

**BOGGY CREEK IMPROVEMENT DISTRICT
BOARD OF SUPERVISORS' MEETING MINUTES**

FIRST ORDER OF BUSINESS

The Board of Supervisors' Meeting for the Boggy Creek Improvement District was called to order on Tuesday, December 18, 2018 at 3:30 p.m. at the 6900 Tavistock Lakes Blvd., Suite 200, Orlando, FL 32827. Members listed below constituted a quorum.

Richard Levey	Chair
Damon Ventura	Vice-Chair
Thad Czapka	Assistant Secretary

Also, attending:

Lynne Mullins	Fishkind & Associates, Inc.
Tucker Mackie	Hopping Green & Sams
Jeff Newton	Donald W. McIntosh Associates
Larry Kaufmann	Construction Supervisor
Troy Davidson	Construction Committee
Scott Thacker	Construction Committee
Derek Ryan	Omegascapes

SECOND ORDER OF BUSINESS

Public Comment Period

Mr. Levey called for any public comments on any agenda items.

Mr. Ryan introduced himself as Associate Supervisor on the Orange County Soil and Water Conservation Board. He thought he would help the Orange County Soil and Water Conservation Board by attending these types of meetings.

THIRD ORDER OF BUSINESS

**Swearing in Newly Elected
Board Members**

Ms. Mullins stated for the record that she administered oath of office to Mr. Ventura and Mr. Czapka prior to the meeting.

FOURTH ORDER OF BUSINESS

**Consideration of Minutes of
the November 19, 2018
Board of Supervisors'
Meeting**

Board Members reviewed the minutes from the November 19, 2018 Board of Supervisors' Meeting.

On Motion by Mr. Ventura, second by Mr. Czapka, with all in favor, the Board of Supervisors for the Boggy Creek Improvement District approved the Minutes of the November 19, 2018 Board of Supervisors' Meeting.

FIFTH ORDER OF BUSINESS

**Consideration of Minutes of
the November 20, 2018
Landowners' Election
Meeting**

Board Members reviewed the minutes from the November 20, 2018 Landowners' Election Meeting.

On Motion by Mr. Ventura, second by Mr. Czapka, with all in favor, the Board of Supervisors for the Boggy Creek Improvement District approved the Minutes of the November 20, 2018 Landowners' Election Meeting.

SIXTH ORDER OF BUSINESS

**Consideration of Resolution
2019-02, Election of Officers**

Ms. Mullins explained that this would add her as an Assistant Secretary. Mr. Levey asked if the Board wanted to keep the current slate of officers and add Ms. Mullins as an Assistant Secretary.

On Motion by Mr. Ventura, second by Mr. Czapka, with all in favor, the Board of Supervisors for the Boggy Creek Improvement District approved Resolution 2019-02, Election of Officers, as follows; Mr. Richard Levey as Chair, Mr. Damon Ventura as Vice-Chair, Ms. Jennifer Walden as Secretary, Dr. Hank Fishkind, Ms. Lynne Mullins, Ms. Heather Isaacs, Mr. Scott Gasaway, and Mr. Thad Czapka, as Assistant Secretaries, Dr. Hank Fishkind as Treasurer, and Ms. Jennifer Glasgow as Assistant Treasurer.

SEVENTH ORDER OF BUSINESS

**Consideration of OUC
Master Lighting
Installation, Upgrade and
Service Agreement for
Nemours Parkway West -
Tabled**

Mr. Kaufmann requested that this be continued to the next meeting as there has been a change in design for the streetlights. No action was required.

SIXTH ORDER OF BUSINESS

**Consideration of
Amendment to Engineering
Services**

Mr. Kaufmann presented a letter addressed to the Board from Mr. Newton with Donald W. McIntosh Associates. The letter requests an update to the engineer's hourly rates as shown in the letter. He noted that this is the first time they have requested a raise in hourly rates in 15 years of service. The rates are comparable to other engineers of equal experience and ability.

On Motion by Mr. Ventura, second by Mr. Czapka, with all in favor, the Board of Supervisors for the Boggy Creek Improvement District approved the Amendment to Engineering Services (Schedule Rate 12).

SEVENTH ORDER OF BUSINESS

**Consideration of Proposal
from Traffic Control
Devices for Signalization at**

**Lake Nona Boulevard and
Helios Boulevard - Tabled**

EIGHTH ORDER OF BUSINESS

**Ratification of Requisition
Nos. 2018-030 & 2018-031,
2018-33 – 2018-39
Approved in November
2018 in an amount totaling
\$797,490.68**

Board Members reviewed Requisition Nos. 2018-030 & 2018-031, 2018-33 – 2018-39 approved in November 2018 in an amount totaling \$797,490.68.

Ms. Mullins noted that these have already been approved and paid and just need to be ratified by the Board.

On Motion by Mr. Ventura, second by Mr. Czapka, with all in favor, the Board of Supervisors for the Boggy Creek Improvement District ratified Requisition Nos. 2018-30 & 2018-31, 2018-33 – 2018-39 approved in November 2018 in an amount totaling \$797,490.68.

ELEVENTH ORDER OF BUSINESS

**Ratification of Operation
and Maintenance
Expenditures Paid in
November 2018 in the
amount totaling \$12,884.28**

Board Members reviewed the Operation & Maintenance expenditures paid in November 2018 in the amount totaling \$12,884.28

On Motion by Mr. Ventura, second by Mr. Czapka, with all in favor, the Board of Supervisors for the Boggy Creek Improvement District ratified the Operation and Maintenance expenditures paid in November 2018 in the amount totaling \$12,884.28.

TWELFTH ORDER OF BUSINESS

**Recommendation of Work
Authorizations/Proposed
Services**

Mr. Kaufmann stated that there were no work authorizations for this District

THIRTEENTH ORDER OF BUSINESS

**Review of District's
Financial Position and
Budget to Actual YTD**

Board Members reviewed the Statement of Financial Position. The District is currently under budget by about \$22,000.00.

FOURTEENTH ORDER OF BUSINESS

Staff Reports

District Counsel - No Report

District Manager - No Report

District Engineer – Mr. Newton distributed the Construction Status Memorandum (Minutes Exhibit A). He stated that for Nemours West & Lift Station 10 the project is drawing to a close but the Contractor is having trouble getting their sewer inspected by the City. Mr. Newton is working with the Developer's representatives and District staff, who are in turn working with the City and the Contractor to try to resolve that.

Mr. Newton stated that all the striping has been done at Veterans Way. The traffic signal changes have been made. The lead-lag phasing has been done at both intersections. There are concerns about detection at Tavistock Lakes Boulevard intersection. Traffic Control Devices has been informed and are supposed to fix that. Mr. Kaufmann stated that it was turned over to the City and it is an issue for the City to resolve.

Mr. Levey asked if it has improved the situation at Veterans and the two intersections. Mr. Newton stated that it has improved somewhat but there is an issue with the phasing in which Traffic Control

Devices is allowing a discretionary left turn that they should not be allowing. The Construction Committee is trying to see if they can get the City to change it again.

Mr. Newton explained that Medical City Drive Phase 2 they are still investigating the gap in the reclaimed watermain. Mr. Levey asked if the money the Board authorized for Medical City Drive is sufficient. Mr. Newton replied that he does not know because it's an evolving issue. The latest discovery is that there is an inoperable valve that is also contributing to the problem. There was no Board action required.

Mr. Newton explained that Nemours Parkway Phase 7 is starting construction.

Construction Supervisor - No Report

Irrigation Specialist- No Report

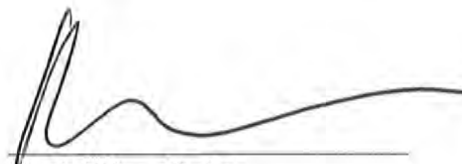
FIFTEENTH ORDER OF BUSINESS

**Supervisor and Audience
Comments & Adjournment**

There were no Supervisor requests or audience comments. Mr. Levey requested a motion to adjourn.

On Motion by Mr. Czapka, second by Mr. Ventura, with all in favor, the December 18, 2018 Meeting of the Board of Supervisors for the Boggy Creek Improvement District was adjourned.


Secretary/Assistant Secretary


Chair/Vice Chair



MEMORANDUM

Exhibit A

**DONALD W. McINTOSH
ASSOCIATES, INC.**

DATE: December 18, 2018
TO: Boggy Creek Improvement District
Board of Supervisors
FROM: Donald W. McIntosh Associates, Inc.
District Engineer
RE: Construction Contract Status

Dear Board Members,

Please accept this summary of our construction contract status. Listed below by project is a brief summary of recent contract activity. Copies of the latest Change Order logs are attached.

CIVIL ENGINEERS

Lake Nona Nemours Parkway West and Lift Station No. 10 – Jon M. Hall Company

LAND PLANNERS

Construction Status: The City's video crew left the site without conducting the video inspection of the sanitary sewer, claiming that the project was not ready for inspection. This matter is being managed by the Contractor and representatives of the Developer. Paving is currently scheduled for January 14, 2019, but will continue to be delayed until completion and acceptance of the sanitary sewer by the City. A signal warrant study for the intersection of Lake Nona Boulevard and Helios Boulevard was submitted to the City on August 31, 2018, and is still under review. Signal plans have been prepared for this intersection and were submitted to the City for review on November 29, 2018, and are still under review. The Developer has requested that utility sleeves be installed under the road in order to provide future utility services to potential development on the land lying north of the project. These sleeves will likely result in a change order request from the contractor. District Staff is coordinating with the Developer regarding a proposed change in lighting fixtures from cobra heads to straw hats, which could require a plan change and a construction change order to relocate junction box locations that have already been installed.

SURVEYORS

Change Order (C.O.) Status: None at this time.

Recommended Motion: None at this time.

Lake Nona Boulevard Intersection Modifications: Tavistock Lakes Boulevard and Veterans Way – Jon M. Hall Company

2200 Park Ave. North

Construction Status: Striping on Veterans Way north of Lake Nona Boulevard has been completed.

Winter Park, FL

Change Order (C.O.) Status: None at this time.

32789-2355

Recommended Motion: None at this time.

Fax 407-644-8318

407-644-4068

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Memorandum

*Re: Boggy Creek Improvement District
Construction Contract Status*

December 18, 2018

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Lake Nona Boulevard Traffic Signals: Tavistock Lakes Boulevard, Veterans Way, and Nemours Parkway – Traffic Control Devices

Construction Status: Lead-lag phasing has been implemented at both intersections, although there are still a few issues with detection and simultaneous left turn movements that need to be resolved.

Change Order (C.O.) Status: None at this time.

Recommended Motion: None at this time.

Medical City Drive Phase 2 – Jr. Davis Construction

Construction Status: The District Board previously authorized an expenditure of not to exceed \$32,620.00 to reimburse the Developer for additional work associated with a missing segment of reclaimed water main. Subsequently the District Board authorized an additional expenditure of \$20,000.00 to reimburse the Developer for further investigation and repair of a second separation the existing reclaimed water main. District Staff received additional information identifying the second separation in the reclaimed water main on December 5, 2018, and is following up with the Contractor on a plan and cost to reinstate the reclaimed water connection. The FDEP clearance for the potable water system was issued on October 25, 2018, and the final lift of asphalt was installed throughout the project following removal of the water system sample points. The City final inspection was completed on December 12, 2018, and DWMA is following up with the Contractor on the final as-built surveys and related documents needed for project close-out.

Change Order (C.O.) Status: None at this time.

Recommended Motion: None at this time.

Nemours Parkway Phase 7 – Jr. Davis Construction, Inc.

Construction Status: The Contractor is continuing with the installation of the underground storm and sanitary sewer systems and has initiated installation of the pressure utilities (i.e., potable and reclaimed water systems). DWMA received a response from the City Water Reclamation Division following a request that the City investigate leakage into an existing sanitary sewer manhole at the point of connection for the Phase 7 western sewer system. The City response indicated that the leakage is occurring at an existing pipe plug on the downstream side of the manhole. DWMA is continuing to coordinate with the Contractor and further observe the leakage during the connection to the downstream side of the existing manhole. District Staff is coordinating with the Developer regarding a proposed change in lighting fixtures from cobra-heads to straw hats, which may require a plan change to show revised junction box locations.

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DONALD W. McINTOSH Associates, Inc.

2200 PARK AVENUE NORTH, WINTER PARK, FLORIDA 32789-2355 • (407) 644-4068 • FAX (407) 644-8318



Memorandum

*Re: Boggy Creek Improvement District
Construction Contract Status*

December 18, 2018

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Change Order (C.O.) Status: None at this time.

Recommended Motion: None at this time.

Should there be any questions, please advise.

Thank you.

End of memorandum.

c: Larry Kaufmann
Troy Davidson
Scott Thacker
Lance Jackson
James C. Nugent
Tarek Fahmy

LAKE NONA SOUTH
Boggy Creek Improvement District
Nemours Parkway West and Lift Station No. 10
Jon M. Hall Company
Change Order Log

C.O. #	Date	Description of Revision	Additional Days	Amount	Status	New Contract Amount Original Contract Date 1/5/18	To Board	Approval Date	Notes
						\$9,231,392.00			
<u>1</u> (RCO 1)	2/20/2018	Change Order per revised plans 12/18/17 - 1/4/18, and add 15 days	15	\$14,124.25	Approved	\$9,245,516.25	2/20/2018	2/20/2018	
<u>2</u> (RCO 2)	2/23/2018	Add Turn Lane Modifications at Tavistock Blvd and at Vetrans Way	15	\$132,054.00	Approved	\$9,377,570.25	2/20/2018	2/20/2018	
<u>3</u> (RCO 5)	3/22/2018	Direct Owner Purchase Materials - Mack \$172,274.38, Ferguson \$854,545.14, Rinker \$279,532.54	0	(\$1,306,352.06)	Approved	\$8,071,218.19	4/17/2018	4/17/2018	
<u>4</u> (RCO 3)	2/20/2018	Change order Per Plan Revision dated 2/19/18. (For City requested changes to access road and precast materials.)	10	\$132,157.52	Approved	\$8,203,375.71	6/19/2018	6/19/2018	
<u>5</u> (RCO 7)	5/4/2018	Change Subcontractor for Telecom Conduit (telecom conduit to be funded by developer)	0	(\$103,532.32)	Approved	\$8,099,843.39	6/19/2018	6/19/2018	
<u>6</u> (RCO 4)	4/3/2018	Off-site road modifications per City plan review comments.	15	\$75,421.10	Approved	\$8,175,264.49	6/19/2018	6/19/2018	
7 (RCO 6)	5/4/2018	Utility stub-outs requested by the Town Center engineer.	5	\$27,142.20	Approved	\$8,202,406.69	7/17/2018	7/17/2018	
8 (RCO 8)	6/8/2018 revised on 7/31/18	Addition of median to Nemours West and associated changes.	55	\$263,540.66	Approved	\$8,465,947.35	8/23/2018	8/23/2018	
9 (RCO 11)	8/14/2018	Landscape / Irrigation revised irrigation fittings	0	\$20,126.64	Approved	\$8,486,073.99	8/23/2018	8/23/2018	
10 (RCO 12)	8/15/2018	Forcemain Wet Relocation	3	\$10,187.40	Approved	\$8,496,261.39	8/23/2018	8/23/2018	
11 (RCO 10)	7/17/2018	Landscape / Irrigation revised Landscape plans	20	\$25,717.62	Approved	\$8,521,979.01	10/16/2018	10/16/2018	
12 (RCO 13)	8/24/2018	Add paving per revision #6, Add water per RFI #26, Add sleeving per Owners request.	2	\$6,262.80	Approved	\$8,528,241.81	10/16/2018	10/16/2018	
13 (RCO 16)	10/16/2018	Earthwork - Soil Fracturing	10	\$14,141.28	Approved	\$8,542,383.09	10/16/2018	10/16/2018	
14 (email)	11/9/2018	Add Stop Bar	0	\$1,600.00	Approved	\$8,543,983.09	11/19/2018	11/19/2018	

**LAKE NONA SOUTH
 Boggy Creek Improvement District
 Nemours Parkway West and Lift Station No. 10,
 Jon M. Hall Company
 Change Order Log**

C.O. #	Date	Description of Revision	Additional Days	Amount	Status	New Contract Amount Original Contract Date 1/5/18	To Board	Approval Date	Notes
Days to Substantial Completion			345	Revised Contract Amount		\$8,543,983.09			
Days to Contract Completion			375						

LAKE NONA SOUTH
Boggy Creek Improvement District
Lake Nona Blvd. Traffic Signal Modification at Tavistock Lakes Blvd and Veterans Way Roadway
Change Order Log
Jon M. Hall Company

C.O. #	Date	Description of Revision	Additional Days	Amount	Status	New Contract Amount Original Contract Date	To Board	Approval Date	Notes

LAKE NONA SOUTH
Boggy Creek Improvement District
Lake Nona Blvd. Traffic Signal Modification at Tavistock Lakes Blvd and Veterans Way - Signal
Change Order Log
Traffic Control Devices

C.O. #	Date	Description of Revision	Additional Days	Amount	Status	New Contract Amount Original Contract Date	To Board	Approval Date	Notes
						\$40,025.00			
<u>CO#1</u>		Lake Nona Boulevard and Nemours Parkway Traffic Signal Modifications		\$126,124.30	Approved	\$166,149.30	8/23/2018	8/23/2018	
<u>CO#2</u>		Temporary Signal		\$14,185.50	Approved	\$180,334.80	9/18/2018	9/18/2018	

**LAKE NONA SOUTH
Boggy Creek Improvement District
Medical City Drive Phase 2
Change Order Log
NOT CDD**

C.O. #	Date	Description of Revision	Additional Days	Amount	Status	New Contract Amount Original Contract Date	To Board	Approval Date	Notes