

# Boggy Creek Improvement District

12051 Corporate Boulevard Orlando, FL 32817; Phone: 407-723-5900

[www.boggycreekid.org](http://www.boggycreekid.org)

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The following is the proposed agenda for the upcoming Meeting of the Board of Supervisors for the Boggy Creek Improvement District which will be held **Tuesday, October 20, 2020 at 3:30 p.m.** using telephonic conferencing due to the COVID-19 Executive Order 20-246. The proposed agenda for this Board Meeting is found below.

Please use the following information to join the telephonic conferencing:

Phone: 1-844-621-3956  
Participant Code: 796 580 192#

## BOARD OF SUPERVISORS' MEETING AGENDA

### Organizational Matters

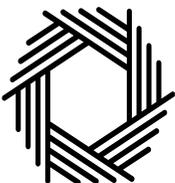
- Roll Call to Confirm a Quorum
- Public Comment Period
- 1. **Discussion regarding Executive Order 20-246**
- 2. **Consideration of the Minutes of the September 21, 2020 Board of Supervisors' Meeting**

### Business Matters

- 3. **Matters Pertaining to Local Alternative Mobility Network ("LAMN")**
  - a) **Presentation Regarding LAMN** *(provided under separate cover)*
  - b) **Presentation of Preliminary Operation and Maintenance Assessment Methodology Report** *(provided under separate cover)*
  - c) **Consideration of Resolution 2021-01, Interlocal Agreement Among the District, the Boggy Creek Improvement District, the Myrtle Creek Improvement District and the Poitras East Community Development District Regarding Maintenance of Certain Local Alternative Mobility Network Improvements** *(provided under separate cover)*
  - d) **Consideration of Second Amended and Restated Engineer's Report for Capital Improvements for Infrastructure**
- 4. **Consideration of FY 2020 Audit Engagement Letter** *(provided under separate cover)*
- 5. **Ratification of Requisition Nos. 2018-170 – 2018-173 in September 2020 in an amount totaling \$7,356.74** *(provided under separate cover)*
- 6. **Ratification of Operation and Maintenance Expenditures Paid in September 2020 in an amount totaling \$84,959.84** *(provided under separate cover)*
- 7. **Recommendation of Work Authorizations/Proposed Services** *(if applicable)*
- 8. **Review of District's Financial Position and Budget to Actual YTD** *(provided under separate cover)*

### Other Business

- A. Staff Reports
  - 1. District Counsel
  - 2. District Manager



**pfm**

3. District Engineer
  4. Construction Supervisor
- B. Supervisor Requests

**Adjournment**



# **BOGGY CREEK IMPROVEMENT DISTRICT**

**Executive Order  
20-246**

# STATE OF FLORIDA

## OFFICE OF THE GOVERNOR

### EXECUTIVE ORDER NUMBER 20-246

(Emergency Management – COVID 19 – Local Government Public Meetings)

WHEREAS, Executive Order 20-69, as extended by Executive Orders 20-112, 20-123, 20-139, 20-150 and amended by Executive Orders 20-179 and 20-193, expires on October 1, 2020, unless extended.

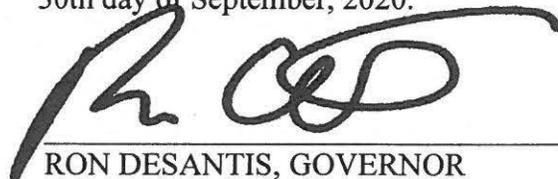
NOW, THEREFORE, I, RON DESANTIS, as Governor of Florida, by virtue of the authority vested in me by Article IV, Section (1)(a) of the Florida Constitution, Chapter 252, Florida Statutes, and all other applicable laws, promulgate the following Executive Order to take immediate effect:

Section 1. I hereby extend Executive Order 20-69, as extended by Executive Orders 20-112, 20-123, 20-139, 20-150 and amended by Executive Orders 20-179 and 20-193, subject to the condition of Section 2 below, until 12:01 a.m. November 1, 2020. This order supersedes Section 4 of Executive Order 20-69.

Section 2. This order shall not apply to election canvassing boards.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed, at Tallahassee, this 30th day of September, 2020.

  
RON DESANTIS, GOVERNOR

ATTEST:

  
SECRETARY OF STATE

DEPARTMENT OF STATE  
TALLAHASSEE, FLORIDA

2020 SEP 30 PM 4:50

FILED

# **BOGGY CREEK IMPROVEMENT DISTRICT**

**Minutes of the September 21, 2020  
Board of Supervisors' Meeting**

# **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 Orland 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**

# **BOGGY CREEK IMPROVEMENT DISTRICT**

**Matters Pertaining to Local Alternative  
Mobility Network (“LAMN”)**

# **BOGGY CREEK IMPROVEMENT DISTRICT**

**Presentation Regarding LAMN**  
*(provided under separate cover)*

# **BOGGY CREEK IMPROVEMENT DISTRICT**

**Preliminary Operation and Maintenance  
Assessment Methodology Report**  
*(provided under separate cover)*

# **BOGGY CREEK IMPROVEMENT DISTRICT**

**Resolution 2021-01,  
Interlocal Agreement Among the District, the Boggy Creek  
Improvement District, the Myrtle Creek Improvement District and the  
Poitras East Community Development District Regarding Maintenance  
of Certain Local Alternative Mobility Network Improvements  
*(provided under separate cover)***

# **BOGGY CREEK IMPROVEMENT DISTRICT**

**Second Amended and Restated Engineer's Report  
for Capital Improvements for Infrastructure**

SECOND AMENDED AND RESTATED  
ENGINEER'S REPORT FOR  
CAPITAL IMPROVEMENTS FOR INFRASTRUCTURE

BOGGY CREEK IMPROVEMENT DISTRICT

May 1, 2018  
Adopted June 19, 2018  
Revised August 12, 2020  
Revised October 20, 2020

FOR  
BOGGY CREEK IMPROVEMENT DISTRICT  
ORLANDO, FLORIDA

BY:  
DONALD W. McINTOSH ASSOCIATES, INC.  
2200 PARK AVENUE NORTH  
WINTER PARK, FL 32789

**BOGGY CREEK IMPROVEMENT DISTRICT**  
**SECOND AMENDED AND RESTATED CAPITAL IMPROVEMENTS FOR**  
**INFRASTRUCTURE**

**I. BACKGROUND**

The Boggy Creek Improvement District (the “District”) is one of three Improvement Districts (including the Myrtle Creek Improvement District and the Greenway Improvement District) which together form a Master Planned community known as Lake Nona. This report is intended to amend and restate that Amended and Restated Engineers Report for Capital Improvements for Infrastructure dated March 18, 2013.

The Boggy Creek Improvement District is located on approximately 1,126 acres. Lake Nona Land Company, LLC (the “Developer”) currently owns a majority of the property and will act as the Master Developer of the Development as defined herein. The Boggy Creek Improvement District previously completed several master infrastructure improvements including Veterans Way (fka Road “E”), Medical City Drive (fka Road “L”), Humboldt Drive (fka Road “N”), Laureate Parkway (fka Road “Q”) and Lake Nona Boulevard (fka Road “B”) which have all been dedicated to the City of Orlando. The District has been created as a unit of special purpose government to finance, operate and maintain certain public infrastructure improvements described herein. This Report has been prepared at the request of the District.

The District site is generally located east of Boggy Creek Road, north and south of State Road 417 (the “Central Florida Greenway”), west of Narcoossee Road, and generally north of the Orange County/Osceola County line in the City of Orlando, Florida. The lands within the District are currently part of the existing Lake Nona Planned Development approved by the City of

**Boggy Creek Improvement District**  
**Capital Improvements for Infrastructure**  
**Page 2**

Orlando at a City Council meeting. As represented by the Developer, the City-approved Planned Development Program for lands within the District now includes development of 4,607,302 square feet (sq. ft.) of retail development; 3,851,881 sq. ft. of hospital/office development; 5,460,204 sq. ft. of research and development; 1,995 hotel rooms; and 1,189 seats of restaurant use along with civic facilities and other community facilities (churches, library, etc.) (the “Development”).

This Report includes a summary of the major capital infrastructure improvements previously completed (the “Series 2010 Bond Improvements”), recently completed or committed (the “Series 2013 Bond Improvements”), planned within the near term (“Series 2018 Bond Improvements”), and future planned infrastructure improvements proposed by the District. This Report also adjusts the Capital Improvement Plan budget with the currently contemplated but remaining to be completed improvements.

The District previously received Bond financing through a Series 2010 Bond issue and a Series 2013 Bond issue, which completed the necessary infrastructure depicted in the attached plan labeled Exhibit “A,” plan sheet 1 of 3 and titled “Boggy Creek Improvement District Previously Funded Improvements.” It is the intent of the District to undertake a bond issue to finance certain near-term improvements within the District. These improvements are identified and described herein and depicted on the attached Exhibit “A,” plan sheet 2 of 3 and entitled “Boggy Creek Improvement District 2018 Improvements.” Exhibit “A” plan sheet 3 of 3, entitled “Boggy Creek Improvement District Future Improvements,” has been revised in this Report to depict the balance of the currently contemplated infrastructure improvements yet to be completed. Two additional small but important pieces of necessary public infrastructure have been added to the infrastructure

**Boggy Creek Improvement District**  
**Capital Improvements for Infrastructure**  
**Page 3**

development program included herein, being the southerly extension of Medical City Drive (2018 improvement) and an additional connection between Laureate Parkway and Lake Nona Boulevard (future improvement). In addition, the ultimate four (4) laning of a potential western extension of Laureate Boulevard has been removed from the program.

The Developer may pursue approvals of additional entitlements for the project. If additional entitlements are approved, the District may pursue design, construction and installation of additional infrastructure improvements and bond financing necessary to support the additional entitlements.

The Boggy Creek Improvement District had previously submitted and received approval of a petition to amend its District boundaries to the City of Orlando, Florida. The capital improvements included herein reflect those improvements currently proposed within the currently approved District boundary.

All of the approximately 1,126 gross acres of property are initially considered developable areas. Roadway rights-of-way, stormwater facilities, sanitary sewer lift stations and other public improvements are included within this acreage. Minor revisions to the currently contemplated development program can be implemented if consistent with the City-approved Planned Development Program. Ultimate build-out is presently expected to occur over a fifteen (15) year period.

This Second Amended and Restated Engineer's Report for Capital Improvements has been prepared to assist with the financing of the capital improvements which have been or are currently contemplated to be constructed, acquired and/or installed for the development by the District. It

**Boggy Creek Improvement District**  
**Capital Improvements for Infrastructure**  
**Page 4**

also presents the latest plan for infrastructure required to support the continuing development of the District.

The capital improvements reflected in this Report represent the present intentions of the Developer and the District. The implementation of some of the improvements discussed in this plan will require final approval by many regulatory and permitting agencies, including the City of Orlando and the Central Florida Expressway Authority. The actual improvements may vary from the capital improvements in this Report. This Report, therefore, may be amended from time to time.

Cost estimates contained in this Report have been prepared based on the best available information at this time. The actual costs of construction, final engineering design, planning, approvals and permitting may vary from the cost estimates presented. It is expected that if any additional bonds are issued to fund new infrastructure, an amended Completion Agreement will be required to be executed by the Master Developer for any of the District's Capital Improvement Plan not funded by Bonds.

**II. OBJECTIVE**

This Second Amended and Restated Engineer's Report for Capital Improvements has been prepared to assist with the financing and construction of various public infrastructure required to continue the logical progression of development and provide safe and adequate access, utilities, parks, etc. within the Boggy Creek Improvement District. This Report presents a narrative description of the major components included within the infrastructure systems and presents Amended and Restated Engineer's estimates of costs for completing the District-related improvements to support the development project.

### **III. EXISTING DISTRICT ACTIVITIES**

Development activity within the District has been underway since January 2004.

At this point in time, the District has constructed Lake Nona Boulevard (fka Road “B”), Veterans Way (fka Road “E”), two lanes of Medical City Drive (fka Road “L”), Humboldt Drive (fka Road “N”) and two lanes of Laureate Boulevard (fka Road “Q”). To date, the District has constructed approximately \$55,000,000.00 worth of improvements for these facilities, including right-of-way acquisition and soft costs.

The Boggy Creek Improvement District had previously entered into agreements with the Greenway and Myrtle Creek Improvement Districts to assist with the funding of a major roadway interchange project on State Road 417 (the “Central Florida Greenway”) needed to serve the project. Each of the Districts shares in the cost of the interchange. The portions attributable to each District are estimated at 32.5% to the Boggy Creek Improvement District, 36.0% to the Greenway Improvement District and 31.5% to the Myrtle Creek Improvement District. These interchange improvements were completed by the Developer and acquired at completion by the District(s).

All of the aforementioned improvements, with the exception of landscape, hardscape and irrigation improvements, have been dedicated to the applicable governmental or jurisdictional agency for operation and maintenance.

#### **IV. TRANSPORTATION IMPROVEMENTS**

As outlined in the Lake Nona Planned Development Ordinance, a series of roadway improvements are required to develop the project. The primary roadway improvements currently proposed include approximately thirty-seven thousand seven hundred (37,700) linear feet of roads and will define the major ingress and egress points throughout the development as well as serve as the collector and arterial roads to support existing and future development.

The roadways included in the primary infrastructure include the major boulevards or “framework roadways” necessary to provide safe and adequate access to the lands within the District. A graphic depiction of these primary roadways is set forth in the three plan sheets in Exhibit “A”. In addition, two recently completed roadway improvements outside of the District boundary but deemed necessary public infrastructure improvements for the District included intersection improvements at the intersection of Lake Nona Boulevard and Boggy Creek Road and the realignment of a portion of Lake Nona Boulevard lying west of Boggy Creek Road (fka Beacon Park Boulevard). These improvements were completed with the help of a \$2,200,000.00 Construction Reimbursement Agreement with Orange County. The funds recovered from Orange County were previously deposited into the Series 2013 Capital account and are therefore reflected in the estimates later presented herein.

All roads will be accessible by the public and are proposed to be constructed utilizing at least two lanes of asphalt concrete surface, some with on-street parking and bicycle lanes included therein, and completed with curb sections and sidewalks. An allowance for traffic signalization is also included. All roads will be landscaped with selected roads having landscaped medians. The

**Boggy Creek Improvement District**  
**Capital Improvements for Infrastructure**  
**Page 7**

estimated costs of landscape/hardscape and irrigation are included in the roadway line items of the estimate that follows.

In addition to roadways, the District also intends to undertake improvements that will facilitate enhanced and/or alternative mobility solutions, including but not limited to shared mobility lanes, dedicated rights-of-way, recovery zones for user equipment repairs, rest and hydration, a head-end mobility hub, sheltered waiting areas, upgrading of existing pedestrian and bicycle paths, naturally shaded and streetscaped environments, wayfinding, etc.

The Developer has obtained approval for funding under the BUILD Transportation Discretionary Grant program, which may help to offset some costs that would normally be expected to be borne by the District; however, the potential effect of BUILD Grant funding has not been factored into the estimated costs included in this report. The Developer is also pursuing potential transportation impact fee credits that may be available to offset the costs of transportation infrastructure; however, the applicability and amount are uncertain so they have not been factored into the estimated infrastructure costs included in this report.

An allowance has been included to acquire the right-of-way required to construct the necessary roadway improvements. The actual value of the right-of-way has been approved by the District based on a Board of Supervisor-approved appraisal prior to acquisition. The District's monetary cost for right-of-way had previously been set at \$75,000.00 per acre, which is significantly less than the appraised value, and is therefore utilized for the estimates presented herein.

**V. POTABLE WATER, RECLAIMED WATER & SANITARY SEWER FACILITIES**

The project's potable water distribution system will include a series of interconnected and looped water mains that run from the northeast corner of the developed property connected to an extension of the major distribution system from the existing Orlando Utilities Commission Water Treatment Plant, through all of the primary roadway corridors hereinbefore described and connecting to the extreme boundaries of the property in all directions. The potable water distribution system will serve as a source for distributing potable water and fire protection water to the Development within the project. Contemplated with the added improvement of an extension of Medical City Drive, the Developer has requested the District construct a water main extension to the southerly limits of the roadway for future extension, the cost of which is included herein.

The project's reclaimed water distribution system will include a series of interconnected and looped reclaimed water mains that run from the northeast corner of the developed property connected to an extension of the major distribution system from the existing City of Orlando Conserv II reclaimed water system. Like the potable water mains, the reclaimed water mains will run through all of the primary roadway corridors hereinbefore described and connect to the extreme boundaries of the property in all directions. The reclaimed water distribution system will serve as a source for distributing non-potable (irrigation) water to the Development within the project. The District will only fund the operating cost of providing reclaimed water to District-owned common areas. Contemplated with the added improvement of an extension of Medical City Drive, the Developer has requested the District construct a reclaimed water main extension to the southerly limits of the roadway for future extension, the cost of which is included herein.

**Boggy Creek Improvement District**  
**Capital Improvements for Infrastructure**  
**Page 9**

The project's sanitary sewer system includes a network of gravity collection systems, wastewater lift stations, and sanitary force mains connecting to existing facilities located on the northeast portion of the project adjacent the Central Florida Greenway that are currently owned and operated by the City of Orlando (Lift Station 139). These sanitary sewer facilities will act as the collection, transmission and distribution systems for development of the project. All sanitary sewer collection and transmission facilities will be constructed within the primary roadway infrastructure identified in Exhibit "A".

This Second Amended and Restated Engineer's Report includes a significant wastewater improvement including the complete construction of a new Master Lift Station and crossing State Road 417 (the Central Florida Greenway) with a major sanitary force main proposed to be connected to the City's regional Lift Station No. 139. The Developer has successfully completed negotiating a Wastewater Reimbursement Credit Agreement with the City of Orlando that will provide up to \$714,614.00 in wastewater connection fee credits for constructing the improvements currently proposed. Therefore, if the District funds these improvements as expected, the District will receive these credits. We have therefore noted this potential reimbursement in the cost estimates. Contemplated with the added improvement of an extension of Medical City Drive, the Developer has requested the District construct a casing to accommodate a future sanitary force main extension to the southerly limits of the roadway, the cost of which is included herein.

## **VI. ELECTRICAL DUCT BANK AND STREET LIGHT CONDUITS**

The infrastructure roadway corridors include a plastic pipe duct bank and street lighting conduit system. This duct bank and conduit system will enable the efficient distribution of electric power to the development and the street light network. The proposed duct bank and conduit system will run within the rights-of-way or easements established for the roadway corridors and be placed as part of the initial roadway construction to significantly limit the amount of disruption required to provide these needed services to the development project as construction progresses. Offsite connections to the Orlando Utilities Commission transmission facilities will occur around the project boundary at strategic locations. The District may finance the cost of undergrounding such facilities, as well as the proposed upgrade from standard street lighting fixtures and poles.

## **VII. STORMWATER MANAGEMENT FACILITIES**

To enable development of the public infrastructure improvements required for the development project, a site-wide master stormwater management facility has been and will continue to be implemented. This master stormwater management system consists of a series of surface water retention/detention ponds enabling treatment and attenuation of stormwater runoff from the developed improvements. To date, the Developer has funded all of the mass excavation and grading associated with constructing the master lake system and filling the project for development. In addition, a series of interconnected stormwater management facilities (roadway inlets, collector pipes, manholes, etc.) constructed within the proposed infrastructure roadways connects and will connect the development roadway systems and other surrounding development to the master stormwater management system. The entire

**Boggy Creek Improvement District**  
**Capital Improvements for Infrastructure**  
**Page 11**

stormwater management system also includes a series of special control structures, pipes, weirs, and necessary flow diversion structures in accordance with the regulatory criteria established and mandated by the South Florida Water Management District and the City of Orlando.

At this time, with the exception of the four (4) stormwater management system ponds immediately adjacent to the State Road 417 interchange, it is currently anticipated that the Developer will retain ownership of the stormwater management area tracts required to construct the necessary improvements. As such, the District will not be required to pay for constructing the stormwater retention and detention ponds related to the Development and therefore no costs for constructing the same are included herein. The costs of grading the roadways constructed by the District will be borne by the District.

**VIII. DESIGN / PERMITTING AND CONTINGENCY**

Design costs associated with each of the improvements hereinbefore described have been estimated and included in the estimates that follow. Other soft costs include portions of the surveying, design and engineering for all of the described work, regulatory permitting, environmental consulting and materials testing. Some as-built surveying and observation during construction will be required to assure the site is constructed as designed and maintained in a safe and secure manner until sufficient infrastructure is in place to allow for local dedication to the appropriate jurisdictional or regulatory agency. A typical project contingency estimate of approximately 10% has also been included.

**IX. CONSTRUCTION SCHEDULE**

It is our opinion that the Series 2018 Bond Improvements included in the Capital Improvement Program can be completed within approximately 24 to 36 months from the date of this Report.

**X. COST ESTIMATES FOR DEVELOPMENT IMPROVEMENTS**

A summary of the Engineer's estimated construction costs is included in Table 1. A listing of the entity expected to receive the dedication of various improvements with the responsibility for operation and maintenance is included in Table 2.

The estimated construction costs identified in this Report represent only those facilities to be designed, constructed, and/or installed by the District and have been prepared based upon the best available information; however, costs will vary based on final engineering, planning and approvals from regulatory agencies.

In our opinion, the estimated costs identified herein are reasonable and sufficient for the design, construction and/or installation of the project.

**Table 1**  
**ENGINEER'S OPINION OF PROBABLE COST**  
**BOGGY CREEK IMPROVEMENT DISTRICT**  
**SUPPLEMENTAL ENGINEER'S REPORT SUMMARY**  
**May 1, 2018**

<b>Component</b>	<b>Prior Proceeds (1)</b>	<b>Previously Funded Improvements Completed to Date (2)</b>	<b>Previously Funded Improvements Variance</b>	<b>Series 2018 Bond Improvements Estimated Cost</b>	<b>Proposed Future Improvements Estimated Cost</b>	<b>Total District Capital Improvement Plan</b>
Roadway Construction <sup>(3,4,5)</sup>	\$27,621,000.00	\$ 27,402,000.00	-\$219,000.00	\$11,552,000.00	\$9,309,000.00	\$48,482,000.00
Utilities	\$6,138,000.00	\$ 6,006,000.00	-\$132,000.00	\$2,201,000.00	\$2,110,000.00	\$10,449,000.00
Duct Bank Undergrounding/Street Lights	\$4,384,000.00	\$ 4,129,000.00	-\$255,000.00	\$1,513,000.00	\$1,073,000.00	\$6,970,000.00
City of Orlando Wastewater Credit	\$0.00	\$0.00	\$0.00	-\$714,600.00	\$0.00	-\$714,600.00
Soft Costs	\$5,700,000.00	\$ 6,201,000.00	\$501,000.00	\$4,275,000.00	\$3,498,000.00	\$13,473,000.00
	<b>\$43,843,000.00</b>	<b>\$43,738,000.00</b>	<b>-\$105,000.00</b>	<b>\$18,826,400.00</b>	<b>\$15,990,000.00</b>	<b>\$78,659,400.00</b>

<sup>(1)</sup> Includes interest and other income as reported by District Manager.

<sup>(2)</sup> "Previously Funded Improvements Completed to Date" figures are based on requisitions approved as of May 1, 2018, through 2013 Requisition No. 399 (rounded).

<sup>(3)</sup> Roadway/Stormwater/Landscape components include acquisition of some rights-of-way and/or pond tracts, subject to an MAI appraisal and Board approval.

<sup>(4)</sup> "Stormwater" portion of projects includes roadway collection and transmission systems and master system outfalls.

<sup>(5)</sup> A series of interconnected multi-purpose trails /recreation areas are included as part of the overall project's landscape / hardscape and irrigation plans. The District intends to own and maintain all such improvements.

<sup>(6)</sup> Improvements identified in the Capital Improvement Plan, whether they are identified within the "Previously Funded Improvements," the "Series 2018 Bond Improvements" or the "Proposed Future Improvements" in the chart above, may be financed with proceeds of any series of Bonds or other available capital, subject to Board approval.

**TABLE 2**  
**BOGGY CREEK IMPROVEMENT DISTRICT**  
**DISTRICT CONSTRUCTED SYSTEM-DEDICATION SUMMARY**

<b><u>DISTRICT CONSTRUCTED SYSTEM</u></b>	<b><u>OWNERSHIP</u></b>	<b><u>OPERATION AND MAINTENANCE ENTITY</u></b>
Public Roadways	City of Orlando	City of Orlando
Potable Water	Orlando Utilities Commission	Orlando Utilities Commission
Sanitary Sewer	City of Orlando	City of Orlando
Reclaimed Water	City of Orlando	City of Orlando
Stormwater	District / City of Orlando	District / City of Orlando
Duct Bank	Orlando Utilities Commission	Orlando Utilities Commission
Common Areas	District	District
Parks and Recreation	City of Orlando / District	City of Orlando / District





# **BOGGY CREEK IMPROVEMENT DISTRICT**

**FY 2020 Audit Engagement Letter**  
*(provided under separate cover)*

# **BOGGY CREEK IMPROVEMENT DISTRICT**

**Requisition Nos. 2018-170 – 2018-173 in  
September 2020 in an amount totaling \$7,356.74**  
*(provided under separate cover)*

# **BOGGY CREEK IMPROVEMENT DISTRICT**

**Operation and Maintenance Expenditures Paid in  
September 2020 in an amount totaling \$84,959.84**  
*(provided under separate cover)*

# **BOGGY CREEK IMPROVEMENT DISTRICT**

**Work Authorizations/Proposed Services**  
*(if applicable)*

# **BOGGY CREEK IMPROVEMENT DISTRICT**

**District's Financial Position and  
Budget to Actual YTD**  
*(provided under separate cover)*