

MINUTES OF MEETING

Board of Supervisors

Reedy Creek Improvement District

January 25, 2023

9:30 a.m.

President Hames called the regular meeting of the Reedy Creek Improvement District Board of Supervisors to order at 9:32 a.m. on Wednesday, January 25, 2023, at the Administrative Offices of the District, 1900 Hotel Plaza Boulevard, Lake Buena Vista, Florida.

Those present were President Larry Hames, Max Brito, Leila Jammal, Jane Adams, and Don Greer, constituting a quorum of the Board of Supervisors. Others in attendance included; John Classe, District Administrator; Tina Graham, District Clerk; Tracy Borden, Assistant Clerk, and Ryan Conrad, Administration; Samarth Thomas, Technology Services; Chris Quinn, Heidi Powell, and Susan Higginbotham, Finance; Anthony Kasper, RCES; Deputy Chief Eric Ferrari, Tanya Naylor, Jon Shirey, and Barry Hutsell, Emergency Services; Ed Milgrim and Ilana Perras, Milgrim Law Group, Jason Middleton, Human Resources; Katherine Luetzow and Lee Pulham, Planning & Engineering; Eddie Fernandez, Human Resources; Craig Sandt, Facilities; Mike Rickabaugh, Building & Safety; Eryka Washington and Erin O'Donnell, Communications; Carolyn Greer, Robert Volbert, Bob Hazen and Richard Scarwid, WESH 2 News; Mark Lehman, WKMG; Joe Burbank and Skyler Swisher, Orlando Sentinel; Loren Bray, Channel 9 WFTV; Marcus White, Channel 6 WKMG; Luis Millan, Telemundo; Richard Bilbao, OBJ; and Aaron Wockenfuss . Those participating via teleconference were: Michele Dicus, Human Resources; Chris Ferraro and Mark Swanson, RCES; Todd Rimmer, WDI; Bruce Jones, Procurement; Lexy Wollstadt, Finance; and Mike Crikis, Environmental Sciences.

President Hames asked the attendees to please stand for the Pledge of Allegiance.

SAFETY MINUTE

Mr. Eddie Fernandez presented the safety instructions for the Administration Building. Mr. Fernandez identified the locations of the emergency exits as well as the evacuation procedures. Mr. Fernandez read a quote from Candace Carnahan, a 21 year old paper mill employee, attending college when she was involved in a conveyor belt accident. The conveyor belt safeguards had been tampered with at the paper mill that resulted in the loss of her leg. *"The first step in not getting hurt is understanding that you can be."* Mr. Fernandez stated that we need to use our built-in PPE system. Our heart, our gut and our head. We feel with our heart, trust in our gut, and make decisions in our head. RCID's safety program encourages employees to be observant and then courageous to speak out when something isn't safe.

APPROVAL OF MINUTES

Minutes from the December 14, 2022 BOS Meeting were approved and accepted as presented.

The District Clerk recorded proof of publication of the meeting notice.

REPORTS

Mr. Classe announced that on December 7th, the District hosted a Holiday event for the Cities of Bay Lake and Lake Buena Vista residents at the Wyndham. 35 attended. Our guest speakers were RCID's Emergency Manager, Tanya Naylor and Captain Van de Water from Sector 6 Sheriff's office. The Wyndham is the hurricane evacuation location for the cities.

Mr. Classe reported that on December 17th, we celebrated RCID's 55th Anniversary at the Dolphin Resort. It was well attended with over 350 guest.

Mr. Classe announced that on Saturday, January 14, 2023, the members of the Fire Department Special Ops Team competed in the 1st annual Rope Rescue Challenge at Valencia Fire Rescue Institute. All proceeds went to benefit Give Kid's the World and UCF Restores. Between starting the competition in 40-degree temperatures, with wind gusts that made the "feels like" temperature much colder, and being pitted against some of the most experienced teams in the area, including the team that took 1st place that was comprised of professional instructors, our team rose to the occasion. The months of training for the competition definitely paid off! Our team placed 2nd out of 8 teams (1st place among of all the fire department teams). Other fire departments in the competition included the City of Maitland, City of Orlando, Orange County, St. Cloud, and Seminole County. They continue to train and look forward to representing the Department in future competitions.

CONSENT AGENDA

President Hames proceeded to the Consent Agenda and advised that the Consent Agenda exists of general administrative items and items under a specific cost threshold. Any item could be pulled from the Consent Agenda for further discussion, if requested. Consent Agenda items are shown below:

Item 6A –Semi-Annual report of Easements

Semi-Annual Report of Easements executed by the District Administrator as required by Resolution No. 565 approved by the Board at its February 25, 2015 meeting for period January-June and July-December 2022. (EXHIBIT A)

Item 6B – Canal 410 License Area Agreement – Amendment

CONSIDERATION of Request for Board to authorize the District Administrator to execute on behalf of the District, the amendment of a license agreement known as the Canal 410 License Area. This amendment is to allow the construction and modification of an existing fence and gate along

a portion of the L-410 Canal. In addition, it shall extend the access use approximately seven hundred feet along the L-410 Canal levee. **(EXHIBIT B)**

Item 6C – World Drive North Phase 3 – Design Services

CONSIDERATION of Request for Board approval to execute a change order to Agreement #C006233 with **Pond and Company, Inc.**, in the Not-To-Exceed total amount of **\$40,000.00** for additional design, bidding, and construction phase services associated with the World Drive North Phase 3 project. Funding for this request will be derived from the RCID 2016-2024 Transportation Projects Ad Valorem Bonds. **(EXHIBIT C)**

Item 6D – World Drive North Phase 3 – Design Services

CONSIDERATION of Request for Board approval to execute a change order to a Work Authorization #W004 under Master Services Agreement #M000227 with **Chen Moore & Associates, Inc.**, in the Not-To-Exceed total amount of **\$10,000.00** for additional design, bidding, and construction phase services associated with the World Drive North Phase 3 project. Funding for this request will be derived from the RCID 2016-2024 Transportation Projects Ad Valorem Bonds. **(EXHIBIT C)**

Item 6E – World Drive North Phase 3 – Owner-Furnished Materials (OFM)

CONSIDERATION of Request for Board approval to amend the breakdown of Owner-Furnished Materials (OFM) for utility system improvements associated with the World Drive North Phase 3 project. The new breakdown is comprised of **\$1,490,000.00** for the electric utility system, **\$525,000.00** for the chilled water utility system, and **\$85,000.00** for the natural gas utility system. The total amount (**\$2,100,000.00**) approved on October 26, 2022 remains unchanged. Funding for this request will be derived from the RCID 2016-2024 Transportation Projects Ad Valorem Bonds. **(EXHIBIT C)**

President Hames asked if anyone had a reason to bring up any items on the Consent Agenda for further discussion. No items were pulled from the Consent Agenda for review. Upon motion by Ms. Jammal and duly seconded, the Board unanimously approved the Consent Agenda.

REGULAR AGENDA

Item 7A – World Drive North Phase II – Reduction of Change Order Allowance

Mr. Sandt requested Board approval to reduce the change order allowance, previously authorized by the Board, for the construction agreement with **Arazoza Brothers** by the amount of **\$300,000.00**. There is no change in the overall budget for the World Drive North Phase II project. President Hames asked if there were any public comments on this request and there were none. Upon motion by Ms. Adams and duly seconded, the Board unanimously approved the request. **(EXHIBIT D)**

Item 7B – World Drive North Phase II – Amendment of Professional Services Agreement

Mr. Sandt requested Board approval to amend the Agreement for Professional Services between RCID and **CONSOR Engineers, LLC**, and add to the total Not-To-Exceed fee in the total amount of **\$287,600.00** for additional construction management, construction engineering and inspection and material testing services in support of the World Drive North Phase II project. There is no change in the overall budget for the World Drive North Phase II project. Funding for this request will be derived from the RCID 2016-2024 Transportation Projects Ad Valorem Bonds. President Hames asked if there were any public comments on this request and there were none. Upon motion by Ms. Jammal and duly seconded, the Board unanimously approved the request. **(EXHIBIT D)**

PUBLIC HEARING

Item 8A – Resolution No. 637 – Final Reading – Amending the RCID Land Development Regulations.

President Hames then called a Public Hearing to order at 9:42 a.m. Mr. Classe requested Board approval of Ordinance/Resolution No. 637 on the final reading, amending the RCID Land Development Regulations to incorporate amendments required by the recent Comprehensive Plan 2032 update, which was found in compliance on July 15, 2022. The Planning Board held a duly noticed public hearing on November 18, 2022 and recommended approval by the Board of Supervisors after finding 1) The amendments are consistent with and promote the intent of the Comprehensive Plan; 2) will not adversely affect other implementation programs for elements of the Comprehensive Plan; and 3) promote the public health, safety, and welfare within the District. The amendments fall within three general categories: 1) Updates to definitions and references to various statutes, codes, and manuals. 2) Updates to reflect specific amendments to the 2032 Comprehensive Plan. 3) The third category of amendments is the greatest in number and address how we conduct development reviews, how we regulate what, where, how something is required to be constructed, altered, or protected. This duly noticed public hearing is the final reading required for approval of an Ordinance/Resolution to amend the Land Development Regulations. Mr. Classe gave a brief overview of Ms. Pulham's presentation from the first reading at the December board meeting and advised that the amendments are mostly administrative to make sure RCID complies with the state. President Hames thanked Ms. Pulham for presenting at the last board meeting.

President Hames asked if there were any public comments on this request and there were none. Upon motion by Ms. Adams and duly seconded, the Board unanimously approved the request. **(EXHIBIT E)**

ORDINANCE/RESOLUTION NO. 637

An ORDINANCE/RESOLUTION OF THE REEDY CREEK IMPROVEMENT
DISTRICT AMENDING THE RCID LAND DEVELOPMENT REGULATIONS

FOR COMPLIANCE WITH THE 2032 COMPREHENSIVE PLAN; TO UPDATE DEFINITIONS; TO UPDATE REFERENCES, STANDARDS, AND PROCEDURES FOR USES; GROWTH; INFRASTRUCTURE; STREETS AND RIGHTS-OF-WAY; PARKING, LOADING, AND CIRCULATION; LANDSCAPING; SIGNS; WETLANDS; STORMWATER MANAGEMENT; GROUNDWATER PROTECTION; EROSION CONTROL; SANITARY SEWER; SOLID WASTE; FLORA AND FAUNA; CONSISTENCY REVIEW; DEVELOPMENT REVIEW; SUBDIVISION REVIEW; AMENDMENT OF COMPREHENSIVE PLAN; PLANNING BOARD; AND PLANNING AND ENGINEERING DEPARTMENT

WHEREAS, the Reedy Creek Improvement District Board of Supervisors, pursuant to Chapter 163, Florida Statutes, adopted on November 15, 1991 by Resolution No. 244, a joint comprehensive plan along with the City of Lake Buena Vista and the City of Bay Lake; known as the "1991 Reedy Creek Improvement District Comprehensive Plan"; and

WHEREAS, Section 163.3202, Florida Statutes, require that the Reedy Creek Improvement District adopt and enforce Land Development Regulations that are consistent with and implement the Reedy Creek Improvement District Comprehensive Plan; and

WHEREAS, Reedy Creek Improvement District Planning Board has been established and designated as the Local Planning Agency for the Reedy Creek Improvement District; and

WHEREAS, the Reedy Creek Improvement District Planning Board after public notice conducted public hearings and found the proposed Land Development Regulations to be consistent with and promote the intent of the Reedy Creek Improvement District Comprehensive Plan, do not adversely affect other implementation programs for elements of the Reedy Creek Improvement District Comprehensive Plan, and promote the public health, safety, and welfare within the Reedy Creek Improvement District and therefore recommended adoption by the Reedy Creek Improvement District Board of Supervisors; and

WHEREAS, the Reedy Creek Improvement District Board of Supervisors, the Lake Buena Vista City Council and the Bay Lake City Council after public notice conducted joint public hearings and by Resolution No. 289, on March 30, 1994, adopted the Reedy Creek Improvement District Land Development Regulations; and

WHEREAS, the Reedy Creek Improvement District Board of Supervisors, upon recommendation by the Reedy Creek Improvement District Planning Board finds and determines that the adoption of the proposed amendments to the Land Development Regulations are consistent with and implement the Reedy Creek Improvement District Comprehensive Plan and that adoption thereof would be in the best interest of the Reedy Creek Improvement District.

NOW, THEREFORE, BE IT RESOLVED AND ORDAINED by the Board of Supervisors of the Reedy Creek Improvement District, on this 14th day of December, 2022, as follows:

SECTION ONE: Purpose and Intent. This Resolution is enacted to carry out the purpose and intent of, and exercise the authority set out in Chapters 163 and 166, Florida Statutes, and the provisions of the Reedy Creek Improvement District Comprehensive Plan.

SECTION TWO: Title and Adoption. The regulations as set forth in Exhibit "A" and adopted hereby shall be known as and may be referred to as "An Ordinance/Resolution of the Reedy Creek Improvement District Amending the RCID Land Development Regulations for compliance with the 2032 Comprehensive Plan; to Update Definitions, References, Standards, and Procedures for Uses; Growth; Infrastructure; Streets and Rights-of-Way; Parking, Loading, and Circulation; Landscaping; Signs; Wetlands; Stormwater Management; Groundwater Protection; Erosion Control; Sanitary Sewer; Solid Waste; Flora and Fauna; Consistency Review; Development Review; Subdivision Review; Amendment of Comprehensive Plan; Planning Board; and Planning and Engineering Department..

SECTION THREE: Conflicts. All ordinances, resolutions, parts of ordinances or parts of resolutions in conflict with the Land Development Regulations adopted hereby are superseded and repealed to the extent of such conflict.

SECTION FOUR: Severability. If any provision or portion of this Ordinance/Resolution is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of the Ordinance/Resolution shall remain in full force and effect.

SECTION FIVE: Copy Availability. A certified copy of this enacting Ordinance/Resolution and the attached amendment to the Reedy Creek Improvement District Land Development Regulations and any future amendments thereto, shall be filed with the Clerk of the Reedy Creek Improvement District. The District shall also make copies available to the public for a reasonable reproduction charge.

SECTION SIX: Codification. It is the intention of the Reedy Creek Improvement District Board of Supervisors that sections of the Land Development Regulations may be renumbered or re-lettered and the correction of typographical or scrivener errors which do not affect the intent may be authorized by Planning staff without need of public hearing, by filing a corrected recodified copy of same with the Clerk of the Reedy Creek Improvement District.

SECTION SEVEN: Jurisdiction. This Ordinance/Resolution and the attached amendment to the Land Development Regulations shall be a minimum standard and shall apply to and be enforced throughout the unincorporated and incorporated boundary of the Reedy Creek Improvement District, Florida including the City of Lake Buena Vista, Florida and the City of Bay Lake, Florida.

SECTION EIGHT: Effective Date. This Ordinance/Resolution shall become effective immediately upon final passage and adoption.

PASSED AND DULY ADOPTED, with a quorum present and voting, by the Board of Supervisors of the Reedy Creek Improvement District, Florida, this 14th day of December 2022.

Item 8B – Chapter 163 Developer’s Agreement – First Reading

Mr. Classe requested Board approval of a Chapter 163 Developer’s Agreement between RCID and **Walt Disney Parks and Resorts U.S., Inc.** consistent with the RCID Comprehensive Plan and Land Development Regulations.

Mr. Classe advised that the Board is being asked to consider a proposed development agreement between the District and Walt Disney Parks and Resorts U.S., Inc. (Disney). This is the first of two public hearings required to approve the development agreement. This meeting was properly noticed. The second public hearing is scheduled for February 8, 2023, at 9:30am at this building 1900 Hotel Plaza Boulevard, Lake Buena Vista, Florida 32830.

Disney is the owner of vast majority of the lands within the District and the master developer of the Walt Disney World Resort - a multi-phase project that has and will continue to develop over time. Multi-phase, master planned projects, like The Villages and Sunbridge by Tavistock, typically include a development order or agreement that provides certainty regarding future development to the master developer and the local government. Chapter 163 development agreements like the one before you today are a favored tool by Florida’s local governments and developers since the sunseting of the Development of Regional Impact (DRI) process.

In 2022, the District amended its Comprehensive Plan, with state agency review and acceptance. This development agreement naturally follows that amendment to the Comprehensive Plan.

This development agreement provides certainty to both RCID and Disney over the next 30-years by:

1. Requiring that any future development be consistent with the RCID Comprehensive Plan and Land Development Regulations (LDRs) and follow the development approval process in the LDRs.
2. Vesting development entitlements in Disney as the owner of the vast majority of the lands within the District and the master developer of the Walt Disney World Resort.
3. Confirming public facilities commitments based on the Comprehensive Plan 5-year Capital Improvement Schedule while leaving future public facilities commitments to be determined by the RCID Board at that time.
4. Requiring Disney to dedicate to RCID any lands necessary for public facilities and infrastructure.
5. Maintaining protection of valuable wetlands and conservations lands within the District, and addressing the utilization of environmental permits and the allocation of conservation credits.

This development agreement meets all of the statutory requirements set forth in Chapter 163 of the Florida Statutes.

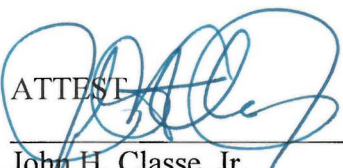
President Hames asked if there were any public comments on this request and there were none. Upon motion by Ms. Jammal and duly seconded, the Board unanimously approved the request. President Hames then closed the Public Hearing at 9:50 a.m. **(EXHIBIT F)**

OTHER BUSINESS


President Hames then asked if there was any further business to discuss.

Mr. Classe advised that today's Final Thought is from Benjamin Franklin, "*Be at war with your vices, at peace with your neighbors, and let every New Year find you a better man.*"

There being no further business to come before the Board, the meeting was adjourned at 9:51 a.m.

ATTEST


John H. Classe, Jr.
Secretary, Board of Supervisors



Laurence C. Hames
President, Board of Supervisors