

**BOGGY CREEK IMPROVEMENT DISTRICT  
BOARD OF SUPERVISORS' MEETING MINUTES**

**FIRST ORDER OF BUSINESS**

The Board of Supervisors' meeting for the Boggy Creek Improvement District was called to order on Monday, June 15, 2015 at 4:00 p.m. at 9801 Lake Nona Road, Orlando, FL 32827. Members listed below constituted a quorum.

Richard Levey	Vice Chair
Damon Ventura	Assistant Secretary
Thad Czapka	Assistant Secretary

Also attending:

Michael Eckert	Hopping Green & Sams
John Florio	Donald W. McIntosh Associates
Larry Kaufmann	Tavistock Development Company
Joe MacLaren	Fishkind & Associates
Brad Reed	Fishkind & Associates
Doris Houck	Fishkind & Associates

**SECOND ORDER OF BUSINESS**

**Public Comment Period**

There were no members of the general public present.

**THIRD ORDER OF BUSINESS**

**Consideration of Minutes of  
the June 15, 2015 Board of  
Supervisors' Meeting**

Board Members reviewed the minutes from the June 15, 2015 Board of Supervisors' meeting. Mr. Florio provided edits.

On Motion by Mr. Czapka, second by Mr. Levey, with all in favor, the Board of Supervisors for the Boggy Creek Improvement District approved the minutes of the June 15, 2015 Board of Supervisors' meeting, as corrected.

**FOURTH ORDER OF BUSINESS**

**Nomination of Candidate to fill  
Seat 1 Vacancy**

Mr. MacLaren announced a vacancy on the Board. Mr. Ventura stated that he would like to nominate Daniel Byrnes to serve the remainder of the term for Seat 1 (November 2016). There were no other nominations.

On Motion by Mr. Ventura, second by Mr. Levey with all in favor, the Board of Supervisors for the Boggy Creek Improvement District elected Daniel Byrnes to serve the remainder of the term for Seat 1 (November/2016).

Mrs. Houck, Florida Notary Public, officiated the oath of office for Mr. Byrnes (Minutes – Exhibit A). Mr. Eckert offered to review the Sunshine Law and Public Records Law with Mr. Byrnes after the meeting.

**FIFTH ORDER OF BUSINESS**

**Consideration of Resolution 2015-05, Election of Officers**

Board Members reviewed Resolution 2015-05. Mr. MacLaren explained that the office of Chairman is currently vacant. Mr. Ventura nominated Mr. Levey to serve as Chair and offered to serve as Vice Chair. For the record, the recommended slate of officers is Chairperson – Richard Levey; Vice Chairperson – Damon Ventura, Secretary – Joe MacLaren; Treasurer – Hank Fishkind; Assistant Secretaries – Thad Czapka, Scott Peek, Daniel Byrnes, Doris H. Houck; Assistant Treasurer – Jill C. Burns.

On Motion by Mr. Ventura, second by Mr. Levey with all in favor, the Board of Supervisors for the Boggy Creek Improvement District elected Chairperson – Richard Levey; Vice Chairperson – Damon Ventura, Secretary – Joe MacLaren; Treasurer – Hank Fishkind; Assistant Secretaries – Thad Czapka, Scott Peek, Daniel Byrnes, Doris H. Houck; Assistant Treasurer – Jill C. Burns.

**SIXTH ORDER OF BUSINESS**

**Discussion Related to the proposed  
O & M budget for Fiscal Year  
2015-2015**

Mr. MacLaren stated that there will be no change in assessments. SPMP and new platting will trigger the requirement to mail published notice to property owners within the District.

**SEVENTH ORDER OF BUSINESS**

**Consideration of Resolution 2015-06, Declaring FY 2015-2016 O&M Assessments**

Mr. MacLaren recommended a motion adopting Resolution 2015-06 declaring O & M assessments for Fiscal Year 2015-2016. There were no questions.

On Motion by Mr. Ventura, second by Mr. Levey with all in favor, the Board of Supervisors for the Boggy Creek Improvement District adopted Resolution 2015-06 declaring O & M Assessments for Fiscal Year 2015-2016.

**EIGHTH ORDER OF BUSINESS**

**Consideration of Resolution 2015-07, Setting Public Hearing on FY 2015-2016 O&M Assessments**

Mr. MacLaren recommended setting the Public Hearing related to the O & M Assessments for Fiscal Year 2015-2016 on August 31, 2015 and reminded the Board that the budget hearing is scheduled to be held in Conference Room 120, Valencia College – Lake Nona Campus, 12350 Narcoossee Road, Orlando, FL 32832 at 3:00 p.m. There was no objection.

On Motion by Mr. Levey second by Mr. Ventura with all in favor, the Board of Supervisors for the Boggy Creek Improvement District adopted Resolution 2015-07 and set the public hearing date for levying O & M Assessments to be August 31, 2015 at 3:00 p.m. at Valencia College – Lake Nona Campus, Conference Room 120, Orlando, Florida 32832.

**NINTH ORDER OF BUSINESS**

**Consideration of Boggy Creek Road – Lake Nona Boulevard Intersection Contribution and Interlocal Agreement (Orange County)**

Mr. Florio explained the Boggy Creek Road – Lake Nona Boulevard Intersection Construction Agreement and the cap for reimbursement from the County at an amount not to exceed \$2.2 Million. Mr. Kaufmann stated that the County has budgeted \$2.2 million for District reimbursement related to the project. Mr. Levey asked for confirmation that the County Attorney has reviewed the agreement. Mr. Florio confirmed. There was no other discussion.

On Motion by Mr. Levey second by Mr. Ventura with all in favor, the Board of Supervisors for the Boggy Creek Improvement District approved the Boggy Creek Road – Lake Nona Boulevard Intersection Contribution and Interlocal Agreement with Orange County.

**TENTH ORDER OF BUSINESS**

**Consideration of OUC Streetlight Agreement at Lake Nona Boulevard Phase 3/Sanger Road**

Mr. Kaufmann circulated copies of the OUC Streetlight Agreement at Lake Nona Boulevard Phase 3/ Sanger Road and stated that the agreement is consistent with previously approved agreements between the District and OUC. Mr. Levey inquired whether District Counsel had reviewed the agreement. Mr. Eckert suggested a motion to adopt the agreement subject to review by the District Counsel with authorization for the Chair to execute when finalized. There was no objection.

On Motion by Mr. Levey second by Mr. Ventura with all in favor, the Board of Supervisors for the Boggy Creek Improvement District adopted the OUC Streetlight Agreement at Lake Nona Boulevard Phase 3/Sanger Road subject to District Counsel review with authorization for the Chair to execute the agreement when finalized.

**ELEVENTH ORDER OF BUSINESS**

**Consideration of Requisition Nos. 87 - 96 Approved in June 2015 in the amount of \$1,378,438.79**

Board Members reviewed Requisition Nos. 87 - 96 approved in June 2015 in the amount of \$1,378,438.79.

On Motion by Mr. Czapka, second by Mr. Ventura, with all in favor, the Board of Supervisors for the Boggy Creek Improvement District ratified payment of Requisition Nos. 87 - 96 in the amount totaling \$1,378,438.79.

**TWELFTH ORDER OF BUSINESS**

**Consideration of Operation and Maintenance Expenditures Paid in June 2015 in the amount of \$45,154.79**

Board Members reviewed the expenditures in the amount of \$45,154.79 paid in June 2015. There were no questions.

On Motion by Mr. Ventura, second 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 2015 in the amount totaling \$45,154.79.

**THIRTEENTH ORDER OF BUSINESS**

**Recommendation of Work Authorization/Proposed Services**

Mr. Kaufman presented a work authorization for proposed service submitted by Donald W. McIntosh Associates proposal #13031.060 in the amount of \$5,000 for sketches of descriptions expanded scope for the Lake Nona Boulevard Phase 3 including Sander Road Extension project (Minutes Exhibit B). There were no questions.

On Motion by Mr. Levey, second by Mr. Czapka, with all in favor, the Board of Supervisors for the Boggy Creek Improvement District approved the work authorization for proposed services by Donald W. McIntosh Associates in the amount of \$5,000.

**FOURTEENTH ORDER OF BUSINESS**

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

Board Members reviewed the Statement of Financial Position and Budget to Actual YTD. The District is under budget. No action required.

**FIFTEENTH ORDER OF BUSINESS**

**Staff Reports**

**District Counsel** – No report

**District Manager** – No report

**District Engineer** – Mr. Florio presented a Construction Status Memorandum dated July 20, 2015 (Minutes Exhibit C). In reference to the construction status and traffic signals for Lake Nona Boulevard at Veterans Way, Lake Nona Boulevard at Tavistock Lakes Boulevard, Lake Nona Boulevard at Nemours Parkway, Lake Nona Boulevard at SR 417 and Lake Nona boulevard Interconnect – Traffic Control Devices, Inc. Mr. Florio recommended a motion authorizing District Staff to issue a Revised Change Order #8 to Jr. Davis Construction in the amount of \$7,975.00 related to additional standard DOT signage and removal and replacement of thermoplastic striping for Lake Nona Boulevard signals and enter into a short form Agreement with Onsite for specialty signage in the amount of \$4,392.25. Change Order #9 in the amount of \$43,845.00 for installation of 2” light conduit; Change Order 10 in the amount of \$16,672.00 for extending electric conduit outside of pavement and Change 11 in the amount of \$45,450.00 to install a 2” traffic signal interconnect at the request of the City of Orlando.

On Motion by Mr. Ventura, second by Mr. Czapka, with all in favor, the Board of Supervisors for the Boggy Creek Improvement District accepted the Construction Status Memorandum dated July 20, 2015 to authorize entering into a short form Agreement with Onsite for specialty signage in the amount of \$4,392.25; authorized a Revised Change Order No. 8 in the amount of \$7,975.00; Change Order 9 in the amount of \$43,845.00; Change Order No. 10 in the amount of \$16,672.00 and Change Order 11 in the amount of \$45,450.00 authorizing the District Engineer to execute the change orders once reviewed and finalized.

In reference to the Construction Status Memorandum dated July 20, 2015 Austin Outdoor – Lake Nona Boulevard/Underdrain installation authorizing change orders or contract extension to operation and maintenance contract to Austin Outdoor in the amount of \$20,418.15 in support of Jr. Davis Construction and providing landscape and irrigation services at the new roadway underdrains at the existing section of Lake Nona Boulevard.

On Motion by Mr. Ventura, second by Mr. Czapka, with all in favor, the Board of Supervisors for the Boggy Creek Improvement District accepted the Construction Status Memorandum dated July 20, 2015 authorizing change orders or contract extension to operation and maintenance contract to Austin Outdoor in the amount of \$20,418.15 in support of Jr. Davis Construction and providing landscape and irrigation services at the new roadway underdrains at the existing section of Lake Nona Boulevard.

**Construction Supervisor** – Nothing further to report.

**SIXTEENTH ORDER OF BUSINESS**

**Supervisor and Audience  
Comments & Adjournment**

Mr. MacLaren asked for any supervisor or audience comments, hearing none suggested a motion to adjourn. There was no objection.

On Motion by Mr. Levey, Second by Mr. Czapka, with all in favor, the July 20, 2015 meeting of the Board of Supervisors for the Boggy Creek Improvement District was adjourned.

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Secretary/Assistant Secretary

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Chair/Vice Chair