

**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, **September 5, 2024** at 1:30 p.m. at the JW Marriot Orlando Bonnet Creek Resort, 14900 Chelonia Parkway, Orlando, Florida.

Present and constituting a quorum were:

|                 |                     |
|-----------------|---------------------|
| Randall Greene  | Chairman            |
| Herb Von Kluge  | Vice Chairman       |
| Richard Scinta  | Assistant Secretary |
| Ryan Fitzgerald | Assistant Secretary |

Also Present were:

|               |                   |
|---------------|-------------------|
| George Flint  | District Manager  |
| Jan Carpenter | District Counsel  |
| Jim Nugent    | District Engineer |
| Clayton Smith | Field Manager     |

*The following is a summary of the discussions and actions taken at the September 5, 2024 Bonnet Creek Resort Community Development District's regular Board of Supervisors 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.

**THIRD ORDER OF BUSINESS**

**Organizational Matters**

**A. Appointment of Individual to Fill board Vacancy**

September 5, 2024

Bonnet Creek Resort CDD

On MOTION by Mr. Greene seconded by Mr. Scinta with all in favor Ryan Fitzgerald was appointed to fill the unexpired term of office.

Ms. Carpenter gave an overview of the sunshine law, public records law and stated we will you a packet of information and you can call me at any time.

**B. Administration of Oath of Office to Newly Appointed Supervisor**

Mr. Flint being a notary public of the State of Florida administered the oath of office to Mr. Fitzgerald.

Mr. Flint stated on the contact form there are instructions on how to file the Form 1 financial disclosure form.

**C. Consideration of Resolution 2024-03 Electing an Assistant Secretary**

On MOTION by Mr. Scinta seconded by Mr. Von Kluge with all in favor Resolution 2024-03 electing Mr. Fitzgerald as an assistant secretary was approved.

**FOURTH ORDER OF BUSINESS**

**Approval of the Minutes of the June 6, 2024 Meeting**

On MOTION by Mr. Scinta seconded by Mr. Greene with all in favor the minutes of the June 6, 2024 meeting were approved as presented.

**FIFTH ORDER OF BUSINESS**

**Public Hearing**

**A. Public Comment Period**

On MOTION by Mr. Greene seconded by Mr. Von Kluge with all in favor the public hearing was opened.

There were no members of the public present to provide comment.

September 5, 2024

Bonnet Creek Resort CDD

**B. Consideration of Resolution 2024-05 Adopting Fiscal Year 2025 Budget and Relating to the Annual Appropriations**

Mr. Flint stated the main change in this budget is that we reduced the overall assessment from last fiscal year. The main expense adjustment on that was the transfer to the capital reserve. The landscape contract is increasing slightly from \$207,900 to \$218, 295 and is still lower than the pre-covid contract. We are asking for an increase in the management contract. This is the same as you saw in the spring. The three projects we have budgeted for next year are: Phase 2 paving of Chelonia, replacement of offsite way finding signs and Crosby Island berm repair. Those three projects total \$575,000.

On MOTION by Mr. Greene seconded by Mr. Von Kluge with all in favor Resolution 2024-05 Adopting Fiscal Year 2025 Budget and Relating to the Annual Appropriations was approved.

**C. Consideration of Resolution 2024-06 Imposing Special Assessments and Certifying an Assessment Roll**

Mr. Flint stated as part of the public hearing we need to impose the assessments associated with the budget you just approved. Resolution 2024-06 has two exhibits; one is the budget you just approved and the other is the assessment roll that lists each property and the assessments.

On MOTION by Mr. Greene seconded by Mr. Von Kluge with all in favor Resolution 2024-06 Imposing Special Assessments and Certifying an Assessment Roll was approved.

On MOTION by Mr. Scinta seconded by Mr. Von Kluge with all in favor the public hearing was closed.

**SIXTH ORDER OF BUSINESS**

**Ratification of Agreement Renewal with Aquatic Weed Control**

- A. Bonnet Creek**
- B. Crosby Island**

On MOTION by Mr. Von Kluge seconded by Mr. Scinta with all in favor agreements for with Aquatic Weed Control for Bonnet Creek and Crosby Island were ratified.

September 5, 2024

Bonnet Creek Resort CDD

**SEVENTH ORDER OF BUSINESS**

**Consideration of Contract Renewal with BDA Environmental Consultants**

- A. Bonnet Creek**
- B. Crosby Island**

On MOTION by Mr. Von Kluge seconded by Mr. Greene with all in favor contract renewals with BDA for Bonnet Creek and Crosby Island were approved.

**EIGHTH ORDER OF BUSINESS**

**Consideration of Fiscal Year 2025 Aquatic Maintenance Renewal with Solitude**

Mr. Flint stated we have another aquatic maintenance agreement for the irrigation pond with Solitude. Because Solitude was doing the golf course pond, Reese wanted that irrigation pond also done by Solitude. We have a separate agreement with them. This is just extending the term; they haven't asked for any change in compensation.

On MOTION by Mr. Scinta seconded by Mr. Von Kluge with all in favor the aquatic maintenance agreement for the irrigation pond with Solitude was approved.

**NINTH ORDER OF BUSINESS**

**Consideration of Third Amendment to Agreement for Landscape Maintenance Services with Yellowstone**

Mr. Flint stated the last extension is for the landscape contract with Yellowstone. We have a 30-day termination provision in the agreement, and we can terminate in 30-days if we need to. This extends the term 12-months and adjusts the monthly compensation to the amount reflected in the budget. It does involve an increase, but they are still under the pre-covid contract amount.

On MOTION by Mr. Greene seconded by Mr. Fitzgerald with all in favor the third amendment to the agreement with Yellowstone for landscape maintenance services was approved.

September 5, 2024

Bonnet Creek Resort CDD

**TENTH ORDER OF BUSINESS**

**Ratification of Pay Application 3 and 4**

Mr. Flint stated pay applications 3 and 4 are related to the resurfacing of the Phase 1 Chelonia Parkway. These were signed off by the engineer and have been paid and we are bringing them back for ratification. Pay app 3 is for \$147,154.95 and pay app 4 is for \$127,210.15.

On MOTION by Mr. Von Kluge seconded by Mr. Greene with all in favor pay applications 3 and 4 were ratified.

**ELEVENTH ORDER OF BUSINESS**

**Staff Reports**

**A. Attorney**

**i. Memorandum Regarding Recent Enacted Legislation**

Ms. Carpenter stated we have two memos; the first one George will talk about in a little bit but is recently enacted legislation and requires by October 1<sup>st</sup> that all special districts establish goals and objectives for every program and activity that we do. Then by December 1<sup>st</sup> we need to report on those activities. GMS has put together goals and objectives that matches the statutory requirements for meetings and notices.

**ii. Memorandum Regarding New Affidavit Requirement for Government Entities**

Ms. Carpenter stated our second memo is a document about human trafficking, that requires all governments who contract with a private non-governmental entity to have an affidavit of that private entity that says they have not coerced anyone in relation to their business or the contract. This one slipped by and I don't know why this one came in, which is in the criminal statute that most government lawyers don't look at. We put together an affidavit and GMS is now required with every contact and contract extension to have an affidavit notarized by a responsible person of the entity we are contacting with. I feel that this one may have some changes next year.

**B. Engineer**

Mr. Nugent stated we need to get the locations re-staked for the offsite way finding signs and get CFTOD to approve them.

Did the event lawn indemnification agreement finally get executed by both parties?

September 5, 2024

Bonnet Creek Resort CDD

Ms. Carpenter stated yes, I will send a copy to you.

Mr. Nugent stated the water management district permits for the Waldorf and Hilton were both certified by our construction engineer and the district accepted those certifications and we prepared the transfer for operation and maintenance to the CDD. Those forms went to Parc Hotels July 3<sup>rd</sup>.

Ms. Carpenter asked has this board formally approved that?

Mr. Flint stated we usually don't until they sign it and they send us the form and we put it on the agenda.

Ms. Carpenter asked do you want the board to accept the operations and maintenance of the ponds so when they sign off it will be approved?

On MOTION Mr. Mr. Greene seconded by Mr. Scinta with all in favor the chair or vice chair were authorized to execute the transfer of the water management district permit to the CDD as the operating entity.

Ms. Carpenter stated there is no public present to comment on this since it wasn't on the agenda.

Mr. Nugent stated I will get with our construction engineer about getting in contact with Ranger to tee up the phase 2 repaving project.

Mr. Flint stated on that issue from the board's perspective and timing perspective, it will primarily affect the JW, is there a time that is better than others?

Mr. Greene stated I will get with the new GM and ask him.

Mr. Nugent stated I will try to get a schedule on it.

Herb, Clayton and I visited Crosby Island Marsh and got a proposal but given the weather, now is not a good time to pull the trigger on that. Let's hold off until the weather and water levels drop off.

The annual engineer's report was issued on June 25, 2024, ahead of the July 1<sup>st</sup> deadline.

September 5, 2024

Bonnet Creek Resort CDD

**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.

**iii. Adoption of District Goals and Objectives**

Mr. Flint stated there is a new requirement for the district to approve goals and objective and performance measures annually. The initial goals and objectives and recommencement measurements have to be approved by October 1, 2024 and we report on them by December 1, 2025 and each year they are required to be approved. We are going to do this in conjunction with the budget adoption. We tried to come up with recommended performance measurements and objectives that we are already required to do. We have broken them into three areas, community communication and engagement, infrastructure and facility maintenance and financial transparency and accountability.

On MOTION by Mr. Scinta seconded by Mr. Greene with all in favor the goals and objectives were adopted.

**iv. Approval of Fiscal Year 2025 Meeting Schedule**

On MOTION by Mr. Greene seconded by Mr. Scinta with all in favor the fiscal year 2025 meeting schedule was approved as revised with meetings starting at 2:00 p.m.

**D. Field Manager’s Report**

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

**i. Consideration of Proposal for Pressure Washing Services**

This item tabled to a future meeting agenda. No action was taken.

September 5, 2024

Bonnet Creek Resort CDD

**ii. Consideration of Proposals for Upland Burning Alternatives**

On MOTION by Mr. Greene seconded by Mr. Von Kluge with all in favor the proposal from Allen E. Smith Ranch & Farming in the amount of \$10,650.00 for mechanical cleaning and the proposal from BDA not to exceed \$3,500 to oversee the mechanical cleaning were approved.

There was no public present to comment prior to the motion.

**iii. Consideration of Proposal for Starter Pump Replacement**

On MOTION by Mr. Greene seconded by Mr. Von Kluge with all in favor the proposal from Pro Pump in the amount of \$1,244.45 was approved.

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

There being no comments, the next item followed.

**THIRTEENTH ORDER OF BUSINESS              Adjournment**

On MOTION by Mr. Greene seconded by Mr. Fitzgerald with all in favor the meeting adjourned at 2:30 p.m.

DocuSigned by:  
*George Flint*  
B61B5DF431644AD...  
Secretary/Assistant Secretary

Signed by:  
*Randall Greene*  
7DABF2AB8E85457...  
Chairman/Vice Chairman