

**MINUTES OF MEETING
STONEBROOK SOUTH AT CHAMPIONSGATE
COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of the Stoneybrook South at ChampionsGate Community Development District was held Monday, **June 3, 2024**, at 11:00 a.m. at the Oasis Club at ChampionsGate, 1520 Oasis Club Blvd., ChampionsGate, Florida 33896.

Present and constituting a quorum:

Adam Morgan	Chairman
Rob Bonin	Vice Chairman
Jarred Cornell	Assistant Secretary
Barry Bichard	Assistant Secretary
John Lambert	Assistant Secretary

Also present were:

Jeremy LeBrun	District Manager, GMS
Kristen Trucco	District Counsel
Dave Reid <i>by phone</i>	District Engineer
Alan Scheerer	Field Manager
Bryan Clayborne	Floralawn

FIRST ORDER OF BUSINESS

Roll Call

Mr. LeBrun called the meeting to order at 11:04 a.m. and called roll. Five Supervisors were present constituting a quorum.

SECOND ORDER OF BUSINESS

Public Comment Period

Mr. LeBrun: For the record, there are no members of the public present, just Board and staff.

June 3, 2024

Stoneybrook South at ChampionsGate CDD

THIRD ORDER OF BUSINESS

Organizational Matters

- A. Letter(s) of Interest/Resume(s) for Vacant Seats**
- B. Appointment of Individuals to Fulfill Vacancies in Seat #3**
- C. Administration of Oaths of Office to Newly Appointed Board Members**
- D. Election of Officers**
- E. Consideration of Resolution 2024-05 Electing Officers**

Mr. LeBrun: We are still looking for general electors for seat #3. I have not received any inquiries about the seat. If anyone else knows of someone interested for that seat.

Mr. Lambert: I have reached out to someone who might be a good fit. I don't know if he is interested yet but I will find out.

Mr. Morgan: Talk him into it.

Mr. LeBrun: If you do get any inquires, you can send them to me and I can help them through the process and answer questions. We will table that until the next meeting.

FOURTH ORDER OF BUSINESS

Approval of the Minutes of the April 1, 2024 Meeting

Mr. LeBrun: That brings us down to item number four which is approval of the minutes from the April 1, 2024 meeting. Those are in the agenda packets reflecting any comments you received up to this point.

Mr. Morgan: Everybody good with the minutes? I will make a motion to approve.

On MOTION by Mr. Morgan, seconded by Mr. Bichard, with all in favor, the Minutes of the April 1, 2024, Meeting, were approved.

FIFTH ORDER OF BUSINESS

Ranking of Proposals for District Engineering Services and Selection of District Engineer

Mr. LeBrun: At the previous meeting, our current engineer, Dave Reid, notified the Board of his intent to resign just to focus on newer projects. The District put out a request for qualifications for engineering services at Stoneybrook South at ChampionsGate and advertised that per state statute in the newspaper and we sent it out to engineering firms that we knew were accepting work. The two that responded by the deadline and submitted responses to that were Dewberry Engineering and Kimley-Horn. Those are the two responses that we received for District engineering.

June 3, 2024

Stoneybrook South at ChampionsGate CDD

Mr. Bonin: Who else was it forwarded to, the RFP?

Mr. LeBrun: We sent it to DWMA, England-Thims & Miller, Dewberry. There are five or six firms that we sent it out to see if they were interested in work as well.

Mr. Bonin: Macintosh, Kimley-Horn, Dewberry, England-Thims & Miller. Who else?

Mr. LeBrun: It was advertised but we reached out to the ones that we knew in addition to the statutory advertisement. Macintosh, GAI, Dewberry, Kimley-Horn, those are the ones we sent directly to in addition to the advertisement. We had two responses, Dewberry and Kimley-Horn. Also, I passed out the ranking sheet so the RFQ has qualities with the points that are assigned for the RFQ that was there. All the Board has to do today is select a number one ranked firm based on the criteria that was in the RFQ. You will notice there is no pricing included and that is part of the RFQ process it's not able to be used as one of the initial factors for ranking of RFQ.

Mr. Morgan: We don't have pricing from them yet?

Mr. LeBrun: No, that is part of statute. When doing the RFQ that is not one of the qualifications used to rank the firms. I also want to point out just for the Board because its relevant, because Stoneybrook South and Stoneybrook South at ChampionsGate have a cost share agreement so some of the areas are interconnected. There is some collaboration among the two Districts. At the previous meeting, Stoneybrook South just for informational purposes selected Kimley-Horn based on the criteria provided.

Mr. Morgan: Would it be best if we had the same engineer on both CDD's? John, I defer to you.

Mr. Lambert: I would agree.

Mr. LeBrun: You can factor that in as you are going through the ranking of the points. You could add that in as criteria because somewhere within the rubric you felt that might award them some more points. It would be up to the Board to score that as they see fit.

Mr. Morgan: Under willingness to meet time and budget, if they were both on the same CDD, that would give them preferential treatment under that column. Would you agree counsel?

Ms. Trucco: Yes.

Mr. LeBrun: What we can do going forward to score is individual Board Supervisors can submit rankings. If someone has one that they want to agree to as a group, we can do that.

Mr. Morgan: Let's just do it as a group. It is a lot easier. We give them both 25 for ability and adequacy. Give them both 25 for past performance. You all speak up if you don't agree. Give

June 3, 2024

Stoneybrook South at ChampionsGate CDD

them both 20 for geographic location. Give Dewberry 10 and Kimley-Horn 15 for willingness to meet time and budget.

Mr. Lebrun: For the record, neither is officially certified minority businesses. It could be however the Board wishes to score it. Kimley-Horn did expound a little bit about how they are going to meet that and the efforts they have gone to that might be a factor in here.

Mr. Morgan: We will give Kimley-Horn 5 for that if everybody agrees. Looks like the work loads are about the same so 5 each for that. I know Dewberry does some work for us in other CDDs. Does Kimley-Horn do work for us in other CDDs?

Mr. LeBrun: They do have CDDs within Florida, in Orlando.

Mr. Bonin: Lennar does not have Kimley-Horn on a CDD that I am aware of. I do use them on a project. I am familiar with their company and capabilities.

Mr. Morgan: We will give each 5 for that. What would that add up to Jeremy?

Mr. LeBrun: Sounds like you gave Kimley-Horn full points for everything.

Mr. Morgan: That is correct.

Mr. LeBrun: That would be a total of 100. For Dewberry, it looks like there was differentiation.

Mr. Morgan: It was 5 less so that was 95 and then 5 less for that so they would get a 90. Is the Board in agreement with this.

Mr. Lambert: I agree.

Mr. Bonin: I agree also.

Mr. LeBrun: Sounds like what I heard is that Kimley-Horn received a score of 100 and Dewberry received a score of 90. Based on the scores presented, Kimley-Horn would be ranked as #1 and Dewberry ranked as #2.

Mr. Morgan: That is correct.

Mr. LeBrun: With no further discussion, the next step would be a couple of motions wrapped into this crafted for the Board if that is helpful. The first one would be to rank Kimley-Horn as the #1 engineering firm based on the RFQ criteria that was presented to the Board.

On MOTION by Mr. Morgan, seconded by Mr. Bichard, with all in favor, Ranking Kimley-Horn #1 and Authorizing Staff to Send Notice of Intent to Award and to Draft Agreement with Chair Authority to Execute, was approved.

June 3, 2024

Stoneybrook South at ChampionsGate CDD

I will have staff carry out those actions to prepare for notice of intent and counsel draft agreement. Before we leave today, I will grab your score sheets so we can have that for the record.

SIXTH ORDER OF BUSINESS

Public Hearing

A. Consideration of Resolution 2024-03 Adopting the Fiscal Year 2025 Budget and Relating to the Annual Appropriations

Mr. LeBrun: This public hearing is in relation to Resolution 2024-03. Can we have a motion to open the public hearing.

On MOTION by Mr. Morgan, seconded by Mr. Bichard, with all in favor, Opening the Public Hearing, was approved.

Mr. LeBrun: The public hearing is officially open. There are no members of the public present, just Board and staff. This is a similar budget to the one that you saw last time. This is for the upcoming FY2025. It starts on page 122 of your electronic agenda. Just to note again, there is no assessment increase to residents. We are able to keep assessments level which is always good. Starting on page 126, you have the narrative of all the different funds, the general fund and what is covered on those line items. On page 134, you will see your capital reserve and behind that you will see the debt service related to that FY2025. Like I said, the Board has seen this previously. There were no major changes and no assessment increase. Happy to take any questions on it. If not, we would just look for a motion to approve Resolution 2024-03 and adopt FY2025 budget.

On MOTION by Mr. Lambert, seconded by Mr. Morgan, with all in favor, Resolution 2024-03 Adopting Fiscal Year 2025 Budget and Relating to the Annual Appropriations, was approved.

B. Consideration of Resolution 2024-04 Imposing Special Assessments and Certifying an Assessment Roll

Mr. LeBrun: This is a mechanism to fund that budget so this is imposing the special assessments and certifying an assessment roll. You have adopted the budget so now you are just funding the budget with this resolution.

June 3, 2024

Stoneybrook South at ChampionsGate CDD

On MOTION by Mr. Morgan, seconded by Mr. Bichard with all in favor, Resolution 2024-04 Imposing Special Assessments and Certifying an Assessment Roll, was approved.

Mr. LeBrun: Can I get a motion to close the public hearing.

On MOTION by Mr. Morgan, seconded by Mr. Cornell, with all in favor, Closing the Public Hearing, was approved.

SEVENTH ORDER OF BUSINESS

Consideration of Draft Permanent Easements with Osceola County, Florida

Ms. Trucco: Included in your agenda are two permanent easement requests from the county. There are easements over two tracts. I have passed out a map from the property appraiser’s website with the location of the parcels and they actually have a survey too that is attached to both easements as Exhibit ‘A’ which shows what part of each of those tracts the slope easement would be over. I had contacted the developer to see if they had any objection to that and was actually told this was part of the original plans for the CDD and these two easements are necessary for the extension of Westside Blvd. North to make a connection to 192 and Lennar had agreed to build the road and be reimbursed by the county for the cost. These easements are really just papering their right to go out there, the counties right to use Lennar to construct the road. They are necessary because the CDD owns these two parcels by deed now. You have got these two forms of easement here in your agenda. I have sent them over to the District Engineer. I think he responded to me on the way here actually stating he is okay with these easements. Basically, today what I would be looking for is a motion to approve these in substantial final form subject to District Counsel, District staff, and District Engineer sign off on it. There may be some additional minor bits that end up in here but we would ask also for delegation of authority to one of the Supervisors to approve that final form and then sign it after District staff is all signed off. This permanent drainage easement that you have, they are nearly identical but they are over different sections of the parcel so you can see they called the first one on both LA3 and LA4 which are landscape drainage tracts, but there are different portions of that. Looking at Exhibit ‘A’ you will see a map that is slightly different areas there and the purpose of the easement set forth in paragraph three. It is pretty inclusive. This language I need to run past the District Engineer, that is why I sent this over to make sure this is not going to interfere with any of the CDD’s infrastructure there or the CDD’s

June 3, 2024

Stoneybrook South at ChampionsGate CDD

plan, and that is where the District Engineer comes in. As far as the terms, I am okay with the legal terms of this document. I would suggest adding just a section to see if we can get reimbursement or indemnification for any damage which means they will pay for our legal defense in the event we are sued as a result of something they have done on our property. So reimbursement and indemnification for any damages that the CDD incurs as a result of them doing this project and then also usually ask for insurance language to be added in easements that lists the CDD as an additional insurer to that. If there is an accident, we not only have our insurance but we can also drop into their policy if we are listed as additional insurer on their policy. Finally, on sovereign immunity, I did not see a sovereign immunity provision in here so the county benefits from sovereign immunity just like the CDD. That is an entitlement under Florida Law basically that we cannot be held liable in excess of a certain monetary amount, I believe it is \$200k per claim. I have to double check the exact specifics on that but it basically allows us not to be liable for certain types of claims that exceed a certain monetary value. In our documents, you will see in our agreements there are other easements and an acknowledgement that nothing in these documents is a waiver of the CDD sovereign immunity under Florida Law. I anticipate that the county will also want sovereign immunity language in there as well.

Mr. Morgan: We knew this was coming right?

Mr. Lambert: It was going to have to happen with the extension.

Mr. Bonin: Who is asking for this?

Ms. Trucco: Osceola County.

Mr. Bonin: Where is the origin of this request? Are we supposed to know where this piece is?

Mr. Morgan: It is right there at the cul-de-sac at the very north end where the road ends.

Ms. Trucco: You will see, if you look on the property appraiser's website, you will see Westside Blvd right there to the west. It runs all the way up to 192.

Mr. Morgan: Past the lift station. This is where our road ends. The lift station is right there. That is the wetland area. This doesn't look the same as what they show on there.

Mr. Bonin: Where is it in relation to this?

Mr. Scheerer: That is the wetland and this is Westside Blvd. Your lift station is right there.

June 3, 2024

Stoneybrook South at ChampionsGate CDD

Mr. Lambert: I am having trouble tying that to this. I see the right of way line which makes sense it is in the curve of this but I couldn't really pinpoint with the two areas how this overlaid it.

Ms. Trucco: This is the parcel and the first page of the easement it says a portion of parcel ID# and then then 30 so I am guessing that here is Westside here Westside Blvd, this is a slope easement so they are going to be draining in here or something like that is my guess. Here is Westside Blvd here.

Mr. Lambert: What I am worried about is where it says access and slope easement of this lower part WB 802. That is actually Toho's lift station.

Ms. Trucco: Okay.

Mr. Bonin: It doesn't show where this ends and this begins because this is squared off here and this is not.

Mr. Morgan: In the verbiage it says a portion of the easement so this is the actual portion of the parcel.

Ms. Trucco: These are the two CDD parcels. This says a portion of it.

Mr. Bonin: Who drew this?

Ms. Trucco: The county.

Mr. Bonin: The county hired Hamilton to draw this description and it looks like it partly falls on the District's piece but the shape of this thing does not match up.

Mr. Morgan: Because it says it is a portion.

Mr. Reid: It is difficult just looking at these sketch descriptions. You almost have to look at the plans but these parcels were identified on our website boulevard extension plan and part of right of way map and easement take and all of that stuff. This is relatively small and is far away from Toho's lift station because it is tucked up on the property line. It is adjacent to the existing wetland. It is not anywhere near Toho's lift station. I actually had to look at the plans together with these descriptions because I am used to seeing these parcels outlined on our plans. Without the record from the plans and the lift station and the road and all of that it is difficult to see it. This is right up against the cul-de-sac which tucked up in the corner by the wetland. This does not encroach on any of the infrastructure on tract A.

Mr. Bonin: What does this allow the county to do practically speaking? What is the purpose to have this?

June 3, 2024

Stoneybrook South at ChampionsGate CDD

Mr. Reid: There is a storm pipe that comes across from the Westside Blvd to the East. We are rerouting a storm pipe that was put in, installed by the adjacent property there and it is conflicting with the wall that we are putting in for Westside Blvd. We are realigning that storm pipe and bringing it on to tract X. We just have an outfall structure right on the edge of the wetland. The slope easement allows the county to access and maintain that swell.

Ms. Trucco: Did you check the parcels that are referenced on the first page to make sure that this exhibit is accurate?

Mr. Reid: Yes, they used our plans/files to create that so that is right off of our plan.

Ms. Trucco: Who at the county were you speaking with?

Mr. Reid: Laura, the project manager right now.

Mr. Bonin: This is all related to the Westside Blvd extension construction project or was this going to be needed without that project?

Mr. Reid: No, this is just for the Westside Blvd extension project.

Mr. Bonin: Okay, alright.

Mr. Morgan: You good Rob? Barry? John? Jarred?

Mr. Bonin: I understand now.

Mr. Bichard: Yes.

Mr. Cornell: Yes.

Mr. Lambert: Yes.

Mr. Trucco: We are looking for a motion to approve in substantial final form subject to staff signoff and then delegation of authority to the Chairman.

On MOTION by Mr. Morgan, seconded by Mr. Lambert, with all in favor, Draft of Permanent Easements with Osceola County Florida, Approve in Final Substantial Form Pending Staff Sign-Off with Delegation of Authority to the Chairman, was approved.

EIGHTH ORDER OF BUISNESS

Staff Reports

A. Attorney

i. Memorandum Regarding Annual Reminder on Florida Laws for Public Officials

Ms. Trucco: There is the annual memo for CDD Supervisors. We put a reminder about Florida laws that apply to CDD Supervisors as public officials in all of our CDD agendas. The first

June 3, 2024

Stoneybrook South at ChampionsGate CDD

reminder is about the Code of Ethics. There is something that is called the gifts law and applies to you all. You are prohibited from accepting anything of value or asking for anything of value. If it is being given to you in order to influence your decision making on this Board, your spouse and your minor children are also subject to that as well so if they know or should know that thing is being given to them in order to influence your official decision making, they can't accept it. As far as a disclosure duty we can't accept gifts in general even if they are given to me without trying to influence my official decision making. Yes, you can accept those gifts but if they have a value of greater than \$100 and they weren't given to you by a relative then you have to pay down the value of that gift to \$100 or less within 90 days of receiving it. You have to disclose it on a form, the form 9, and submit that to the state. You are familiar with the voting conflict, CDD Supervisors you are not permitted to vote on anything that would result in a special private gain or loss to yourself, to your employer, to your relative, to your business associate, etc. All of those categories are listed here for you if you need to reference it. You may be thinking well we have some Supervisors that are employed by Lennar. There is a statutory exemption for Supervisors if they are affiliated with the original landowner which in this case is some of the Supervisors that sit on this Board. That is completely legal. They are exempt under the statute. If you feel that you have a voting conflict, please let me or Jeremy know so that we can walk you through the steps for disclosing that and submitting the necessary forms. Regarding quorums, we need to have a physical quorum so the majority must be present in order to hold a Board meeting. You are permitted to call in telephonically and participate but you should only do so if your absence is due to an extraordinary circumstance such as a medical illness or something of that nature. If you call in, you must vote on every measure just like if you were physically present here at the Board meeting and then obviously you calling in does not count for quorum purposes. The last page goes through the Sunshine Law; you are prohibited from discussing any item on which foreseeable action will be taken by this Board outside of one of these Supervisor meetings. These meetings are advertised pursuant to Florida Law and are recorded with minutes taken, etc. It is important that any CDD business be discussed at one of these meetings instead of outside of one of the meetings with another Supervisor. However, you can talk to your spouse, neighbor, etc. Lastly, public records, any document or material made or received in connection with your official Supervisor position or CDD business is a public record and has to be retained for the statutorily required period of time. For most documents that is three to five fiscal years but I have included a URL to

June 3, 2024

Stoneybrook South at ChampionsGate CDD

the actual schedule which you can go to in your free time and it will say every single document material that you can think of, exactly how much time you need to hold onto that for. GMS is the record custodian for the CDD so we recommend you have a separate email account for all CDD emails in a separate folder where you can just put everything related to the CDD into that in case there is a public record request otherwise you can send it to your public record custodian and they will hold onto it for the statutorily required amount of time. If you have any questions, I am available now or after the meeting but otherwise that is all I have for you today.

Mr. Morgan: John, did you receive the emails about the ethics training?

Mr. Lambert: Yes.

Mr. LeBrun: Any other questions for Counsel?

Mr. Morgan: No, thank you.

Mr. LeBrun: Any pending conveyances?

Ms. Trucco: That is what I touched on, there are but we have to get the certificate from the District Engineer signed before we can record that deed. Let's just keep that on here. The permit transfer is something that would be helpful if we could get Dave's insight on.

ii. Discussion of Pending Plat Conveyances

iii. Status of Permit Transfers

Ms. Trucco: The only thing we have been working on since the last Board meeting is the title work came back for the remaining tracts that are platted to be deeded to the CDD. That looks clear so I followed up with the District Engineer for his signoff on the Certificate of District Engineer. Once we get that back, we will be ready to record and then I will bring a final inventory back to the Board just detailing everything that was platted to come to the CDD and then there will be a record in the official record book and the page number that the deed was recorded in.

B. Engineer

Mr. LeBrun: Dave, do you have any information to report?

Mr. Reid: I have nothing new other than we are wrapping up our annual report this month and this will be my last meeting. I appreciate working with everybody. As always, if you ever have any questions, you can always give me a call.

Mr. Morgan: Thanks Dave.

June 3, 2024

Stoneybrook South at ChampionsGate CDD

Ms. Trucco: Dave, do you have any updates on the permit transfers or are all of those taken care of? I just want to make sure as we are wrapping that up before you go.

Mr. Reid: Yes, I believe they are, but I will follow up and check that too to make sure that is all done before we are done here.

Mr. LeBrun: Any questions for Dave? Thank you, Dave for your service to the District.

C. District Manager's Report

i. Approval of Check Register

Mr. LeBrun: The approval of the chest register starting on page 173 of your electronic agenda.

Mr. Morgan: What sign did we have to replace? There is a thing from Don Bell Signs that we had to replace and LED.

Mr. Scheerer: Those were the decorative entry signs that say ChampionsGate, the lettering and stuff like that. We entered into an arrangement with Don Bell. They do the main ChampionsGate off of I-4. They are going to come out quarterly and just double check all of our lights and make sure all of the back lit letters are working.

Mr. LeBrun: For the General Fund of the check register, we have checks #724-757 and from the payroll fund we have checks 50085-50089. The total for the chest register is \$241,692.65. Behind that is your line-by-line register. Happy to take any questions, if not just looking for a motion to approve the check register.

On MOTION by Mr. Morgan, seconded by Mr. Bichard, with all in favor, the Check Register, was approved.
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ii. Balance Sheet and Income Statement

Mr. LeBrun: Behind that, you have your balance sheet and income statement. No action is required by the Board. These are your financials through April 30, 2024 and that gives you the detail of each line by line as we go through the fiscal year. You have four-ish months left in the current fiscal year so everything is looking good.

June 3, 2024

Stoneybrook South at ChampionsGate CDD

iii. Presentation of Number of Registered Voters – 564

Mr. LeBrun: This is something the CDD reports annually. Important as the District is growing after it has been established for six years and it reaches 250 registered voters as that is what triggers the transition of seats. As of April 15, 2024 Stoneybrook South at ChampionsGate CDD has 564 registered voters. Not necessarily residents, just resident voters. We are reporting that as required.

iv. General Election Qualifying Period and Procedure

Mr. LeBrun: Qualifying for general election seats starts at noon on Monday June 10th and runs through noon June 14th so next week Monday through Friday. This is the process where general electors qualify for the seats. It is all done through the Supervisors or elections. The District or District management doesn't have any role in the process besides giving helpful information to point interested candidates towards the Supervisor of Elections. This year 2024 election we have seat #2 which is a general election seat and currently Barry is in that seat so that will be in the general election as a general seat this year. We also have seat #1 which is Jarred's seat so that is also listed as a general elections seat in the upcoming election. We will monitor if anybody qualifies during that qualifying period and will really have to drive the Board going forward if no one qualifies. Form 1 reminder the form that Supervisors must complete before July 1st. It is all electronic this year. If you have not done it yet, feel free to reach out to me and I can help you out. The biggest step is going to the Board of Ethics website and I will send a link as well to it. You will go to the page and say I am a filer and click on that. They will ask for your email. The most important thing is to use the email that you have used previously. They will send you an email to register your account and you click on it, create a password and then you are in. Everything is electronic this year going forward so no more paper.

Mr. Bonin: Is that for the ethics to be completed by the end of the year?

Mr. LeBrun: That is in addition to the ethics. The Form 1 is your statement of financial interest that is due July 1st. The four hours of ethics training has to be completed this calendar year and you will repeat it on your 2025 Form 1, check the box. There are no deliverables that you have to turn in. It is just saying you have completed the training. I will resend both of those memos out for the Board to refresh if you still need to knock those out. That is all I have, happy to take any questions.

June 3, 2024

Stoneybrook South at ChampionsGate CDD

NINTH ORDER OF BUISNESS

Other Business

There being no comments, the next item followed.

TENTH ORDER OF BUSINESS

Supervisor's Requests

There being no comments, the next item followed.

ELEVENTH ORDER OF BUSINESS

Adjournment

Mr. Morgan: I make a motion to adjourn.

On MOTION by Mr. Morgan, seconded by Mr. Bichard, with all in favor, the meeting was adjourned.

Signed by:

Jeremy Lebrun

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Secretary/Assistant Secretary

DocuSigned by:

Adam Morgan

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Chairman/Vice Chairman