

MINUTES OF MEETING  
BAY LAUREL CENTER  
COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Bay Laurel Center Community Development District was held on Tuesday, September 20, 2022 at 10:00 a.m. at Circle Square Commons Cultural Center, 8395 S.W. 80<sup>th</sup> Street, Ocala, Florida.

Present and constituting a quorum were:

Kenneth D. Colen	Chairman
Paul Brunner	Vice Chairman
William D. McLeod, Jr.	Assistant Secretary
Jo Layman	Assistant Secretary
John Gysen	Assistant Secretary

Also present were:

George Flint	District Manager
Gerald Colen	District Counsel
Rachel Wagoner	Kutak Rock, LLC
Bryan Schmalz	BLCCDD
Sarah Cooper	BLCCDD

**FIRST ORDER OF BUSINESS**

**Roll Call**

Mr. Kenneth Colen called the meeting to order at 10:00 a.m. and Mr. Flint called the roll. All Supervisors were present.

**SECOND ORDER OF BUSINESS**

**Public Comment Period**

Mr. Kenneth Colen: I'm going to open the floor for public comment. Is there anyone in the audience who wishes to comment? Hearing no comments, I will close the public comment period.

**THIRD ORDER OF BUSINESS**

**Notice of Meeting**

Mr. Kenneth Colen: The notice of meeting was published on July 27, 2022.

**FOURTH ORDER OF BUSINESS**

**Review and Acceptance of Fiscal Year 2021 Audit Report**

Mr. Kenneth Colen: Under Section 4, is the Bay Laurel Center Community Development District (BLCCDD) financial report for the Fiscal Year ended September 30, 2021. Has everyone had an opportunity to review this? I hear an affirmative from everyone. Alright. Are there any questions on the financial report? Mr. Manager, is there anything that you wish to highlight?

Mr. Flint: The only thing I'd point out is that the audit was completed a little later than normal and later than we would like it to be completed. The main thing holding it up was that GASB 75 requires a calculation of the District's liability for retirement compensation called, "Other Postemployment Benefit (OPEB)." Although we don't provide that benefit, we still have to have a report done. We used the Florida League of Cities to perform that report in the past and it's been required every two years. I believe the requirement changed annually and we did not have it prepared in time to finish the audit timely. So that was what held it up. But other than that, it's a clean audit. If you refer the Letter to Management, there are no current or prior year findings or recommendations and we've complied with all of the provisions of the Auditor General that they are required to review. So, it is a clean audit. The motion would be to accept the audit and ratify its transmittal to the State of Florida.

Mr. Kenneth Colen: We need a motion.

On MOTION by Mr. Gysen seconded by Mr. Brunner with all in favor accepting the audit for Fiscal Year ending September 30, 2021 was approved.

**FIFTH ORDER OF BUSINESS**

**Consideration of GMP No. 4 (Addendum No. 3) to the North Water Reclamation Facility Agreement for Construction Services with Guaranteed Max Price**

Mr. Kenneth Colen: Section 5 is the Addendum to the North Water Reclamation Facility (NWRP) and the Agreement for Construction Services with Guaranteed Maximum Price (GMP) between the BLCCDD and Wharton-Smith, Inc. dated April 27, 2022. I'm going to point out that the Executive Summary has this listed at \$50,354,149.77. Mr. Schmalz, will you walk us through this since what was here was not legible and you've provided a legible copy of certain columns?

Mr. Schmalz: Mr. Bryan Schmalz, Utility Director for Bay Laurel Center. The summary section that you have before you, provides the overall costs associated with the project. We can go through the items, the bidders and the costs. I just wanted to point out that this will be the fourth GMP to date, which brings the total cost of the project, not including engineering but for construction only, right at \$90,190,723.40. We have two more GMPs coming. We did have Wharton-Smith, with these firmer numbers that we're bidding out, do a cost analysis to where we think the overall cost of the product will be. At this time with a 7.5% contingency, we're still landing right around \$124 million, which is what was expected for the overall project. If we go to the actual bid tabulation and evaluations sheets, you will see that we have broken out the individual bid scopes and the actual subcontractors and suppliers. You will see that we have Bid Package #1 for electrical. The subcontractors were Electric Services, Inc. and Cogburn Bros., Inc. We've worked with both of those organizations in the past. Electric Services did Water Treatment Plant (WTP) Number (No.) 3 and Cogburn did the On Top of the World (OTOW) WWTP facility in Clearwater. Electric Services came in at \$9,036,021 whereas Cogburn came in at \$9,574,074. So, we picked Electric Services, Inc. for that particular bid package.

Mr. Kenneth Colen: Okay.

Mr. Schmalz: Then we have the floating decanter for the digester. We came in with Hayward and TSC-Jacobs bidding on that, with TSC-Jacobs coming in as the lowest responsive bidder at \$105,230. We selected them for that. For submersible pumps, Barney's/Hydromatic were the only bidders, so they were selected. We do use Hydromatic pumps in the majority of our lift stations and we're very familiar with their product. Then we have the end suction centrifugal pumps. Again, Barney's/Hydromatic was the only bidder on that. We have the walkable covers, baffles and weirs for the clarifiers. We had two bidders on that with Hayward coming in at \$310,260. They were selected for that particular bid. For the grit removal system, Moss-Kelley/Hydro International were the only responsive bidder. They came in at \$716,600. Then for the jet aeration systems, bids came in from Hayward and TSC-Jacobs. You can see that there was quite a bit of a difference there between those two systems. TSC-Jacobs won that bid at \$753,900. Jet Aeration will be utilized in the equalization basin as well as the digesters. Then we have the mechanical screen and washer compactor. TSC-Jacobs was the only bidder and they came in at \$605,560. That equipment is what screens the wastewater, what we call influent or raw sewage that comes into the treatment facility down to three millimeters and removes all of

the debris that's not supposed to be in the wastewater such as hygiene products. We have a screw press and flow tank mixer. Hayward/FKC was the only bidder at \$1,285,060. The screw press will dewater our biosolids at the facility. That is what the intent of that equipment is. Then we had the filter at the facility in Bid Package #10. We had three bidders on that with MTS Environmental coming in at \$515,024. That is for the filters that screen all of the wastewater as it leaves the clarifiers before final disinfection down to 10 microns. Then we had the conveyors for the screw press to move the biosolids into the dumpsters. That came in with only one bidder at \$220,990.60. We had the sodium hypo feed system, which is for disinfecting the wastewater before it leaves the facility, that came in from Guardian Equipment as the only bidder at \$141,850. The scum pumps are zero because we did not actually bid that yet. It was intended to go out, but we had some additional manufacturers that we allowed to bid for that. So, we needed to give them more time. That will come in on the next bid. Then we have the sludge transfer pumps that moves the sludge from the digester to the screw press for treatment. That came in from Moss-Kelley at \$99,100. Then we have the vertical turbine pumps for the high service pump station that will pressurize the clean reclaimed water to the distribution system including the golf courses. That came in at \$560,680. Odor control was bid by BIOREM and Hayward with BIOREM not having a complete package. So, Hayward was awarded the bid of \$525,332.23. Then the Bardenpho and secondary clarifier was for the large aerators that actually go on to the treatment plants. Those are what we refer to as the oxidation ditches. That's why there's such a large item there. Those are 6 - 100 horsepower vertical turbine paddle aerators that came in at \$3,136,230. Then we have the emergency generators. This particular job here has three generators: a 1,000 kW, 600 kW and 400 kW. That came in at \$1,156,161. There was only one bidder on that particular line item as well. If the Board has any specific questions, about any bid package or line item, we can go through those.

Mr. Kenneth Colen: Are there any questions from the Board Members on this?

Mr. Brunner: Not really.

Mr. Kenneth Colen: If not, I need a motion to approve the Addendum to North Water Reclamation Facility (NWRf) and the Agreement for Construction Services with Guaranteed Maximum Price (GMP) between the BLCCDD and Wharton-Smith, Inc. dated April 27, 2022.

On MOTION by Mr. Brunner seconded by Ms. Layman with all in favor the Addendum to North Water Reclamation Facility and the Agreement for Construction Services with Guaranteed Maximum Price between the BLCCDD and Wharton-Smith, Inc. dated April 27, 2022 was approved.

**SIXTH ORDER OF BUSINESS**

**Consideration of Proposal from Willdan to Prepare Feasibility Study Update**

Mr. Kenneth Colen: The next item is a proposal from Willdan.

Mr. Flint: Yes, and I apologize. One of the most important pages in Exhibit A appears to be missing when we duplicated it.

Mr. Brunner: I thought it was me.

Mr. Flint: We were trying to find out how much it cost.

Mr. Brunner: Yes.

Mr. Flint: Well, the page that says how much it costs is actually missing. It would be in Exhibit A. I was looking for it. Luckily, it's relatively not much money. When the District went through the process of issuing the \$130 million bond issue, Willdan was engaged to prepare a Feasibility Study. It not only covered that, but it also covered the refinancing of the 2011 bonds. Then we split those up and only did the new money. Then we're working with Indigo East to refinance the 2011 bonds. The financing team requested that the Feasibility Study be updated for the refinancing and so Willdan was engaged for that purpose, in a not-to-exceed of \$2,000. They've already performed the work. So, we're asking the Board to ratify this agreement with Willdan to update the Feasibility Study.

Mr. Kenneth Colen: I need a motion from the Board to ratify this contract agreement with Willdan Financial services to update the Feasibility Study.

On MOTION by Mr. McLeod seconded by Mr. Gysen with all in favor the Proposal from Willdan Financial Services to Prepare Feasibility Study Update was approved.

**SEVENTH ORDER OF BUSINESS**

**Ratification of Series 2022B Requisitions #5 - #7**

Mr. Kenneth Colen: The next item is the ratification of the Series 2022B Requisitions #5-#7.

Mr. Flint: Yes. These are for the recent bond issue for the acquisition of WTP No. 3 and construction of the new NWRP. As part of the bond issue, the indenture sets out the process that's utilized to access the bond funds. That involves the preparation of a requisition that's signed and certified by the District Engineer that the costs included are valid and in accordance with their Engineer's Report. It also has to be signed by an authorized officer of the District. It does not require Board approval to be funded, but we always bring these back for ratification so we get them in the record. Requisition #5 is payable to Wharton-Smith in the amount of \$427,635. Requisition #6 is payable to Core and Main in the amount of \$198,180 for the direct purchase of materials. Requisition #7 is for...

Mr. Kenneth Colen: WTP No. 3 in the amount of \$38,636,327.

Mr. Flint: That was made payable to OTOW for WTP No. 3 and the land to construct the reclamation facility.

Mr. Kenneth Colen: Am I constricted from voting on that? I don't think so because it's after the fact.

Mr. Flint: It's already been paid. You're just ratifying it. So, I don't know that there's a conflict.

Mr. Kenneth Colen: There was a conflict previously. Alright. We need a motion ratifying Requisition #5, # 6 and #7.

On MOTION by Mr. Brunner seconded by Mr. Gysen with all in favor Requisitions #5 - #7 for Series 2022B were ratified.

**EIGHTH ORDER OF BUSINESS**

**Other Business**

Mr. Kenneth Colen: Is there any other business to come before the Board? Hearing none, we'll move on.

**NINTH ORDER OF BUSINESS**

**Supervisor's Requests**

Mr. Kenneth Colen: Are there any Supervisor's Requests?

Ms. Layman: I'm just checking, but are we going to have any other meetings scheduled past today?

Mr. Flint: We have another meeting scheduled this month.

Ms. Layman: Okay. The notices didn't say anything.

Mr. Gysen: It only goes until November.

Mr. McLeod: Until the 20<sup>th</sup>.

Ms. Layman: So, it goes until the 20<sup>th</sup>.

Mr. Flint: Right.

Mr. Gysen: The official notice wasn't issued beyond today.

Mr. Flint: Yeah. The new fiscal year starts on October 1. We've provided you the meeting schedule for Fiscal Year 2023.

Mr. Gysen: Has it been published?

Mr. Flint: It will be. The Board approved it previously, so you have that if you want me to send it to you again. That's just in there for today because we have one more meeting this month. Then after this month, the other annual meeting notice kicks in. It has either already been advertised or will be in advance of October.

Mr. Gysen: Okay.

Mr. Kenneth Colen: Is the next meeting October 29<sup>th</sup>?

Mr. Gysen: When is the next meeting?

Mr. Kenneth Colen: We're looking. September 27<sup>th</sup>? Nope. That's not it. Actually, I don't have it here.

Mr. Brunner: The 27<sup>th</sup> would be Tuesday.

Mr. Kenneth Colen: Yeah.

Mr. Flint: It's going to be two times a month again, like it is right now.

Mr. Kenneth Colen: Okay.

Mr. Flint: I believe it's the fourth and then...

Mr. Gysen: So, there wouldn't be another one yet this month, because that would be next week.

Mr. Flint: No, we've already advertised two this month. After this meeting we'll send out the meeting calendar again so everyone has it.

Mr. Kenneth Colen: Alright. Very good. Hearing no other Supervisor's Requests, we need a motion to adjourn.

**TENTH ORDER OF BUSINESS**

**Adjournment**

On MOTION by Mr. Brunner seconded by Mr. Gysen with all in favor the meeting was adjourned.

  
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Secretary / Assistant Secretary

  
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Chairman / Vice Chairman