was ratified.

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SIXTH ORDER OF BUSINESS**Consideration of Offer by Don Bell Signs, Inc. to Resolve Dispute Regarding Improper Land Clearing by Subcontractor**

Mr. Flint stated as you will recall during the entry monument project, a landscape subcontractor of Don Bell Signs over cleared some areas, and subsequent to the work being underway it was realized they were delineated wetlands within the work area; part of those delineated wetlands were outside the work area and should not have been disturbed. Some of that impacted Reedy Creek and, in some way, impacted Disney. The district engineer came up with a method for allocating the expenses incurred, including the mitigation and the areas outside the work zone that should not have been impacted and the areas inside. The calculated cost we are recommending that Don Bell be responsible for are in the range of \$30,000. They came back with an offer of between \$11,000 and \$12,000. We told them we didn't believe it was adequate and that we weren't going to bring that back to the board. Finally, they came back with a counteroffer of about \$20,000. We believe that it probably makes sense to accept this counter and get this behind us. We will continue to spend engineering and legal expenses trying to negotiate that last \$10,000. Some of the facts are in dispute and we believe it is in the best interest of the board to accept their last offer and get this behind us.

The project is complete, we have retainage, they haven't submitted their final bills yet. Once they submit that final invoice then you have the prompt payment act it would accelerate us having to respond and get into a lawsuit situation. They have held off submitting that final pay request subject to us trying to negotiate.

On MOTION by Mr. Sawyers seconded by Mr. Scinta with all in favor the offer of \$19,800 from Don Bell Signs, Inc. to resolve the dispute regarding improper land clearing by subcontractor was accepted and the chair or vice chair were authorized to sign a settlement agreement to be prepared by district counsel.

SEVENTH ORDER OF BUSINESS**Consideration of Quote from ProPump & Controls, Inc. for Flow Meter Replacement**

Mr. Smith stated during our reporting of usage we noticed that the JW Marriott was showing an inconsistent amount based on what the master system was using. ProPump diagnosed all the meters and concluded that the Marriott meter had failed. We approached Watertronics for any sort of warranty or actions and it is no longer under warranty.

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On MOTION by Mr. Greene seconded by Mr. Sawyers with all in favor the quote from ProPump & Controls, Inc. for flow meter replacement in the amount of \$4,025.67 was approved.

EIGHTH ORDER OF BUSINESS**Consideration of Quote from RCM Utilities
for Lift Station Monitoring System**

Mr. Flint stated the CDD owns a lift station on the cul-de-sac on the Wyndham parcel that is undeveloped. It has two pumps and we have a quarterly maintenance agreement with RCM for them to come out and do maintenance. They came out and only one of the pumps was operational. It can function on one pump, but it is designed to have two. We didn't have an issue with the lift station overflowing or anything like that. We are having it looked at to see what the issue is, and they will install a loaner pump while that one is out. This quote is for a monitoring system, not to replace it; we are still figuring out if it can be repaired.

Mr. Smith stated it is a small unit that has a cell service subscription, the first year it comes with it and after that it is \$152 each year, but it can be set up to send us an alarm email if there is a high-water level, power loss, pump clogged. We can also add RCM on there so it will go to us and to RCM. You can add layers of protection too. We have a monitoring system in place for the generator itself and I get notified when it goes on for a test on Monday night and when it turns back off and this would be the same thing.

Mr. Flint stated this is the only lift station we own. Normally the county would take the lift station with the collection system; for some reason they wouldn't agree to take this one. It has been there for quite some time because there was nothing at the end of the cul-de-sac before the JW Marriott was there.

Mr. Newton stated Orange County does not accept lift stations that don't serve single-family residential.

Mr. Von Kluge stated when we developed this site, we tried to figure out what would happen if any of the systems failed that serve this whole project. We felt the only one that wasn't curable would be the loss of water, so we had an additional water line installed adjacent to the other one. Unfortunately, no one here knows where any of this stuff is. I asked Jim to start bringing together the whole plan for every hotel and property so you would know where all the transfer stations are, where all the things are.

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Mr. Newton stated we have a GIS system that we use for Universal Studios that we keep track of their underground infrastructure, physical location, it has a web interface. It is secured as you have to have a username and password to access it, but if you have access you can pull up a GIS map that shows water lines, sewer lines, reclaimed water line.

Mr. Von Kluge stated maybe we should talk about doing one for this site.

Mr. Flint stated maybe when Jim gets back, he can bring back a presentation or proposal.

On MOTION by Mr. Sawyers seconded by Mr. Von Kluge with all in favor the quote from RCM Utilities for lift station monitoring system in the amount of \$2,997.50 was approved.

NINTH ORDER OF BUSINESS

Staff Reports

A. Attorney

There being no comments, the next item followed.

B. Engineer

i. Status Report on Paving of Chelonia Parkway

Mr. Newton stated there are two Chelonia Parkway projects, one was a temporary asphalt and that has been removed, curbs have been restored and they are working on the landscape restoration.

The resurfacing project was awarded to Ranger Construction at your last meeting. The contract documents are here that have been signed by Ranger. The only thing they are lacking is the schedule, which is supposed to be part of the contract documents. Apparently, the person who does that is out until next Wednesday.

Mr. Flint stated let's get them signed and hold onto them until we get the schedule.

On MOTION by Mr. Greene seconded by Mr. Scinta with all in favor the agreement with Ranger was approved subject to inclusion of the timeline.

Mr. Flint stated I will communicate with the board when we get the schedule and when there will be lane closures.

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C. District Manager’s Report
i. Consideration of Check Register

On MOTION by Mr. Greene 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.

D. Field Manager’s Report

Mr. Smith reviewed the field manager’s report, copy of which is included in the agenda package.

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

There being no comments, the next item followed.

ELEVENTH ORDER OF BUSINESS **Other Business**

There being no comments, the next item followed.

TWELFTH ORDER OF BUSINESS **Adjournment**

On MOTION by Mr. Sawyers seconded by Mr. Greene with all in favor the meeting adjourned at 1:30 p.m.

DocuSigned by:
George Flint
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Secretary/Assistant Secretary

DocuSigned by:
Randall Greene
094B5D59349644B...
Chairman/Vice Chairman