

**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, January 16, 2018 at 4:30 p.m. at 6900 Tavistock Lakes Blvd., Suite 200, Orlando, FL 32827. Board Members listed below constituted a quorum.

Bob Da Silva	Vice-Chair
Kyle Scholl	Assistant Secretary
Donald Tubbs	Assistant Secretary
Kam Shenai	Assistant Secretary

Also present were:

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

SECOND ORDER OF BUSINESS

Public Comment Period

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

THIRD ORDER OF BUSINESS

**Consideration of the
Minutes of the December 18,
2017 Board of Supervisors'
Meeting**

Board Members reviewed the minutes from the December 18, 2017 Board of Supervisors' Meeting.

On Motion by Mr. Da Silva, second by Mr. Shenai, with all in favor, the Board of Supervisors for the Myrtle Creek Improvement District approved the Minutes of the December 18, 2017 Board of Supervisors' Meeting, as presented.

FOURTH ORDER OF BUSINESS

Consideration of Resolution 2018-02, Election of Officers

Ms. Walden explained that Mr. MacLaren is no longer with Fishkind & Associates and recommended that Ms. Burns replace Mr. MacLaren as Secretary.

On Motion by Mr. Da Silva, second by Mr. Shenai, with all in favor, the Board of Supervisors for the Myrtle Creek Improvement District approved Resolution 2018-02, Election of Officers with Mr. Jeff Macre as Chair, Mr. Bob Da Silva as Vice Chair, Ms. Jill Burns as Secretary, Ms. Jennifer Walden, Mr. Donald Tubbs, Mr. Kyle Scholl and Mr. Kam Shenai as Assistant Secretaries, Dr. Hank Fishkind as Treasurer and Ms. Jill Burns as Assistant Treasurer.

FIFTH ORDER OF BUSINESS

Consideration of Amended and Restated Personnel Leasing Agreement with Tavistock Development Management, LLC

Ms. Mackie explained that at the prior meeting of the Board she had presented an amendment to the Personnel Leasing Agreement but it was noted in the sister District meetings that Lake Nona Land Management changed their name to Tavistock Development Management, LLC. Instead of amending the agreement the Board is being asked to approve a replacement agreement. She noted that the other change that the District was looking to make was to replace Ms. Ragusa with Mr. Flint and Mr. Gasaway as manager of maintenance. Otherwise the agreement follows the exact form and function of the prior version with the exception that it is now with the appropriate entity, Tavistock Development Management, LLC. Mr. Da Silva asked if this agreement released the Board from liability from the previous agreement. Ms. Mackie stated that in the third "whereas" clause it states that this agreement is intended to replace in its entirety that certain Personnel Leasing Agreement dated January 28, 2008. Ms. Mackie noted that she referenced during the last meeting that Staff was looking at another agreement that the District has in place with Tavistock

for purposes of leasing out an individual to manage the District's construction projects, currently, Mr. Kaufmann. She added that because there is no other substantive change to that agreement a name change would still bind Tavistock Management as a successor. So there is no need to execute a new agreement for that item.

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

SIXTH ORDER OF BUSINESS

**Ratification of Operation
and Maintenance
Expenditures Paid in
December 2017 in an
amount totaling \$81,567.47**

Board Members reviewed the Operation and Maintenance Expenditures paid in December 2017 in an amount totaling \$81,567.47. Ms. Walden distributed both the October and November O&M Expenditures (Minutes Exhibit A). She referenced the items in question at last month's meeting and explained that Ms. Lane went to pay the bill and realized that the District did not have all the funds available to pay those invoices. So, she voided out those transactions before they were processed. Ms. Walden added that Ms. Lane provided updated summary sheets with those voided items removed since they were never actually processed.

On Motion by Mr. Scholl, second by Mr. D. Tubbs, with all in favor, the Board of Supervisors for the Myrtle Creek Improvement District ratified the Operation and Maintenance Expenditures Paid in December 2017 in an amount totaling \$81,567.47.

SEVENTH ORDER OF BUSINESS

**Recommended Work
Authorization/Proposed
Services**

Mr. Kaufmann stated that there are two Work Authorizations for this District and they both are for Performance Drive Phase 3. He explained that the first one is from GAI Consultants – Community Solutions Group for landscape and irrigation design for Performance Drive Phase 3 in the amount

of \$16,500.00. Ms. Mackie asked the Board to approve this subject to District Counsel review because there is not currently an existing agreement with GAI and the signatory on this is Lake Nona Land Company which will change to Myrtle Creek ID. Mr. Kaufmann noted that this item is funded by the Developer but managed by the District.

On Motion by Mr. Da Silva, second by Mr. D. Tubbs, with all in favor, the Board of Supervisors for the Myrtle Creek Improvement District approved the Work Authorization for Landscape & Irrigation Design with GAI Consultants – Community Solutions Group for Performance Drive Phase 3 in the amount of \$16,500.00, subject to review by District Counsel.

Mr. Kaufmann explained that the second Work Authorization is from Kittelson & Associates for the traffic analysis on Performance Drive Phase 3 in the amount of \$19,500.00.

On Motion by Mr. Da Silva, second by Mr. D. Tubbs, with all in favor, the Board of Supervisors for the Myrtle Creek Improvement District approved the Work Authorization from Kittelson & Associates for traffic analysis on Performance Drive Phase 3 in the amount of \$19,500.00.

EIGHTH 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 \$138,000.00 vs. a budget of \$196,000.00. The District is currently under budget through December by \$57,000.00. There was no action required.

Mr. Shenai asked about the tree trimming and if the District spent \$17,000.00 of their \$20,000.00 tree trimming budget because of the hurricane and if it was covered by insurance. Ms. Walden said that she thinks that is correct and trees are not covered by insurance. Mr. Tubbs asked if there are any reimbursements for funds coming in from FEMA. Ms. Walden replied that District staff is still working through that process and noted that FEMA has a lot of steps that must be followed and she is trying to get all the documentation submitted. She is hoping that the District will get some funds but FEMA said that it could take up to four years. She said that the District has still not gone through the approval process yet. She added that if the District is missing any of FEMA's required

pieces then FEMA will not reimburse the District. Ms. Walden will keep the Board updated on that process.

Mr. Shenai asked about the irrigation and why the amounts seemed low with all that is going on. Mr. Kaufmann stated that area over by KPMG will not be dealt with by the District if KPMG removes or damages any irrigation lines as it will be at their cost. Mr. Shenai asked about the new operation field expenses for trail benches and crosswalk improvements. Ms. Walden thought that the District had rolled these up to the new operational field expenses so that it was not earmarked specifically for the trail benches or crosswalk expenses since those were completed last year. She noted that the money is there because the District has not done any new operational field expense yet but it is still there in case anything came up in the future. Mr. Shenai asked if the District is planning on making other improvements. Mr. Da Silva added that the Board decided to just do the one crosswalk for now and then look into doing others in the future when the need arises. Mr. Kaufmann noted that there are patent issues with the crosswalks and they cannot install any others until it is resolved. Mr. Shenai asked about a note from Mr. Reed about replacing the monument lights. He noted that there is a monument going towards 417 from Narcoossee that doesn't look lit. A discussion took place that the lights are not working on the monument. Mr. Shenai asked Ms. Walden to follow up with Mr. Reed.

NINTH ORDER OF BUSINESS

Staff Reports

District Counsel – No Report

District Manager – No Report

District Engineer – No Report

Construction Supervisor – No Report

TENTH ORDER OF BUSINESS

**Supervisor Requests,
Audience Comments
& Adjournment**

Mr. Flint put together a slide show to describe some of the current conditions of the community and what he plans to do about it. He noted that the District has a lot of large beds of dead plant material and there are massive roadbeds that have grown beyond their peak lifespan and are in need of replacement. He noted that the District also has long beds of ground cover that will never look good because of the size. Typically, these long beds are covered with jasmine which when

sprayed for weeds it stunts the growth and the soil is not conducive for its health. He said that jasmine will grow if it is condensed to smaller beds. He mentioned that there were some trees lost in the hurricane that are in need of replacement and he just heard that the District is ready to replace them. Mr. Flint stated that he would like to eliminate the struggling plant species and replace with turf in some places as a buffer which in the long term will save the District thousands. He showed the Board some before and after photos of their previous work. Mr. Da Silva asked Mr. Flint to mark something up of areas that he is going to do in this District and at the western Village Walk entrance. Mr. Flint explained that in the other Districts he is pricing the work piece by piece and letting them choose which is a priority to them. Mr. Flint also noted that he was reluctant to get started on Myrtle Creek's improvements until KPMG's construction is done. A discussion took place among the Board Members about which areas might be able to be started first. Mr. Shenai asked if they would get started in 2018. Mr. Flint replied that he will get started once he has the Board's approval.

Mr. Flint stated that he is trying to get ahead of the curve on the development side and telling them to stop putting in these kinds of plants. He noted that once the District gets past the initial expense it will look better and save money in the long run. Mr. Scholl asked that if the District adds more turf will they have to rework the scope of work for BrightView. Mr. Flint said that turf is easier and cheaper to maintain. Ms. Mackie added that when the District awarded the contract they did it for annuals for up to three years of maintenance and if the District were to modify the beds so much that District staff thinks there should be a downward adjustment in the contract value then that is something that District staff can talk to BrightView about. Mr. Flint will get the District individual pictures with prices for each area and present it to the Board for approval next month.

Mr. Tubbs asked what the language is in BrightView's contract regarding litter. Mr. Flint stated that when they are out for their regular maintenance they are supposed to pick up trash weekly. He noted that a porter was hired to pick up trash through Tavistock and the builders are paying for it.

On Motion by Mr. Scholl, second by Mr. D. Tubbs, with all in favor, the January 16, 2018 Meeting of the Board of Supervisors for the Myrtle Creek Improvement District was adjourned.


Secretary/Assistant Secretary


Chair/Vice Chair

MYRTLE CREEK IMPROVEMENT DISTRICT

DISTRICT OFFICE • 12051 CORPORATE BLVD • ORLANDO, FL 32817
PHONE: (407) 382-3256 • FAX: (407) 382-3254

Operation and Maintenance Expenditures For Board Approval

Attached please find the check register listing Operations and Maintenance expenditures paid from October 1, 2017 through October 31, 2017. This does not include expenditures previously approved by the Board.

The total items being presented: **\$18,359.03**

Approval of Expenditures:

____ Chairman

____ Vice Chairman

____ Assistant Secretary

Myrtle Creek Improvement District
AP Check Register (Current by Bank)

Check Dates: 10/1/2017 to 10/31/2017

Check No.	Date	Status	Vendor ID	Payee Name	Amount
BANK ID: SUN - CITY NATIONAL BANK					001-101-0000-00-01
3191	10/11/17	P	DONMC	Donald W. McIntosh Associates	\$137.50
3192	10/11/17	P	FISH	Fishkind & Associates, Inc.	\$2,500.00
3193	10/11/17	P	JMACRE	Jeff Macre	\$200.00
3194	10/11/17	P	KSCHOL	Kyle Scholl	\$200.00
3195	10/11/17	P	LDASIL	Lionel R. Dasilva	\$200.00
BANK SUN REGISTER TOTAL:					<u>\$3,237.50</u>
GRAND TOTAL :					<u><u>\$3,237.50</u></u>

3,237.50 ◇
 BID 12,977.02 ‡
 OVC 2,144.51 ‡
 18,359.03 *

* Check Status Types: "P" - Printed ; "M" - Manual ; "V" - Void (Void Date); "A" - Application; "E" - EFT
 ** Denotes broken check sequence.

MYRTLE CREEK IMPROVEMENT DISTRICT

DISTRICT OFFICE • 12051 CORPORATE BLVD • ORLANDO, FL 32817

PHONE: (407) 382-3256 • FAX: (407) 382-3254

Operation and Maintenance Expenditures For Board Approval

Attached please find the check register listing Operations and Maintenance expenditures paid from November 1, 2017 through November 30, 2017. This does not include expenditures previously approved by the Board.

The total items being presented: **\$32,549.12**

Approval of Expenditures:

____ Chairman

____ Vice Chairman

____ Assistant Secretary

Myrtle Creek Improvement District
AP Check Register (Current by Bank)

Check Dates: 11/1/2017 to 11/30/2017

Check No.	Date	Status	Vendor ID	Payee Name	Amount
BANK ID: SUN - CITY NATIONAL BANK					001-101-0000-00-01
3196	11/14/17	F	AWC	Aquatic Weed Control, Inc.	\$325.00
3197	11/14/17	F	ATLAS	Atlas Professional Services	\$18.00
3198	11/14/17	F	DEO	Dept. of Economic Opportunity	\$175.00
3199	11/14/17	F	HGS	Hopping Green & Sams	\$813.22
3200	11/14/17	F	MLM	Michael's Lighting Maint.	\$81.25
3201	11/14/17	F	ORLSEN	Orlando Sentinel	\$471.92
3202	11/14/17	F	OCTC	Scott Randolph, Tax Collector	\$123.22
3203	11/14/17	F	TRUSTE	US Bank as Trustee for Myrtle	\$33,390.95
3204	11/14/17	F	TRUSTE	US Bank as Trustee for Myrtle	\$3,563.23
3205	11/14/17	F	VENTUR	VenturesIn.com	\$105.00
3207	11/01/17	F	DTUBBS	Donald Maurice Tubbs	\$200.00
3209	11/01/17	F	JMACRE	Jeff Macre	\$200.00
3210	11/01/17	F	KSCHOL	Kyle Scholl	\$200.00
3211	11/01/17	F	LDASIL	Lionel R. Dasilva	\$200.00
3213	11/06/17	F	AWC	Aquatic Weed Control, Inc.	\$325.00
3215	11/06/17	F	DONMC	Donald W. McIntosh Associates	\$300.00
3216	11/06/17	F	MLM	Michael's Lighting Maint.	\$81.25
3217	11/06/17	F	VENTUR	VenturesIn.com	\$105.00
3218	11/30/17	F	BVLS	BrightView Landscape Services	\$17,740.00
3219	11/30/17	F	HGS	Hopping Green & Sams	\$768.25
3220	11/30/17	F	ORLSEN	Orlando Sentinel	\$253.17
3221	11/30/17	F	USB	U.S. Bank	\$8,361.40
3222	11/30/17	F	TRUSTE	US Bank as Trustee for Myrtle	\$79,416.00
BANK SUN REGISTER TOTAL:					\$147,216.96
GRAND TOTAL :					\$147,216.96

147,216.96 +
 OS 3,714.98 -
 1,702.34 -
 30,846.78 *
1,702.34
 32,549.12

* Check Status Types: "P" - Printed ; "M" - Manual ; "V" - Void (Void Date) ; "A" - Application ; "E" - EFT
 ** Denotes broken check sequence.