

MINUTES OF MEETING
BRIDGEWALK
COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Bridgewalk Community Development District was held Monday, September 11, 2023 at 1:30 p.m. at the Oasis Club at ChampionsGate at 1520 Oasis Club Blvd., ChampionsGate, Florida.

Present and constituting a quorum were:

Adam Morgan	Chairman
Rob Bonin	Vice Chairman
Brent Kewley	Assistant Secretary
Kathryn Farr	Assistant Secretary

Also present were:

George Flint	District Manager
Amanda Udstad	District Engineer
Alan Scheerer	Field Manager

FIRST ORDER OF BUSINESS

Roll Call

Mr. Flint called the meeting to order and called the roll. We have four Board members here and we have a quorum. For the record, I administered the oath to Kathryn prior to the meeting.

SECOND ORDER OF BUSINESS

Public Comment Period

Mr. Flint: There are no members of the public here other than Board and staff here.

THIRD ORDER OF BUSINESS

Approval of Minutes of the August 7, 2023 Meeting

Mr. Flint: The next item is approval of the minutes from August 7, 2023, did the Board have any comments or corrections?

Mr. Morgan: Under the fifth order of business it says this resolution is going to improve the conveyance of the irrigation pump, it should say approve the conveyance of the irrigation pump. And I'm pulling this out of the minutes, the storm pipe easement that was going to determine if we have one or two lots, lost or gained and the lift station conveyance.

September 11, 2023

Bridgewalk CDD

Ms. Trucco: I did reach out to Toho to try to expedite it, so there are two things going on, there is the irrigation pump and then irrigation pipe. It has gotten a little bit more complicated.

Mr. Bonin: What do you have left to do?

Mr. Morgan: Rob let's wait until we get to it in the meeting. I'll make a motion to approve the minutes.

On MOTION by Mr. Morgan, seconded by Mr. Kewley, with all in favor, the Minutes of the August 7, 2023 Meeting, were approved.

FOURTH ORDER OF BUSINESS

Staff Reports

A. Attorney

i. Osceola County Cyrils Drive Widening Project

Ms. Trucco: I provided copies of the permanent easements. This is related to Osceola County's request to do the Cyrils Drive expansion project. You will see attached to the permanent easement, there is a diagram that shows the section that they are requesting an easement over. This is a permanent easement and is going to run with the land. The idea is that they are going to change the grading and then they want permission to drain into the CDD stormwater pond. The language in the permanent easement, we ordinarily would not give an easement over CDD property without indemnification rights, pre and post inspection rights, so basically you will see my revisions on one of the permanent easements. I have provided a black line which is in the agenda. You will see what I have sent back to the county and just said we would want to see this type of language in all of your easements. I have not gotten their response yet.

Mr. Bonin: Who are you dealing with?

Ms. Trucco: I would have to look at the email on that. I have sent it to the people at the county that have provided this. I am sure it will go through their legal department before it is approved. I do want to say that physically these are the permanent easements that they are requesting. Ultimately, they are also requesting permission to drain from that road into the stormwater tract. Ordinarily, we would request some type of precautionary for the benefit that they are receiving for our maintenance of that stormwater tract. Basically, they are requesting a permanent easement. If we said no, we are not going to give you this, they would have to go through and eminent domain proceeding. It would not be necessarily uncharacteristic to request some type of reimbursement for this easement right if that is the direction of the Board. I just need to know that so I can go back to the county or if you think residents are receiving a benefit from

September 11, 2023

Bridgewalk CDD

this project. It is up to you if you would like me to try to pursue some type of compensation for their easement. If we said no to them, they would have to go through the eminent domain and we would be entitled to the fair market value of our property.

Mr. Morgan: I do not see a need. I just want to make sure that we get compensated so if they muddy up our pond, we are not stuck with the bill for treating it.

Ms. Trucco: Right, all of our easements we are going to say you need to indemnify the CDD which means reimburse us for any losses, damage, etc. to our property and hold us harmless from any claims which means paper or defense of legal claims that may be brought as a result of their work on our property.

Mr. Morgan: I think we should make it easy for the county to do their work so whatever your recommendation is for making it as easy on the county so they don't have to go through legal headaches. I don't want them to do that. Let's just make it as easy as we can for the county to do their work.

Mr. Flint: Normally you wouldn't charge another government entity unless there is so much run off that the pond has to be expanded to accommodate it and it doesn't sound like that is the case.

Mr. Morgan: We have plenty of space in there. The only thing I want is to make sure we are protected against are damages and that is it. I don't think we should charge to use the pond.

Ms. Trucco: I have sent this to the District Engineer. I haven't heard back.

Mr. Bonin: Where is the outfall easement. Is that a part of this?

Mr. Morgan: We don't have an outfall in there.

Mr. Bonin: Yes, we do, it's in the Northwest corner. It goes into Lake AJ.

Mr. Morgan: We put it in. Originally, it was a natural pond with no outfall.

Mr. Bonin: It has an outfall now and they want an easement from that outfall into Lake AJ and I don't see it on here.

Mr. Morgan: I was not aware of that outfall. I thought all they wanted was an easement to install their drainage into our storm pond.

Ms. Trucco: That is my understanding as well.

Mr. Bonin: No. Who sent us that easement, I don't agree with?

Mr. Morgan: I don't remember seeing that, Rob. I am not aware of that.

September 11, 2023

Bridgewalk CDD

Mr. Bonin: The 30 ft. easement that leaves the pond and goes to Lake AJ. The one that I said was too wide.

Mr. Morgan: That is the storm pipe that we talked about.

Mr. Bonin: I know but the county wants access to that.

Mr. Morgan: Why?

Mr. Bonin: They want to drain into the borrow pit and then the borrow pit drains into Lake AJ and so they want to be able to access and maintain all the way to the final water body. If that pipe in the back got busted or clogged, which I don't have a problem with necessarily, but they want a 30 ft. easement and they don't need 30 ft.

Mr. Morgan: They need 15 ft.

Mr. Bonin: They need 15 ft. because it is shallow and a small pipe. Where is that in this document?

Ms. Trucco: I am not aware that they requested that from the CDD.

Mr. Bonin: Who sent that? Poulos and Bennett told Johnson do draw an easement on behalf of the county for the area that I am talking about and it would presumably be a part of this document.

Mr. Morgan: That was in our discussion last month and to my knowledge nothing happened.

Mr. Bonin: What have you replied back to Johnson and or Poulos and Bennett?

Ms. Udstad: I have not replied directly to Poulos and Bennett. I followed up with Broc on shrinking that.

Ms. Trucco: Broc, did you receive my email about that where I had forward seven permanent easements from the county that they are requesting from the CDD? It is an easement to change the grading and also permit drainage into the CDD's stormwater pond. Did you have a chance to review those?

Mr. Althafer: I looked at that. One thing that I want to do is get the as built and make sure those storm pipes fall within the easements.

Mr. Bonin: I think we are talking about two different areas.

Mr. Althafer: That is a two-storm pipe penetration into the pond from Cyrils widening.

Mr. Bonin: Your recommendation there is to make sure we got the as built location so we are getting this legal description correct.

September 11, 2023

Bridgewalk CDD

Mr. Althafer: Yes, that is correct.

Mr. Morgan: They haven't been built yet. The county is going to install them, they want the easement for them.

Ms. Trucco: Broc once we get offline, maybe you and I will pow wow just to make sure that we have your blessing on moving forward with the two. Also if you have spotted anything that you think we need to keep an eye out for. We have our standard indemnification language and still waiting for a County response but we can get yours.

Mr. Bonin: Broc, the second part is the outfall easement. Refresh my memory on how that made its way to you. Did Poulos and Bennett had directed Johnson's to draw this and then send it to you, the 30 ft. easement?

Mr. Althafer: Kristin you may have sent that to me for review.

Ms. Trucco: I think that someone at the county said hey we are forwarding this to you, we have asked Mark McDonald to sign in from Lennar but we are forwarding to you.

Mr. Bonin: Yes, Mark McDonald sent it to me and it asked are we were good to do this and I said no. I cannot remember who at the county sent that to you. The question to you Broc while we are looking for the origin where it came from, we wanted to shrink the width of that down and make sure that it was falling exactly on top of the pipe. Those two things we need to check out.

Mr. Althafer: We did get the as builts and compared that to the final grading for Phase 2C and provided updated line work to Lane with the width of that easement.

Mr. Bonin: I have not seen that email. Is Kathryn or me on that email?

Mr. Althafer: If not, I will forward it to both of you now.

Mr. Bonin: Lane is out for the week. What was the width that you shrunk it to?

Mr. Althafer: It varied across the line but I believe it was 22 ft from 30.

Mr. Bonin: Does it allow me to get those two lots?

Mr. Althafer: You can have those two lots. On the very end lot, it limits your buildable pad to 79.4 ft in depth.

Mr. Bonin: Yes, that is the easement. Is that the one you sent to Mark McDonald?

Ms. Trucco: No, this Dan Jones from Osceola sent this to me and said he sent it to Mark McDonald because I think he is looking for Standard Pacific's signature.

September 11, 2023

Bridgewalk CDD

Mr. Bonin: He asked if this worked. I marked it up and said no shrink it, so Broc took a look at that and shrunk from 30 ft. to 22 ft. because it is in a tight space to get it out there and did not need to be as wide as it is. You make an easement wide if the pipe is big or really deep and this is neither. It is shallow and is only 24 ft. wide so they don't need 30 ft. so we are shrinking it in width Broc just said from 30 to 22 ft. As long as it allows me to construct those two lots, I am not going to have too much heartburn about it, 22 ft. is not the end of the world. That is a pretty deep pad and accommodates probably everything we build. Broc, you said you are getting that to us?

Mr. Althafer: Yes, I just forwarded that email to you Rob.

Mr. Bonin: And Kathryn?

Mr. Althafer: Yes.

Mr. Bonin: Kathryn is now a Board member of Bridgewalk so she is here with us too.

Ms. Farr: I just got it.

Mr. Bonin: I will have to digest this a little more, because this is the first time I am seeing it. You can see we shrunk it down and I just need to look at this pad here and then we will either say yes lets change it to this and get the county to agree to that or Poulos and Bennett and then we can proceed with that. Is this easement not in the package?

Mr. Morgan: No, it is not in the package.

Mr. Bonin: Is that a separate matter?

Mr. Morgan: It is a separate matter. Right now they are just asking for Cyril's Drive.

Mr. Bonin: But this is something they will be asking for.

Mr. Morgan: I was not aware that it was the county asking for it but if they are, this will be something that they are going to want later.

Mr. Bonin: Gotcha.

Ms. Trucco: I think what Dan is saying, it is part of the Cyril's Drive project.

Mr. Bonin: But it is not what is needed now. They do not need that one until the thing is fully operational.

Ms. Trucco: I think they are looking for it as soon as possible. They probably would love Standard Pacific to sign off on it as soon as possible but it is not CDD property.

Mr. Bonin: Why did it not accommodate this document in the Board meeting?

September 11, 2023

Bridgewalk CDD

Ms. Trucco: They were not asking for CDD permission so we are not a party to this easement.

Mr. Bonin: It is a pipe that drains the borrow pit into Lake AJ so it is CDD.

Mr. Morgan: If it is not CDD then it needs to be conveyed ASAP.

Ms. Trucco: Their review is that it is in Standard Pacific's name.

Mr. Bonin: I think what we kind of uncovered when we were looking at this, I think we never got the District an easement over that pipe so that is why when it just shows up on the property appraisal, it is just Standard Pacific property with no easement and so it's a pipe that needs to be an easement that the CDD has.

Ms. Trucco: I hear your concerns. If you think it may implicate the CDD and we may need to be part of that, no problem at all. I am just bringing these back to you all so you see this is the language they are proposing and I just need your feedback on which direction you want to go.

Mr. Morgan: Let's move forward with everything you said about the Cyril's Drive work which includes the ERP drainage into the pond. I am fine with that. We don't need any compensation, but I do want indemnification and everything else that they are going to pay if they damage our property.

Ms. Trucco: Okay.

Mr. Morgan: We want to make darn sure that we can convey this storm pipe to the CDD as easement so that then the CDD can provide the easement to the county.

Ms. Trucco: Okay, understood. That sounds good. So, there is no objection to the black line or my revisions. Your main concern is making sure that the CDD will be indemnified for damages with the county.

Mr. Morgan: Yes. I am good with that. Rob, you good with that?

Mr. Bonin: Yes.

On MOTION by Mr. Morgan, seconded by Mr. Kewley, with all in favor, the Osceola County Cyrils Drive Widening Project, was approved in substantial form.

ii. Irrigation Pump

Ms. Trucco: The other thing is the irrigation pump. We have run into an issue because there is a reported stormwater pond easement and maintenance agreement between Standard Pacific and other landowners around that pond area. It covers the area where the irrigation pipe is going to

September 11, 2023

Bridgewalk CDD

meet the irrigation pump pipe is going to be. I had reached out with Mark at Lennar and said are you willing to release this irrigation pump tract from the release and they said that is no problem from Lennar's position but that we would have to go and get all of these other people who are parties.

Mr. Bonin: Who are all of these other people?

Ms. Trucco: ML Carter Reality Trust Two, ML Carter Reality Trust Three, Murray AL Carter Revocable Trust.

Mr. Bonin: What do they have rights to?

Mr. Morgan: Evidently, they have an irrigation easement right.

Ms. Trucco: There is an agreement that they will assist in maintaining the pond basically.

Mr. Morgan: That whole Western side of the pond is Mr. Carter's.

Ms. Trucco: If we transfer the irrigation tract, TWA will be bound to that agreement as a property owner.

Mr. Bonin: What is the property legal description? We are just conveying the station and the intake pipe that goes into the pond which is not on Mr. Carter's property so why?

Ms. Trucco: Basically, Standard Pacific entered into an agreement with all of those property owners for joint maintenance of that pond.

Mr. Bonin: The spirit of that agreement is we maintain all of our stuff over here and you all maintain your stuff over there.

Ms. Trucco: Basically, TWA would now be a property owner because Standard Pacific is Lennar and Lennar owns it and that's CDD, the CDD would be transferring a portion of it to TWA. It is only the pipe portion. What I was going to get to was there is an option what I have requested is instead of transferring the underlying property where the pipe is, I have asked TWA will you agree to just do an easement instead so we don't need to go get a release.

Mr. Bonin: Yes.

Ms. Trucco: It would just give the easement. They had to go through their counsel. I have been following them every day practically and they notified me on Friday that someone at Shutts & Bowen, LLP they believe are representing Lennar has contacted them who has been working on that project already.

Mr. Bonin: Scott Glass.

Ms. Trucco: Yes.

September 11, 2023

Bridgewalk CDD

Mr. Bonin: Scott Glass is the attorney representing us to get reimbursed for constructing all of this. Now you have got full circle that we are trying to dedicate all of the land with that and now it is a CDD matter and that is where Kristin comes in and those two concepts have now merged back into each other. Scott is dealing with their legal office and you are dealing with their legal office on the conveyance part. I see no reason why Toho won't accept an easement. They accept easements over anything to have their rights, so I don't see them having a problem with this.

Ms. Trucco: I don't see it either. Also, the person I spoke to at Toho said that Scott has already been working on an easement, so I am hoping that is true.

Mr. Bonin: We need to call Scott this week because I need to circle back up with him and we need to get this across the goal line. I can't get reimbursed with this until the easement and the tracks are settled on, what's a track and what's an easement and is Toho in agreement to that? That all has to happen and be good to agree with this reimbursement.

Ms. Trucco: The irrigation pump, I don't think that there is any issue with that.

Mr. Bonin: It's the intake line going into the pond. They should be able to accept an easement for that portion of the scope of work if it helps not having to get all of these other property owners.

Mr. Morgan: Yes, I 100% agree.

Ms. Trucco: It sounds like the wheels may already be turning on that.

Mr. Bonin: Yes, that is why I want to talk to Scott just to make sure if there is anything that I am not thinking of that he is already dealing with.

Ms. Trucco: He may be very close to the finish line on that too. If that is the case, that is great. We take the pipe out of the conveyance and transfer it.

iii. Lift Station

Mr. Morgan: Where are we at with the lift station?

Mr. Bonin: Did we get the four corners for that one?

Ms. Farr: We asked Rick last week.

Mr. Bonin: What are you waiting on from us Kristin?

Ms. Trucco: I am waiting on titles so I will circle back with you once I have confirmation. If there is anything encumbering that, I will circle back on that.

September 11, 2023

Bridgewalk CDD

Mr. Bonin: We owed you the lift station an as built of the wall inside the tract to show that the compound is inside the tract. If you don't have that already, we will flip that to you.

Ms. Trucco: That sounds good.

Mr. Bonin: Kathryn, I thought we already had that.

Ms. Trucco: We will get moving on it. The most time sensitive you are saying is the irrigation pump.

Mr. Bonin: Yes, the irrigation pump reimbursement is definitely the big one and then this lift station. The need for it even though we don't have any homes, the clubhouse is tied so we can't tie the sewer of the clubhouse to this lift station until it is started up and approved.

Mr. Morgan: How far off are we on start up?

Mr. Bonin: Further than I would like because they are requiring this permitted generator. The generators are taking a year to get, the big ones.

Mr. Morgan: Will they let us put a temp in?

Mr. Bonin: We have got to have that conversation with them.

B. District Manager's Report

i. Approval of Check Register

Mr. Flint: You have approval of the check register. Any questions on that?

On MOTION by Mr. Morgan, seconded by Mr. Kewley, with all in favor, the Check Register, was approved.

ii. Balance Sheet and Income Statement

Mr. Flint: You have the unaudited financials. There is no action required. Any questions on those? Hearing none, we will move on to the next item.

FIFTH ORDER OF BUSINESS

Other Business

A. Discussion of Pending Plat Conveyances

B. Status of Permit Transfers

Mr. Flint: I think we have talked about other business.

SIXTH ORDER OF BUSINESS

Supervisor's Requests

There being no comments, the next item followed.

SEVENTH ORDER OF BUSINESS

Adjournment

September 11, 2023

Bridgewalk CDD

Mr. Flint: Is there a motion to adjourn?

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

DocuSigned by:

George Flint

B61B5DF431644AD...

Secretary/Assistant Secretary

DocuSigned by:

Adam Morgan

D8F17F6DF603436...

Chairman/Vice Chairman