

# **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, July 21, 2020, at 3:30 p.m. via telephonic conferencing due to the COVID-19 Executive Orders 20-52, 20-69 & 20-123.

Present via phone:

Richard Levey	Chairperson
Damon Ventura	Vice-Chair
Thad Czapka	Assistant Secretary
Jamie Bennett	Assistant Secretary (joined @ 3:32 p.m.)

Also, attending via phone:

Lynne Mullins	PFM
Jennifer Walden	PFM
Tucker Mackie	Hopping Green & Sams
Jeff Newton	Donald W. McIntosh Associates
Larry Kaufmann	Construction Supervisor & Construction Committee Member
Scott Thacker	District Landscape Supervisor & Construction Committee Member

## **SECOND ORDER OF BUSINESS**

### **Public Comment Period**

Dr. Levey noted for the record there were no members of the public present.

## **THIRD ORDER OF BUSINESS**

### **Discussion Regarding Executive Orders 20-52, 20-69 and 20-123**

Ms. Walden explained the Executive Orders are included in the packet and they state that 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 those Executive Orders as well as the telephonic conferencing information so the public can join the meeting safely.

## **FOURTH ORDER OF BUSINESS**

### **Consideration of the Minutes of the June 16, 2020, Auditor Selection Committee Meeting**

Board Members reviewed the minutes from the June 16, 2020, Auditor Selection Committee 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 June 16, 2020, Auditor Selection Committee Meeting.

Ms. Bennett joined the meeting via phone at 3:32 p.m.

#### **FIFTH ORDER OF BUSINESS**

#### **Consideration of the Minutes of the June 16, 2020, Board of Supervisors' Meeting**

Board Members reviewed the minutes from the June 16, 2020, 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 June 16, 2020, Board of Supervisors' Meeting.

#### **SIXTH ORDER OF BUSINESS**

#### **Consideration of Extending Existing Internal Roadways Landscape and Irrigation Maintenance Services Agreement with Cepra**

Mr. Thacker explained the Landscape Maintenance Agreements the District entered into last year have the option for the District to extend those agreements for up to an additional two years. He recommended the Board extend the agreement with Cepra for an additional year.

On Motion by Mr. Ventura, second by Mr. Czapka, with all in favor, the Board of Supervisors for the Boggy Creek Improvement District authorized District staff to send an extension letter for the Internal Roadways Landscape and Irrigation Maintenance Services Agreement with Cepra.

#### **SEVENTH ORDER OF BUSINESS**

#### **Consideration of Extending Existing Interchange Landscape and Irrigation Maintenance Services Agreement with Down to Earth**

Mr. Thacker explained the Landscape Maintenance Agreements the District entered into last year have the option for the District to extend those agreements for up to an additional two years. He has some concerns about Down to Earth recently as the quality of their workmanship is starting to decline. It was discussed with Down to Earth and they said they are committed to addressing the District's concerns. He recommended waiting another month to consider this item and he will continue to monitor their work.

Dr. Levey asked Mr. Thacker if he doesn't recommend extension will there be sufficient time to get a company on an interim basis before the District has to go out and select someone in a more formal process. Mr. Thacker said yes. Ms. Walden stated that this does trip the threshold as Down to Earth is over \$20,000.00 per month.

This item will be tabled until next month.

#### **EIGHTH ORDER OF BUSINESS**

#### **Ratification of Requisition Nos. 2018-154 – 2018-159 paid in June 2020 in the amount totaling \$10,487.58**

Board Members reviewed Requisition Nos. 2018-154 – 2018-159 paid in June 2020 in the amount totaling \$10,487.58.

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. 2018-154 – 2018-159 paid in June 2020 in the amount totaling \$10,487.58.

#### **NINTH ORDER OF BUSINESS**

#### **Ratification of Operation and Maintenance Expenditures paid in June 2020 in an amount totaling \$26,123.73**

Board Members reviewed the Operation & Maintenance expenditures paid in June 2020 in an amount totaling \$26,123.73.

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 & Maintenance Expenditures paid in June 2020 in an amount totaling \$26,123.73.

#### **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 June 30, 2020. The District has spent \$567,000.00 vs. an overall budget of \$920,500.00. There was no action required by the Board.

## **TWELFTH ORDER OF BUSINESS**

### **Staff Reports**

#### District Counsel –

Ms. Mackie explained the current Executive Order extends the Sunshine Law waiver through the end of this month and she expects it will be extended further but it will likely be towards the end of the month when that Executive Order is extended. District staff will keep the Board apprised. In light of that, District staff expects the August meeting will be able to be held virtually. The District Management team reserved the Marriott closest to the Tavistock offices in the event the District does need to have a meeting where a physical quorum is obtained and in light of that it will be restricted to District Management staff and Board Members. The remainder of District staff and the public have the ability to attend virtually so that social distancing can be maintained.

#### District Manager –

Ms. Walden noted the next meeting is scheduled for Tuesday, August 18, 2020, at 3:30 p.m.

Mr. Ventura asked if the public hearing for the adoption of the budget will be able to be conducted virtually. Ms. Mackie replied District staff hopes that is the case and the expectation is that the Governor will extend the Executive Order due to the positivity rates but currently it would expire on midnight on August 1, 2020.

Mr. Ventura asked Ms. Walden if there are any questions or comments from any Landowner about the proposed O&M Budget for next year. Ms. Walden noted the District Management team has not received any comments yet and they typically don't when the budget is not being increased.

#### District Engineer –

Mr. Newton discussed his Construction Contract Status Memo (Minutes Exhibit A). The signal at Helios received its final inspection and was accepted by the City of Orlando and the only thing left is the installation of the Developer requested LED luminaires, which the contractor is hoping to receive by the end of the month. Nemours Parkway Phase 7 has been completed and the District Engineer is completing the paperwork. The Boggy District will be seeing an invoice from the Greenway District in the

amount of the Boggy portion of that cost in late-August or early-September.

Mr. Ventura asked about the current balance in the CIP fund. Mr. Kaufmann responded there is a report at the end of the agenda which outlines the current CIP balance. Mr. Ventura asked about upcoming projects. Mr. Newton replied there are a couple of potentially short-term expenses. One of them is the acquisition of a piece of Medical City Drive that was constructed by the Developer and is part of the CIP. There is also the outstanding issue of the Interchange Pond Acquisition. The District Engineer is not actively moving forward with design or permitting of any District construction projects.

Mr. Kaufmann said in his opinion the next project to be considered would most likely be the extension of Medical City Drive south to the District's boundary with the Poitras property.

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 Mr. Ventura, with all in favor, the July 21, 2020, meeting of the Board of Supervisors for the Boggy Creek Improvement District was adjourned.

  
Secretary/Assistant Secretary

  
Chair/Vice Chair

**EXHIBIT A**



**DONALD W. MCINTOSH  
ASSOCIATES, INC.**

**MEMORANDUM**

DATE: July 21, 2020  
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 correspondence as a current 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.

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

CIVIL ENGINEERS

LAND PLANNERS

SURVEYORS

**Construction Status:** Upon issuance of a Certificate of Final Completion, Greenway Improvement District will be invoicing the Boggy Creek Improvement District for improvements within the BCID boundary. This is likely to take place in late-August or early-September.

**Change Order (C.O.) Status:** None

**Recommended Motion:** None

**Traffic Signalization Improvements at the Intersection of Helios Boulevard and Lake Nona Boulevard – The New Florida Industrial Electric, Inc.**



**Construction Status:** This signal has been completed and accepted by the City of Orlando. The Developer-requested LED luminaires have been ordered and are anticipated to be received by the end of July.

**Change Order (C.O.) Status:** None

**Recommended Motion:** None

Should there be any questions, please do not hesitate to call.

Thank you.  
End of memorandum.

c: Larry Kaufmann  
Matt McDermott  
Chris Wilson  
Dan Young  
Tarek Fahmy

2200 Park Ave. North

Winter Park, FL

32789-2355

Fax 407-644-8318

407-644-4068



**LAKE NONA SOUTH**  
**Greenway Improvement District**  
**Nemours Parkway Phase 7**  
**Change Order Log**  
**Jr. Davis**

C.O. #	Date	Description of Revision	Additional Days	Amount	Status	New Contract Amount Original Contract Date	To Board	Approval Date	Notes
						<b>\$6,312,276.78</b>			
<u>1</u>	2/8/2019	Contract adjustment for revision to include scope of work for addendums/plans issued after bid date.		\$ 161,445.97	Approved	\$ 6,473,722.75	2/19/2019	2/19/2019	
<u>2</u>	5/20/2019	Add sanitary and reclaim service laterals intended to serve the Nemours Childrens's Hospital.		\$ 12,879.00	Approved	\$ 6,486,601.75	5/21/2019	5/21/2019	
<u>3</u>	9/12/2019	Contract Calendar Extension - Add 60 Days	60	\$ -	Approved	\$ 6,486,601.75	9/17/2019	9/17/2019	
<u>4</u>	9/19/2019	Landscaping and Irrigation Revisions		\$ 49,204.52	Approved	\$ 6,535,806.27	10/15/2019	10/15/2019	
<u>5</u>	1/15/2020	Modify Ramps at Nemours Hospital		\$ 17,168.75	Approved	\$ 6,552,975.02	1/21/2020	1/21/2020	
6	4/21/2020	Direct Owner Purchase Reconciliation		\$ (1,262,145.00)	Approved	\$ 5,290,830.02	4/21/2020	4/21/2020	
7	6/19/2020	Barish Avenue Modifications, Added Signage per Plan Revision, Monument Signs Landscape & Irrigation Restoration		\$ 3,877.19	Pending	\$ 5,294,707.21	7/21/2020		



**Boggy Creek Improvement District**  
**Traffic Signalization Improvements at the Intersection of Helios Boulevard and Lake Nona Boulevard**  
**Change Order Log**  
**The New Florida Industrial Electric, Inc.**

C.O. #	Date	Description of Revision	Additional Days	Amount	Status	New Contract Amount Original Contract Date	To Board	Approval Date	Notes
						<b>\$496,199.44</b>			
1	8/2/2019	Steel Mast Arm Assembly, furnished and installed	0	\$ 5,567.85	Approved	\$501,767.29	8/20/2019	8/20/2019	
2	9/17/2019	Plan Changes between NOA and Permit Approval	0	\$ 15,597.11	Approved	\$517,364.40	9/17/2019	9/17/2019	
3	4/22/2020	Deduct 2-78' Mast Arms, Add 2-70' Mast Arms and Deduct 1 Assembly	0	\$ (16,593.85)	Approved	\$500,770.55	5/19/2020	5/19/2020	
4	5/19/2020	Light Fixture Replacement	0	\$ 5,829.24	Approved	\$506,599.79	5/19/2020	5/19/2020	approved up to \$6,000 at 5/19/20 meeting
5	6/12/2020	PCS Fiber Terminations	0	\$ 770.39	Approved	\$507,370.18	6/16/2020	6/16/2020	