

**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, August 15, 2023, at 3:00 p.m. at the Courtyard Orlando Lake Nona, 6955 Lake Nona Blvd, Orlando, FL 32827.

Present:

Richard Levey	Chairperson
Thad Czapka	Assistant Secretary
Julie Salvo	Assistant Secretary

Also attending:

Jennifer Walden	PFM	
Lynne Mullins	PFM	
Jorge Jimenez	PFM	(via phone)
Amanda Lane	PFM	(via phone)
Tucker Mackie	Kutak Rock	
Ryan Dugan	Kutak Rock	(via phone)
Jeffrey Newton	Donald W. McIntosh Associates, Inc.	
Matt McDermott	Construction Committee Member	
Samantha Sharenow	Berman	
Katie Harmer	Berman	(via phone)
Dan Young	Tavistock	
DJ Batten	Berman	
Carlos Negron	Berman	

**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  
July 18, 2023, Board of Supervisors'  
Meeting**

The Board reviewed the minutes of the July 18, 2023, Board of Supervisors' Meeting.

On motion by Mr. Czapka, seconded by Ms. Salvo, with all in favor, the Board of Supervisors for the Boggy Creek Improvement District approved the Minutes of the July 18, 2023, Board of Supervisors' Meeting.

**FOURTH ORDER OF BUSINESS**

**Consideration of Resolution 2023-09,  
Approving an Annual Meeting  
Schedule for Fiscal Year 2024**

Ms. Walden stated District staff would like to move the Board of Supervisors' Meetings to the Tavistock offices as there will be no cost for holding the meetings at this location. The meetings will be held on the third Tuesday of each month at 3:00 p.m. at Tavistock except for November, December and March, which would be the second Tuesday. Additionally, District staff noticed with the Construction Committee schedule that some of the days were after the Board Meetings, so the District will keep all of the dates for the Constructions Committee on the 2nd Thursday of the month at 3:30 p.m. at the Tavistock offices, except for December and March, which will move up to the first Tuesday.

On motion by Ms. Salvo, seconded by Mr. Czapka, with all in favor, the Board of Supervisors for the Boggy Creek Improvement District approved Resolution 2023-09, Approving an Annual Meeting Schedule for Fiscal Year 2024 with the Board of Supervisors' Meetings at the Tavistock offices, 6900 Tavistock Lakes Blvd. Suite 200, Orlando, FL 32827 on the third Tuesday of each month at 3:00 p.m. except for November, December and March, which will be on the second Tuesday of the month, and the Construction Committee Meetings will be held on the second Thursday of each month at 3:30 p.m. at the Tavistock offices, 6900 Tavistock Lakes Blvd. Suite 200, Orlando, FL 32827 except for December and March, which will be on the first Tuesday of the month.

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

#### **Consideration of Prequalified Contractors Extension**

Mr. Newton stated as a matter of practice, the District prequalifies general contractors to construct infrastructure projects for the District. The District last did this in August of 2021. Those prequalifications are good for two years with an optional two-year extension. The recommendation of the Construction Committee is that the Board extends the prequalification for a period of one-year and address it again next year.

On motion by Mr. Czapka, seconded by Ms. Salvo, with all in favor, the Board of Supervisors for the Boggy Creek Improvement District accepted the Construction Committees recommendation to extend the prequalified Contractors for one year.

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

#### **Consideration of Extending Annual Renewal for State Road 417 (Central Florida Greenway) & Lake Nona Boulevard Interchange Landscape and Irrigation Maintenance Services Agreement with Cepra**

Ms. Walden stated when the District goes out to bid, the District gets three years of pricing. However, the agreement is only for a one-year term and then every year District staff evaluates how the vendor is doing and if the District wants to extend the agreement for an additional year. After speaking to the team, Cepra is doing well, and District staff is asking for the Board to extend the agreement for one additional year.

On motion by Ms. Salvo, seconded by Mr. Czapka, with all in favor, the Board of Supervisors for the Boggy Creek Improvement District approved Extending the Annual Renewal for State Road 417 (Central Florida Greenway) & Lake Nona Boulevard Interchange Landscape and Irrigation Maintenance Services Agreement with Cepra.

**SEVENTH ORDER OF BUSINESS**

**Consideration of Extending Annual  
Renewal for Lake Nona Boulevard  
South and Roadways Landscape and  
Irrigation Maintenance Services  
Agreement with Cepra**

Ms. Walden stated that Cepra also services this area. Since they are doing well, District staff is asking for the Board to extend the agreement for one additional year.

On motion by Ms. Salvo, seconded by Mr. Czapka, with all in favor, the Board of Supervisors for the Boggy Creek Improvement District approved Extending the Annual Renewal for Lake Nona Boulevard South and Roadways Landscape and Irrigation Maintenance Services Agreement with Cepra.

**EIGHTH ORDER OF BUSINESS**

**Ratification of Disclosure  
Dissemination Agent Agreement**

Ms. Mackie stated in front of the Board is the Dissemination Agent Agreement between the District and PFM Group Consulting LLC. The Board may recall in connection with the most recent Bond closing and all other Bond issuances of the District, the District is obligated under the District's Continuing Disclosure Agreement to make certain disclosures with respect to both District information and Developer information in connection with the project funded by the Bonds. PFM historically has served as the District's dissemination agent for the purpose of posting the disclosures to the EMMA website, and there is no change in the fee from prior agreements. This agreement sets forth the terms and obligations to provide those services with respect to the Series 2023 Bonds.

On motion by Mr. Czapka, seconded by Ms. Salvo, with all in favor, the Board of Supervisors for the Boggy Creek Improvement District ratified the Disclosure Dissemination Agent Agreement.

**NINTH ORDER OF BUSINESS**

**Consideration of District  
Management Fee Increase Letter for  
Fiscal Year 2024**

Ms. Walden stated the District Manager's firm is asking for an increase of \$2,500.00 which would put the fee at \$42,500.00 for the year. She noted that the last time there was a fee increase was over two years ago. Dr. Levey added that Tavistock has signed off on this as well.

On motion by Ms. Salvo, seconded by Mr. Czapka, with all in favor, the Board of Supervisors for the Boggy Creek Improvement District approved the District Management Fee Increase for Fiscal Year 2024.

**TENTH ORDER OF BUSINESS**

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

- a. **Public Comments and Testimony**
- b. **Board Comments**
- c. **Consideration of Resolution 2023-10, Adopting the Fiscal Year 2024 Budget and Appropriating Funds**

Ms. Walden noted for the record that the District noticed the hearing pursuant to Florida Statutes.

On motion by Mr. Czapka, seconded by Ms. Salvo, with all in favor, the Board of Supervisors for the Boggy Creek Improvement District opened the public hearing.

On motion by Ms. Salvo, seconded by Mr. Czapka, with all in favor, the Board of Supervisors for the Boggy Creek Improvement District closed the public hearing.

On motion by Ms. Salvo, seconded by Mr. Czapka, with all in favor, the Board of Supervisors for the Boggy Creek Improvement District approved Resolution 2023-10, Adopting the Fiscal Year 2024 Budget and Appropriating Funds.

**ELEVENTH ORDER OF BUSINESS**

**Consideration of Resolution 2023-11, Adopting an Assessment Roll for Fiscal Year 2024 Budget and Certifying Special Assessments for Collection**

Ms. Walden stated this Resolution imposes the special assessments for Fiscal Year 2024 based on the O&M and Debt Service budgets that the Board just approved.

On motion by Mr. Czapka, seconded by Ms. Salvo, with all in favor, the Board of Supervisors for the Boggy Creek Improvement District approved Resolution 2023-11, Adopting an Assessment Roll for Fiscal Year 2024 Budget and Certifying Special Assessments for Collection.

**TWELFTH ORDER OF BUSINESS**

**Ratification of Operation and Maintenance Expenditures Paid in July 2023 in an amount totaling \$107,287.74**

Dr. Levey noted that these expenditures have been approved and need to be ratified by the Board.

On motion by Ms. Salvo, 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 July 2023 in an amount totaling \$107,287.74.

**THIRTEENTH ORDER OF BUSINESS**

**Ratification of Requisition No. 411 – 416 Paid in July 2023 in an amount totaling \$25,895.42**

The Board reviewed Requisition No. 411 – 416. Dr. Levey noted these have been approved and need to be ratified.

On motion by Mr. Czapka, seconded by Ms. Salvo, with all in favor, the Board of Supervisors for the Boggy Creek Improvement District ratified Requisition No. 411 – 416 paid in July 2023 in an amount totaling \$25,895.42.

**FOURTEENTH ORDER OF BUSINESS**

**Recommendation of Work Authorizations/Proposed Services**

Ms. Walden stated there were no Work Authorizations.

**FIFTEENTH ORDER OF BUSINESS**

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

Ms. Walden stated through July the District has expenses of just over \$1,000,000.00 versus an overall budget of \$1,760,000.00 which equates to spending approximately 57% of the budget.

**SIXTEENTH ORDER OF BUSINESS**

**Staff Reports**

District Counsel – No report.

District Manager – Ms. Walden stated the next meeting is Tuesday, September 19, 2023, at the current location.

District Engineer – Mr. Newton stated the roundabout at Veteran's Way and Laureate Blvd. is deemed not feasible, so the District needs to go back to the signal. He stated District staff would like to go straight to Florida Industrial Electric. Dr. Levey asked if there were other proposers. Dr. Newton noted when this first went out to bid there were no proposers, but he was able to get Florida Industrial Electric to provide a proposal. Mr. Newton stated he

reached out to Florida Industrial Electric a few weeks ago to confirm the pricing and the quote has gone up about 5%, so it's just over \$1,000,000.00. The VA has committed to up to \$600,000.00 or 50%, whichever is less, so the District is still covered for half of that cost. Mr. Newton stated the District would get it executed with the Chair and then bring it back for Board ratification.

On motion by Mr. Czapka, seconded by Ms. Salvo, with all in favor, the Board of Supervisors for the Boggy Creek Improvement District authorized the District Engineer to move forward with a contract with Florida Industrial Electric for the signal.

Landscape Supervisor – No report.

Irrigation Supervisor – No report.

Construction Supervisor – No report.

**SEVENTEENTH ORDER OF BUSINESS**

**Supervisor Requests**


There were no Supervisor requests.

**EIGHTEENTH ORDER OF BUSINESS**

**Adjournment**

Dr. Levey requested a motion to adjourn.

On motion by Ms. Salvo, seconded by Mr. Czapka, with all in favor, the August 15, 2023, Meeting of the Board of Supervisors for the Boggy Creek Improvement District was adjourned.

  
Secretary/Assistant Secretary

  
Chair/Vice Chair