

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

FIRST ORDER OF BUSINESS

The Board of Supervisors' Meeting for the Myrtle Creek Improvement District was called to order on Tuesday, May 21 2019 at 5:20 p.m. at 6900 Tavistock Lakes Blvd, Suite 200, Orlando, FL 32827. Board Members listed below constituted a quorum.

Jeff Macre	Chair	
Kam Shenai	Assistant Secretary	
Kyle Scholl	Assistant Secretary	
Bob da Silva	Vice-Chair	(via phone)

Also present were:

Lynne Mullins	PFM	
Jennifer Walden	PFM	
Tucker Mackie	Hopping Green & Sams	
Larry Kaufmann	Construction Supervisor	
Jeff Newton	Donald W. McIntosh Associates	
Scott Thacker	Construction Committee	
Steven Flint	Tavistock	
Amanda Lane	PFM	(via phone)

SECOND ORDER OF BUSINESS

Public Comment Period

Ms. Walden noted for the record that there were no public comments at this time.

THIRD ORDER OF BUSINESS

**Consideration of the Minutes
of the April 16, 2019 Board of
Supervisors' Meeting**

Board Members reviewed the minutes from the April 16, 2019 Board of Supervisors' Meeting.

On Motion by Mr. Scholl, second by Mr. Shenai, with all in favor, the Board of Supervisors of the Myrtle Creek Improvement District approved the Minutes of the April 16, 2019 Board of Supervisors' Meeting.

FOURTH ORDER OF BUSINESS

**Consideration of the Minutes
of the May 6, 2019 RFP
Meeting to Open Responses**

**Meeting to Open Responses
for Landscaping and Irrigation
Maintenance Services**

Board Members reviewed the minutes from the May 6, 2019 RFP Meeting to Open Responses for landscaping and irrigation Maintenance Services.

On Motion by Mr. Macre, second by Mr. Scholl, with all in favor, the Board of Supervisors of the Myrtle Creek Improvement District approved the Minutes of the May 6, 2019 RFP Meeting to Open Responses for Landscaping and Irrigation Maintenance Services.

FIFTH ORDER OF BUSINESS

**Letter from Supervisor of
Elections – Orange County**

Ms. Walden noted for the record that there are currently 2,182 registered voters living in the District.

SIXTH ORDER OF BUSINESS

**Consideration of Resolution
2019-05, Election of Officers**

Ms. Walden explained that the current slate of officers is as follows; Mr. Macre as Chair, Mr. da Silva as Vice-Chair, Ms. Walden as Secretary, Ms. Mullins Mr. D. Tubbs, Mr. Scholl, and Mr. Shenai as Assistant Secretaries, Dr. Fishkind as Treasurer, and Ms. Glasgow as Assistant Treasure.

Ms. Walden recommended removing Dr. Fishkind from the Treasure position and putting Ms. Lane in place of Dr. Fishkind as the Treasure.

On Motion by Mr. Scholl, second by Mr. Macre, with all in favor, the Board of Supervisors of the Myrtle Creek Improvement District approved Resolution 2019-05, Election of Officers, as Follows; Mr. Jeff Macre as Chair, Mr. Bob da Silva as Vice-Chair, Ms. Jennifer Walden as Secretary, Ms. Lynne Mullins, Mr. Donald Tubbs, Mr. Kyle Scholl, and Mr. Kam Shenai as Assistant Secretaries, Ms. Amanda Lane as Treasurer, and Ms. Jennifer Glasgow as Assistant Treasure.

SEVENTH ORDER OF BUSINESS

- Consideration of Conveyance
of Performance Drive Phase 2**
- a) Special Warranty Deed
from LNC to Myrtle Creek
ID**
- b) Special Warranty Deed
from Myrtle Creek ID to
City of Orlando**
- c) Closing Statement**

Ms. Mackie explained the conveyance of Performance Drive Phase 2. These are the documents relating to the acquisition of the right-of-way itself. The deeds are in the form that the Board has previously approved for other conveyances. The amount of the acquisition is for 2.276 acres at the appraised amount of \$217,930.00 per acre arrives at an acquisition dollar value of \$496,008.68.

EIGHTH ORDER OF BUSINESS

Consideration of Acquisition of Roadway, Stormwater and Utility Improvements for Performance Drive Phase 2

- a) **Bill of Sale**
- b) **Letter from Lake Nona Land Company**

Ms. Mackie explained that the Developer would like the District to acquire the improvements for a dollar amount of \$1,864,123.56.

Ms. Mackie explained the Bill of Sale. There is significant documentation that is required pursuant to the acquisition agreement prior to the District accepting improvements. She explained those documents and that they have been confirmed and reviewed by staff.

Ms. Mackie requested a motion to approve and acquire the right-of-way for Performance Drive Phase 2 in a not to exceed amount of \$496,008.68.

On Motion by Mr. Scholl, second by Mr. Shenai, with all in favor, the Board of Supervisors of the Myrtle Creek Improvement District approved the acquisition of the right-of-way for Performance Drive Phase 2 in a not-to-exceed amount of \$496,008.68.

Ms. Mackie requested a motion to approve the acquisition of the improvements identified in the District's approved Engineer's Report and summarized in the Bill of Sale in an amount not-to-exceed \$1,864,123.56

On Motion by Mr. Shenai, second by Mr. Scholl, with all in favor, the Board of Supervisors of the Myrtle Creek Improvement District approve the acquisition of the improvements identified in the District's approved Engineer's Report and summarized in the Bill of Sale in an amount not-to-exceed \$1,864,123.56.

NINTH ORDER OF BUSINESS

Consideration of District Website Agreement-Tabled

Ms. Walden asked the Board to table this item until the next meeting.

TENTH ORDER OF BUSINESS

Consideration of ADA Auditing Services Agreement- Tabled

Ms. Walden asked the Board to table this item until the next meeting.

ELEVENTH ORDER OF BUSINESS

Consideration of Award of Landscape and Irrigation Maintenance Services- Lake Nona Central – Boulevard and Roadways

Mr. Thacker reviewed the recommended ranking by the Construction Committee. He noted that one of the bidders, HHLC was awarded zero points. Based on the bid received it was incomplete. They did not provide the information necessary to evaluate their ability to perform the scope of work. The Construction Committee deemed their proposal non-responsive.

In both sections and in the combined Cepra came out with the highest amount of points. It is the Construction Committee’s recommendation that the bid be awarded to Cepra.

Mr. da Silva asked the cost difference. The District is currently paying \$182,000.00 for section 1 and it will be increased to \$205,000.00. The District is currently paying \$37,956.00 for section 2 and that is actually decreasing. Ms. Walden noted that section 1 is an increase of \$23,166.00.

Mr. da Silva asked if the District should have awarded some points to HHLC. Mr. Thacker reviewed the information that they provided and noted that they did not even meet the minimum requirements in numerous categories for staff to even provide an analysis. Ms. Mackie stated that staff is recommending that HHLC be deemed non responsive so they are technically not being ranked at all. HHLC left out their narrative description, did not provide resumes, did not provide their proposed level of staffing in a narrative description, no certificate of insurance, no references and that was the basis for determining that the construction committee did not have enough information.

Ms. Mackie noted that Helping Hands Lawn Care reached out when they saw the bid materials included within the agenda package challenging the fact that they were being deemed non responsive to the bid. Staff feels confident in the Construction Committee’s recommendation. The District might receive a protest and the alternative is as likely in the event that the board were to rank HHLC that another bidder would feel that they had a competitive advantage by not having to submit anything but a price and the Board would consider it anyway.

On Motion by Mr. Shenai, second by Mr. Scholl, with all in favor, the Board of Supervisors of the Myrtle Creek Improvement District adopted the rankings provided by the Construction Committee for the Landscape and Irrigation Maintenance Services – Lake Nona Central – Boulevard as Cepra ranked as #1 , Down to Earth ranked as #2, BrightView ranked as #3, Carol King ranked as #4, Omega Scapes as #5 and Helping Hand Lawn Care deemed non-responsive and authorized District staff to send out the notice of award letters.

TWELFTH ORDER OF BUSINESS

**Review of Budget to Actuals
for FY 2017, FY 2019, and FY
2019**

Ms. Walden stated that this was requested by the Board at the last meeting. The Board reviewed the budget to actuals. No action is required.

THIRTEENTH ORDER OF BUSINESS

**Resolution 2019-06,
Approving a Preliminary
Budget for Fiscal Year 2020
and Setting a Public Hearing
Date**

Ms. Walden stated that today the Board needs to approve a preliminary budget and it must be done prior to June 15, 2019. The Board can move line items around between now and that public hearing date but the Board cannot increase the overall budget after today. District staff is recommending August 19, 2019 for the public hearing. District staff has reached out to the Lake Nona Lake House and they approved the August 20, 2019 date for the other Districts. District staff will have to check on the availability for August 19, 2019.

District staff is requesting an increase in the budget to that brings total expenditures to \$1,002,670.70. Mr. Shenai asked about the assessment increase. Ms. Mackie explained that there will be an increase but it may not be as much as if the District stuck with the ERU methodology that they had in the prior fiscal year based on the more intensive development in the Performance Drive and Wellspring Drive area. Staff will be working to develop the revised Methodology and present it to the Board at the June meeting.

Ms. Walden reminded the Board that a few years ago the Board decided to use what was in the money market reserve account to offset some of those assessments to avoid taking the increase then and the money market reserve will be depleted this year and that also factors into the budget increase and increase in assessments.

On Motion by Mr. Shenai, second by Mr. Macre, with all in favor, the Board of Supervisors of the Myrtle Creek Improvement District approved Resolution 2019-06, Approving a Preliminary Budget for Fiscal Year 2020 and Setting the Public Hearing Date for Monday August 19, 2019 at 5:00 p.m. at the Lake Nona Lake House, 13623 Sachs Avenue, Orlando, FL 32827.

FOURTEENTH ORDER OF BUSINESS

**Ratification of Requisition
Nos. 526 – 529 Approved in
April in an amount totaling
\$560.82**

Board Members reviewed the Requisition Nos. 526 – 529 Approved in April in an amount totaling \$560.82. Ms. Walden noted that these have already been approved and paid and just needs to be ratified by the Board.

On Motion by Mr. Macre, second by Mr. Scholl, with all in favor, the Board of Supervisors of the Myrtle Creek Improvement District ratified Requisition Nos. 526 – 529 Approved in April in an amount totaling \$560.82.

FIFTEENTH ORDER OF BUSINESS

**Ratification of Operation and
Maintenance Expenditures
Paid in April 2019 in an
amount totaling \$71,453.87**

Board Members reviewed the Operation and Maintenance Expenditures paid in April 2019 in an amount totaling \$71,453.87. Ms. Walden noted that these have already been approved and paid and just needs to be ratified by the Board.

On Motion by Mr. Macre, second by Mr. Scholl, with all in favor, the Board of Supervisors of the Myrtle Creek Improvement District ratified the Operation and Maintenance Expenditures Paid in April 2019 in an amount totaling \$71,453.87.

SIXTEENTH ORDER OF BUSINESS

**Recommended Work
Authorization/Proposed
Services**

Mr. Kaufmann presented a work authorization to the Board from Kittleson & Associates for a traffic study at the intersection of Lake Nona Boulevard and Performance Drive in an amount totaling \$19,000.00.

This proposal was approved by the District already under the Construction Supervisor’s authority to approve change orders up to \$20,000.00. The District Manager executed it on behalf of the District so it is coming back to the Board for ratification.

On Motion by Mr. Macre, second by Mr. Scholl, with all in favor, the Board of Supervisors of the Myrtle Creek Improvement District ratified the Work Authorization proposed for Performance Drive Phase 3 totaling \$19,000.00 to Kittleson & Associates.

SEVENTEENTH ORDER OF BUSINESS

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

Ms. Walden presented the District’s financial statements to the Board. No action is required by the Board. Ms. Walden noted that District staff is continuing to keep an eye on the cash flow and expenses.

EIGHTEENTH ORDER OF BUSINESS

Staff Reports

District Counsel – No Report

District Manager – Ms. Walden noted that the next meeting is Tuesday June 18, 2019. The landscaping expenses on Gateway road is supposed to be split between Boggy Creek and Myrtle. District staff found out that was not being done and have rectified the situation. Myrtle has paid their portion back to Boggy and that is brought out in the budget.

District Engineer – Mr. Newton stated that the Board should start seeing activity in Performance Drive Phase 3. Jr. Davis should be able to start construction of that road next month.

Construction Supervisor – Mr. Kaufmann stated that at the last Board meeting he presented a proposal to do trail repair and it has been a struggle getting a hold of the proposer. He requested that the Board authorize the Construction Committee to investigate Felix to ask them for a cost to do the spot repairs.

Mr. Macre asked Mr. Kaufmann to get a proposal from Jr. Davis since they are going to be doing Performance Drive and relocating part of the trail as part of their MOT. Mr. Kaufmann stated that they could but it would delay doing any repairs for another 6-8 months. Mr. da Silva recommended that they not give up on the original proposer because Felix and Jr. Davis will not be as competitive.

Irrigation Specialist - No Report

NINTEENTH ORDER OF BUSINESS

**Supervisor Requests,
Audience Comments
& Adjournment**

Mr. Macre sent District staff a photo of the semi-truck parked on the trail. Mr. da Silva stated that it was not authorized activity. The truck driver arrived during the night when no one was on site and decided it was a good idea to park there and he was reprimanded the next day. There was no other business to discuss. Ms. Walden requested a motion to adjourn.

On Motion by Mr. Macre second by Mr. Scholl, with all in favor, the May 21, 2019 Meeting of the Board of Supervisors of the Myrtle Creek Improvement District was adjourned.


Secretary/Assistant Secretary


Chair/Vice Chair