

MINUTES OF MEETING

Board of Supervisors

Central Florida Tourism Oversight District

March 29, 2023

10:00 a.m.

Chair Garcia called the special meeting of the Central Florida Tourism Oversight District Board of Supervisors to order on Wednesday, March 29, 2023, at the The Wyndham Resort, Horizons Ballroom, 1850 Hotel Plaza Boulevard, Lake Buena Vista, Florida.

Those present were Chair Martin Garcia, Vice Chair Michael A. Sasso, Bridget Ziegler, Brian Aungst, Jr. and Ron Peri, constituting a quorum of the Board of Supervisors. Others in attendance included; John Classe, District Administrator; Kurt Ardaman and Dan Langley, District Special Counsel, Tina Graham, District Clerk; and Tracy Borden, Assistant Clerk.

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

Chair Garcia asked the attendees to please stand for the Pledge of Allegiance.

SAFETY MINUTE

Mr. Fernandez presented the safety instructions for the Horizons Ballroom. Mr. Fernandez identified the locations of each exit as well as the evacuation procedures.

PUBLIC COMMENT PERIOD

Elias Rebolledo – United Drivers of Florida – Here to represent 4,000-5,000 Uber and Lyft drivers. Would like to send a message to the Governor regarding amending their new contract and changing law HC221.

Jon Shirey – RCFD Union President – spoke about the appreciation for the new Board of Supervisors and Fire Department concerns.

CONSENT AGENDA

No agenda items

INFORMATIONAL ITEMS

No agenda items

REPORTS

7.1 Management Report

Mr. Classe reported that the 2022 Continuing Disclosure Report for the District was completed and publicly posted online to EMMA, which is the electronic municipal market access to comply with SCC Rule 15C2-12.

Mr. Classe advised that the City Councils of Lake Buena Vista and Bay Lake are having a special meeting on April 6th to address resignations. One member of each city has resigned and the Assistant City Manager for Lake Buena Vista has moved out of state.

Mr. Classe advised the Board that the District's current Financial Advisor is Dunlap & Associates and wanted to address Item 8.3 on the agenda regarding retaining a new Financial Advisor for the District. Although Dunlap & Associates has served the District for many years, staff was considering new firms for future services. Public Resources Advisory Group (PRAG) was on the list to contact for future services. Staff certainly supports the District looking into additional financial advisor services moving forward.

Mr. Classe asked the Board if they would prefer to meet later than 9:30 a.m. for the Board meetings to allow for travel and each preferred to keep the current time.

Mr. Classe reported that staff has been working on the list received from Mr. Langley to update the District's website to meet special district requirements based on state statutes.

Mr. Classe gave a report on the Environmental Sciences department for water quality. 491 sites were visited with 1,729 samples taken and 3,600 test ran. Under mosquito monitoring, we set 223 traps in 56 different locations, and we collected 11,283 mosquitoes and we tested 192 blood samples from our sentinel chickens. Nothing negative to report from the activity.

Mr. Classe gave a report on Building & Safety. 606 permit applications were submitted in February. Permits issued or approved was 884. We had inspections or re-inspections of 4,231. Of those, 495 were elevators and 106 were pools.

Mr. Classe gave a report on Planning and Engineering. We had consistency concept plan or site plan reviews, four of those in the month. Stormwater permanent application reviews were six. Site construction permanent applications were 22. The watering permit applications was five. Right-of-way utilization applications were eight. We have 35 projects outside the district that we are evaluating for stormwater impacts, and we have 44 projects under construction in the district that we conduct weekly construction compliance inspections.

7.2 Special Legal Counsel Report

Mr. Ardaman and Mr. Langley announced they were here as Special Counsel for the District. Mr. Ardaman stated that there were three topics they would like to discuss. They gave a brief summary of the Sunshine Law and the Public Records Law. There was a brief discussion about the Board's policies and needs. The third topic was regarding the development agreement. Mr. Langley went over important functions and duties of the new Board and the District as set forth in the District's Enabling Act HB9B, which was effective on February 27th.

NEW BUSINESS

Item 8.1 – Forbearance Letter for Tide Bay Solar Facility

Mr. Classe advised that this letter extends certain contract dates to allow staff to provide a detailed presentation at the April 12th meeting. After a brief discussion, a motion was made and duly seconded, the Board unanimously approved the request.

Item 8.2 – Additional Special Legal Counsel

Chair Garcia announced that he has two proposals for consideration of additional Special Counsel. After a brief discussion Chair Garcia, asked if there was a motion to hire the Cooper & Kirk Law Firm and the Lawson, Huck and Gonzalez Law Firm as additional Special Legal Counsel. After a brief discussion, a motion was made by Supervisor Aungst and duly seconded, the Board unanimously approved the request. Vice Chair Sasso announced, he has two proposals from local law firms to assist the District as additional Special Counsel. After a brief discussion, Chair Garcia asked if there was a motion to hire Nardella & Nardella Law Firm and Waugh Grant Law Firm as additional Special Legal Counsel. After a brief discussion, a motion was made and duly seconded, the Board unanimously approved the request.

Item 8.3 – Independent Financial Advisor

Chair Garcia gave an overview of the District's needs for an Independent Financial Advisor. PRAG has gone through the RFP process with the State of Florida. After a brief discussion, a motion was made by Supervisor Aungst and duly seconded, the Board unanimously approved the request to hire PRAG as the District's Independent Financial Advisor who will also assist in hiring a new CFO.

Item 8.4 – General Counsel

Chair Garcia announced that a letter of resignation was received last week from Milgram Law Firm. No action required.

Vice Chair Sasso suggested that the District consider hiring an in house General Counsel as a staff member to help ease the workload on the Board. A motion was made by Vice Chair Sasso

to consider hiring a General Counsel and duly seconded, Chair Garcia announced that at the last board meeting Supervisor Aungst suggested hiring the Fishback Dominick Firm as Acting General Counsel. Vice Chair Sasso agreed to amend the motion with the understanding that the Board discuss hiring a full-time staff member of the District to serve as the General Counsel at a later date and to engage the Fishback Dominick Firm to expand the scope of services to include interim General Counsel services. A motion was made by Vice Chair Sasso and duly seconded, the Board unanimously approved the request.

Item 8.5 – Discuss priorities and forthcoming deadlines for the District and direction to District staff and Legal Counsel on the Board’s priorities and deadlines.

Discussed under Other Business

UNFINISHED BUSINESS

No agenda items

OTHER BUSINESS

There was another brief discussion regarding changing the meeting time and all agreed to keep the current 9:30 a.m. meeting time.

Supervisor Peri expressed his concerns with legal fees regarding Disney’s agreements with the District and suggested scheduling a meeting with Disney directly to essentially terminate the agreements and enter into a new agreement identifying the way Disney and the District can work together in the future to benefit both parties. Chair Garcia suggested since the District just hired new Counsel it would be best to get an evaluation of the agreements to help the Board better understand the agreements. Supervisor Peri agreed with Chair Garcia’s suggestion.

Supervisor Aungst requested a brief discussion on agenda items for the April 8th Board meeting. Mr. Classe replied that there will be a follow-up to the Solar Farm Forbearance letter that was approved and extended to April 14th. There will be a full presentation at the April 12th meeting on the solar agreement and hopefully take action on that proposed amendment. There will be an executive session shade meeting to discuss union negotiations. Mr. Classe replied that he would also like to give an update and a detailed presentation of our capital program for our roadway program that will require future actions of the Board.

Supervisor Aungst stated that he has had discussion with Fishback Dominick and Mr. Classe about additional agenda items that he would like to add to near future agendas. We have moved forward under the Act in hiring a General Counsel, the Act also requires the Board to hire a District Administrator, Treasurer and a District Clerk. Supervisor Aungst requested for the job descriptions to be advertised and stated that the current occupants may apply. He requested this topic to be on the next agenda. Chair Garcia requested to postpone the hiring of the Treasurer position until the Board has a better perspective on the District’s financials. A motion was made by Supervisor Aungst to review the job descriptions of the District Administrator and the District Clerk at the next Board meeting and exclude the Treasurer position until further discussion and

duly seconded, the Board unanimously approved the request. Vice Chair Sasso requested an amendment to include the job description for the General Counsel that was approved earlier in the meeting. The Board unanimously approved the request.

Supervisor Aungst stated that he would like to discuss at the next Board meeting the requirements for moving the law enforcement interlocal agreements with the Cities of Bay Lake and Lake Buena Vista over to the District.

Chair Garcia then asked if there was any further business to discuss.

There being no further business to come before the Board, the meeting was adjourned at 12:00 p.m.