

**MINUTES OF MEETING
BAUER DRIVE
COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of the Bauer Drive Community Development District was held on September 15, 2023 at 12:15 p.m. at Lennar Homes, 5505 Blue Lagoon Drive, Miami, Florida.

Present and constituting a quorum were:

Teresa Baluja	Chairperson
Marc Szasz	Assistant Secretary
Vanessa Perez	Assistant Secretary
Raisa Krause	Assistant Secretary

Also present were:

Luis Hernandez	District Manager
Andrew Gill	Governmental Management Services
Michael Pawelczyk	District Counsel
Liza Smoker	District Counsel
Juan Alvarez	District Engineer (by phone)

FIRST ORDER OF BUSINESS

Roll Call

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

SECOND ORDER OF BUSINESS

**Approval of Minutes of the
August 18, 2023 Meeting**

Mr. Hernandez: Moving on, the next item that we have is Approval of Minutes of the August 18, 2023 Meeting. Unless anyone has any questions, comments, corrections, additions, or deletions, a motion to approve them would be in order.

On MOTION by Ms. Baluja seconded by Ms. Perez with all in favor, the Minutes of the August 18, 2023 Meeting were approved as-presented.

THIRD ORDER OF BUSINESS**Ratification of Service Agreement with Atlantic Environmental Systems, Inc. for Maintenance of Wastewater Pump Station**

Mr. Hernandez: The next item that we have is Ratification of Service Agreement with Atlantic Environmental Systems, Inc. for Maintenance of Wastewater Pump Station. The first action we need is to ratify the agreement the District has entered into with a service agreement with Atlantic Environmental Systems, Inc.

On MOTION by Ms. Baluja seconded by Ms. Perez with all in favor, the service agreement with Atlantic Environmental Systems, Inc. for maintenance of the wastewater pump station was ratified.

Mr. Hernandez: Now that we have ratified the agreement, I need to sadly inform the Board that the District will not be able to continue to use this firm because we need to maintain not only the wastewater pump station, but we also need to provide maintenance to the entire collection system. Included in your package are proposals for both. In this particular case what is taking place as I understand it, the requirement from the county is that the District not only needs to maintain the lift station, but also the entire sewer system. So, that is why we need to have a company that performs services for both of these. Unfortunately, Atlantic Environmental Systems, Inc. can do the lift station, but not the lines. Part of the issue for the District is that this District was originally just intended to be administrative. Therefore, there is nothing in the operations and maintenance costs for this. The District needs to have monitoring of the lift station. The proposal we have received is for an amount of \$3,400. The District also needs to have an agreement for the same company to perform inspections and maintenance. The proposal we have received is for an amount of \$4,320. This is not in the District's budget for the next fiscal year budget. In addition, in order for the District to start receiving services from South Florida Utilities, Inc., there is an upfront fee for the equipment that they will need to install, which also will cost another \$7,359. So, the District needs roughly around \$15,000 to start this. The good news is that until the end of this month, this District is still in developer funding, so we can get a portion of those funds from the developer. However, the part

we are still trying to clarify with DERM is what exactly is required because we will still be short money for next year. The other concern is that we still don't know what the requirements are. We may need to go back to the county and explain to them that due to the changes they have made, we may need to go back and modify the existing covenants that the developer has.

Ms. Baluja: So, we cannot increase the budget past the cap for the first three years, right?

Mr. Hernandez: Not unless you modify it. If I were a homeowner, I would rather know that the number has been adjusted rather than the reality that as soon as the three years are up, there will be a significant increase.

Ms. Baluja: What about if the CDD were to enter into an agreement with the HOA where the HOA would pay for it and the CDD would do the service?

Mr. Hernandez: That is the same situation we have in North Dade CDD. It would work with no problems.

Ms. Baluja: Okay, then I am good with exploring that.

Mr. Hernandez: That would work perfectly fine, and then we can indicate in next year's budget that the services will be provided by the HOA but go through the CDD. So, with that being said, I think it would be appropriate for the Board to first terminate the agreement with Atlantic Environmental Systems, Inc.

On MOTION by Ms. Baluja seconded by Ms. Perez with all in favor, the service agreement with Atlantic Environmental Systems, Inc. for maintenance of the wastewater pump station was terminated.

Mr. Hernandez: It is my understanding that Atlantic Environmental Systems, Inc. is already aware of this and that they cannot provide the entire services the District needs. As a matter of fact, they were going to provide the first year of maintenance at no cost. They were the ones that installed the lift station. With that, the next portion would be to authorize entering into an agreement with South Florida Utilities, Inc.

On MOTION by Ms. Baluja seconded by Ms. Perez with all in favor, the proposal with South Florida Utilities, Inc. was approved; and the Board authorized entering into an agreement with South Florida Utilities, Inc.

Mr. Hernandez: As we start to define the contract and all of that, we will approach the HOA to make sure that we have the financing for that.

Ms. Baluja: Do you need a motion for that?

Mr. Hernandez: Yes.

Mr. Pawelczyk: It would be a motion authorizing the CDD and the Chair to execute an agreement providing for funding for the maintenance of the sewer system and pump system programs.

On MOTION by Ms. Baluja seconded by Ms. Perez with all in favor, the Board approved for the CDD to enter into an agreement with the HOA to provide funding for the maintenance of the sewer system and pump system programs; and the Chair was authorized to execute any necessary documentation.

FOURTH ORDER OF BUSINESS

Consideration of Engagement Letter with Grau & Associates to perform the Audit for Fiscal Year Ending September 30, 2023

Mr. Hernandez: Moving forward, the next item is Consideration of Engagement Letter with Grau & Associates to perform the Audit for Fiscal Year Ending September 30, 2023. Grau & Associates was selected by the Audit Selection Committee and the Board of Supervisors. The engagement letter is in line with what was approved. So, based on that, I will be asking the Board for a motion to approve the engagement letter with Grau & Associates at this time.

On MOTION by Ms. Baluja seconded by Ms. Perez with all in favor, the engagement letter with Grau & Associates to perform the audit for fiscal year ending September 30, 2023 was approved.

FIFTH ORDER OF BUSINESS

Staff Reports

A. Attorney

Mr. Hernandez: Staff Reports is next. Mike?

Mr. Pawelczyk: Nothing on this one.

B. Engineer

Mr. Hernandez: Juan, do you have anything else for this District?

Mr. Alvarez: No, Luis. I don't have anything else to report.

Mr. Hernandez: Thank you very much for that excellent report.

C. Manager

1) DERM Update

Mr. Hernandez: Under the Manager, DERM Update. That is still a work-in-progress. As we learn more, I will keep you all posted. Once again, one of the biggest concerns from the CDD's side is the financing. We will work with it and keep you informed as we find out more.

2) Consideration of First Amendment to District Management Agreement with Governmental Management Services – South Florida, LLC

Mr. Hernandez: Next, we have Consideration of First Amendment to the District Management agreement with Governmental Management Services – South Florida, LLC. All of the Supervisors have seen this already in other CDDs. This amendment does not include any changes to the services that GMS provides. It is only to add language that is needed to fulfill the requirements of the Florida Statutes or other minor matters. With that being said, unless anyone has any questions, I will ask the Board for a motion to approve this amendment at this time.

On MOTION by Ms. Baluja seconded by Ms. Perez with all in favor, the First Amendment to the District Management agreement with Governmental Management Services – South Florida, LLC was approved.

3) Insurance Policy Renewal

Mr. Hernandez: This is the renewal. Since the District is going to be responsible for the lift station, I will be checking to make sure that is included.

On MOTION by Ms. Baluja seconded by Ms. Perez with all in favor, the insurance policy renewal was accepted.

SIXTH ORDER OF BUSINESS

Supervisors Requests and Audience Comments

Mr. Hernandez: Are there any Supervisors' requests at this time? Hearing none, we don't have any audience here with us today.

SEVENTH ORDER OF BUSINESS

Financial Reports

A. Acceptance of Funding Request #10

Mr. Hernandez: Moving forward to the Financial Reports, Tab A has Acceptance of Funding Request #10. Unless anyone has any questions about that, a motion to accept it would be in order.

On MOTION by Ms. Baluja seconded by Ms. Perez with all in favor, Funding Request #10 was accepted.

B. Acceptance of Unaudited Financials

Mr. Hernandez: Tab B has Acceptance of Unaudited Financials. Unless anyone has any questions, a motion to accept them would be in order at this time.

On MOTION by Ms. Baluja seconded by Ms. Perez with all in favor, the unaudited financials were accepted.

EIGHTH ORDER OF BUSINESS

Adjournment

Mr. Hernandez: And unless anyone has any other District business to discuss, a motion to adjourn would be in order.

On MOTION by Ms. Baluja seconded by Ms. Perez with all in favor, the meeting was adjourned.



Secretary /Assistant Secretary



Teresa Baluja (Feb 16, 2024 13:37 EST)

Chairman / Vice Chairman

02-16-24docstosign-LennarDay

Final Audit Report

2024-02-16

Created:	2024-02-16
By:	Robin Friedman (rfriedman@gmssf.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAA7Zr5qlxaLRBzTaPloxNHt47FjcKyEHrp

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