

**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, July 17, 2018 at 4:36 p.m. at 6900 Tavistock Lakes Blvd., Suite 200, Orlando, FL 32827. Board Members listed below constituted a quorum.

Jeff Macre	Chair
Bob Da Silva	Vice-Chair
Kam Shenai	Assistant Secretary
Kyle Scholl	Assistant Secretary (joined @ 4:38 p.m.)
Donald Tubbs	Assistant Secretary (via phone)

Also present were:

Jeff Newton	Donald W. McIntosh Associates
Larry Kaufmann	Construction Supervisor
Tucker Mackie	Hopping Green & Sams
Jennifer Walden	Fishkind & Associates
Lynne Mullins	Fishkind & Associates
Stephen Flint	Landscape Supervisor

SECOND ORDER OF BUSINESS

Public Comment Period

There were no public comments at this time.

THIRD ORDER OF BUSINESS

**Consideration of the
Minutes of the June 19, 2018
Board of Supervisors'
Meeting**

Board Members reviewed the minutes from the June 19, 2018 Board of Supervisors' Meeting.

On Motion by Mr. Da Silva, second by Mr. Macre, with all in favor, the Board of Supervisors for the Myrtle Creek Improvement District approved the Minutes of the June 19, 2018 Board of Supervisors' Meeting, as presented.

FOURTH ORDER OF BUSINESS

**Consideration of Resolution
2018-07, Approving an
Annual Meeting Schedule
for Fiscal Year 2018-2019**

Ms. Walden explained that District staff is proposing keeping the Board of Supervisors meeting on the third Tuesday of each month at 4:30 p.m. at the same location and the Construction Committee meeting for the Boggy Creek, Greeneway, and Myrtle Creek IDs every other week as noted in the exhibit to the resolution at 3:30 p.m. at the office of Donald W. McIntosh Associates.

On Motion by Mr. Da Silva, second by Mr. Macre, with all in favor, the Board of Supervisors for the Myrtle Creek Improvement District approved Resolution 2018-07, Approving an Annual Meeting Schedule for Fiscal Year 2018-2019.

FIFTH ORDER OF BUSINESS

**Consideration of Resolution
2018-08, Re-Setting the
Date, Time and Location of
the Budget Public Hearing**

Ms. Walden noted for the record that Mr. Scholl has joined the meeting in progress. The Board discussed the changing of locations for the budget public hearing as the Lake Nona Valencia College Campus was able to accommodate the request this year.

On Motion by Mr. Da Silva, second by Mr. Scholl, with all in favor, the Board of Supervisors for the Myrtle Creek Improvement District approved Resolution 2018-08, Re-Setting the Date, Time and Location of the Budget Public Hearing to August 23, 2018 at 3:00 p.m. at the Lake Nona Lakehouse, 13623 Sachs Avenue, Orlando, Florida 32827.

SIXTH ORDER OF BUSINESS

Discussion of Landscape Maintenance Items

Mr. Flint stated that the landscape improvements are going well and a lot of new things are going in. He explained that the old dead material has been taken out, sod is going in, sable palms are replacing dead magnolia trees, and flowers are going in. Mr. Shenai asked about the monument light on the 417 on the left which has been out for a year. Mr. Macre responded that there is construction that is going on there and stated that it has been fixed but powered off due to the construction. Mr. Flint will look into it and provide information to Ms. Walden to share with the Board. Mr. Macre asked how Mr. Flint is coming along with getting the Developer to fix all of their things along Lake Nona Boulevard. Mr. Flint responded that it is going well. Mr. Shenai asked if the cost associated from all this work is coming from the Fiscal Year 2018 budget. Mr. Flint stated that there was an authorization in the amount of \$75,000.00 and this is part of that work. Mr. Macre asked if Mr. Thacker and Mr. Flint determined what is coming on to the next year's improvements. Mr. Flint stated that it will be in the 2019 budget. Mr. Shenai asked when it will be done. Mr. Flint responded that it should be done in less than a month. Mr. Macre asked if there are any concerns with planting in the summer. Mr. Flint responded that they need to make sure that the plants have enough water and the irrigation controllers do not go down while they put in a new tree. Mr. Shenai stated that three residents told him that things are looking nice.

SEVENTH ORDER OF BUSINESS

Consideration of Personnel Leasing Agreement (Irrigation Specialist) between the District and Tavistock Development Management, LLC

Ms. Mackie stated that this item was briefly discussed during the budget process with respect to some of the changes that were made to the line items. She noted that there was identification of an Irrigation Specialist and that there would be a reduction in the District's current Landscape Contract with BrightView to compensate for the fact that services would be removed from that contract and would lie now with the Irrigation Specialist. Ms. Mackie stated that the Developer has retained an individual to fill that role with respect to the private lands and so a Personnel Leasing Agreement has been drafted to provide for this individual to also provide those irrigation specialist services to the District. She noted that the budget line item for Fiscal Year 2019 is \$20,000.00 and this agreement comports with that amount. The sister Districts approved their Personnel Leasing Agreement which means that collectively between the three Districts they are providing \$60,000.00 in funds to provide for this. She noted that the agreement follows the form of all of the prior Personnel Leasing Agreements that the District has entered into between itself

and the Tavistock entity. One of those is for Mr. Kaufmann and the other is for Mr. Flint and Mr. Thacker. Tavistock currently provides those individuals at no cost to the District. This new Personnel Leasing Agreement will have an amount that will go back on a monthly basis for this individual. Ms. Mackie explained that the term is for a year and renewable annually but there is a 30-day termination provision. The reduction in the BrightView agreement is \$36,780.00 from the original term three that was quoted when the District bid out the work. Attached to the amendment to the contract is also a revised scope of services which Mr. Thacker has gone through and revised. A discussion took place that the Irrigation Specialist will do monthly checks of the irrigations lines that the District is being charged for right now but is not being done by the current Contractor. Mr. Flint stated that there is an entrance to Enclave where there is a one-hundred-foot strip and they never put in new irrigation when they did the turn lane. Mr. Flint just found that out a few months ago and if they were doing monthly checks they should have found that two years ago. Mr. Macre asked if the District can hold BrightView accountable for that since they did not check the irrigation. Mr. Flint responded that the District can try to hold them accountable but it will probably not pay for the installation of new irrigation heads for one hundred feet of roadway but the District can ask them to pay for some of it. Mr. Macre asked how BrightView feels about this. Mr. Flint responded that they are happy because they are struggling to stay on top of it themselves. Ms. Mackie requested a motion to approve the Personnel Leasing Agreement.

On Motion by Mr. Scholl, second by Mr. Shenai, with all in favor, the Board of Supervisors for the Myrtle Creek Improvement District approved the Personnel Leasing Agreement (Irrigation Specialist) between the District and Tavistock Development Management, LLC.

EIGHTH ORDER OF BUSINESS

Consideration of Second Amendment to the Agreement between the District and BrightView Landscape Services, Inc., Regarding the Provision of Lake Nona Central – Boulevard and Roadways Landscape and Irrigation Maintenance Services

Ms. Mackie presented the Second Amendment to the Agreement between the District and BrightView Landscape Services, Inc., regarding the provision of Landscape and Irrigation Maintenance Services. She stated that there are two exhibits that are attached to the agreement.

Exhibit A is the amended scope of services which Mr. Thacker went through to remove the items that now the Irrigation Consultant will be monitoring and maintaining. Exhibit B deals with the amended compensation for term 3 which begins October 1, 2018. She stated that the original contract amount was \$219,264.00 and the amended amount is \$182,484.00 for a difference of \$36,780.00. Mr. Da Silva asked if it includes Wellspring Drive. Ms. Mackie stated that it does because the First Amendment dealt with Wellspring.

On Motion by Mr. Scholl, second by Mr. Shenai, with all in favor, the Board of Supervisors for the Myrtle Creek Improvement District approved Second Amendment to the Agreement between the District and BrightView Landscape Services, Inc., Regarding the Provision of Lake Nona Central – Boulevard and Roadways Landscape and Irrigation Maintenance Services.

NINTH ORDER OF BUSINESS

**Ratification of Requisition
Nos. 501 – 506 Approved in
June 2018 in an amount
totaling \$47,403.40**

Board Members reviewed Requisition Nos. 501 – 506 approved in June 2018 in an amount totaling \$47,403.40.

On Motion by Mr. Macre, second by Mr. Da Silva, with all in favor, the Board of Supervisors for the Myrtle Creek Improvement District ratified Requisition Nos. 501 – 506 approved in June 2018 in an amount totaling \$47,403.40.

TENTH ORDER OF BUSINESS

**Ratification of Operation
and Maintenance
Expenditures Paid in June
2018 in an amount totaling
\$112,471.81**

Board Members reviewed the Operation and Maintenance Expenditures paid in June 2018 in an amount totaling \$112,471.81.

On Motion by Mr. Macre, second by Mr. Scholl, with all in favor, the Board of Supervisors for the Myrtle Creek Improvement District ratified the Operation and Maintenance Expenditures paid in June 2018 in an amount totaling \$112,471.81.

ELEVENTH ORDER OF BUSINESS

**Recommended Work
Authorization/Proposed
Services**

There were no Work Authorizations for this District.

TWELFTH 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 through today's date. Ms. Walden stated that the District's expenses are currently \$485,000.00 vs. a budget of \$588,000.00. The District is currently under budget through June by \$102,000.00. There was no action required.

Mr. Da Silva asked about the Developer reimbursement for items that are being passed through the District. Ms. Mackie stated that she does not know that they are reflected here because they are directly funded by the Developer and are paying those bills directly.

Mr. Shenai stated that the total General & Administrative Expenses is actually Field Operations Expenses on page 2 of 2. Ms. Walden noted that she will to make the change. Mr. Shenai asked about assessments and if there is a backup to see the units times the assessment amount to add up to the total assessment amount. Ms. Mackie stated that the methodology by which the District assigns the assessments for the unit types. Mr. Scholl stated that before Mr. Shenai joined the Board they had voted on a whole revision to the assessment amounts and there is a chart that lists them. Ms. Walden will get that and send it to Mr. Shenai.

THIRTEENTH ORDER OF BUSINESS

Staff Reports

District Counsel –

Ms. Mackie informed the Board about ADA compliance for websites. She noted that recent litigation has been filed in the State

of Florida against Cities, Counties and Special Districts on a website maintained by a public entity and the information provided on that website be accessible to the disabled. In light of that there is a review of whether or not District websites should be ADA compliant and District Counsel has recommended that Districts engage with an ADA consultant to determine if there are recommendations a Consultant would make to the existing website.. District Management is consulting with an ADA Consultant on how best to transition those websites to become ADA compliant and because they manage a number of Districts that Consultant is being retained to look at a few such that any recommendations he makes will be applied to all. Ms. Mackie stated that there is not going to be so much of an issue in making sure that the content on the website itself gets ADA compliant but the PDFs that the District is required to supply on the website need to be compliant as well. She noted that District staff it trying to do this as expeditiously as possible.

District Manager – Ms. Walden reminded the Board that the August meeting on the third Tuesday will not be happening because it is moving to the third Thursday at 3:00 p.m. at the Lake Nona Lakehouse.

District Engineer – No Report

Construction Supervisor – Mr. Kaufmann stated that Lake Nona is closing on a school site near the Interchange and the Loop Road. He heard that the extension of water mains through Lake Nona Boulevard is also coming too and the goal is to take two of the four lanes on Lake Nona Boulevard and tear it up to install a water main and repave it. Mr. Da Silva asked if they are coming down Lake Nona Boulevard from Boggy Creek. Mr. Kaufmann stated that the lines are crossing under Boggy Creek Road near J. Lawson Boulevard. Mr. Da Silva asked if they are coming down the northside of the toll way. Mr. Kaufmann responded that they are coming down on the OUC Transmission Easement and is adjacent to Drive Shack and will go north to the wetland and then cross over to get to Lake Nona Boulevard. Then they will start tearing the road up to put in the water main and reclaim main.

FOURTEENTH ORDER OF BUSINESS

**Supervisor Requests,
Audience Comments
& Adjournment**

There were no Supervisor Requests or audience comments and no other business to discuss.

On Motion by Mr. Scholl, second by Mr. Macre with all in favor, the July 17, 2018 Meeting of the Board of Supervisors for the Myrtle Creek Improvement District was adjourned.


Secretary/Assistant Secretary


Chair/Vice Chair