

**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 20, 2024, at 3:15 p.m. at 6900 Tavistock Lakes Blvd., Ste 200, Orlando, FL 32827.

Present:

Richard Levey	Chairperson
Damon Ventura	Vice Chairperson
Thad Czapka	Assistant Secretary
Julie Salvo	Assistant Secretary
Chad Tinetti	Assistant Secretary

Also attending:

Jennifer Walden	PFM	
Lynne Mullins	PFM	
Amanda Lane	PFM	(via phone)
Jasmin Barone	PFM	(via phone)
Jeffrey Newton	Donald W. McIntosh Associates	
Tucker Mackie	Kutak Rock	
Ryan Dugan	Kutak Rock	(via phone)
DJ Batten	Berman	
Samantha Sharenow	Berman	(via phone)
Katie Harmer	Berman	(via phone)
Chris Wilson	Tavistock	

SECOND ORDER OF BUSINESS

Public Comment Period

Dr. Levey called for public comments. He noted there was no one from the public present.

THIRD ORDER OF BUSINESS

**Consideration of the Minutes of the
June 18, 2024, Board of Supervisors'
Meeting**

The Board reviewed the minutes of the June 18, 2024, Board of Supervisors' Meeting.

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 Minutes of the June 18, 2024, Board of Supervisors' Meeting.

FOURTH ORDER OF BUSINESS

**Consideration of the Minutes of the
June 28, 2024, Interchange Landscape
and Irrigation Bid Opening Meeting**

The Board reviewed the minutes of the June 28, 2024, Interchange Landscape and Irrigation Bid Opening Meeting.

On motion by Ms. Salvo, seconded by Mr. Ventura, with all in favor, the Board of Supervisors for the Boggy Creek Improvement District approved the Minutes of the June 28, 2024, Interchange Landscape and Irrigation Bid Opening Meeting.

FIFTH ORDER OF BUSINESS

**Consideration of Resolution 2024-07,
Approving an Annual Meeting
Schedule for Fiscal Year 2025**

Ms. Walden stated the recommendation for the Board of Supervisors' Meeting schedule is to keep the third Tuesday of every month, with the exception of March which would be the second Tuesday of the month due to Spring Break, at 3:00 p.m. at the same location. The recommendation for the Construction Committee Meeting schedule is keeping the second Thursday of the month at 3:30 p.m. at the same location.

On motion by Mr. Tinetti, seconded by Ms. Salvo, with all in favor, the Board of Supervisors for the Boggy Creek Improvement District approved Resolution 2024-07, Approving an Annual Meeting Schedule for Fiscal Year 2025, setting the Board of Supervisors' Meetings for the third Tuesday of each month, with the exception of March which would be the second Tuesday of the month, at 3:00 p.m. at the Tavistock offices, 6900 Tavistock Lakes Blvd., Suite 200, Orlando, Florida 32827 and the Construction Committee Meetings for the second Thursday of each month at 3:30 p.m. at Tavistock offices, 6900 Tavistock Lakes Blvd., Suite 200, Orlando, Florida 32827.

SIXTH ORDER OF BUSINESS

**Discussion of Construction
Committee Member Vacancy**

Mr. Wilson stated the Construction Committee recommends Hudson Larson for the vacancy on the Construction Committee.

On motion by Ms. Salvo, seconded by Mr. Tinetti, with all in favor, the Board of Supervisors for the Boggy Creek Improvement District approved the Construction Committee's recommendation of Hudson Larson for the vacancy on the Construction Committee.

SEVENTH ORDER OF BUSINESS

**Consideration of Award of
Interchange Landscape and Irrigation
Maintenance Services
a. Construction Committee
Recommendation**

Ms. Walden stated the District went through a RFP process for these services as discussed at a previous meeting. District staff reached out to 24 vendors, ten showed up for the mandatory pre-bid meeting, two of those vendors stated after that meeting that they would not be submitting a proposal, and five vendors

submitted a proposal. She explained that included in the agenda packet is the Construction Committee's recommendation based on the evaluation criteria. Ms. Walden noted that ULS did not provide a bid bond so that vendor was not ranked.

Discussion ensued regarding the vendors, pricing and rankings.

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 Construction Committee's rankings with Cepra at number one, BrightView at number two, Continuum Services at number three, and Yellowstone at number four and authorized the Chairman to execute an agreement with Cepra.

EIGHTH ORDER OF BUSINESS

Consideration of Trail Maintenance Proposals

- a. **Berman - \$15,308**
- b. **Landmark - \$16,400**
- c. **Jr. Davis – declined**

Ms. Walden explained that two proposals were received, one for Berman for \$15,308.00 and one for Landmark for \$16,400.00, and Jr. Davis declined to provide a proposal. Additionally, Berman requested a proposal from Atlantic Southern, but they have not responded. She noted their sister District, Greenway Improvement District, did go with Berman for their trail maintenance work. Ms. Walden stated the executed agreement will include a one-year warranty.

On motion by Mr. Ventura, seconded by Ms. Salvo, with all in favor, the Board of Supervisors for the Boggy Creek Improvement District approved the trail maintenance proposal from Berman in the amount of \$15,308.00.

NINTH ORDER OF BUSINESS

Consideration of Non-Ad Valorem Assessment Administration Agreement with Orange County Property Appraiser

Ms. Walden stated this is a standard Annual Agreement that the District goes into with the Property Appraiser so that the District can go on roll.

On motion by Ms. Salvo, seconded by Mr. Tinetti, with all in favor, the Board of Supervisors for the Boggy Creek Improvement District approved Non-Ad Valorem Assessment Administration Agreement with Orange County Property Appraiser.

TENTH ORDER OF BUSINESS

Ratification of Data Sharing and Usage Agreement with Orange County Property Appraiser's Office

Ms. Walden stated this is an Annual Agreement that notates the District may receive confidential or exempt information and the information will not be shared. She noted the Chair signed this agreement outside of a meeting to keep the process moving to finalize the roll.

On motion by Mr. Ventura, seconded by Ms. Salvo, with all in favor, the Board of Supervisors for the Boggy Creek Improvement District ratified the Data Sharing and Usage Agreement with Orange County Property Appraiser's Office.

ELEVENTH ORDER OF BUSINESS

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

Ms. Walden stated the report indicates there is no cumulative rebatable arbitrage liability as of April 24, 2024.

On motion by Mr. Ventura, seconded by Mr. Tinetti, with all in favor, the Board of Supervisors for the Boggy Creek Improvement District accepted the Arbitrage Rebate Report for the Series 2013 Bonds.

TWELFTH ORDER OF BUSINESS

Consideration of Annual Arbitrage Rebate Calculations Proposal from LLS Tax Solutions, Inc.

Ms. Walden explained that in the past the District was receiving five-year calculations at a cost of \$2,500.00. District staff is recommending switching to annual calculations to make sure nothing is getting missed. LLS Tax Solutions, Inc. provided an updated quote of a cost of \$500.00 yearly.

On motion by Mr. Ventura, seconded by Ms. Salvo, with all in favor, the Board of Supervisors for the Boggy Creek Improvement District approved the Annual Arbitrage Rebate Calculations Proposal from LLS Tax Solutions, Inc. at a \$500.00 yearly cost.

THIRTEENTH 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 2024-08, Adopting the Fiscal Year 2025 Budget and Appropriating Funds

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

Ms. Walden noted the District noticed this hearing pursuant to Florida Statutes.

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

Ms. Walden noted the some of the O&M budget line items were moved around based on actuals, but the overall budget is the same that was presented to the Board in May.

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 2024-08, Adopting the Fiscal Year 2025 Budget and Appropriating Funds.

FOURTEENTH ORDER OF BUSINESS

**Consideration of Resolution 2024-09,
Adopting an Assessment Roll for
Fiscal Year 2025 Budget and
Certifying Special Assessments for
Collection**

Ms. Walden stated there are no changes in the assessments.

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 2024-09, Adopting an Assessment Roll for Fiscal Year 2025 Budget and Certifying Special Assessments for Collection.

FIFTEENTH ORDER OF BUSINESS

**Consideration of Resolution 2024-10,
Adopting Goals, Objectives, and
Performance Measures and
Standards**

Ms. Walden stated as of July 1, 2024, there is a new Florida Statute which states the District has to establish goals and objectives and create performance measures and standards to evaluate those goals and objectives by October 1, 2024. Along with the Resolution from District Counsel, the goals and measures are included as an exhibit and were put together by District staff based on the current requirements of the District. At the end of the Fiscal Year the report will get updated on how the District did, if those goals were met or not, and then brought before the Board as well as get posted on the District's website. Additionally, this will be a new annual item. Dr. Levey stated that he has reviewed and approves of the goals and measures for the first year.

On motion by Ms. Salvo, seconded by Mr. Tinetti, with all in favor, the Board of Supervisors for the Boggy Creek Improvement District approved Resolution 2024-10, Adopting Goals, Objectives, and Performance Measures and Standards.

SIXTEENTH ORDER OF BUSINESS

Ratification of Operation and Maintenance Expenditures Paid in June 2024 in an amount totaling \$100,102.68

The Board reviewed O&M expenditures paid in June 2024. Ms. Walden noted that these expenditures have been approved and need to be ratified by the Board.

On motion by Mr. Ventura, seconded by Ms. Salvo, with all in favor, the Board of Supervisors for the Boggy Creek Improvement District ratified the Operation and Maintenance Expenditures Paid in June 2024 in an amount totaling \$100,102.68.

SEVENTEENTH ORDER OF BUSINESS

Ratification of Operation and Maintenance Expenditures Paid in July 2024 in an amount totaling \$270,811.58

The Board reviewed O&M expenditures paid in July 2024. Ms. Walden noted that these expenditures have been approved and need to be ratified by the Board.

On motion by Mr. Ventura, seconded by Ms. Salvo, with all in favor, the Board of Supervisors for the Boggy Creek Improvement District ratified the Operation and Maintenance Expenditures Paid in July 2024 in an amount totaling \$270,811.58.

EIGHTEENTH ORDER OF BUSINESS

Ratification of Requisition Nos. 451 – 457 Paid in July 2024 in an amount totaling \$24,727.11

The Board reviewed Requisition Nos. 451 – 457. Ms. Walden noted these have been approved and need to be ratified.

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. 451 – 457 Paid in July 2024 in an amount totaling \$24,727.11.

NINETEENTH ORDER OF BUSINESS

**Recommendation of Work
Authorizations/Proposed Services**

Ms. Walden stated the first Work Authorization is for a bike lane sign replacement from Berman in the amount of \$400.00.

On motion by Ms. Salvo, seconded by Mr. Ventura, with all in favor, the Board of Supervisors for the Boggy Creek Improvement District approved the Work Authorization for a bike lane sign replacement from Berman in the amount of \$400.00.

Ms. Walden stated the next Work Authorization is from Berman for the annual pressure washing of the monuments and walls in the amount of \$4,200.00.

On motion by Ms. Salvo, seconded by Mr. Tinetti, with all in favor, the Board of Supervisors for the Boggy Creek Improvement District approved the Work Authorization for annual pressure washing of the monuments and walls in the amount of \$4,200.00.

Ms. Walden stated the next Work Authorization was done before the annual pressure washing Work Authorization and is for the ribbon walls in front of Landon House and Pixon. The recommendation was from Berman stating this pressure washing should be done quarterly due to those walls getting dirtier more often and the cost would be \$1,500.00 per cleaning.

On motion by Mr. Ventura, seconded by Ms. Salvo, with all in favor, the Board of Supervisors for the Boggy Creek Improvement District approved the Work Authorization for quarterly pressure washing of the ribbon walls in the amount of \$1,500.00 per cleaning.

TWENTIETH ORDER OF BUSINESS

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

Ms. Walden stated through the end of May the District has expenses of just over \$976,000.00 versus an overall budget of \$1,744,000.00, which equates to approximately 56% of the total budget spent.

TWENTY-FIRST ORDER OF BUSINESS

Staff Reports

District Counsel – Ms. Mackie reminded the Board that the ethics training must be completed by December 2024. The Board requested that District staff recirculate the email with links for the ethics training.

District Manager – Ms. Walden stated the next Board Meeting is Tuesday, September 17, 2024.

District Engineer – Mr. Newton stated the District does not have any current construction projects. He noted there are three projects coming up that will be undertaken by the Developer. They are the roundabouts on Lake Nona Boulevard, Lift Station 9 and the traffic signal at Veterans and Laureate

Boulevard. These projects will be acquired by the District, but the Construction is being handled by the Developer.

Mr. Newton presented the GIS based web app which shows what the District is responsible to maintain from an infrastructure standpoint. He noted that the idea would be to add a link to the District's website if the Board agrees.

Landscape Supervisor – No report.

Irrigation Supervisor – No report.

Construction Supervisor – No report.

TWENTY-SECOND ORDER OF BUSINESS

Supervisor Requests

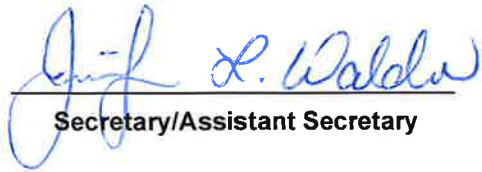
Dr. Levey requested a cost benefit for sealing the walls versus the quarterly pressure washing.

TWENTY-THIRD 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 August 20, 2024, Meeting of the Board of Supervisors for the Boggy Creek Improvement District was adjourned.


Secretary/Assistant Secretary


Chair/Vice Chair