

**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, July 18, 2023, 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
Chad Tinetti	Assistant Secretary

Also attending:

Jennifer Walden	PFM	
Lynne Mullins	PFM	
Amanda Lane	PFM	(via phone)
Kevin Plenzler	PFM	
Tucker Mackie	Kutak Rock	
Ryan Dugan	Kutak Rock	
Jeffrey Newton	Donald W. McIntosh Associates, Inc.	
Matt McDermott	Construction Committee Member	
Samantha Sharenow	Berman	(via phone)
Chris Wilson	Tavistock	
Drew Dawson	Tavistock	(via phone @ 3:08pm)
Michael Baldwin	Jefferies	

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
June 20, 2023, Board of Supervisors'
Meeting**

The Board reviewed the minutes of the June 20, 2023, Board of Supervisors' Meeting.

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 Minutes of the June 20, 2023, Board of Supervisors' Meeting.

FOURTH ORDER OF BUSINESS

**Consideration of Resolution 2023-08,
Approving an Annual Meeting
Schedule for Fiscal Year 2024**

Ms. Walden stated this Resolution is setting the meeting schedule for the Board of Supervisors' Meetings as well as the Construction Committee Meetings for Fiscal Year 2024. For the Board of Supervisors' Meetings, District staff is recommending keeping the meetings on the third Tuesday of each month at 3:00 p.m. at the current location, except for November, December and March, as those would be held the second Tuesday of the month. As for the Construction Committee Meeting schedule, District staff is recommending keeping the meetings on the 2nd Thursday of each month at 3:30 p.m. at the Tavistock office.

On motion by Mr. Ventura, seconded by Mr. Tinetti, with all in favor, the Board of Supervisors for the Boggy Creek Improvement District approved Resolution 2023-08, Approving an Annual Meeting Schedule for Fiscal Year 2024 setting the Board of Supervisors' Meetings for the third Tuesday of each month at 3:00 p.m. at the Courtyard Orlando Lake Nona, 6955 Lake Nona Blvd, Orlando, FL 32827, except for November, December and March, which would be on the second Tuesday of the month, and the Construction Committee Meetings for the 2nd Thursday of each month at 3:30 p.m. at the Tavistock office, 6900 Tavistock Lakes Blvd. Suite 200, Orlando, FL 32827.

FIFTH ORDER OF BUSINESS

**Consideration of PFM Financial
Advisors Assessment Consulting
Agreement**

Ms. Walden noted the fee was slightly adjusted to \$20,000.00.

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 PFM Financial Advisors Assessment Consulting Agreement in the amount of \$20,000.00.

SIXTH ORDER OF BUSINESS

**Consideration of Resolution 2023-07,
Supplemental Assessment
Resolution**

Ms. Mackie stated at the previous meeting the Board approved a Delegated Award Resolution that allowed the District to market its Series 2023 Bonds for the purpose of paying off a Series 2018 Bond Anticipation Note, which matures at the end of the month. After marketing the Bonds, the District had a successful pricing that resulted in the District executing a Bond Purchase Agreement for a par amount of \$17,470,000.00. District staff pre-closed on the Bonds today, and the closing will be July 20, 2023. In connection with the issuance, Mr. Plenzler with PFM has revised the Methodology Report that was presented at the last meeting to conform to the terms of the Bonds being issued. She noted Mr. Plenzler can review that report in detail if the Board would like him to do so.

Mr. Ventura asked what changed. Mr. Plenzler stated the changes are in table three, on Page 49 of the agenda package, where it shows the final pricing information with the par amount of Bonds and the District's rate of 5.26%.

On motion by Mr. Ventura, seconded by Mr. Czapka, with all in favor, the Board of Supervisors for the Boggy Creek Improvement District approved Resolution 2023-07, Supplemental Assessment Resolution.

SEVENTH ORDER OF BUSINESS

**Ratification of Promissory Note for
Lake Nona Blvd Interchange – Ponds
A and B**

Ms. Mackie stated at the last meeting the Board approved the acquisition of the Interchange ponds on behalf of the District and sister Districts. The promissory note has been executed following that approval to conform to the final closing value of the real estate, including closing costs. At the request of the Developer, District staff is providing for Boggy Creek Improvement District's proportionate share of the acquisition cost with a promissory note. The sister Districts have utilized funds remaining in the construction account to pay for their respective portions.

On motion by Mr. Ventura, seconded by Mr. Tinetti, with all in favor, the Board of Supervisors for the Boggy Creek Improvement District ratified the Promissory Note for Lake Nona Blvd Interchange – Ponds A and B.

EIGHTH ORDER OF BUSINESS

**Discussion regarding Competitive
Procurement of Underwriting
Services**

Dr. Levey stated from a public entity standpoint services like this should go through a competitive process rather than being sole sourced. He previously suggested finding another Board that did this in the State and the District could piggyback off their process, but District staff wasn't able to find any. Dr. Levey asked whether this Board and sister Boards should collectively go and solicit proposals for underwriting services and develop the criteria.

Ms. Mackie stated there is no requirement for competitive procurement for these services, but the Board could develop their own policy and procedures. She added that District staff can work on putting something together and put it in writing for the District. Discussion ensued regarding the process and vendors that are available to provide underwriting services.

The Board asked District Counsel and District Manager to explore and frame up a potential process.

NINTH ORDER OF BUSINESS

**Ratification of Operation and
Maintenance Expenditures Paid in
June 2023 in an amount totaling
\$99,427.95**

Dr. Levey noted that these expenditures 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 the Operation and Maintenance Expenditures Paid in June 2023 in an amount totaling \$99,427.95.

TENTH ORDER OF BUSINESS

**Ratification of Requisition No. 2018-
297 – 2018-301 Paid in June 2023 in an
amount totaling \$44,411.62**

The Board reviewed the Requisitions. Dr. Levey noted these have been approved and need to be ratified.

On motion by Mr. Ventura, seconded by Mr. Tinetti, with all in favor, the Board of Supervisors for the Boggy Creek Improvement District ratified Requisition Nos. 2018-297 – 2018-301 paid in June 2023 in an amount totaling \$44,411.62.

ELEVENTH ORDER OF BUSINESS

**Recommendation of Work
Authorizations/Proposed Services**

There were no Work Authorizations.

TWELFTH ORDER OF BUSINESS

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

Ms. Walden stated the District has expenses of just over \$941,000.00 versus an overall budget of \$1,760,000.00 which equates to spending approximately 53.5% of the budget.

THIRTEENTH ORDER OF BUSINESS

Staff Reports

District Counsel – No report.

District Manager – Ms. Walden stated the next meeting is Tuesday, August 15, 2023, where the Board will adopt the final budget.

District Engineer – Mr. Newton stated the District doesn't have any active construction projects. He noted the roundabout feasibility study at the VA has deemed a roundabout to be not feasible, so that will be going back to a traffic signal. He also noted that the District's pre-qualified Contractors were qualified two years ago next month, and the District has the ability to extend those pre-qualifications. This will come back to the Board at the next meeting for discussion.

Landscape Supervisor – Ms. Sharenow noted that there are weed issues throughout the area, and District staff is monitoring that closely with the Contractor. Recently, the Contractor laid sod in an area that has already died, so they will be replacing that sod. She noted that she sent over a small proposal for roughly \$1,800.00 to replace the failing loropetalum with dwarf firebush around the bougainvillea on the Interchange. District Manager will review and provide direction.

Irrigation Supervisor – No report.

Construction Supervisor – No report.

FOURTEENTH ORDER OF BUSINESS

Supervisor Requests

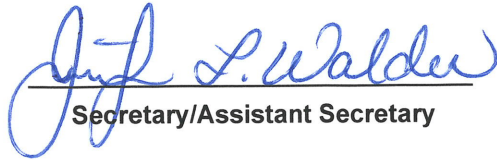
There were no Supervisor requests.

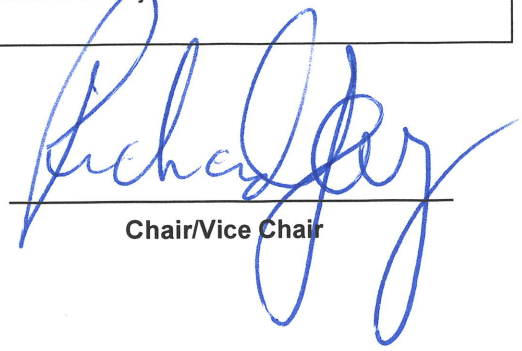
FIFTEENTH ORDER OF BUSINESS

Adjournment

Dr. Levey requested a motion to adjourn.

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


Secretary/Assistant Secretary


Chair/Vice Chair