

**BOGGY CREEK IMPROVEMENT DISTRICT
BOARD OF SUPERVISORS' MEETING MINUTES**

FIRST ORDER OF BUSINESS

Roll Call to Confirm Quorum

The Board of Supervisors' Meeting for the Boggy Creek Improvement District was called to order on Tuesday, June 21, 2022, at 3:00 p.m. at the Courtyard Orlando Lake Nona, 6955 Lake Nona Blvd, Orlando, FL 32827.

Present:

Richard Levey	Chairperson	
Damon Ventura	Vice Chairperson	
Thad Czapka	Assistant Secretary	
Jamie Bennett	Assistant Secretary	(joined at 3:01 p.m.)
Chad Tinetti	Assistant Secretary	

Also attending:

Jennifer Walden	PFM	
Lynne Mullins	PFM	
Tucker Mackie	Kutak Rock	
Jeffrey Newton	Donald W. McIntosh Associates, Inc.	(via phone)
Larry Kaufmann	Construction Supervisor	(via phone)
Amanda Lane	PFM	(via phone)
Matt McDermott	Construction Committee Member	
Ryan Dugan	Kutak Rock	

SECOND ORDER OF BUSINESS

Public Comment Period

Dr. Levey called for public comments. There were no public comments.

THIRD ORDER OF BUSINESS

**Consideration of the Minutes
of the May 17, 2022, Board of
Supervisors' Meeting**

The Board reviewed the minutes of the May 17, 2022, Board of Supervisors' Meeting.

On motion by Mr. Tinetti, seconded by Mr. Czapka, with all in favor, the Board of Supervisors for the Boggy Creek Improvement District, approved the Minutes of the May 17, 2022, Board of Supervisors' Meeting.

FOURTH ORDER OF BUSINESS

**Review and Acceptance of
Fiscal Year 2021 Audit**

Ms. Walden noted that Jamie Bennet joined the meeting at 3:01 p.m.

Ms. Walden explained that District staff and the Chair have reviewed and provided edits. It was a standard and clean audit and there were no deficiencies in internal controls that would be considered material weaknesses.

On motion by Mr. Ventura, seconded by Mr. Czapka, with all in favor, the Board of Supervisors for the Boggy Creek Improvement District accepted the Fiscal Year 2021 Audit.

FIFTH ORDER OF BUSINESS

Public Hearing on the District's Use of the Uniform Method of Levying, Collection and Enforcing Non-Ad Valorem Assessments

- **Public Comments and Testimony**
- **Board Comments**
- **Consideration of Resolution 2022-07, Adopting the Uniform Method**

Ms. Walden noted that the Public Hearing was advertised as required by Florida Statutes.

On motion by Mr. Czapka, seconded by Mr. Ventura, with all in favor, the Board of Supervisors for the Boggy Creek Improvement District opened the Public Hearing.

Dr. Levey called for public comments or testimony. There we no public comments.

On motion by Mr. Czapka, seconded by Mr. Ventura, with all in favor, the Board of Supervisors for the Boggy Creek Improvement District closed the Public Hearing.

Dr. Levey called for Board comments on Resolution 2022-07. There were no Board comments.

On motion by Mr. Czapka, seconded by Mr. Ventura, with all in favor, the Board of Supervisors for the Boggy Creek Improvement District approved Resolution 2022-07, Adopting the Uniform Method.

SIXTH ORDER OF BUSINESS

Consideration of Traffic - Engineering Services for Power Center Roundabouts with Kittelson

Mr. Newton requested that this item be tabled.

SEVENTH ORDER OF BUSINESS

Ratification of Operation and Maintenance Expenditures Paid in May 2022 in an amount totaling \$155,927.38

Ms. Walden noted that these Operation and Maintenance Expenditures have already been approved and need to be ratified by the Board.

On motion by Mr. Ventura, seconded by Mr. Czapka, with all in favor, the Board of Supervisors for the Boggy Creek Improvement District ratified the Operation and Maintenance Expenditures Paid in May 2022 in an amount totaling \$155,927.38.

EIGHTH ORDER OF BUSINESS

Ratification of Requisition Nos. 2018-239 – 2018-243 in May 2022 in an amount totaling \$14,676.67

Ms. Walden noted that these Requisitions have been approved and need to be ratified by the Board.

On motion by Mr. Ventura, seconded by Mr. Czapka, with all in favor, the Board of Supervisors for the Boggy Creek Improvement District ratified Requisition Nos. 2018-239 – 2018-243 in May 2022 in an amount totaling \$14,676.67.

NINTH ORDER OF BUSINESS

Recommendation of Work Authorizations/Proposed Services

Mr. Kaufmann requested that this item be tabled to the next meeting.

TENTH ORDER OF BUSINESS

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

The Board reviewed the District's Financial Statements through May 31, 2022. Ms. Walden noted that the District has expenses of \$703,000.00 vs. a budget of \$1,672,000.00.

ELEVENTH ORDER OF BUSINESS

Staff Reports

District Counsel –

No report. Ms. Mackie introduced Ryan Dugan, of Kutak Rock, who will be helping her with the Lake Nona Districts.

District Manager –

Ms. Walden noted that the next meeting is scheduled for Tuesday, July 19, 2022.

<u>District Engineer –</u>	No report.
<u>Landscape Supervisor –</u>	No report.
<u>Irrigation Supervisor –</u>	No report.
<u>Construction Supervisor –</u>	<p>Mr. Kaufmann wanted to alert the Board about a situation on Lake Nona Blvd. regarding trail lights that were approved by the District back in October. The installation of the conduits for the lights was contracted to OUC, and the District paid OUC \$121,786.15 for the installation of the conduits. This process should have started in November, but OUC has been delaying it. Mr. Kaufmann stated that 3 to 4 weeks ago he received a notice from OUC that they do not want to do the job and wish to turn it over to the District. Mr. Kaufmann responded to them that this was not acceptable. OUC began the job and hit two reclaimed water lines in the process. At this point, the underground directional subcontractor pulled out and said that they would not do the job. OUC represented that was the only subcontractor they had available so they could not do the work. Since then, OUC has reached out and stated that they would increase the wattage on the median cobra lights to 440W bulbs. They believe that, if they do this and the District trims the trees around the Boxi Park section of Lake Nona Blvd., then the new lights might not be necessary. Mr. Kaufmann agreed to bring that idea back to the Board for discussion.</p> <p>Dr. Levey asked if the reclaimed water lines were repaired. Mr. Kaufmann said yes, the irrigation team was there, and it was a simple repair. Dr. Levey asked if OUC is willing to increase the wattage of the bulbs at no expense. Mr. Kaufmann stated yes and that they already did it. However, nobody has seen the effect of the new bulbs in person. Mr. McDermott said that he is meeting with the arborist Wednesday morning to discuss trimming the trees and the timeline. Once the trees are trimmed, he will go at night to see how it looks.</p> <p>The Board discussed the current location of the lights along Lake Nona Blvd., and what the location of the proposed lights would have been. They also discussed the wattage change and the timeline of these updates.</p> <p>Dr. Levey stated that there is still an enforceable contract, and that whatever is discussed with OUC stays within the parameters of the contract. Ms. Mackie agreed and noted that it should be approached as allowing time for a fix but still reserving the right to enforce the contract.</p> <p>Mr. Tinetti questioned whether there was a way for OUC to provide a light study that would not require waiting for the trees to be trimmed. The Board discussed how OUC does this process, whether a third party should be consulted and what is expected to be done with the trees along Lake Nona Blvd. to improve the lighting.</p> <p>Dr. Levey noted that he would be unable to attend the July Board meeting. The other Board Members confirmed they could be in attendance.</p>

TWELFTH ORDER OF BUSINESS

Supervisor Requests

Mr. Tinetti asked about why the Power Center Roundabout item was tabled. Mr. Newton noted that Tavistock has put a 30-day pause on their work in the Power Center and have asked the District to pause

their work as well. Since the Kittelson Work Authorization is related to the Power Center roundabouts on Lake Nona Boulevard, it was requested to be tabled until next month. Dr. Levey discussed the possibility of the Board authorizing the Work Authorization ahead of time, so that it would be ready to go whenever the client is ready. Mr. Newton mentioned that, in addition to the Kittelson proposal, there was also a tabled proposal from Donald W. McIntosh Associates, Inc. and a third proposal that has not been presented yet that includes a \$19,000.00 authorization for Central Florida Locating. Dr. Levey suggested leaving it tabled then. The other Board Members agreed.

THIRTEENTH ORDER OF BUSINESS

Adjournment

Dr. Levey requested a motion to adjourn.

On motion by Mr. Czapka, seconded by Mr. Tinetti, with all in favor, the June 21, 2022, Meeting of the Board of Supervisors for the Boggy Creek Improvement District was adjourned.



Secretary/Assistant Secretary

Chairman/Vice Chairman