

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, March 16, 2021 at 3:30p.m. at Courtyard Orlando Lake Nona, 6955 Tavistock Lakes Blvd, Orlando, FL 32827.

Present:

Richard Levey	Chairperson
Jamie Bennett	Assistant Secretary
Thad Czapka	Assistant Secretary

Also attending:

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

SECOND ORDER OF BUSINESS

Roll Call to Confirm a Quorum

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

THIRD ORDER OF BUSINESS

Consideration of the Minutes of the February 16, 2021 Board of Supervisors' Meeting

Board Members reviewed the minutes from the February 16, 2021 Board of Supervisors' Meeting.

On Motion by Mr. Czapka, second by Ms. Bennett, the Board of Supervisors for the Boggy Creek Improvement District approved the Minutes of the February 16, 2021 Board of Supervisors' Meeting.

FOURTH ORDER OF BUSINESS

Review of Fiscal Year 2022 Operations and Maintenance Budget

Ms. Walden brought the proposed budget before the Board to start conversations about what is needed for FY 2022. The Construction Committee had an initial review on Thursday to discuss a potential slight increase to the budget based on upcoming needs. District staff will continue to review, seek input from all parties involved, and continue discussion with the Board over the next couple of months. The preliminary budget is slated for approval at the May meeting with final budget adoption at a public hearing in August. No action is required today other than to see if the board had any initial input. There were no questions or comments from the Board.

FIFTH ORDER OF BUSINESS

Consideration of Acquisition of Medical City Drive Phase 2 Infrastructure Improvements

Ms. Mackie reviewed the Acquisition of Medical City Drive Phase 2 Infrastructure Improvements.

The Developer moved forward with the construction of Medical City Drive which is currently platted as a private right-of-way but the intent was always that the District would acquire the completed improvements and the platted right-of-way and subsequently dedicate the same over to the City. The infrastructure improvements are complete and ready for acquisition and the backup documentation has been submitted to the District Engineer for review. Mr. Newton is still reviewing that information. Ms. Mackie requested the District move to acquire Medical City Drive Phase 2 at a not to exceed amount of \$1,400,000.00 contingent upon all of the requisite documentation being provided pursuant to the Acquisition Agreement the District has with Lake Nona Land Company.

Ms. Bennett asked when the closing would be for the real property. Ms. Mackie replied it would be March 23, 2021 for the real property associated with the acquisition. This agenda item does not include the acquisition of the right-of-way. That will be the next item the Board will consider.

Ms. Bennett noted a petition has been filed to change the name of Medical City Drive and asked how that timing impacts the acquisition. Ms. Mackie answered that it would not impact the acquisition and the District would be acquiring the underlying real property regardless of the street name. Ms. Bennett asked if it would make sense to change the name before it is dedicated to the City. Ms. Mackie stated that it is already platted and the change in name will not affect the conveyance. If Lake Nona is petitioning the City for a change in the name the District could stand in the place of Lake Nona if the petition has already been filed and the District acquires that right of way. Mr. Newton added that it is the City's policy to only accept right-of-way through plat and not by deed.

Ms. Mackie will discuss this with Michelle Rencoret and Sarah Bernard in understanding the timing of the name change. The District's acquisition of the improvements and the real property should not have an impact on the City's willingness to change the name but it is worth a large discussion of how each piece will occur in terms of timing.

On Motion by Mr. Czapka, second by Ms. Bennett, the Board of Supervisors for the Boggy Creek Improvement District approved the Acquisition of Medical City Drive Phase 2 Master Improvements in a not to exceed amount of \$1,400,000.00 contingent upon all of the requisite documentation being provided pursuant to the Acquisition Agreement the District has with Lake Nona Land Company for the acquisition of completed improvements.

SIXTH ORDER OF BUSINESS

Consideration of Acquisition of Medical City Drive Phase 2 Right of Way

Ms. Mackie explained this item is for the acquisition of the underlying right-of-way. The District agreed to a purchase price of \$75,000.00 per acre within the District which would result in a purchase price of \$98,475.00 for this tract. It was suggested that a motion from the Board would be appropriate to approve the Acquisition of Medical City Drive Phase 2 right-of-way for a not to exceed amount of \$98,475.00 with the understanding that District staff will work in tandem with Sarah Bernard and Michelle Rencoret to determine an appropriate closing date, which is expected to be March 23, 2021.

On Motion by Mr. Czapka, second by Ms. Bennett, the Board of Supervisors for the Boggy Creek Improvement District approved the Acquisition of the Medical City Drive Phase 2 right-of-way for a not to exceed amount of \$98,475.00 with the understanding District staff will work in tandem with Developer's Counsel to facilitate closing.

SEVENTH ORDER OF BUSINESS

Consideration of Agreement with Bryant Miller Olive for Bond Counsel Services

Ms. Mackie stated the District had previously engaged Mr. Williams with Akerman to serve as the District's Bond Counsel. Mr. Williams retired in May. District staff has been working in coordination with the Developer to retain Bond Counsel services to meet the needs of the District going forward. Ms. Mackie has worked with Bryant Miller Olive, and in particular Misty Taylor, and recommended the District retain the services of Bryant Miller Olive. Included in the agenda package is a Fee Agreement with Bryant Miller Olive to provide Bond Counsel Services to the District.

Ms. Mackie explained the District has an outstanding note that will need to be reissued within 4 years and any of the Bond Counsel related services the District needs in the interim will be filled by Misty Taylor. Normally Bond Counsel Services are paid for out of the closing of Bonds which is typically when they are engaged on behalf of the District.

Ms. Walden agreed with District Counsel's recommendation as PFM also works with Misty Taylor on a number of Bond items in other Districts. Ms. Mackie noted Misty Taylor reached out and met with Mr. Byrnes and Ms. Rencoret as well and Ms. Rencoret agrees that she will make a good fit for the District.

On Motion by Mr. Czapka, second by Ms. Bennett, the Board of Supervisors for the Boggy Creek Improvement District approved the Agreement with Bryant Miller Olive for Bond Counsel Services.

EIGHTH ORDER OF BUSINESS

Ratification of Landscape Enhancements for Lake Nona Blvd and Veterans Way

Ms. Walden explained this was discussed with the Chair and was approved outside of a meeting so that the work could be completed in a timely manner. This amount is within the budgeted line item for Landscape Improvements.

On Motion by Mr. Czapka, second by Ms. Bennett, the Board of Supervisors for the Boggy Creek Improvement District ratified the Landscape Enhancements for Lake Nona Blvd. and Veterans Way with Cepra Landscape in the total amount of \$59,747.60.

NINTH ORDER IF BUSINESS

Ratification of Requisition Nos. 2018-186 & 2018-187 in February 2021 in an amount totaling \$2,340.00

Board Members reviewed Requisition Nos. 2018-186 & 2018-187 in February 2021 in an amount totaling \$2,340.00. These have already been approved and need to be ratified by the Board.

On Motion by Mr. Czapka, second by Ms. Bennett, the Board of Supervisors for the Boggy Creek Improvement District ratified Requisition Nos. 2018-186 & 2018-187 in February 2021 in an amount totaling \$2,340.00.

TENTH ORDER IF BUSINESS

Ratification of Operation and Maintenance Expenditures Paid in February 2021 in an amount totaling \$75,068.08

Board Members reviewed the Operation & Maintenance expenditures paid in February 2021 in an amount totaling \$75,068.08. These have already been approved and need to be ratified by the Board.

On Motion by Mr. Czapka, second by Ms. Bennett, the Board of Supervisors for the Boggy Creek Improvement District ratified the Operation & Maintenance Expenditures paid in February 2021 in an amount totaling \$75,068.08.

ELEVENTH ORDER OF BUSINESS

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

There were no work authorizations for this District.

TWELFTH ORDER OF BUSINESS

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

Ms. Walden noted through February 2021, the District has total expenses of just under \$294,000.00 versus a budget of \$920,500.00. No action is required by the board.

THIRTEENTH ORDER OF BUSINESS

District Counsel –

No Report

District Manager –

Ms. Walden noted the next meeting is scheduled for Tuesday, April 20, 2021 at the Courtyard Orlando Lake Nona.

District Engineer –

No Report

Construction Supervisor –

Mr. Kauffman stated at the last Board Meeting he informed the board he would look into additional lighting along Lake Nona Blvd. for the paths and trails and hopes to have something to present to the Board at the next meeting.

District Landscape Supervisor –

Mr. Thacker reported Paul Stevens who was the Irrigation Specialist is no longer with the firm and introduced the Board to Carlos Negrón who will be the new Irrigation Specialist. Mr. Negrón has been with Berman for 6 months and is very familiar with the District's irrigation systems.

Irrigation Supervisor –

No Report

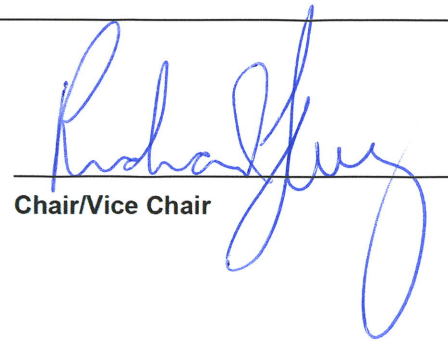
FOURTEENTH ORDER OF BUSINESS

**Supervisor and Audience
Comments & Adjournment**

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

On Motion by Ms. Bennett, second by Mr. Czapka, with all in favor, the March 16, 2021, meeting of the Board of Supervisors for the Boggy Creek Improvement District was adjourned.


Secretary/Assistant Secretary


Chair/Vice Chair