

BOGGY CREEK IMPROVEMENT DISTRICT BOARD OF SUPERVISORS' MEETING MINUTES

FIRST ORDER OF BUSINESS

Roll Call to Confirm a Quorum

The Board of Supervisors' Meeting for the Boggy Creek Improvement District was called to order on Tuesday, August 17, 2021, at 3:30 p.m. at Courtyard Orlando Lake Nona, 6955 Lake Nona Blvd, Orlando, FL 32827.

Present:

Richard Levey	Chairperson
Thad Czapka	Assistant Secretary
Chad Tinetti	Assistant Secretary

Also attending:

Jennifer Walden	PFM	
Amanda Lane	PFM	(via phone)
Tucker Mackie	Hopping Green & Sams	
Jeff Newton	Donald W. McIntosh Associates, Inc.	
Larry Kaufmann	Construction Supervisor & Construction Committee Member	(via phone)
Scott Thacker	District Landscape Supervisor	
Chris Wilson	Construction Committee Member	
Matt McDermott	Construction Committee Member	

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

Consideration of the July 7, 2021, Continued Board of Supervisors' Meeting

Board Members reviewed the minutes from the July 7, 2021, Continued Board of Supervisors' Meeting.

On Motion by Mr. Tinetti, second by Mr. Czapka, with all in favor, the Board of Supervisors for the Boggy Creek Improvement District approved the Minutes of the July 7, 2021, Continued Board of Supervisors' Meeting,

FOURTH ORDER OF BUSINESS

Consideration of the Minutes of the July 20, 2021, Board of Supervisors' Meeting

Board Members reviewed the minutes from the July 20, 2021, Board of Supervisors' Meeting.

On Motion by Mr. Tinetti, second by Mr. Czapka, with all in favor, the Board of Supervisors for the Boggy Creek Improvement District approved the Minutes of the July 20, 2021, Board of Supervisors' Meeting,

FIFTH ORDER OF BUSINESS

Consideration of Resolution 2021-08, Approving an Annual Meeting Schedule for Fiscal Year 2022

Ms. Walden recommended keeping the meeting on the third Tuesday of the month at Courtyard Orlando Lake Nona with the exception of December which will be moved up one week due to the holiday and moving the time to 3:00 p.m..

On Motion by Mr. Tinetti, second by Mr. Czapka, with all in favor, the Board of Supervisors for the Boggy Creek Improvement District approved Resolution 2021-08, Approving an Annual Meeting Schedule for Fiscal Year 2022 with moving the time to 3:00 p.m.

SIXTH ORDER OF BUSINESS

Consideration of Insurance Quote for Vehicles

Ms. Walden noted the District Management team is still working with the insurance vendors. She recommended a motion granting authority to the Chair to sign off on the appropriate insurance quote once it comes in and has been approved by Tavistock.

Mr. Tinetti asked if this insurance would cover any liability if a Beep Vehicle hits someone. Ms. Mackie stated that is covered under the Beep Master Services Agreement and has already been obtained by Beep on behalf of the District. The insurance quote being discussed today relates to property damage the Beep vehicles might sustain and not operating liability.

On Motion by Mr. Tinetti, second by Mr. Czapka, with all in favor, the Board of Supervisors for the Boggy Creek Improvement District authorized the Chair to sign off on the vehicle insurance quote once approved by Tavistock.

SEVENTH ORDER OF BUSINESS

Consideration of Traffic Light Agreement with the VA

Ms. Mackie requested that this item be tabled. It is drafted in substantial form but upon presentation to the VA the District might receive comments that will change some terms of the Agreement.

Ms. Mackie explained the District was going to bear 100% responsibility for the Traffic Signal design for Laureate Boulevard and Veterans Way but the Chair has indicated he would like to see some agreement with the VA prior to moving forward with the Traffic Signal design. Ms. Mackie stated the Board can approve the Traffic Signal design work today subject to the initial discussions with the VA on the form of the Cost Share Agreement.

On Motion by Mr. Tinetti, second by Mr. Czapka, with all in favor, the Board of Supervisors for the Boggy Creek Improvement District approved the Traffic Signal design work subject to the initial discussions with the VA on the form of the Cost Share Agreement.

EIGHTH ORDER OF BUSINESS

Consideration of Construction Committee Recommendation for Traffic Signal Design for

Mr. Newton stated the District previously qualified three signal design companies and ranked them. No. 1 was VHB, No. 2 was Kittleson, and No. 3 was Atkins. VHB declined to submit a proposal on the signal, Kittleson's price is \$78,700.00 and Atkins' price is \$39,880.00. Because Kittleson was ranked 2nd, the District is obligated to negotiate with them first and part of the negotiation would be to lower the price.

Dr. Levey asked if all three companies had previously done design work for the District. Mr. Newton stated VHB had done some signal work for the District. Kittleson worked for a sister District and designed the signal at Narcoossee and Luminary. Mr. Kaufmann stated Atkins designed the Traffic Signal at Tavistock Lakes Boulevard at Narcoossee and Lake Nona Boulevard at Narcoossee. Dr. Levey asked the process of ranking the construction contracts this way. Ms. Mackie stated this is CCNA vs. construction contracts. The District is following the Consultants' Competitive Negotiation Act.

On Motion by Mr. Tinetti, second by Mr. Czapka, with all in favor, the Board of Supervisors for the Boggy Creek Improvement District approved District staff negotiating with Kittleson and if unsuccessful move to Atkins.

NINTH ORDER OF BUSINESS

Consideration of Construction Committee Recommendations for Request for Qualifications from Contractors Interested in Providing Construction Services for Master Infrastructure Improvements

Mr. Kaufmann noted a memo is attached to the agenda package with the recommendations of the Construction Committee for the RFQ that was sent out for all five Lake Nona Districts. The Construction Committee received 10 responses. After reviewing the 10 responses, it is the recommendation of the Construction Committee that all 10 Contractors be prequalified for Master Infrastructure Improvements with the condition that Garney Companies, Inc. be limited to utility work and Phillips & Jordan, Inc. be limited to earthwork due to the limitations in their experience demonstrated in their RFQ responses. The Construction Committee deemed several minor deficiencies as waivable, and there were other deficiencies found in responses related to surety letters and insurance certificates which District staff will work to resolve with the Contractors .

On Motion by Mr. Tinetti, second by Mr. Czapka, with all in favor, the Board of Supervisors for the Boggy Creek Improvement District accepted the Construction Committee's recommendation to prequalify for Master Infrastructure Improvements all 10 Contractors with the condition that Garney Companies, Inc. be prequalified only for utilities and Phillips & Jordan, Inc. only be prequalified for earthwork, waiving minor deficiencies and subject to District Staff contacting Contractors to resolve deficiencies.

TENTH ORDER OF BUSINESS

Consideration of OUC Proposal for Lake Nona Blvd. Trail Lighting

Mr. Kaufmann requested this agenda item be tabled. OUC wants to design the streetlights in accordance with City codes and are preparing those agreements and cost letters and will present it to the Board at the next meeting.

ELEVENTH ORDER OF BUSINESS

Public Hearing on the Adoption of the District's Annual Budget

- a) Public Comments**
- b) Board Comments**
- c) Consideration of
Resolution 2021-09,
Adopting the Fiscal Year
2022 Budget and
Appropriating Funds**

Ms. Walden noted the District noticed the public hearing pursuant to Florida Statutes. Dr. Levey requested a motion to open the public hearing.

On Motion by Mr. Czapka, second by Mr. Tinetti, with all in favor, the Board of Supervisors for the Boggy Creek Improvement District opened the Public Hearing.

Dr. Levey noted there were no public comments or Board comments. Ms. Walden explained that the budget is an exhibit to the Resolution and is the same overall budget the Board preliminary approved in May. Dr. Levey requested a motion to close the public hearing.

On Motion by Mr. Czapka, second by Mr. Tinetti, with all in favor, the Board of Supervisors for the Boggy Creek Improvement District closed the Public Hearing.

Dr. Levey requested a motion to approve Resolution 2021-09.

On Motion by Mr. Tinetti, second by Mr. Czapka, with all in favor, the Board of Supervisors for the Boggy Creek Improvement District approved Resolution 2021-09, Adopting the Fiscal Year 2022 Budget and Appropriating Funds.

TWELFTH ORDER OF BUSINESS

Consideration of Resolution 2021-10, Adopting an Assessment Roll for Fiscal Year 2022 and Certifying Special Assessments for Collection

The Board reviewed Resolution 2021-10. Ms. Walden explained the Resolution will impose the Special Assessments for Fiscal Year 2022 based on the budgets that were just adopted.

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 2021-10, Adopting an Assessment Roll for Fiscal Year 2022 and Certifying Special Assessments for Collection.

THIRTEENTH ORDER OF BUSINESS

Ratification of Operation and Maintenance Expenditures

Paid in July 2021 in an amount totaling \$127,825.64

The Board reviewed Operation and Maintenance Expenditures Paid in July 2021 in an amount totaling \$127,825.64. Ms. Walden noted these have already been approved and just need to be ratified by the Board.

On Motion by Mr. Tinetti, second by Mr. Czapka, with all in favor, the Board of Supervisors for the Boggy Creek Improvement District ratified Operation and Maintenance Expenditures Paid in July 2021 in an amount totaling \$127,825.64.

FOURTEENTH ORDER OF BUSINESS

Ratification of Requisition Nos. 2018-200 – 2018-202 in July 2021 in an amount totaling \$2,219.25

The Board reviewed Requisition Nos. 2018-200 – 2018-202 in July 2021 in an amount totaling \$2,219.25. Ms. Walden noted these have already been approved and just need to be ratified by the Board.

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. 2018-200 – 2018-202 in July 2021 in an amount totaling \$2,219.25.

FIFTEENTH ORDER OF BUSINESS

Recommendation of Work Authorizations/Proposed Services

Ms. Kaufmann noted there were no Work Authorizations for this District.

SIXTEENTH ORDER OF BUSINESS

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

The Board reviewed the District Financial Statements. Through July 31, 2021, the District has spent approximately \$638,000.00 vs. a budget of \$920,500.00. No action is required by the Board.

SEVENTEENTH ORDER OF BUSINESS

Staff Reports

District Counsel – No Report

District Manager – Ms. Walden noted the next meeting is scheduled for Tuesday, September 21, 2021.

District Engineer – No Report

Construction Supervisor – No Report

District Landscape Supervisor – No Report

EIGHTEENTH ORDER OF BUSINESS

**Supervisor Requests and
Adjournment**

As there were no Supervisor requests, Dr. Levey requested a motion to adjourn the meeting.

On Motion by Mr. Czapka, second by Mr. Tinetti, with all in favor, the August 17, 2021, Meeting of the Board of Supervisors for the Boggy Creek Improvement District was adjourned.



Secretary/Assistant Secretary



Chair/Vice Chair