

Boggy Creek Improvement District

3501 Quadrangle Boulevard, Suite 270, Orlando, FL 32817; Phone: 407-723-5900

www.boggycreekid.org

The following is the proposed agenda for the upcoming Meeting of the Board of Supervisors for the Boggy Creek Improvement District ("District"), scheduled to be held at **3:00 p.m. on Tuesday, November 19, 2024, at 6900 Tavistock Lakes Blvd. Ste 200, Orlando, FL 32827**. A quorum will be confirmed prior to the start of the meeting.

District Staff, please use the following information to join via computer or the conference line:

Phone: 1-844-621-3956

Computer: pfmccd.webex.com

Participant Code: 2531 126 0013#

BOARD OF SUPERVISORS' MEETING AGENDA

Organizational Matters

- Roll Call to Confirm a Quorum
- Public Comment Period
- 1. **Swearing in Newly Elected Board Members**
- 2. **Consideration of the Minutes of the October 15, 2024, Board of Supervisors' Meeting**
- 3. **Consideration of the Minutes of the November 5, 2024, Landowners' Election Meeting**
- 4. **Consideration of Resolution 2025-01, Canvassing and Certifying the Results of the Landowners' Election**
- 5. **Consideration of Resolution 2025-02, Election of Officers**

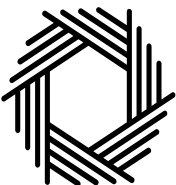
Business Matters

- 6. **Consideration of Resolution 2025-03, Adopting an Amended Budget for Fiscal Year 2024**
(provided under separate cover)
- 7. **Ratification of Operation and Maintenance Expenditures Paid in October 2024 in an amount totaling \$88,355.92** *(provided under separate cover)*
- 8. **Ratification of Requisition Nos. 461 – 462 Paid in October 2024 in an amount totaling \$558.25**
(provided under separate cover)
- 9. **Recommendation of Work Authorizations/Proposed Services** *(if applicable)*
- 10. **Review of District's Financial Position and Budget to Actual YTD** *(provided under separate cover)*

Other Business

- A. Staff Reports
 - 1. District Counsel
 - 2. District Manager
 - 3. District Engineer
 - 4. Landscape Supervisor
 - 5. Irrigation Supervisor
 - 6. Construction Supervisor
- B. Supervisor Requests

Adjournment



pfm

BOGGY CREEK IMPROVEMENT DISTRICT

Oath of Office

**BOGGY CREEK IMPROVEMENT DISTRICT
BOARD OF SUPERVISORS
OATH OF OFFICE**

I, _____, A CITIZEN OF THE STATE OF FLORIDA AND OF THE UNITED STATES OF AMERICA, AND BEING EMPLOYED BY OR AN OFFICER OF BOGGY CREEK IMPROVEMENT DISTRICT AND A RECIPIENT OF PUBLIC FUNDS AS SUCH EMPLOYEE OR OFFICER, DO HEREBY SOLEMNLY SWEAR OR AFFIRM THAT I WILL SUPPORT THE CONSTITUTION OF THE UNITED STATES AND OF THE STATE OF FLORIDA.

Board Supervisor

ACKNOWLEDGMENT OF OATH BEING TAKEN

STATE OF FLORIDA
COUNTY OF _____

The foregoing oath was administered before me by means of physical presence or online notarization, this _____ day of _____, 2024, by _____, who is personally known to me or has produced _____ as identification, and is the person described in and who took the aforementioned oath as a Member of the Board of Supervisors of Boggy Creek Improvement District and acknowledged to and before me that he/she took said oath for the purposes therein expressed.

(NOTARY SEAL)

Notary Public, State of Florida

Print Name: _____

Commission No.: _____ Expires: _____

BOGGY CREEK IMPROVEMENT DISTRICT

**Minutes of the October 15, 2024,
Board of Supervisors' Meeting**

**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, October 15, 2024, at 3:00 p.m. at 6900 Tavistock Lakes Blvd., Ste 200, Orlando, FL 32827.

Present:

Damon Ventura	Vice Chairperson	
Thad Czapka	Assistant Secretary	
Julie Salvo	Assistant Secretary	(joined at 3:01 p.m.)
Chad Tinetti	Assistant Secretary	

Also attending:

Jennifer Walden	PFM	
Amanda Lane	PFM	(via phone)
Jasmin Barone	PFM	(via phone)
Jeffrey Newton	Donald W. McIntosh Associates	
Tucker Mackie	Kutak Rock	
DJ Batten	Berman	
Samantha Sharenow	Berman	(via phone)
Dan Young	Tavistock	

SECOND ORDER OF BUSINESS

Public Comment Period

Ms. Walden called for public comments. She noted there was no one from the public present.

Ms. Walden noted for the record that Ms. Salvo joined the meeting in progress.

THIRD ORDER OF BUSINESS

**Consideration of the Minutes of the
August 20, 2024, Board of
Supervisors' Meeting**

The Board reviewed the minutes of the August 20, 2024, 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 August 20, 2024, Board of Supervisors' Meeting.

FOURTH ORDER OF BUSINESS

**Consideration of Fiscal Year 2024
Audit Engagement Letter with Berger,
Toombs, Elam, Gaines & Frank**

Ms. Walden stated the Audit Engagement Letter has been reviewed by District staff, revisions were made, and the letter is now ready for execution today 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 approved the Fiscal Year 2024 Audit Engagement Letter with Berger, Toombs, Elam, Gaines & Frank.

FIFTH ORDER OF BUSINESS

Consideration of License Agreement Regarding Use of District Property for Recreational Activities

Ms. Mackie stated included in the agenda is a proposed License Agreement between the District and Lake Nona Land Company. She explained Lake Nona Land Company is looking into the potential of using District owned stormwater ponds, which are the ones adjacent to the Interchange, for the possible location of a floating padel court. The District Engineer has confirmed that there is no issue associated with any permits for stormwater, and assuming that there are no issues addressed as it relates to floating ball equipment, the District could be able to grant the License Agreement if that is the decision of the Board. Ms. Mackie noted her team has prepared the License Agreement in the format of a proper agreement between the District and entity.

There was a brief discussion regarding insurance, costs, and possible downside to the District.

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 License Agreement Regarding Use of District Property for Recreational Activities and delegating authority to the Chair and District staff to continue to address any ancillary issues if the project moves forward.

SIXTH ORDER OF BUSINESS

Ratification of Egis Insurance Package for FY 2025

Ms. Walden stated the coverage came in at \$15,554.00 and the budget was \$16,986.65, so the District is under budget on this item. She noted the package was executed outside of a meeting so that there was no lapse in coverage.

On motion by Ms. Salvo, seconded by Mr. Tinetti, with all in favor, the Board of Supervisors for the Boggy Creek Improvement District ratified the Egis Insurance Package for FY 2025.

SEVENTH ORDER OF BUSINESS

Ratification of Operation and Maintenance Expenditures Paid in August 2024 in an amount totaling \$72,910.67

The Board reviewed O&M expenditures paid in August 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 August 2024 in an amount totaling \$72,910.67.

EIGHTH ORDER OF BUSINESS

Ratification of Operation and Maintenance Expenditures Paid in September 2024 in an amount totaling \$160,443.22

The Board reviewed O&M expenditures paid in September 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 Mr. Tinetti, with all in favor, the Board of Supervisors for the Boggy Creek Improvement District ratified the Operation and Maintenance Expenditures Paid in September 2024 in an amount totaling \$160,443.22.

NINTH ORDER OF BUSINESS

Ratification of Requisition Nos. 458 – 459 Paid in August 2024 in an amount totaling \$5,619.50

The Board reviewed Requisition Nos. 458 – 459. 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. 458 – 459 Paid in August 2024 in an amount totaling \$5,619.50.

TENTH ORDER OF BUSINESS

Ratification of Requisition No. 460 Paid in September 2024 in an amount totaling \$10,543.35

The Board reviewed Requisition No. 460. Ms. Walden noted this has been approved and needs 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 No. 460 Paid in September 2024 in an amount totaling \$10,543.35.

ELEVENTH ORDER OF BUSINESS

**Recommendation of Work
Authorizations/Proposed Services**

Ms. Walden stated the first Work Authorization is for holiday decorations from Berman in the amount of \$500.00. She noted this includes putting up decorations, taking them down, and storing the decorations for the year.

On motion by Mr. Tinetti, seconded by Ms. Salvo, with all in favor, the Board of Supervisors for the Boggy Creek Improvement District approved the Work Authorization for holiday decorations from Berman in the amount of \$500.00.

Ms. Walden stated the next Work Authorization is from Cepra for hurricane clean up of the dead pine trees in the amount of \$3,214.29.

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 hurricane clean up of the dead pine trees from Cepra in the amount of \$3,214.29.

TWELFTH ORDER OF BUSINESS

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

Ms. Walden stated through the end of September the District has expenses of just over \$1,174,000.00 versus an overall budget of \$1,744,000.00, which equates to approximately 67% of the total budget spent.

THIRTEENTH ORDER OF BUSINESS

Staff Reports

District Counsel – No report.

District Manager – Ms. Walden stated the next Board Meeting is Tuesday, November 19th. She noted at that meeting the Fiscal Year 2024 budget will need to be revised due to some line items going over the threshold.

District Engineer – No report.

Landscape Supervisor – Ms. Sharenow stated the fire ant treatment was rescheduled due to the storm to get done this week. She noted the pressure washing that was approved at the last meeting was not completed before the storm but that will be resumed this week also.

Irrigation Supervisor – No report.

Construction Supervisor – No report.

FOURTEENTH ORDER OF BUSINESS

Supervisor Requests

Mr. Tinetti asked about the cones being removed from the bridge on Lake Nona Boulevard, and there are also some construction signs that fell.

FIFTEENTH ORDER OF BUSINESS

Adjournment

Ms. Walden requested a motion to adjourn.

On motion by Mr. Czapka, seconded by Mr. Tinetti, with all in favor, the October 15, 2024, Meeting of the Board of Supervisors for the Boggy Creek Improvement District was adjourned.

Secretary/Assistant Secretary

Chair/Vice Chair

BOGGY CREEK IMPROVEMENT DISTRICT

**Minutes of the November 5, 2024,
Landowners' Election Meeting**

**BOGGY CREEK IMPROVEMENT DISTRICT
LANDOWNERS' MEETING MINUTES**

The Landowners' Election of the Boggy Creek Improvement District was held on Tuesday, **November 5, 2024, at 10:15 a.m.** at 6900 Tavistock Lakes Blvd., Suite 200, Orlando, FL 32827.

Jennifer Walden	PFM
Lynne Mullins	PFM
Tucker Mackie	Kutak Rock (via phone)
Drew Dawson	Proxy Holder

FIRST ORDER OF BUSINESS

Call to Order

Ms. Walden called the Landowners' Election to order at 10:15 a.m.

SECOND ORDER OF BUSINESS

**Appointment of Meeting
Chairman**

Ms. Walden, an employee of the District Management's office, served as Chairman of the meeting.

THIRD ORDER OF BUSINESS

**Identification of
Landowners and/or
Landowners' Proxy
Holder(s)**

Ms. Walden stated Kenneth Drew Dawson is the proxy holder for Lake Nona Land Co. LLC which owns 450.89 acres total and allows for 454 votes.

FOURTH ORDER OF BUSINESS

**Call for Nominations and
Casting of Votes**

Mr. Dawson cast his votes as per the Official Ballot:

- Seat 1 – Julie Salvo – 454 votes
- Seat 2 – Richard Levey – 454 votes
- Seat 5 – Thad Czapka – 453 votes

Ms. Walden stated Ms. Salvo and Dr. Levey will each serve a four-year term and Mr. Czapka will serve a two-year term.

FIFTH ORDER OF BUSINESS

Adjournment

The Boggy Creek Improvement District Landowners' Election was adjourned.

Secretary/Assistant Secretary

Chair/Vice Chair

BOGGY CREEK IMPROVEMENT DISTRICT

**Resolution 2025-01,
Canvassing and Certifying the Results of the
Landowners' Election**

RESOLUTION 2025-01

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE BOGGY CREEK IMPROVEMENT DISTRICT CANVASSING AND CERTIFYING THE RESULTS OF THE LANDOWNERS' ELECTION OF SUPERVISORS HELD PURSUANT TO SECTION 190.006(2), FLORIDA STATUTES, AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Boggy Creek Improvement District (hereinafter the "District") is a local unit of special-purpose government created and existing pursuant to Chapter 190, *Florida Statutes*, being situated entirely within the City of Orlando, Orange County, Florida; and

WHEREAS, pursuant to Section 190.006(2), *Florida Statutes*, a landowners meeting is required to be held within ninety (90) days of the District's creation and every two (2) years following the creation of the District for the purpose of electing supervisors of the District; and

WHEREAS, such landowners meeting was held on November 5, 2024, the Minutes of which are attached hereto as **Exhibit A**, and at which the below recited persons were duly elected by virtue of the votes cast in his/her favor; and

WHEREAS, the Board of Supervisors of the District, by means of this Resolution, desire to canvas the votes and declare and certify the results of said election.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE BOGGY CREEK IMPROVEMENT DISTRICT:

Section 1. The following persons are found, certified, and declared to have been duly elected as Supervisor of and for the District, having been elected by the votes cast in their favor as shown:

<u>Julie Salvo</u>	Seat 1	Votes <u>454</u>
<u>Richard Levey</u>	Seat 2	Votes <u>454</u>
<u>Thad Czapka</u>	Seat 5	Votes <u>453</u>

Section 2. In accordance with Section 190.006(2), *Florida Statutes*, and by virtue of the number of votes cast for the Supervisor, the above-named person is declared to have been elected for the following term of office:

<u>Julie Salvo</u>	(4) Year Term
<u>Richard Levey</u>	(4) Year Term
<u>Thad Czapka</u>	(2) Year Term

Section 3. This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED THIS 19th DAY OF NOVEMBER 2024.

**BOGGY CREEK IMPROVEMENT
DISTRICT**

Attest:

Secretary/Assistant Secretary

Chair/Vice Chair

EXHIBIT A

**BOGGY CREEK IMPROVEMENT DISTRICT
LANDOWNERS' MEETING MINUTES**

The Landowners' Election of the Boggy Creek Improvement District was held on Tuesday, **November 5, 2024, at 10:15 a.m.** at 6900 Tavistock Lakes Blvd., Suite 200, Orlando, FL 32827.

Jennifer Walden	PFM
Lynne Mullins	PFM
Tucker Mackie	Kutak Rock (via phone)
Drew Dawson	Proxy Holder

FIRST ORDER OF BUSINESS

Call to Order

Ms. Walden called the Landowners' Election to order at 10:15 a.m.

SECOND ORDER OF BUSINESS

**Appointment of Meeting
Chairman**

Ms. Walden, an employee of the District Management's office, served as Chairman of the meeting.

THIRD ORDER OF BUSINESS

**Identification of
Landowners and/or
Landowners' Proxy
Holder(s)**

Ms. Walden stated Kenneth Drew Dawson is the proxy holder for Lake Nona Land Co. LLC which owns 450.89 acres total and allows for 454 votes.

FOURTH ORDER OF BUSINESS

**Call for Nominations and
Casting of Votes**

Mr. Dawson cast his votes as per the Official Ballot:

- Seat 1 – Julie Salvo – 454 votes
- Seat 2 – Richard Levey – 454 votes
- Seat 5 – Thad Czapka – 453 votes

Ms. Walden stated Ms. Salvo and Dr. Levey will each serve a four-year term and Mr. Czapka will serve a two-year term.

FIFTH ORDER OF BUSINESS

Adjournment

The Boggy Creek Improvement District Landowners' Election was adjourned.

Secretary/Assistant Secretary

Chair/Vice Chair

BOGGY CREEK IMPROVEMENT DISTRICT

**Resolution 2025-02,
Election of Officers**

RESOLUTION 2025-02

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE BOGGY CREEK IMPROVEMENT DISTRICT ELECTING THE OFFICERS OF THE DISTRICT AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the **BOGGY CREEK IMPROVEMENT DISTRICT** (hereinafter the “District”) is a local unit of special-purpose government created and existing pursuant to Chapter 190, Florida Statutes; and

WHEREAS, the Board of Supervisors of the District desires to elect the Officers of the District.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE BOGGY CREEK IMPROVEMENT DISTRICT:

- Section 1. Richard Levey is elected Chair.
- Section 2. Damon Ventura is elected Vice Chair.
- Section 3. Jennifer Walden is elected Secretary.
- Section 4. Lynne Mullins is elected Assistant Secretary.
Chad Tinetti is elected Assistant Secretary.
Thad Czapka is elected Assistant Secretary.
Julie Salvo is elected Assistant Secretary.
- Section 5. Jennifer Glasgow is elected Treasurer.
- Section 6. Amanda Lane is elected Assistant Treasurer.
Amy Champagne is elected Assistant Treasurer.
Rick Montejano is elected Assistant Treasurer.
Verona Griffith is elected Assistant Treasurer.
- Section 7. All Resolutions or parts of Resolutions in conflict herewith are hereby repealed to the extent of such conflict.
- Section 8. This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED THIS 19th DAY of November 2024.

ATTEST: **BOGGY CREEK
IMPROVEMENT DISTRICT**

Secretary/Assistant Secretary _____
Chair/Vice-Chair

BOGGY CREEK IMPROVEMENT DISTRICT

**Resolution 2025-03,
Adopting an Amended Budget for Fiscal Year 2024**
(provided under separate cover)

BOGGY CREEK IMPROVEMENT DISTRICT

**Operation and Maintenance Expenditures
Paid in October 2024 in an amount totaling \$88,355.92**
(provided under separate cover)

BOGGY CREEK IMPROVEMENT DISTRICT

Requisition Nos. 461 – 462

Paid in October 2024 in an amount totaling \$558.25

(provided under separate cover)

BOGGY CREEK IMPROVEMENT DISTRICT

Work Authorizations/Proposed Services
(if applicable)

WORK AUTHORIZATION FOR MAINTENANCE SERVICES

This Work Authorization (the “**Work Authorization**”), dated _____, 2024 authorizes certain work in accordance with that certain *AGREEMENT BETWEEN THE BOGGY CREEK IMPROVEMENT DISTRICT AND BERMAN CONSTRUCTION, LLC FOR GENERAL MAINTENANCE SERVICES* (the “**Agreement**”), dated August 18, 2020, by and between:

Boggy Creek Improvement District, a local unit of special-purpose government established pursuant to Chapter 190, *Florida Statutes*, being situated in the City of Orlando, Florida, and whose mailing address is 3501 Quadrangle Boulevard, Suite 270, Orlando, Florida 32817 (the “**District**”); and

Berman Construction, LLC, a Florida limited liability company, with a mailing address of 9801 Lake Nona Club Drive, Orlando, Florida 32827 (hereinafter “**Contractor**”, together with **District** the “**Parties**”).

Section 1. Scope of Services. Contractor shall provide _____ maintenance services, as set forth in the attached **Exhibit A**, which is incorporated herein by reference, all in accordance with the terms of the Agreement (collectively, the “**Services**”).

Section 2. Compensation and Term. It is understood and agreed that the payment of compensation for the Services under this Work Authorization shall be in the amount and for the term set forth in the attached **Exhibit A**, and in the manner set forth in the Agreement.

Section 3. Acceptance. Acceptance of this Work Authorization will authorize the Contractor to complete the Services as outlined above and is indicated by the signature of the authorized representative of the District and the Contractor in the spaces provided below. Contractor shall commence the aforesaid Services as provided herein and shall perform the same in accordance with the terms and conditions of the Agreement, which, except to the extent expressly altered or changed in this Work Authorization, remain in full force and effect.

IN WITNESS WHEREOF, the Parties hereto have caused this Work Authorization to be executed the day and year first above written.

BOGGY CREEK IMPROVEMENT DISTRICT

Secretary _____

By: _____
Its: _____

BERMAN CONSTRUCTION, LLC

Witness _____

By: _____
Its: _____

Exhibit A: Proposal/Scope of Services

Proposal: CDD BCID Sealant Monument

Proposal Date: 11/08/2024

Project Name: CDD BCID Sealant Monument

Client Contact: PFM

Work Order #: 72893

Project Scope

Objective:

To apply a protective sealant to monument surfaces (stone, metal, masonry) to preserve them from environmental factors while maintaining their integrity.

Key Steps:

- **Material Selection & Tools:**
 - Use breathable, UV-resistant, and weatherproof sealants (e.g., silane, siloxane, or silicate-based).
 - Tools include brushes, rollers, sprayers, and soft cleaning materials.
- **Surface Preparation:**
 - Inspect and clean the monument, removing dirt, biological growth, and old coatings.
 - Repair any damage or deterioration before applying sealant.
 - Ensure the surface is completely dry before application.
- **Sealant Application:**
 - Apply the sealant evenly using appropriate methods (brush, roller, sprayer).
 - Multiple coats may be required, depending on the material and product.
 - Ensure careful application around detailed features.
- **Post-Application:**
 - Inspect the work after the sealant has dried (24–48 hours) for uniform coverage and touch up any missed areas.
 - Clean up tools and remove protective coverings.
- **Safety & Compliance:**
 - Ensure workers use proper safety gear and follow regulations, especially for handling chemicals and working at heights.

Payment Terms

Total: \$ 4,500

Labor and materials are included.

Proposal: CDD BCID Sealant Monuments

Additional Notes

Please contact our office upon receipt and approval of this contract, and any questions you might have. Should you accept the terms outlined above please sign below and return.

We can then schedule your services at that time. This proposal will become binding once executed by both parties.

Thank You

We appreciate your business and look forward to our continued partnership. Please don't hesitate to reach out with any questions.

Approvals

Property Manager
By: PFM

Berman
By: Katie Harmer

About Berman

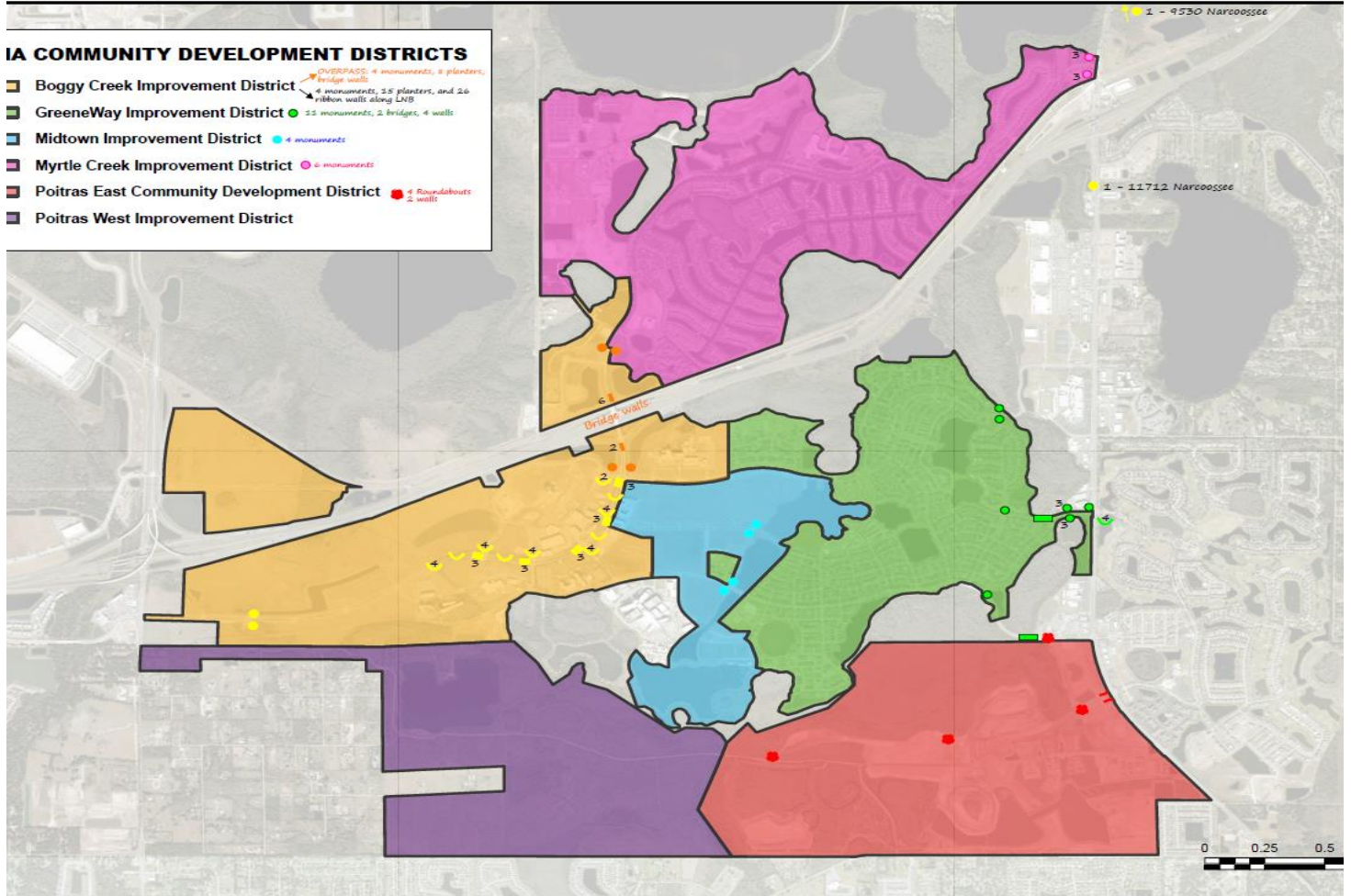
Berman is a national full-service property management, security and facility services company based in Lake Nona, Florida. Our team is highly skilled in providing dependable, professional and cost-effective solutions across facility, janitorial, on-demand repairs, maintenance staffing, security and all other ancillary facility services to help you run your facility as smoothly as possible.

We pride ourselves on being a single point for all facility and property needs. Quality and integrity are at the heart of what we do.

We are a tech-forward team, serving our clients with swift and diligent work, to ensure our client properties are well taken care of. We embrace problems quickly and tackle solutions intelligently in a unique, customized manner for each clients' needs.

Our Services

- ✓ Property & Facility Management
- ✓ Property Maintenance
- ✓ 24/7 Emergency Repairs
- ✓ General Construction
- ✓ Janitorial Services
- ✓ Security
- ✓ Pressure Washing
- ✓ Landscaping
- ✓ Disaster Response



BOGGY CREEK IMPROVEMENT DISTRICT

**District's Financial Position
and Budget to Actual YTD**
(provided under separate cover)