

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 Monday, September 21, 2020, at 11:00 a.m. via telephonic conferencing due to the COVID-19 Executive Order 20-193.

Present via phone:

Richard Levey	Chairperson
Thad Czapka	Assistant Secretary
Chad Tinetti	Assistant Secretary
Jamie Bennett	Assistant Secretary

Also attending via phone:

Lynne Mullins	PFM
Jennifer Walden	PFM
Tucker Mackie	Hopping Green & Sams
Deb Sier	Hopping Green & Sams
Jeff Newton	Donald W. McIntosh Associates
Larry Kaufmann	Construction Supervisor & Construction Committee Member
Matt McDermott	Construction Committee Member
Sean Cusack	Down to Earth
JC Nowotny	Down to Earth

SECOND ORDER OF BUSINESS

Public Comment Period

Dr. Levey asked for any public comments. There were no comments at this time.

THIRD ORDER OF BUSINESS

Discussion Regarding Executive Order 20-193

Ms. Walden stated the Executive Order is included in the packet which states the District is able to hold their meetings via telephonic conferencing due to the COVID-19 situation. Also included is a proof of the ad that notes the Executive Order as well as the telephonic conferencing information so the public can join.

FOURTH ORDER OF BUSINESS

Consideration of the Minutes of the August 18, 2020, Board of Supervisors' Meeting

Board Members reviewed the minutes from the August 18, 2020, Board of Supervisors' Meeting. Dr. Levey provided edits to the minutes.

On Motion by Mr. Czapka, second by Mr. Tinetti, with all in favor, the Board of Supervisors for the Boggy Creek Improvement District approved the Minutes of the August 18, 2020, Board of Supervisors' Meeting, as amended.

FIFTH ORDER OF BUSINESS

Consideration of Resolution 2020-12, Re-setting the location for the Landowner's Election.

Ms. Walden stated the Board had previously adopted Resolution 2020-06, which set the date, time, and location for the Landowners' Election. Unfortunately, the location chosen is still not ready to open for the District's use. This Resolution amends the location for the Landowner Election to the Courtyard Orlando Lake Nona at 6955 Lake Nona Boulevard, Orlando, FL 32827.

On Motion by Mr. Czapka, second by Mr. Tinetti, with all in favor, the Board of Supervisors for the Boggy Creek Improvement District approved Resolution 2020-12, Re-Setting the Location for the Landowners' Election to the Courtyard Orlando Lake Nona, 6955 Lake Nona Boulevard, Orlando, Florida 32827.

SIXTH ORDER OF BUSINESS

Consideration of Resolution 2020-13, Re-Setting the Location for the Annual Meeting Schedule.

Ms. Walden noted the District needs to amend the location for the Annual Meeting Schedule to also be held at the Courtyard Orlando Lake Nona, 6955 Lake Nona Blvd., Orlando, FL 32827.

On Motion by Mr. Czapka, second by Mr. Tinetti, with all in favor, the Board of Supervisors for the Boggy Creek Improvement District approved Resolution 2020-13, Re-Setting the Location for the Annual Meeting Schedule to the Courtyard Orlando Lake Nona, 6955 Lake Nona Boulevard, Orlando, Florida 32827.

SEVENTH ORDER OF BUSINESS

Consideration of Extending Existing Laureate Boulevard Landscape and Irrigation Maintenance Services Agreement with Down to Earth (Section 3)

The Board previously agreed to defer the decision to extend the Existing Laureate Boulevard Landscape and Irrigation Maintenance Services Agreement with Down to Earth until today to allow for a month of monitoring their performance. Mr. McDermott explained Down to Earth has corrected all of their deficiencies and they are back to meeting the District's specifications. He recommended renewing their contract.

Ms. Mackie stated District staff brought this to the attention of the Board at the last meeting as the existing contract with Down To Earth requires the District to provide notice in the event it wants to renew the contract pursuant to the terms of the RFP. Given the deficiencies noted by District staff, the Board determined at the last meeting to postpone their decision in the hopes that the deficiencies would be corrected by the contractor, which they were. Ms. Mackie requested a motion to authorize District staff to transmit a notice of renewal to Down to Earth.

Dr. Levey noted the sister District approved the recommendation of District Counsel to make a motion to direct District staff to send the letter to Down to Earth to extend the Contract for a second year.

Mr. Cusack thanked the Board on behalf of Down to Earth.

On Motion by Ms. Bennett, second by Ms. Czapka, with all in favor, the Board of Supervisors for the Boggy Creek Improvement District authorized District staff to issue the letter extending existing Laureate Boulevard Landscape and Irrigation Maintenance Services Agreement with Down to Earth.

EIGHTH ORDER OF BUSINESS

**Ratification of Requisition
Nos. 2018-166 – 2018-169 paid
in August 2020 in the amount
totaling \$101,999.58**

Board Members reviewed Requisition Nos. 2018-166 – 2018-169 paid in August 2020 in the amount totaling \$101,999.58.

On Motion by Mr. Czapka, second by Mr. Tinetti, with all in favor, the Board of Supervisors for the Boggy Creek Improvement District ratified Requisition Nos. 2018-166 – 2018-169 paid in August 2020 in the amount totaling \$101,999.58.

NINTH ORDER OF BUSINESS

**Ratification of Operation and
Maintenance Expenditures
paid in August 2020 in an
amount totaling \$51,190.42**

Board Members reviewed the Operation & Maintenance expenditures paid in August 2020 in an amount totaling \$51,190.42.

On Motion by Mr. Czapka, second by Ms. Bennett with all in favor, the Board of Supervisors for the Boggy Creek Improvement District ratified the Operation & Maintenance Expenditures paid in August 2020 in an amount totaling \$51,190.42

TENTH ORDER OF BUSINESS

Recommendation of Work Authorizations/Proposed Services

Mr. Kaufmann stated that there were no Work Authorizations for this Board.

ELEVENTH ORDER OF BUSINESS

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

Board Members reviewed the Statement of Financial Position and Budget to Actual YTD. Ms. Walden stated that the budget to actual and financials are through August 31, 2020. The District has had \$666,300.00 in expenses vs. an overall budget of \$910,500.00. The District is trending to come in at or below budget by the end of the Fiscal Year. While the Fiscal Year ends at the end of the month, the District will still take in invoices up to 60 days for expenses applicable to Fiscal Year 2020. There was no action required by the Board.

TWELFTH ORDER OF BUSINESS

Staff Reports

District Counsel –

Ms. Mackie introduced Ms. Sier to the Board who recently started at Hopping Green and Sams and will be assisting Ms. Mackie with this District.

District Manager –

Ms. Walden noted the next meeting will be going back to the third Tuesday of the month, which is October 20, 2020, at 3:30 p.m. Currently, the Executive Orders are slated to end this month and if that stays the same the District will need to meet in person at the Courtyard Orlando Lake Nona.

District Engineer –

Mr. Newton provided the Construction Status Memo (Exhibit A) and stated the Boggy ID portion of Nemours Parkway Phase 7 has been completed. The reimbursement of Greenway by Boggy is still on hold until the contractor finishes the monuments, which are delayed due to a material supply issue.

The traffic signal at Helios is done and has been accepted by the City. The District has paid the contractor, processed their retainage release on their final pay app and executed a certificate of final completion.

Construction Supervisor – No Report

District Landscape Supervisor- No Report

THIRTEENTH ORDER OF BUSINESS

Supervisor and Audience Comments & Adjournment

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

On Motion by Mr. Czapka, second by Ms. Bennett, with all in favor, the September 21, 2020, meeting of the Board of Supervisors for the Boggy Creek Improvement District was adjourned.


Secretary/Assistant Secretary


Chair/Vice Chair