

**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, April 18, 2023, at 3:11p.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
Chad Tinetti	Assistant Secretary

Also attending:

Jennifer Walden	PFM	
Lynne Mullins	PFM	(via phone)
Amanda Lane	PFM	(via phone)
Jorge Jimenez	PFM	(via phone)
Tucker Mackie	Kutak Rock	
Jeffrey Newton	Donald W. McIntosh Associates, Inc.	
Larry Kaufmann	Construction Supervisor	(via phone)
Matt McDermott	Construction Committee Member	
Katie Harmer	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
March 21, 2023, Board of
Supervisors' Meeting**

The Board reviewed the minutes of the March 21, 2023, Board of Supervisors' Meeting.

On motion by Mr. Ventura, seconded by Mr. Czapka, with all in favor, the Board of Supervisors for the Boggy Creek Improvement District approved the Minutes of the March 21, 2023, Board of Supervisors' Meeting.

FOURTH ORDER OF BUSINESS

**Review of Fiscal Year 2024
Operations & Maintenance Budget**

Ms. Walden stated District staff brought this today for Board review and feedback concerning the different line items. She noted this will be brought back to the May meeting for the Board to adopt the official proposed budget.

Dr. Levey asked if there are any line items that District staff thinks will reflect a significant change from the current year operating budget. Mr. McDermott spoke about reclaimed water going down as irrigation is a constant focus and one where the team is working to fix items as quickly as possible to avoid overspending. He also noted that contingency was brought down to compensate for other items taking increases.

The Board reviewed the budget with no action taken.

FIFTH ORDER OF BUSINESS

Discussion of Landscape Enhancements

Mr. McDermott stated this is a follow up item from last month as he was asked to speak to the Developer a little bit more to make sure District staff is not doing enhancements on future construction work. He noted his work is in between intersections so future roundabouts or traffic signals are not greatly impacted. The Board will see an additional page for landscape, which shows a year-by-year breakdown based on priorities and demonstrates that the work falls in the budget.

Mr. McDermott went over the plans for the landscape enhancements. Dr. Levey noted the Expressway Authority is going through a design process for which the Developer is paying because the widening of the overpass is the Developer's responsibility for capacity enhancement. He discussed the details of the agreement to fund the design and the plans of widening the bridge.

Discussion ensued about the plans for the upcoming enhancements to the District in the not-to-exceed amount of \$65,000 for each year through FY 2025.

SIXTH ORDER OF BUSINESS

Review and Acceptance of Arbitrage Rebate Report for the Series 2013 Bonds

Ms. Walden stated LLS Tax Solutions Inc. provided a report which indicates that there was no cumulative rebatable arbitrage liability as of April 24, 2018.

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 Arbitrage Rebate Report for the Series 2013 Bonds.

SEVENTH ORDER OF BUSINESS

Ratification of Operation and Maintenance Expenditures Paid in March 2023 in an amount totaling \$129,406.53

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

On motion by Mr. Tinetti, seconded by Mr. Ventura, with all in favor, the Board of Supervisors for the Boggy Creek Improvement District ratified the Operation and Maintenance Expenditures Paid in March 2023 in an amount totaling \$129,406.53.

EIGHTH ORDER OF BUSINESS

Ratification of Requisition Nos. 2018-287 – 2018-289 Paid in March 2023 in an amount totaling \$6,065.31

Ms. Walden noted that Requisition Nos. 2018-287 – 2018-289 have been approved and need to be ratified by the Board.

On motion by Mr. Tinetti, seconded by Ms. Ventura, with all in favor, the Board of Supervisors for the Boggy Creek Improvement District ratified Requisition Nos. 2018-287 – 2018-289 paid in March 2023 in an amount totaling \$6,065.31.

NINTH ORDER OF BUSINESS

Recommendation of Work Authorizations/Proposed Services

Mr. Newton stated there is a proposal from Donald W. McIntosh Associates, Inc. for two sketches of description associated with the District’s acquisition of the two interchange ponds on the south side of the 417. It’s a not-to-exceed \$2,200.00 to prepare the two sketches needed for that acquisition.

Dr. Levey asked if there a time concern with this item. Ms. Mackie stated the District has been informed by Tavistock that they are ready for the District to acquire these ponds. She stated this is one of the items in the District’s current project. It is associated with the interchange, so it is a shared expense with the Boggy Creek Improvement District, the Myrtle Creek Improvement District, and the Greenway Improvement District. Additionally, District staff previously had a metes and bounds description prepared when the District accepted a perpetual maintenance easement over these ponds until such time as they were ready to be acquired. At the time, the District did not move forward for the benefit of itself and the sister Districts because it was deemed that these ponds might be subject to modification. In between the time the easement was done and now, portions of the original property had been conveyed to CFX in conjunction with a potential widening of the interchange. The District still has a perpetual easement over the property owned by CFX, so the fact that certain portions of the pond are owned by CFX versus the District isn’t problematic. However, it does mean that the District is acquiring less land than was initially anticipated, meaning the District needs new metes and bounds descriptions for this property because it’s not platted. Acquisition of the ponds will not be presented to the District until the next meeting, but in order to prepare documents District staff would need the metes and bounds descriptions to start.

On motion by Mr. Ventura, seconded by Mr. Tinetti, with all in favor, the Board of Supervisors for the Boggy Creek Improvement District approved the not-to-exceed amount of \$2,200.00 with Donald W. McIntosh Associates, Inc. to prepare two sketches for the description associated with the acquisition of the two interchange ponds.

TENTH ORDER OF BUSINESS

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

Ms. Walden stated the District has expenses of just under \$492,000.00 versus an overall budget of \$1,760,000.00 which equates to spending approximately 28% of the budget.

ELEVENTH ORDER OF BUSINESS

Staff Reports

District Counsel – No report.

District Manager – Ms. Walden stated the next scheduled meeting for May will be on the second Tuesday, May 9, 2023. Dr. Levey and Mr. Czapka noted they will not be in attendance. Ms. Walden stated that District staff will check with Ms. Salvo to ensure there will be a quorum since Mr. Ventura and Mr. Tinetti can attend.

Ms. Walden noted for the Construction Committee monthly meetings the location is changing from the District Engineer's office to the Developer's office starting in May. District staff is also going to cancel the secondary meeting, so the meeting will be once a month now. The dates will be May 4, 2023, June 15, 2023, July 13, 2023, August 10, 2023 and September 7, 2023. The Board Members asked to be added to the calendar invite.

District Engineer – Mr. Newton stated District staff got some preliminary results from Kittleson regarding the feasibility of a roundabout at the VA entrance. From an operational standpoint, Kittleson indicated it is feasible so they need to move on into the geometric analysis of it to make sure they can physically make it work.

Landscape Supervisor – No report.

Irrigation Supervisor – No report.

Construction Supervisor – No report.

TWELFTH ORDER OF BUSINESS

Supervisor Requests

There were no Supervisor requests.

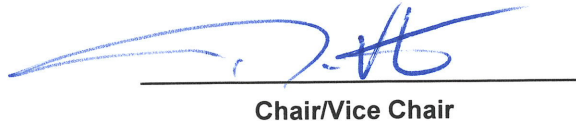
THIRTEENTH ORDER OF BUSINESS

Adjournment

Dr. Levey requested a motion to adjourn.

On motion by Mr. Czapka, seconded by Mr. Ventura, with all in favor, the April 18, 2023, Meeting of the Board of Supervisors for the Boggy Creek Improvement District was adjourned.


Secretary/Assistant Secretary


Chair/Vice Chair