

DEERING PARK STEWARDSHIP DISTRICT

March 12, 2024

**BOARD OF SUPERVISORS
REGULAR MEETING
AGENDA**

**DEERING PARK
STEWARDSHIP DISTRICT**

**AGENDA
LETTER**

Deering Park Stewardship District
2300 Glades Road, Suite 410W•Boca Raton, Florida 33431
Phone: (561) 571-0010•Toll-free: (877) 276-0889•Fax: (561) 571-0013

March 5, 2024

Board of Supervisors
Deering Park Stewardship District

ATTENDEES:
Please identify yourself each
time you speak to facilitate
accurate transcription of
meeting minutes.

Dear Board Members:

The Board of Supervisors of the Deering Park Stewardship District will hold a Regular Meeting on March 12, 2024 at 2:00 p.m., in-person at Storch Law Firm, located at 420 S. Nova Road, Daytona Beach, Florida 32114 and via Teams Meeting ID: 283 787 630 919 Passcode: ZXHeDk (see link below). The agenda is as follows:

1. Call to Order/Roll Call
2. Public Comments
3. Administration of Oath of Office to Appointed Supervisor Joey Posey [Seat 5]; *Term Expires November 2026*
4. Consideration of Resolution 2024-01, Designating Certain Officers of the District, and Providing for an Effective Date
5. Update: Required Ethics Training
6. Update: Bond Validation
7. Discussion: Action Items for Wetland Park Project
 - A. Consideration of Work Authorization #4: Wetland Park - Design Build Coordination
8. Project Updates:
 - A. Edgewater Wetland Park
 - B. SR 442/I-95
 - C. Deering Trail
9. Acceptance of Unaudited Financial Statements as of January 31, 2024
10. Approval of January 9, 2024 Regular Meeting Minutes

11. Staff Reports

- A. District Counsel: *Kutak Rock LLP*
 - B. District Engineer: *England-Thims & Miller, Inc.*
 - C. District Manager: *Wrathell, Hunt and Associates, LLC*
- NEXT MEETING DATE: April 9, 2024 at 2:00 PM

○ QUORUM CHECK

SEAT 1	ROBBIE LEE	☐ IN PERSON	☐ PHONE	☐ NO
SEAT 2	EARL UNDERHILL	☐ IN PERSON	☐ PHONE	☐ NO
SEAT 3	GLENN STORCH	☐ IN PERSON	☐ PHONE	☐ NO
SEAT 4	JAMES BOYD	☐ IN PERSON	☐ PHONE	☐ NO
SEAT 5	JOEY POSEY	☐ IN PERSON	☐ PHONE	☐ NO

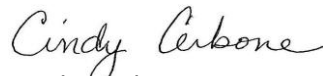
12. Board Members' Comments/Requests

13. Public Comments

14. Adjournment

Should have any questions or concerns, please do not hesitate to contact me directly at (561) 346-5294 or Andrew Kantarzhi at (415) 516-2161.

Sincerely,



Cindy Cerbone
District Manager

FOR BOARD MEMBERS AND STAFF TO ATTEND BY TELEPHONE

CALL-IN NUMBER: 1-888-354-0094

PARTICIPANT CODE: 867 327-4756

TEAMS MEETING ID: 283 787 630 919

PASSCODE: ZXHeDk

LINK:

https://teams.microsoft.com/l/meetup-join/19%3ameeting_YTczMzE3ZGIYmMwMy00OWZjLWI3MjctNWQ1OTk4YjgxODgz%40thread.v2/0?context=%7b%22Tid%22%3a%2294348502-fda0-4a80-8edb-52bd87fa537b%22%2c%22Oid%22%3a%2250b37528-b730-4578-8935-dc90866a9569%22%7d

**DEERING PARK
STEWARDSHIP DISTRICT**

4

RESOLUTION 2024-01

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE DEERING
PARK STEWARDSHIP DISTRICT DESIGNATING CERTAIN OFFICERS
OF THE DISTRICT, AND PROVIDING FOR AN EFFECTIVE DATE**

WHEREAS, the Deering Park Stewardship District (hereinafter the “District”) is a local unit of special-purpose government created and existing pursuant to Chapter 2017-206, Laws of Florida, being situated within Brevard County, Volusia County and the City of Edgewater, Florida; and

WHEREAS, the Governing Board of the District desires to appoint the below-recited persons to the offices specified.

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF DEERING
PARK STEWARDSHIP DISTRICT:**

SECTION 1. _____ is appointed Chair.

SECTION 2. _____ is appointed Vice Chair.

SECTION 3. _____ is appointed Assistant Secretary.

_____ is appointed Assistant Secretary.

_____ is appointed Assistant Secretary.

Cindy Cerbone is appointed Assistant Secretary.

Andrew Kantarzhi is appointed Assistant Secretary.

SECTION 4. This Resolution supersedes any prior appointments made by the Board for Chair, Vice Chair and Assistant Secretaries; however, prior appointments by the Board for Secretary, Treasurer and Assistant Treasurer(s) remain unaffected by this Resolution.

SECTION 5. This Resolution shall become effective immediately upon its adoption.

[REMAINDER OF PAGE IS INTENTIONALLY LEFT BLANK]

PASSED AND ADOPTED this _____ day of _____, 2024.

ATTEST:

DEERING PARK STEWARDSHIP DISTRICT

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

**DEERING PARK
STEWARDSHIP DISTRICT**

5

Daphne Gillyard

From: Kutak Rock Development and Improvement Districts Group
<communications@kutakrock.com>
Sent: Friday, January 5, 2024 4:49 PM
To: Cindy Cerbone
Subject: Ethics Training 2024

You don't often get email from communications@kutakrock.com. [Learn why this is important](#)

KUTAKROCK

Development and Improvement Districts Practice Group



ABOUT US

SERVICES

NEWS & PUBLICATIONS

District Managers,

As of January 1, 2024, all Board Supervisors of Florida Community special districts are required to complete four (4) hours of ethics training each year that addresses at a minimum, s. 8, Art. II of the State Constitution, the Code of Ethics for Public Officers and Employees, and the public records and public meetings laws of Florida. The purpose of this email is to notify you of free, on-demand resources available to Board Supervisors to satisfy this requirement. Further information regarding the requisite training is available on the [Florida Commission on Ethics' \("COE"\) website](#).

Please share this information with Board Supervisors or include in the next available agenda package. As always, if you have any questions, please do not hesitate to reach out to your Kutak Rock attorney.

Free Training Resources

The COE has produced several free, online training tutorials that will satisfy the ethics component of the annual training. The on-demand videos are available at the link below. Further, the website provides additional links to resources that Supervisors can access to complete the training requirements.

Florida Commission on Ethics Training Resources

Please note that the COE-produced content only provides free training for the ethics component of the annual training. However, the Office of the Attorney General of the State of Florida offers a free, two-hour online audio course that covers the Sunshine Law and Public Records Act components of the requisite training. The on-demand audio course is available at the link below.

Office of the Attorney General Training Resources

Compliance

Each year when Supervisors complete the required financial disclosure form (Form 1 Statement of Financial Interests), Supervisors must mark a box confirming that he or she has completed the ethics training requirements. At this time there is no requirement to submit a certificate; however, the COE advises that Supervisors keep a record of all trainings completed (including date and time of completion), in the event Supervisors are ever asked to provide proof of completion. The training is a calendar year requirement and corresponds to the form year. So, Supervisors will not report their 2024 training until they fill out their Form 1 for the 2025 year.

We have received multiple inquiries as to whether Board Supervisors are required to annually file Form 6 in addition to Form 1. Currently, Board Supervisors continue to be exempt from the requirement to file Form 6.

Finally, with respect to the annual filing of Form 1, beginning this year the Commission on Ethics will be requiring electronic submission of Form 1. Filers, including Board Supervisors, should be receiving an email directly from the Commission on Ethics, providing detailed information about the electronic filing process and the upcoming deadline of July 1, 2024. Note the submission of the forms will no longer be handled through county Supervisor of Election's offices.

Kutak Rock's Development and Improvement Districts Practice Group

Kutak Rock's Florida Development and Improvement Districts Practice Group



Jonathan Johnson
Partner

(850) 264-6882



Lindsay Whelan
Partner

(850) 692-7308



Joseph Brown
Partner

(850) 692-7303



Katie Buchanan
Partner

(850) 294-5184



Michael Eckert
Partner

(850) 567-0558



Wesley Haber
Partner

(850) 566-3413



Tucker Mackie
Partner

(850) 692-7300



Sarah Sandy
Partner

(850) 556-5947



Alyssa Willson
Partner

(850) 661-9973



Jere Earlywine
Of Counsel

(850) 692-7300



Bennett Davenport
Associate

(850) 692-7300



Ryan Dugan
Associate

(850) 692-7333



Kate John
Associate

(850) 692-7330



Kyle Magee
Associate

(850) 692-7300



Michelle Rigoni
Associate

(850) 692-7310



Ashley Ligas
Attorney

(850) 692-7300



Cheryl Stuart
Attorney

(850) 692-7300



Betty Zachem
Attorney

(850) 692-7300



kutakrock.com

[Update your preferences](#) | [Unsubscribe](#) | [Forward to a friend](#) | [View Online](#)

This is a publication of Kutak Rock LLP. It is intended to notify our clients and friends of current events and provide general information.

This is not intended, nor should it be used, as specific legal advice, and it does not create an attorney-client relationship.

© Kutak Rock LLP 2024 – All Rights Reserved. This communication could be considered advertising in some jurisdictions.

The choice of a lawyer is an important decision and should not be based solely upon advertisements.

107 W College Ave, Tallahassee, Florida 32301



2023 Form 1 - Statement of Financial Interests

Filed with COE: 01/05/2024

General Information

Name: Mr Thomas Dean Zimmerman

Address: 6233 Dolostone Drive, Lakeland, FL 33811

PID 305031

County: Polk

AGENCY INFORMATION

Organization	Suborganization	Title
Towne Park Community Development District	Board of Supervisors	Assistant Secretary

Disclosure Period

THIS STATEMENT REFLECTS YOUR FINANCIAL INTERESTS FOR CALENDAR YEAR ENDING DECEMBER 31, 2023 .

Primary Sources of Income

PRIMARY SOURCE OF INCOME (Over \$2,500) (Major sources of income to the reporting person)
(If you have nothing to report, write "none" or "n/a")

Name of Source of Income	Source's Address	Description of the Source's Principal Business Activity
DFAS	8899 E 56th Street, Indianapolis, IN	Military Retired Pay
Social Security Administration	550 Commerce Dr., Lakeland FL 33813	Social Security Retired Pay

Secondary Sources of Income

SECONDARY SOURCES OF INCOME (Major customers, clients, and other sources of income to businesses owned by the reporting person) (If you have nothing to report, write "none" or "n/a")

Name of Business Entity	Name of Major Sources of Business' Income	Address of Source	Principal Business Activity of Source
N/A			

Real Property

REAL PROPERTY (Land, buildings owned by the reporting person)
(If you have nothing to report, write "none" or "n/a")

Location/Description
N/A

Intangible Personal Property

INTANGIBLE PERSONAL PROPERTY (Stocks, bonds, certificates of deposit, etc. over \$10,000)
(If you have nothing to report, write "none" or "n/a")

Type of Intangible	Business Entity to Which the Property Relates
Mutual Funds	Edward Jones
401K	General Dynamics Information Technology

Liabilities

LIABILITIES (Major debts valued over \$10,000):
(If you have nothing to report, write "none" or "n/a")

Name of Creditor	Address of Creditor
Lakeview Flagstar Bank	PO Box 619063, Dallas, TX 75261-9063

Interests in Specified Businesses

INTERESTS IN SPECIFIED BUSINESSES (Ownership or positions in certain types of businesses)
(If you have nothing to report, write "none" or "n/a")

Business Entity # 1
N/A

Training

Based on the office or position you hold, the certification of training required under Section 112.3142, F.S., is not applicable to you for this form year.

Signature of Filer

Thomas Dean Zimmerman

Digitally signed: 01/05/2024

Filed with COE: 01/05/2024

2023 Form 1 - Statement of Financial Interests

General Information

Name: DISCLOSURE FILER

Address: SAMPLE ADDRESS

County: SAMPLE COUNTY

PID SAMPLE

AGENCY INFORMATION

Organization	Suborganization	Title
SAMPLE	SAMPLE	SAMPLE

Disclosure Period

THIS STATEMENT REFLECTS YOUR FINANCIAL INTERESTS FOR CALENDAR YEAR ENDING DECEMBER 31, 2023 .

Primary Sources of Income

PRIMARY SOURCE OF INCOME (Over \$2,500) (Major sources of income to the reporting person)
(If you have nothing to report, write "none" or "n/a")

Name of Source of Income	Source's Address	Description of the Source's Principal Business Activity

Secondary Sources of Income

SECONDARY SOURCES OF INCOME (Major customers, clients, and other sources of income to businesses owned by the reporting person) (If you have nothing to report, write "none" or "n/a")

Name of Business Entity	Name of Major Sources of Business' Income	Address of Source	Principal Business Activity of Source

Real Property

REAL PROPERTY (Land, buildings owned by the reporting person)
(If you have nothing to report, write "none" or "n/a")

Location/Description

Intangible Personal Property

INTANGIBLE PERSONAL PROPERTY (Stocks, bonds, certificates of deposit, etc. over \$10,000)
(If you have nothing to report, write "none" or "n/a")

Type of Intangible	Business Entity to Which the Property Relates

Liabilities

LIABILITIES (Major debts valued over \$10,000):
(If you have nothing to report, write "none" or "n/a")

Name of Creditor	Address of Creditor

Interests in Specified Businesses

INTERESTS IN SPECIFIED BUSINESSES (Ownership or positions in certain types of businesses)
(If you have nothing to report, write "none" or "n/a")

Business Entity # 1

Training

Based on the office or position you hold, the certification of training required under Section 112.3142, F.S., is not applicable to you for this form year.

Signature of Filer

Digitally signed:

Filed with COE:

E-FILING SAMPLE

2023 Form 1 Instructions

Statement of Financial Interests

Notice

The annual Statement of Financial Interest is due July 1, 2024. If the annual form is not submitted via the electronic filing system created and maintained by the Commission September 3, 2024, an automatic fine of \$25 for each day late will be imposed, up to a maximum penalty of \$1,500. Failure to file also can result in removal from public office or employment. [s. 112.3145, F.S.]

In addition, failure to make any required disclosure constitutes grounds for and may be punished by one or more of the following: disqualification from being on the ballot, impeachment, removal or suspension from office or employment, demotion, reduction in salary, reprimand, or a civil penalty not exceeding \$10,000. [s. 112.317, F.S.]

When To File:

Initially, each local officer/employee, state officer, and specified state employee must file **within 30 days** of the date of his or her appointment or of the beginning of employment. Appointees who must be confirmed by the Senate must file prior to confirmation, even if that is less than 30 days from the date of their appointment.

Candidates must file at the same time they file their qualifying papers.

Thereafter, file by July 1 following each calendar year in which they hold their positions.

Finally, file a final disclosure form (Form 1F) within 60 days of leaving office or employment. Filing a CE Form 1F (Final Statement of Financial Interests) does not relieve the filer of filing a CE Form 1 if the filer was in his or her position on December 31, 2023.

Who Must File Form 1

1. Elected public officials not serving in a political subdivision of the state and any person appointed to fill a vacancy in such office, unless required to file full disclosure on Form 6.
2. Appointed members of each board, commission, authority, or council having statewide jurisdiction, excluding those required to file full disclosure on Form 6 as well as members of solely advisory bodies, but including judicial nominating commission members; Directors of Enterprise Florida, Scripps Florida Funding Corporation, and Career Source Florida; and members of the Council on the Social Status of Black Men and Boys; the Executive Director, Governors, and senior managers of Citizens Property Insurance Corporation; Governors and senior managers of Florida Workers' Compensation Joint Underwriting Association; board members of the Northeast Fla. Regional Transportation Commission; board members of Triumph Gulf Coast, Inc; board members of Florida Is For Veterans, Inc.; and members of the Technology Advisory Council within the Agency for State Technology.
3. The Commissioner of Education, members of the State Board of Education, the Board of Governors, the local Boards of Trustees and Presidents of state universities, and the Florida Prepaid College Board.
4. Persons elected to office in any political subdivision (such as municipalities, counties, and special districts) and any person appointed to fill a vacancy in such office, unless required to file Form 6.
5. Appointed members of the following boards, councils, commissions, authorities, or other bodies of county, municipality, school district, independent special district, or other political subdivision: the governing body of the subdivision; community college or junior college district boards of trustees; boards having the power to enforce local code provisions; boards of adjustment; community redevelopment agencies; planning or zoning boards having the power to recommend, create, or modify land planning or zoning within a political subdivision, except for citizen advisory committees, technical coordinating committees, and similar groups who only have the power to make recommendations to planning or zoning boards, and except for representatives of a military installation acting on behalf of all military installations within that jurisdiction; pension or retirement boards empowered to invest pension or retirement funds or determine entitlement to or amount of pensions or other retirement benefits, and the Pinellas County Construction Licensing Board.
6. Any appointed member of a local government board who is required to file a statement of financial interests by the appointing authority or the enabling legislation, ordinance, or resolution creating the board.
7. Persons holding any of these positions in local government: county or city manager; chief administrative employee or finance director of a county, municipality, or other political subdivision; county or municipal attorney; chief county or municipal building inspector; county or municipal water resources coordinator; county or municipal pollution control director; county or municipal environmental control director; county or municipal administrator with power to grant or deny a land development permit; chief of police; fire chief; municipal clerk; appointed district school superintendent; community college president; district medical examiner; purchasing agent (regardless of title) having the authority to make any purchase exceeding \$35,000 for the local governmental unit.

8. Officers and employees of entities serving as chief administrative officer of a political subdivision.
9. Members of governing boards of charter schools operated by a city or other public entity.
10. Employees in the office of the Governor or of a Cabinet member who are exempt from the Career Service System, excluding secretarial, clerical, and similar positions.
11. The following positions in each state department, commission, board, or council: Secretary, Assistant or Deputy Secretary, Executive Director, Assistant or Deputy Executive Director, and anyone having the power normally conferred upon such persons, regardless of title.
12. The following positions in each state department or division: Director, Assistant or Deputy Director, Bureau Chief, and any person having the power normally conferred upon such persons, regardless of title.
13. Assistant State Attorneys, Assistant Public Defenders, criminal conflict and civil regional counsel, and assistant criminal conflict and civil regional counsel, Public Counsel, full-time state employees serving as counsel or assistant counsel to a state agency, administrative law judges, and hearing officers.
14. The Superintendent or Director of a state mental health institute established for training and research in the mental health field, or any major state institution or facility established for corrections, training, treatment, or rehabilitation.
15. State agency Business Managers, Finance and Accounting Directors, Personnel Officers, Grant Coordinators, and purchasing agents (regardless of title) with power to make a purchase exceeding \$35,000.
16. The following positions in legislative branch agencies: each employee (other than those employed in maintenance, clerical, secretarial, or similar positions and legislative assistants exempted by the presiding officer of their house); and each employee of the Commission on Ethics.
17. Each member of the governing body of a "large-hub commercial service airport," as defined in Section 112.3144(1)(c), Florida Statutes, except for members required to comply with the financial disclosure requirements of s. 8, Article II of the State Constitution.

ATTACHMENTS: A filer may include and submit attachments or other supporting documentation when filing disclosure.

PUBLIC RECORD: The disclosure form is a public record and is required by law to be posted to the Commission's website. Your Social Security number, bank account, debit, charge, and credit card numbers, mortgage or brokerage account numbers, personal identification numbers, or taxpayer identification numbers are not required and should not be included. If such information is included in the filing, it may be made available for public inspection and copying unless redaction is required by the filer, without any liability to the Commission. If you are an active or former officer or employee listed in Section 119.071, F.S., whose home address or other information is exempt from disclosure, the Commission will maintain that confidentiality *if you submit a written and notarized request.*

QUESTIONS about this form or the ethics laws may be addressed to the Commission on Ethics, Post Office Drawer 15709, Tallahassee, Florida 32317-5709; physical address: 325 John Knox Road, Building E, Suite 200, Tallahassee, FL 32303; telephone (850) 488-7864.

Instructions for Completing Form 1

Primary Sources of Income

[Required by s. 112.3145(3)(b)1, F.S.]

This section is intended to require the disclosure of your principal sources of income during the disclosure period. You do not have to disclose any public salary or public position(s). The income of your spouse need not be disclosed; however, if there is joint income to you and your spouse from property you own jointly (such as interest or dividends from a bank account or stocks), you should disclose the source of that income if it exceeded the threshold.

Please list in this part of the form the name, address, and principal business activity of each source of your income which exceeded \$2,500 of gross income received by you in your own name or by any other person for your use or benefit.

"Gross income" means the same as it does for income tax purposes, even if the income is not actually taxable, such as interest on tax-free bonds. Examples include: compensation for services, income from business, gains from property dealings, interest, rents, dividends, pensions, IRA distributions, social security, distributive share of partnership gross income, and alimony if considered gross income under federal law, but not child support.

Examples:

- If you were employed by a company that manufactures computers and received more than \$2,500, list the name of the company, its address, and its principal business activity (computer manufacturing).
- If you were a partner in a law firm and your distributive share of partnership gross income exceeded \$2,500, list the name of the firm, its address, and its principal business activity (practice of law).
- If you were the sole proprietor of a retail gift business and your gross income from the business exceeded \$2,500, list the name of the business, its address, and its principal business activity (retail gift sales).
- If you received income from investments in stocks and bonds, list each individual company from which you derived more than \$2,500. Do not aggregate all of your investment income.

- If more than \$2,500 of your gross income was gain from the sale of property (not just the selling price), list as a source of income the purchaser's name, address and principal business activity. If the purchaser's identity is unknown, such as where securities listed on an exchange are sold through a brokerage firm, the source of income should be listed as "sale of (name of company) stock," for example.
- If more than \$2,500 of your gross income was in the form of interest from one particular financial institution (aggregating interest from all CD's, accounts, etc., at that institution), list the name of the institution, its address, and its principal business activity.

Secondary Sources of Income

[Required by s. 112.3145(3)(b)2, F.S.]

This part is intended to require the disclosure of major customers, clients, and other sources of income to businesses in which you own an interest. It is not for reporting income from second jobs. That kind of income should be reported in "Primary Sources of Income," if it meets the reporting threshold. You will not have anything to report unless, during the disclosure period:

1. You owned (either directly or indirectly in the form of an equitable or beneficial interest) more than 5% of the total assets or capital stock of a business entity (a corporation, partnership, LLC, limited partnership, proprietorship, joint venture, trust, firm, etc., doing business in Florida); **and,**
2. You received more than \$5,000 of your gross income during the disclosure period from that business entity.

If your interests and gross income exceeded these thresholds, then for that business entity you must list every source of income to the business entity which exceeded 10% of the business entity's gross income (computed on the basis of the business entity's most recently completed fiscal year), the source's address, and the source's principal business activity.

Examples:

- You are the sole proprietor of a dry cleaning business, from which you received more than \$5,000. If only one customer, a uniform rental company, provided more than 10% of your dry cleaning business, you must list the name of the uniform rental company, its address, and its principal business activity (uniform rentals).
- You are a 20% partner in a partnership that owns a shopping mall and your partnership income exceeded the above thresholds. List each tenant of the mall that provided more than 10% of the partnership's gross income and the tenant's address and principal business activity.

Real Property

[Required by s. 112.3145(3)(b)3, F.S.]

In this part, list the location or description of all real property in Florida in which you owned directly or indirectly at any time during the disclosure period in excess of 5% of the property's value. You are not required to list your residences. You should list any vacation homes if you derive income from them.

Indirect ownership includes situations where you are a beneficiary of a trust that owns the property, as well as situations where you own more than 5% of a partnership or corporation that owns the property. The value of the property may be determined by the most recently assessed value for tax purposes, in the absence of a more accurate fair market value.

The location or description of the property should be sufficient to enable anyone who looks at the form to identify the property. A street address should be used, if one exists.

Intangible Personal Property

[Required by s. 112.3145(3)(b)3, F.S.]

Describe any intangible personal property that, at any time during the disclosure period, was worth more than \$10,000 and state the business entity to which the property related. Intangible personal property includes things such as cash on hand, stocks, bonds, certificates of deposit, vehicle leases, interests in businesses, beneficial interests in trusts, money owed you (including, but not limited to, loans made as a candidate to your own campaign), Deferred Retirement Option Program (DROP) accounts, the Florida Prepaid College Plan, and bank accounts in which you have an ownership interest. Intangible personal property also includes investment products held in IRAs, brokerage accounts, and the Florida College Investment Plan. Note that the product contained in a brokerage account, IRA, or the Florida College Investment Plan is your asset—not the account or plan itself. Things like automobiles and houses you own, jewelry, and paintings are not intangible property. Intangibles relating to the same business entity may be aggregated; for example, CDs and savings accounts with the same bank. Property owned as tenants by the entirety or as joint tenants with right of survivorship, including bank accounts owned in such a manner, should be valued at 100%. The value of a leased vehicle is the vehicle's present value minus the lease residual (a number found on the lease document).

Liabilities

[Required by s. 112.3145(3)(b)4, F.S.]

List the name and address of each creditor to whom you owed more than \$10,000 at any time during the disclosure period. The amount of the liability of a vehicle lease is the sum of any past-due payments and all unpaid prospective lease payments. You are not required to list the amount of any debt. You do not have to disclose credit card and retail installment accounts, taxes owed (unless reduced to a judgment), indebtedness on a life insurance policy owed to the company of issuance, or contingent liabilities. A "contingent liability" is one that will become an actual liability only when one or more future events occur or fail to occur, such as where you are liable only as a guarantor, surety, or endorser on a promissory note. If you are a "co-maker" and are jointly liable or jointly and severally liable, then it is not a contingent liability.

Interests in Specified Businesses

[Required by s. 112.3145(7), F.S.]

The types of businesses covered in this disclosure include: state and federally chartered banks; state and federal savings and loan associations; cemetery companies; insurance companies; mortgage companies; credit unions; small loan companies; alcoholic beverage licensees; pari-mutuel wagering companies, utility companies, entities controlled by the Public Service Commission; and entities granted a franchise to operate by either a city or a county government.

Disclose in this part the fact that you owned during the disclosure period an interest in, or held any of certain positions with the types of businesses listed above. You must make this disclosure if you own or owned (either directly or indirectly in the form of an equitable or beneficial interest) at any time during the disclosure period more than 5% of the total assets or capital stock of one of the types of business entities listed above. You also must complete this part of the form for each of these types of businesses for which you are, or were at any time during the disclosure period, an officer, director, partner, proprietor, or agent (other than a resident agent solely for service of process).

If you have or held such a position or ownership interest in one of these types of businesses, list the name of the business, its address and principal business activity, and the position held with the business (if any). If you own(ed) more than a 5% interest in the business, indicate that fact and describe the nature of your interest.

Training Certification

[Required by s. 112.3142, F.S.]

If you are a Constitutional or elected municipal officer appointed school superintendent, a commissioner of a community redevelopment agency created under Part III, Chapter 163, or an elected local officers of independent special districts, including any person appointed to fill a vacancy on an elected special district board, whose service began on or before March 31 of the year for which you are filing, you are required to complete four hours of ethics training which addresses Article II, Section 8 of the Florida Constitution, the Code of Ethics for Public Officers and Employees, and the public records and open meetings laws of the state. You are required to certify on this form that you have taken such training.

**DEERING PARK
STEWARDSHIP DISTRICT**

7A

WORK AUTHORIZATION # 4

March 3, 2024

Deering Park Stewardship District
City of Edgewater, Brevard County and Volusia County, Florida

Subject: Work Authorization Number 4
Wetland Park – Design Build Coordination

Dear Chairperson, Board of Supervisors:

England-Thims & Miller, Inc. ("Engineering Professional") is pleased to submit this work authorization to provide professional services for the Deering Park Stewardship District ("District"). We will provide these services pursuant to our current agreement dated June 1, 2023 ("Agreement") as follows:

I. Scope of Work

The District hereby engages the services of Engineering Professional to perform the work described in **Schedule A**, attached hereto.

II. Fees

The District will compensate Engineering Professional in accordance with the terms of the Agreement and **Schedule A**.

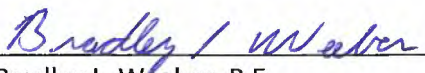
This proposal, together with the Agreement, represents the entire understanding between the District and Engineering Professional with regard to the referenced work authorization. If you wish to accept this work authorization, please sign both copies where indicated, and return one complete copy to our office. Upon receipt, we will promptly schedule our services.

Thank you for your consideration. We look forward to helping you create a quality project.

APPROVED AND ACCEPTED

Sincerely,

By: _____
Authorized Representative of Deering Park
Stewardship District



Bradley L. Weeber, P.E.
Executive Vice President
England-Thims & Miller, Inc.

Date: _____

SCHEDULE A – SCOPE OF SERVICES

Scope of Work

England, Thims and Miller, shall provide general consulting services for the Deering Park Stewardship District for the oversight of the Proposed City of Edgewater Wetland Park. These services include coordinating with Wetland Solutions, Inc. (WSI), preparation of Design-Build RFP, review, and coordination of issuance of contract, and overseeing design and construction services.

A. Pre-Solicitation Services

1. WSI – Conceptual Planning

See Task 1 – WSI Fee Proposal dated 2-15-24.

Fee..... Hourly
(Budget Estimate: \$6,000.00)
(Not-to-Exceed Without Owner's Authorization)

2. WSI – Design Criteria Memorandum (See WSI Scope of work)

See Task 2 – WSI Fee Proposal dated 2-15-24.

Fee..... Hourly
(Budget Estimate: \$17,200.00)
(Not-to-Exceed Without Owner's Authorization)

3. Project Coordination and Management

England-Thims & Miller, Inc. will provide project coordination and project management during the conceptual planning and design criteria memorandum development. This scope includes meetings with WSI, site visits (if necessary), coordination of trail improvements, and establishing design criteria. ETM will also coordinate with WSI and DPSD representatives and City of Edgewater staff during this process.

Fee..... Hourly
(Budget Estimate: \$10,000.00)
(Not-to-Exceed Without Owner's Authorization)

B. Design Build Phase

1. WSI – D/B Solicitation and Award Phase (See WSI Scope of work)

See Task 3 – WSI Fee Proposal dated 2-15-24.

Fee..... Hourly
(Budget Estimate: \$9,600.00)
(Not-to-Exceed Without Owner's Authorization)

2. WSI – Regulatory Coordination (See WSI Scope of work)

See Task 4 – WSI Fee Proposal dated 2-15-24.

Fee..... Hourly
(Budget Estimate: \$14,400.00)
(Not-to-Exceed Without Owner's Authorization)

3. WSI – Design Phase (See WSI Scope of work)

See Task 5 – WSI Fee Proposal dated 2-15-24.

Fee..... Hourly
(Budget Estimate: \$21,700.00)
(Not-to-Exceed Without Owner's Authorization)

4. WSI – Construction Phase (See WSI Scope of work)

See Task 6 – WSI Fee Proposal dated 2-15-24.

Fee.....**Hourly**
(Budget Estimate: \$29,900.00)
(Not-to-Exceed Without Owner's Authorization)

5. Design Build Solicitation and Award (ETM Services)

ETM will coordinate the RFP process to include preparation of final RFP/advertisements, proposal evaluation criteria, contractor's minimum qualifications statements and coordinate mandatory pre-bid meeting requirements. Bid documents will be consistent with the WSI Provided design criteria memorandum for use by the owner to solicit bids from local contractors.

The proposed prepared bid documents will be as follows:

- Instruction to Bidders
- Project Overview
- Official Bid Form
- Draft Contract
- General Conditions
- Special Conditions
- Technical Specifications
- Required Documents from Bidders
- Required Bid Attachments (subcontractor list, trench safety form, form of bid bond, payment bond, performance bond)
- Contractor's Qualifications / Team Structure
- Contractor's Public Entity Crime Statement
- Project Milestone Schedule
- Project Schedule of Values

The RFP process will generally follow the following:

1. Set up FTP and provide RFP documents to proposers.
2. Prepare and coordinate RFP and pre-bid meeting advertisement.
3. Conduct pre-bid meeting.
4. Receive Contractors RFI's and coordinate clarifications.
5. Prepare and Distribute addendums.
6. Receive contractor's proposals.
7. Coordinate Bid opening process.

Lump Sum Fee.....**\$11,700.00**

6. Bid Document Review and Support (ETM Services)

This task includes a review of the received bids, preparation of documents related to the received bids, and preparation, coordination, and/or review of final contract documents between the owner and contractor. ETM will coordinate with the contractor to execute contracts, coordinate payment and performance bonds recording and issue notice to proceed to contractor.

Lump Sum Fee**\$3,500.00**

7. Design Phase Project Coordination (ETM Services)

ETM will coordinate with WSI, design-build team and owner throughout the duration of the design phase of the project. This includes scheduled meetings, periodic project updates, schedule reviews, owner furnished deliverables and other coordination items as needed to support WSI and the Design-Build Contractor.

Fee.....**Hourly**
(Budget Estimate: \$25,000.00)
(Not-to-Exceed Without Owner's Authorization)

8. Limited Construction Administration (ETM Services)

ETM will conduct Limited Construction Administration services for the proposed Deering Park Wetland Park in the City of Edgewater, Volusia County. ETM will provide part-time assignment of qualified inspection personnel to provide quality assurance services that the work is completed in reasonable accordance with the approved plans and specifications and to the satisfaction of Deering Park Stewardship District and City of Edgewater.

ETM will complete periodic inspections of the wastewater system, wetland areas, and site grading for conformance with the approved plans. ETM shall not be responsible for project safety, such as required by OSHA or other regulatory requirements.

This task includes the following:

1. Pre-construction meetings
2. Weekly Construction Team Meetings
3. Shop Drawing Review
4. Owner Authorized Site Visits
5. As-Built Review
6. Regulatory Agency Required Inspections
7. Coordination with Design-Build team for project closeout and certifications
8. Coordination of City of Edgewater Acceptance Package
9. Coordination with DPSD and D/B Contractor for completion of required grant reimbursement paperwork.

Note: It is assumed that this will be a 12-month duration, if the construction phase extends beyond 12 months, ETM will submit to the DPSD for additional funds.

Fee.....*Hourly*
(Budget Estimate: \$35,000.00)
(Not-to-Exceed Without Owner's Authorization)

C. Post-Construction Phase

1. WSI – Wetland Startup Assistance (See WSI Scope of work)

See Task 7 – WSI Fee Proposal dated 2-15-24.

Fee.....*Hourly*
(Budget Estimate: \$18,500.00)
(Not-to-Exceed Without Owner's Authorization)

TASK SUMMARY

Description		Lump Sum Fee		
	Description	ETM Fees		WSI
		Hourly	Lump Sum	
A	Pre-Solicitation Services			
1.	Conceptual Planning			\$6,000.00
2.	Design Criteria Memorandum			\$17,200.00
3.	ETM Services	\$10,000.00		
B.	Design Build Phase			
1.	D/B Solicitation and Award Phase (WSI)			\$10,000.00
2.	Design Phase			\$21,700.00
3.	Regulatory Coordination			\$14,400.00
4.	Construction Phase			\$29,900.00
5.	Design Build Solicitation and Award (ETM)		\$11,700.00	
6.	Bid Document Review and Support (ETM)		\$3,500.00	
7.	Design Phase Project Coordination (ETM)	\$20,000.00		
8.	Limited Construction Administration (ETM)	\$45,000.00		
C.	Post Construction Phase			
1.	Wetland Startup Assistance			\$18,500.00
	SUBTOTAL	\$75,000.00	\$15,200.00	\$117,700.00
	TOTAL FEE SUMMARY	\$207,900.00		

EXPENSES

Costs such as printing, telephone, delivery service, mileage and travel shall be invoiced at direct cost plus 15%.

ITEMS NOT INCLUDED

The exclusions below are listed primarily to define the scope of this project. Should any of these services be required, we will be pleased to provide you with a quotation to perform them.

- Design Services (ETM to support WSI and D/B contractor)
- Architectural Design
- Survey Services (by others)
- Utility Modeling (by others)
- Trail/Boardwalk Design
- Platting Services
- Planning/Entitlement Services
- Construction Staking
- Full Time Construction Administration
- Consumptive Use Permitting
- Environmental Investigation
- Fire Hydrant Testing
- Irrigation Design
- Geotechnical Investigations
- Owner Requested Plan Revisions After Plan Approval
- Permitting Services (WSI and D/B Contractor to provide)
- Landscape/Hardscape Design
- Lift Station Design (by others)
- Stormwater Pond Design and Modeling (by others)
- Permit Application Fees
- PUD, DRI, or Zoning Modifications
- Retaining Wall Design
- Structural Design
- Traffic/Transportation Design Services
- DEP Groundwater Discharge Permitting
- Material Testing
- Notice of Commencement
- Drainage Modeling
- Groundwater Modeling
- FEMA Floodplain Modeling, Analysis, or Letter of Map Revision

ENGLAND-THIMS & MILLER, INC.
HOURLY FEE SCHEDULE – 2024

CEO/CSO.....	\$475.00	/Hr.
President.....	\$375.00	/Hr.
Executive Vice President.....	\$362.00	/Hr.
Principal - Vice President.....	\$290.00	/Hr.
Vice President.....	\$280.00	/Hr.
Senior Engineer / Senior Project Manager.....	\$244.00	/Hr.
Project Manager.....	\$216.00	/Hr.
Director.....	\$208.00	/Hr.
Engineer.....	\$186.00	/Hr.
Assistant Project Manager.....	\$163.00	/Hr.
Senior Planner / Planning Manager.....	\$223.00	/Hr.
Senior Environmental Scientist.....	\$230.00	/Hr.
Planner.....	\$173.00	/Hr.
CEI Senior Project Engineer.....	\$305.00	/Hr.
Construction Project Manager / Project Coordinator.....	\$219.00	/Hr.
Senior Construction Owner's Representative.....	\$202.00	/Hr.
Construction Owner's Representative.....	\$185.00	/Hr.
CEI Senior Inspector / Client Representative.....	\$173.00	/Hr.
CEI Inspector	\$140.00	/Hr.
Senior Landscape Architect.....	\$195.00	/Hr.
Landscape Architect.....	\$186.00	/Hr.
Senior Technician / Senior Specialist.....	\$169.00	/Hr.
GIS Program Manager.....	\$185.00	/Hr.
GIS Analyst	\$146.00	/Hr.
GIS Consultant.....	\$157.00	/Hr.
Senior Engineering Designer / Senior LA Designer.....	\$166.00	/Hr.
Engineering / Landscape Designer.....	\$152.00	/Hr.
Engineering Intern	\$148.00	/Hr.
CADD/GIS Technician.....	\$139.00	/Hr.
Project Coordinator / CSS.....	\$116.00	/Hr.
Administrative Support.....	\$99.00	/Hr.

*ETM's standard hourly billing rates are reevaluated annually prior to the beginning of the calendar year.



6212 NW 43rd Street, Suite A
Gainesville, FL 32653
(386) 462-9286
(386) 462-3196 fax

SCOPE OF SERVICES

Deering Park North – City of Edgewater Wetland Park – Design Build Owner’s Representative

PREPARED FOR: Christopher Warshaw, P.E. – England Thims and Miller, Inc.
Ernie Cox – Family Lands Remembered LLC
Patrick Iler – Family Lands Remembered LLC

DATE: March __, 2024

Purpose

The City of Edgewater owns and operates a 2.75 million gallon per day (MGD) advanced wastewater treatment (AWT) facility. The facility is permitted to discharge up to 0.83 MGD to the Mosquito Lagoon, which is part of the Indian River system. The City also has a 2.75 MGD public access reuse system that serves as the primary effluent management system. The City is seeking a new backup effluent management site away from the Indian River Lagoon and proposes the creation of a wetland park in an upland area to the north of a planned utility area in the new Deering Park North (DPN) community within the Deering Park Stewardship District (DPSD), which would recharge reclaimed water back into the aquifer, reduce excess nutrients, and provide a passive recreational amenity for the new community and the public. The wetland park would require the extension of an existing reclaimed water line along Indian River Boulevard west of Interstate 95.

Deering Park 1 LLC (DP1)(Owner) and their consultant Family Lands Remembered (FLR) intend to solicit a design-build contractor (DB Prime) to deliver the completed project and have requested that Wetland Solutions, Inc. (WSI) provide technical assistance and guidance during permitting, design, and construction. Throughout the project, WSI will be subordinate to and report to England-Thims and Miller Inc (ETM), who is DPSD’s District Engineer, with WSI performing the below services. The DB Prime will be responsible for final design and overseeing construction and construction management. ETM will be overseeing the design phase of the project, as well as project management along with FLR. WSI’s detailed scope of services is provided below.

Scope of Services

Pre-Solicitation Services

Task 1 – Conceptual Planning

Task 1.1 – Site Visit

WSI will conduct a site visit to review locations for the proposed wetland park construction. A total wetland area of 30 to 50 acres is currently anticipated, to be located in an upland area north of a planned utility site.

Task 1.2 – Existing Data Review

WSI will review existing topographic, geotechnical, and environmental data provided by the Owner to identify potential wetland construction locations and design considerations. Data review will also be conducted to inform the permitting strategy for the proposed project.

Task 2 – Design Criteria Memorandum Development

WSI will develop a conceptual site plan for the proposed recharge wetland system at the preferred site identified in Tasks 1.1 and 1.2. WSI will collaborate with the Owner, ETM, and FLR to site wetland cells so that their locations are coordinated with the master plan for DPN. The Owner, ETM, and FLR will provide input regarding associated trail alignments and public access features. The conceptual layout will be prepared in GIS format and will be submitted to the Owner for review and comment. The conceptual site plan will form the basis for the Design Criteria Memorandum that will be provided as part of the Design/Build Solicitation. Elements of the Design Criteria Memorandum will include the following:

- Project Description and Objectives
- Conceptual Plan Figure
- List of recommended pre-design studies/data collection required to be completed by selected DB Prime including (final scope for these studies to be negotiated between Owner and DB Prime):
 - Survey
 - Geotechnical investigations
 - Infiltration testing
 - Groundwater mounding analysis and flow directions
- Preliminary Design Guidance
 - Wetland cell grading (elevations, topographic variability, side slopes, etc.)
 - Wetland cell hydrology
 - Wetland cell planting (community composition, cell-to-cell variability, planting palette)
 - Operational control objectives

- Maintenance

Deliverables

- GIS figure(s) of conceptual layout.
- Electronic copy (PDF) of Design Criteria Memorandum

Design/Build Phase

Task 3 – DB Solicitation and Award Phase

WSI will assist the Owner and FLR during the design/build solicitation process. WSI's role will include the following:

- Review of Owner-prepared DB solicitation package,
- Participation in FLR-led pre-solicitation meeting to answer technical questions from prospective DB entities,
- Assistance to Owner and FLR in answering questions from prospective bidders during solicitation Q/A period,
- Review of DB entity written submittals (not scored for ranking purposes), and
- Review of technical elements of agreement/scope between Owner and selected DB Prime.

Task 4 – Regulatory Coordination

This task includes regulatory coordination with agencies responsible for environmental and wastewater permitting. For Phase 1, regulatory coordination will consist of pre-application meetings to present the findings of the PER.

Task 4.1 – Environmental Resource Permitting

WSI will participate in the pre-application meeting(s) with the environmental permitting agency as needed to discuss the project and identify the permitting submittal requirements. WSI will review the DB Prime's ERP application prior to submittal. WSI will participate in all follow-up meetings related to the ERP application and review periods.

Task 4.2 – FDEP Wastewater Permitting

WSI will participate in the pre-application meeting(s) with the FDEP to discuss the project and identify the permitting submittal requirements. WSI assumes that the project constitutes a "major" permit modification and that the selected DB Prime will prepare the application package. WSI will review the application package prior to submittal. WSI will participate in all meetings related to the wastewater permit modification process.

Task 4.3 – As-needed Regulatory Assistance

WSI will assist the Owner on an as-needed basis with regulatory discussions, ancillary to the defined permitting processes, that may influence project implementation and success. A budget allowance of \$X is assigned to this subtask.

Deliverables

- Electronic copy (PDF) of meeting notes to supplement DB Prime-provided meeting minutes.
- Electronic copy (PDF) of ERP and wastewater permit application review comments.

Task 5 – Design Phase

Task 5.1 – D/B Team Progress Meetings

WSI will assist the Owner, ETM, and FLR by participating in all progress meetings with the selected DB Prime. **X** virtual meetings are assumed to be required during the design phase of the project.

Task 5.2 – Design Submittal Review

WSI will provide technical review of all design submittals including construction plans, technical specifications, schedules, and cost estimates. WSI's comments will be provided in writing to ETM, FLR and DB Prime.

Task 5.3 – Wetland System Operations and Maintenance Manual

WSI will draft an operations and maintenance (O&M) manual for the wetland project. The DB Prime will provide supporting information such as plan sheets, figures, equipment cut sheets, and equipment manufacturer O&M information for inclusion in the manual. The manual will be submitted to FLR, City of Edgewater, and FDEP to satisfy permitting requirements.

Deliverables

- Electronic copy (PDF) of meeting notes to supplement DB Prime-provided meeting minutes.
- Electronic copy (PDF) of review comments.
- Electronic copies (PDF) of draft and final O&M manual.

Task 6 – Construction Phase

WSI will assist ETM and FLR during construction of the project. This will include limited construction administration and resident observation during construction. Specific tasks include the following:

- Coordinate with ETM and FLR staff for construction observation. Daily reports will be prepared for each site visit.
- Participate in routine construction progress meetings.
- Answer requests for information (RFIs) by the contractor.
- Review construction contractor payment applications and progress.
- Participate in inspections for certification of final completion of construction.
- Review as-built record drawings.

Post-Construction Phase

Task 7 – Wetland Startup Assistance

WSI will assist the Owner and DB Prime with startup operations during the first year following completion of construction. WSI will assist with the following:

- Providing input on water level management, flow rotation, and water delivery to the wetland system,
- Reviewing water quality monitoring data (if required by permit), and
- Inspecting wetland vegetation and recommending areas for herbicide control and replanting.

Assumptions

The task descriptions and proposed budget are based on the following assumptions:

- Owner and ETM will provide the following information to facilitate WSI's preparation of the deliverables identified in this scope of services:
 - LiDAR topographic survey of the DPN site,
 - Existing geotechnical data reports,
 - Effluent flows and concentration data for the City of Edgewater's AWT facility for the most recent 2-year period,
 - Current Capacity Analysis Report for the AWT facility identifying the timeline for flow increases, and
 - Copies of any available environmental and cultural resource reports and GIS/CAD data identifying jurisdictional wetland boundaries and locations of sensitive species or areas that must be avoided.
 - Preliminary plans, or plats, for the proposed development including any areas proposed as conservation or restricted easements.
- Owner will provide site access to WSI staff as may be necessary to complete the work.
- Permit fees will be paid by others.

Budget Estimate

Exhibit 1 summarizes the estimated costs for the tasks described above. Work will be billed and compensated on a time and materials basis, based on the attached rate schedule (**Exhibit 2**) and will be invoiced monthly. The estimated costs are a "not-to-exceed" amount and also represent conservative estimates.

Exhibit 1. Estimated Labor Costs for Deering Park North Wetland Park Project

Exhibit 2. WSI Labor Cost Schedule for Consulting Services

WSI Staff	Rate (\$/hr)
Principal Engineer	170
Senior Engineer	165
Principal Scientist	150
Project Geologist	140
Project Engineer	140
Senior CAD Technician	130
CAD Technician	110
Engineer Intern	90
Environmental Scientist	85

Schedule

TBD

Effective Date of Authorization

This scope of work is effective on the date of execution and WSI is authorized to begin work upon receipt of written authorization. In witness of this agreement, the parties below provide their approval.

Wetland Solutions, Inc.

Deering Park 1, LLC

By: _____

By: _____

Title: _____

Title: _____

Date: _____

Date: _____

**DEERING PARK
STEWARDSHIP DISTRICT**

**UNAUDITED
FINANCIAL
STATEMENTS**

**DEERING PARK
STEWARDSHIP DISTRICT
FINANCIAL STATEMENTS
UNAUDITED
JANUARY 31, 2024**

**DEERING PARK
STEWARDSHIP DISTRICT
BALANCE SHEET
GOVERNMENTAL FUNDS
JANUARY 31, 2024**

	General Fund	Debt Service Fund	Total Governmental Funds
ASSETS			
Cash	\$ 8,012	\$ -	\$ 8,012
Undeposited funds	7,278	-	7,278
Due from Landowner	2,546	7,276	9,822
Total assets	<u>\$ 17,836</u>	<u>\$ 7,276</u>	<u>\$ 25,112</u>
LIABILITIES AND FUND BALANCES			
Liabilities:			
Accounts payable	\$ 4,556	\$ 7,276	\$ 11,832
Due to debt service fund	4,210	-	4,210
Due to capital projects fund	3,066	-	3,066
Due to Landowner	-	10,808	10,808
Accrued wages payable	800	-	800
Tax payable	61	-	61
Landowner advance	6,000	-	6,000
Total liabilities	<u>18,693</u>	<u>18,084</u>	<u>36,777</u>
DEFERRED INFLOWS OF RESOURCES			
Deferred receipts	2,546	-	2,546
Total deferred inflows of resources	<u>2,546</u>	<u>-</u>	<u>2,546</u>
Fund balances:			
Restricted for:			
Debt service	-	(10,808)	(10,808)
Unassigned	(3,403)	-	(3,403)
Total fund balances	<u>(3,403)</u>	<u>(10,808)</u>	<u>(14,211)</u>
Total liabilities, deferred inflows of resources and fund balances	<u>\$ 17,836</u>	<u>\$ 7,276</u>	<u>\$ 25,112</u>

**DEERING PARK
STEWARDSHIP DISTRICT
GENERAL FUND
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
FOR THE PERIOD ENDED JANUARY 31, 2024**

	Current Month	Year to Date	Budget	% of Budget
REVENUES				
Landowner contribution	\$ 3,069	\$ 14,094	\$ 126,421	11%
Total revenues	<u>3,069</u>	<u>14,094</u>	<u>126,421</u>	11%
EXPENDITURES				
Professional & administrative				
Supervisors	\$ -	\$ -	\$ 12,918	0%
Management/accounting/recording ¹	2,000	8,000	48,000	17%
Legal	120	320	30,000	1%
Engineering	-	-	3,500	0%
Audit ²	-	-	3,075	0%
Arbitrage rebate calculation ²	-	-	750	0%
Dissemination agent ³	-	-	1,000	0%
Trustee ²	-	-	6,500	0%
Debt service fund accounting: master bonds ³	-	-	5,500	0%
Postage	11	20	500	4%
Printing and binding	42	167	500	33%
Legal advertising	353	1,619	6,500	25%
Annual district filing fee	-	175	175	100%
Insurance - GL, POL	-	5,590	5,913	95%
Miscellaneous- bank charges	23	92	675	14%
Website:				
Hosting & updates	-	705	705	100%
ADA compliance	-	-	210	0%
Total professional & administrative	<u>2,549</u>	<u>16,688</u>	<u>126,421</u>	13%
Excess/(deficiency) of revenues over/(under) expenditures	520	(2,594)	-	
Fund balances - beginning	<u>(3,923)</u>	<u>(809)</u>	<u>-</u>	
Fund balances - ending	<u>\$ (3,403)</u>	<u>\$ (3,403)</u>	<u>\$ -</u>	

¹The \$2k monthly fee represents the charge for a semi-dormant CDD. Once bonds are issued this fee will revert back to \$4k per month.

²These items will be realized the year after the issuance of bonds.

³These items will be realized when bonds are issued.

**DEERING PARK
STEWARDSHIP DISTRICT
DEBT SERVICE FUND
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
FOR THE PERIOD ENDED JANUARY 31, 2024**

	Current Month	Year To Date
REVENUES	<u>\$ -</u>	<u>\$ -</u>
Total revenues	<u>-</u>	<u>-</u>
EXPENDITURES	-	-
Debt service		
Cost of issuance	<u>2,490</u>	<u>2,490</u>
Total expenditures	<u>2,490</u>	<u>2,490</u>
Excess/(deficiency) of revenues over/(under) expenditures	(2,490)	(2,490)
Fund balances - beginning	<u>(8,318)</u>	<u>(8,318)</u>
Fund balances - ending	<u><u>\$ (10,808)</u></u>	<u><u>\$ (10,808)</u></u>

**DEERING PARK
STEWARDSHIP DISTRICT**

MINUTES

DRAFT

**MINUTES OF MEETING
DEERING PARK STEWARDSHIP DISTRICT**

The Board of Supervisors of the Deering Park Stewardship District held a Regular Meeting on January 9, 2024 at 2:00 p.m., at Storch Law Firm, 420 S. Nova Road, Daytona Beach, Florida 32114.

Present were:

Glenn Storch	Chair
Robbie Lee	Vice Chair
Earl Underhill (via telephone)	Assistant Secretary
James (Jim) Boyd	Assistant Secretary

Also present:

Cindy Cerbone	District Manager
Andrew Kantarzhi	Wrathell, Hunt and Associates, LLC (WHA)
Jonathan Johnson (via telephone)	District Counsel
Chris Warshaw (via telephone)	District Engineer
Helen Hutchens (via telephone)	Miami Corporation Management, LLC

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Ms. Cerbone called the meeting to order at 2:03 p.m.

Supervisors Storch, Boyd and Lee were present. Supervisor Underhill attended via telephone. One seat was vacant.

SECOND ORDER OF BUSINESS

Public Comments

No members of the public spoke.

THIRD ORDER OF BUSINESS

**Consider Appointment to Fill Unexpired
Term of Seat 5; Term Expires November
2026**

• **Administration of Oath of Office to Appointed Supervisor**

This item was presented following the Eleventh Order of Business.

41 **FOURTH ORDER OF BUSINESS**

42 Consideration of Resolution 2023-05,
43 Designating Certain Officers of the District,
44 and Providing for an Effective Date

45 This item was deferred.

46
47 **FIFTH ORDER OF BUSINESS**

48 Consideration of Resolution 2024-03,
49 Ratifying the Revision of Certain
50 Documents Approved in Substantial Form
51 at the Duly Advertised Meeting of the
52 Board of Supervisors Held August 29, 2023;
53 Addressing Severability; and Providing an
54 Effective Date

55 Ms. Cerbone presented Resolution 2024-03, which provides for ratifying the revision of
56 the Capital Improvement Plan (CIP), Master Validation Report and Master Bond Resolution
57 2023-07, together known as the "Prior Meeting Documents". These documents were provided
58 to Supervisor Boyd and hard copies are available for reference today.

59 Mr. Johnson stated the Bond Validation Hearing will occur next week. Some questions
60 about the changes that were made were discussed on the record. This Resolution will provide
61 additional evidence that the Board approves the actions of the Chair in affirming those
62 documents and authorizing Staff to make the filings that have led to the Bond Validation.

63 Mr. Boyd stated he reviewed the revised documents, which seem to reflect the change
64 that was made; an item that was double-counted was deleted from the revised documents. He
65 noted that the first "WHEREAS" paragraph of Resolution 2024-03 should be corrected to reflect
66 that the "Prior Meeting" date is August 29, 2023.

67
68 **On MOTION by Mr. Boyd and seconded by Mr. Lee, with all in favor, Resolution**
69 **2024-03, as amended, Ratifying the Revision of Certain Documents Approved in**
70 **Substantial Form at the Duly Advertised Meeting of the Board of Supervisors**
71 **Held August 29, 2023; Addressing Severability; and Providing an Effective Date,**
72 **was adopted.**

73
74
75 Ms. Cerbone asked if the signature page of the hard copy of Resolution 2024-03 to be
76 signed today will suffice. Mr. Johnson replied affirmatively; his office will make the change.

SIXTH ORDER OF BUSINESS

Consideration of England-Thims & Miller, Inc., Work Authorization #3 for Capital Improvement Plan/Engineers Report

Ms. Cerbone presented England-Thims & Miller, Inc., Work (ETM) Authorization #3 related to the CIP and the Engineer's Report.

Ms. Hutchens confirmed that the Work Authorization was reviewed by the Landowner.

Mr. Boyd recalled that Work Authorization #1 was approved at the last meeting and asked what Work Authorization #2 consists of. Mr. Warshaw believes Work Authorization #2 relates to the general agreement for the year, at a not-to-exceed amount of \$5,000. Ms. Cerbone stated that is in the budget so, while it did not require Board approval, the Work Authorization provides necessary documentation.

Mr. Boyd requested a brief explanation of the need for the Supplemental Report.

Mr. Warshaw stated this Work Authorization will cover the District Engineer's time and efforts related to the Bond Validation. Prior to bond issuance, the Supplemental Engineer's Report will dial in the requested bond amount for the additional bond issuance. While the initial CIP is very high level and conceptual in nature, the Supplemental Engineer's Report will provide a finer level of detail.

Ms. Cerbone stated the Supplemental Engineer's Report will narrow down the area over which bonds will be levied. She expects multiple bond issuances, given that the District will validate approximately \$24 billion. A series of bond issuances will occur over a series of years.

On MOTION by Mr. Storch and seconded by Mr. Lee, with all in favor, England-Thims & Miller, Inc., Work Authorization #3 for the Capital Improvement Plan and Engineer's Report, was approved.

SEVENTH ORDER OF BUSINESS

Discussion/ Presentation: Grant for Edgewater Wetlands Park

Ms. Hutchens delivered an electronic presentation related to the grant for the Edgewater Wetlands Park. She referred to maps and slides, responded to questions and noted the following:

➤ A series of grant applications and appropriations requests were submitted to fund some of the larger public projects for the Deering Park development area within the bounds of the

Stewardship District. The public-private partnership is working in tandem with the development company.

➤ The purpose of the first major project, the Edgewater Wetlands Park, is to redirect up to three million gallons per day of reuse water away from the Indian River Lagoon, which is a high priority subject for the State due to the state of the conditions in the Indian River.

➤ The park will create approximately 50 acres of upland wetland systems approximately five miles to the west of the existing City of Edgewater wastewater treatment facility, where reclaimed water is created.

➤ The project aims to prevent reclaimed water from entering the Indian River Lagoon and to provide an opportunity for aquifer recharge but more research is needed in this area.

➤ Wetland habitat and passive recreational opportunities, such as birdwatching, bicycling and hiking, will also be created.

Discussion ensued regarding increasing the capacity for future water usage, public access to reclaimed water and being cognizant of setbacks to the potable wells from any reclaimed water application area or transmission lines.

➤ Lines for reclaimed wastewater and raw and potable water will be run on opposite sides of the road to ensure sufficient distance apart and distance from the wells. There are only crossovers where necessary for the lift station.

➤ The Florida Department of Environmental Protection (FDEP) had an Indian River Lagoon Water Quality Improvement Grant Program. In December, the District applied for design and construction funding for the project and, in December, the District was awarded the full design and engineering construction amount.

➤ The future development footprint includes permanent conservation areas and a mitigation plan for existing wetlands.

➤ A second FDEP grant was applied for relating to the existing East Coast Rail Trail, which runs through Farmton and up north to Edgewater and down south to Titusville. This trail network will complement the wetland park's passive recreation capabilities and create non-motorized vehicle opportunities. The project is near the Florida Wildlife Corridor, which aims to provide a means for wildlife to move from north to south within the State and offers education about the nature of the wildlife in the area.

Referring to the map and pictures, Ms. Hutchens and the Board discussed the existing trail, proposed trail from SR-44 to I-95 and connectivity to lead to the trail SR-44.

➤ The project was placed on the River to Sea Transportation Planning Organization (TPO) priority list and the Shared-Use Nonmotorized (SUN) Trail and Greenways and Trails System Florida Greenways and Trails System (FGTS) priority lists; these allowed the District to apply for the funding for the construction of the trail. Another \$6.5 million grant request utilizes the State's priorities regarding passive recreation and public use of natural areas.

Discussion ensued regarding the timing and approval processes for funding requests, whether the project will proceed if the grant is not approved or is only partially funded, additional sources of financing and the possibility of entering into a Completion Agreement.

Mr. Boyd asked if the grant is intended to cover 100% of the costs based on current estimates. Ms. Hutchens stated the intent is for there to be no additional cost to the District beyond the grant amount; efforts will be taken to come in under budget.

➤ The District is working as the sponsor for the Interchange Modification Report (IMR) for the intersection of SR-442 and I-95, which is being funded through the Developer, Deering Park Development Company.

Ms. Hutchens presented an appropriations request made in the name of the District for the construction of what is being designed in the IMR. She presented the conceptual layout of the future interchange, indicating the future lane alignments, and noted that the existing interchange has a deficiency. The District is proposing the remedy for the interchange, which will give reconfigured lanes and a protected path underneath the interchange for the bicycle path and will create resiliency to mitigate against flooding that sometimes occurs in that area during heavy rainfall events, like hurricanes.

Mr. Storch asked if the multi-use path for bicycles and pedestrians that will link the BPM trail would be part of this grant request, and not the previously discussed trail. Ms. Hutchens replied affirmatively.

➤ For the 2024-2025 Legislative Period, the District requested \$15 million for the construction of the interchange improvements. Because the total costs are expected to be closer to \$30 million, a second request will be made during the 2025-2026 Legislative Session to ensure that funds received can be spent in a timely fashion.

Ms. Hutchens presented a summary of the submission dates, amounts requested and award status. She noted that the SUN Trail funding was requested in December 2023; she will find out the timeline and report her findings. The Legislative Session will resume soon and it is

176 hoped that an answer will be received by the end of March 2024 as to whether the bill as made
177 it to fruition.

178 Mr. Storch noted that the report indicates the District's plans.

179 Mr. Boyd stated his belief that these improvements are part of the bond issue and the
180 CIP. Ms. Hutchens stated it could be but, if funds can be obtained in a different manner and
181 alleviate the need to issue bonds, that is even better. They are trying to ensure that
182 improvements are funded appropriately; if the development does not necessitate the
183 improvements, the development company and the District should not have to pay for it.
184 Legislative funding is being sought for the existing deficiency under I-95 to ensure that it is
185 brought into compliance and, from there forward, if additional improvements are needed the
186 CDD can look to the bond issuances or the development to be able to help the public-private
187 partnership components, which will always be needed. That is why the relationship with the
188 Landowner, the Development company and the District is so important. The lines of
189 communication must be kept open to ensure that all are aware of the status.

190 Ms. Cerbone asked what is next, now that the request for \$7,143,500 was granted. Ms.
191 Hutchens stated she hopes to provide the "What's Next" information at the next meeting.

192 Ms. Cerbone noted her and Management's work with the FDEP and other agencies. She
193 explained the process whereby the Developer spends the money appropriately through the
194 District, which secures the contracts, the Developer funds the payment of such, and the District
195 Engineer is involved because the District must submit pay requisitions to FDEP to get
196 reimbursed. The District does not receive the funds and then spend them; instead, it spends the
197 funds and, after FDEP approval, the District receives reimbursement. She discussed the audit
198 period related to the grant money, which is separate and distinct from the District's annual
199 audit and Management's familiarity with the accounting and setup of a separate fund. She
200 noted that District Counsel also has extensive experience working with these processes and
201 with Management, from an accounting and management perspective.

202 Mr. Storch stated the wetland park will be phased, based on the public-private
203 partnership with Edgewater. They must work together regarding when it goes into effect; the
204 Development partnership will meet next week. He does not believe it is a cost partnership, as
205 the amount granted is believed to be sufficient for construction. Ms. Cerbone discussed
206 ongoing public-public partnerships, in addition to public-private cost share projects.

Mr. Storch noted that land ownership issues and some potential contributions must be accounted for. Ms. Hutchens stated the Landowner will match some of the FDEP funding for the wetland park in the form of a land contribution. The Landowner will not retain title to that property but the title likely will not pass until construction is in process or complete; that might also be a phased process.

Ms. Cerbone noted that monthly meetings are scheduled; the February meeting can be canceled if not needed and she can blind-copy information to Board Members as necessary.

Mr. Storch voiced his opinion that it is important to inform the Board Members of the decision following the bond validation hearing. Ms. Cerbone will email the Board after the hearing and will email another update after the 30-day appeal period.

EIGHTH ORDER OF BUSINESS

Consideration of Resolution 2024-02, Designating a Date, Time, and Location for a Landowners' Meeting and Election; Providing for Publication; Establishing Forms for the Landowner Election; and Providing for Severability and an Effective Date

Ms. Cerbone presented Resolution 2024-02.

On MOTION by Mr. Lee and seconded by Mr. Boyd, with all in favor, Resolution 2024-02, Designating a Date, Time, and Location of November 12, 2024 at 2:00 p.m., at Storch Law Firm, 420 S. Nova Road, Daytona Beach, Florida 32114 for a Landowners' Meeting and Election; Providing for Publication; Establishing Forms for the Landowner Election; and Providing for Severability and an Effective Date, was adopted.

NINTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of November 30, 2023

Ms. Cerbone presented the Unaudited Financial Statements as of November 30, 2023. She believes that the amount shown in "Undeposited funds" might be due to a check that arrived during the Thanksgiving holiday; Staff will check with Accounting and advise accordingly.

On MOTION by Mr. Storch and seconded by Mr. Lee, with all in favor, the Unaudited Financial Statements as of November 30, 2023, were accepted.

TENTH ORDER OF BUSINESS**Approval of August 29, 2023 Public Hearing and Regular Meeting Minutes**

Ms. Cerbone presented the August 29, 2023 Public Hearing and Regular Meeting Minutes. The following change was made:

Line 20 and throughout: Change "Washaw" to "Warshaw"

On MOTION by Mr. Lee and seconded by Mr. Underhill, with all in favor, the August 29, 2023 Public Hearing and Regular Meeting Minutes, as amended, were approved.

ELEVENTH ORDER OF BUSINESS**Staff Reports****A. District Counsel: Kutak Rock LLP**

Mr. Johnson stated the bond validation hearing will be held next Wednesday morning. No Board Members or Staff are required to attend; a report will be provided afterwards. The District's property lies within the Judicial Circuits of Volusia and Brevard Counties so both State Attorney's offices have been participating in the process. A Joint Stipulation was prepared between District Counsel and the State Attorneys' offices; this agreement lays out all relevant law and agrees that all the documents the District would like to have admitted to the proceeding are admissible and relevant. At the request of the Volusia County State Attorney's Office, Mr. Craig Wrathell and Mr. Chris Warshaw will attend as witnesses to support the detail behind the Engineer's Report and the Validation Report. He expects the final judgment to be entered on Wednesday or shortly thereafter.

Mr. Johnson asked for the minutes with Mr. Warshaw's name corrected to be emailed to him.

Ms. Cerbone stated a bullet will be added to the next agenda for the required ethics training during calendar year 2024. Mr. Johnson asked for the Memorandum to be included.

B. District Engineer: England-Thims & Miller, Inc.

There was no report.

C. District Manager: Wrathell, Hunt and Associates, LLC

- **NEXT MEETING DATE: February 13, 2024 at 2:00 PM**

- **QUORUM CHECK**

The next meeting will be held on February 13, 2024, unless canceled.

- **Consider Appointment to Fill Unexpired Term of Seat 5; Term Expires November 2026**

This item, previously the Third Order of Business, was presented out of order.

Mr. Storch nominated Mr. Joey Posey to fill Seat 5.

No other nominations were made.

On MOTION by Mr. Storch and seconded by Mr. Boyd, with all in favor, the appointment of Mr. Joey Posey to Seat 5, was approved.

Ms. Cerbone stated the next meeting will be advertised with a Teams link, including a dial-in number. Each month she will confirm if an advertisement for a Teams meeting is needed for the next meeting, in the event that Ms. Hutchens has more information. The website and the agenda were updated to provide a link, making the meeting available to all. There were no dial-in or Teams participants at today's meeting.

TWELFTH ORDER OF BUSINESS

Board Members' Comments/Requests

There were no Board Members' comments or requests.

THIRTEENTH ORDER OF BUSINESS

Public Comments

There were no public comments.

FOURTEENTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Lee and seconded by Mr. Boyd, with all in favor, the meeting adjourned at 2:59 p.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

315
316
317
318
319
320

Secretary/Assistant Secretary

Chair/Vice Chair

**DEERING PARK
STEWARDSHIP DISTRICT**

**STAFF
REPORTS**

DEERING PARK STEWARDSHIP DISTRICT		
BOARD OF SUPERVISORS FISCAL YEAR 2023/2024 MEETING SCHEDULE		
LOCATION		
<i>Storch Law Firm, 420 S. Nova Road, Daytona Beach, Florida 32114</i>		
DATE	POTENTIAL DISCUSSION/FOCUS	TIME
October 10, 2023 CANCELED	Regular Meeting	2:00 PM
November 14, 2023 CANCELED	Regular Meeting	2:00 PM
December 12, 2023 CANCELED	Regular Meeting	2:00 PM
January 9, 2024	Regular Meeting	2:00 PM
February 13, 2024 CANCELED	Regular Meeting	2:00 PM
March 12, 2024	Regular Meeting	2:00 PM
https://teams.microsoft.com/l/meetup-join/19%3ameeting_YTczMzE3ZGIYmMwMy00OWZjLWI3MjctNWQ1OTk4YjgxODgz%40thread.v2/0?context=%7b%22Tid%22%3a%2294348502-fda0-4a80-8edb-52bd87fa537b%22%2c%22Oid%22%3a%2250b37528-b730-4578-8935-dc90866a9569%22%7d Meeting ID: 283 787 630 919 Passcode: ZXHeDk		
April 9, 2024	Regular Meeting	2:00 PM
https://teams.microsoft.com/l/meetup-join/19%3ameeting_NDIINGM5OTUtZiM1Mi00NGI4LTlMjEtN2FmNGQ1YTQ1ZmMy%40thread.v2/0?context=%7b%22Tid%22%3a%2294348502-fda0-4a80-8edb-52bd87fa537b%22%2c%22Oid%22%3a%2250b37528-b730-4578-8935-dc90866a9569%22%7d Meeting ID: 280 567 498 56 Passcode: ALDDCs		
May 14, 2024	Regular Meeting	2:00 PM
https://teams.microsoft.com/l/meetup-join/19%3ameeting_ZmM5NDI2Y2YtNTY2Ni00NGI4LTlMjEtN2FmNGQ1YTQ1ZmMy%40thread.v2/0?context=%7b%22Tid%22%3a%2294348502-fda0-4a80-8edb-52bd87fa537b%22%2c%22Oid%22%3a%2250b37528-b730-4578-8935-dc90866a9569%22%7d Meeting ID: 272 805 810 132 Passcode: jypt6T		
June 11, 2024	Regular Meeting	2:00 PM
https://teams.microsoft.com/l/meetup-join/19%3ameeting_ZTQyM2Q1NmMtODZhZi00NTg1LWlxNDltZDg1OTk1ZDczZTVm%40thread.v2/0?context=%7b%22Tid%22%3a%2294348502-fda0-4a80-8edb-52bd87fa537b%22%2c%22Oid%22%3a%2250b37528-b730-4578-8935-dc90866a9569%22%7d Meeting ID: 246 187 975 594 Passcode: m5rvQV		
July 9, 2024	Regular Meeting	2:00 PM
https://teams.microsoft.com/l/meetup-join/19%3ameeting_MGM5MzBmMzQtYjg2NS00ZDE1LWwEwOTYtZmEzYmU1ZWU3NzE3%40thread.v2/0?context=%7b%22Tid%22%3a%2294348502-fda0-4a80-8edb-52bd87fa537b%22%2c%22Oid%22%3a%2250b37528-b730-4578-8935-dc90866a9569%22%7d Meeting ID: 233 035 830 379 Passcode: F8HoXp		

DATE	POTENTIAL DISCUSSION/FOCUS	TIME
August 13, 2024	Regular Meeting	2:00 PM
https://teams.microsoft.com/l/meetup-join/19%3ameeting_MTMwMzAxZiYtZDZhMi00MmYxLTg1N2EtMDJjYml1NjEyMDM2%40thread.v2/0?context=%7b%22Tid%22%3a%2294348502-fda0-4a80-8edb-52bd87fa537b%22%2c%22Oid%22%3a%2250b37528-b730-4578-8935-dc90866a9569%22%7d Meeting ID: 231 940 985 857 Passcode: qcx4XH		
September 10, 2024	Regular Meeting	2:00 PM
https://teams.microsoft.com/l/meetup-join/19%3ameeting_ZTZiNTgzMzYtNTM3NC00MmMzLTg1N2UtM2FhMTA2NDJkZjZj%40thread.v2/0?context=%7b%22Tid%22%3a%2294348502-fda0-4a80-8edb-52bd87fa537b%22%2c%22Oid%22%3a%2250b37528-b730-4578-8935-dc90866a9569%22%7d Meeting ID: 251 618 142 377 Passcode: hpbmQr		