

**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, October 16, 2018 at 5:01 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

Also present were:

Jennifer Walden	Fishkind & Associates
Lynne Mullins	Fishkind & Associates
Jeff Newton	Donald W. McIntosh Associates
Larry Kaufmann	Construction Supervisor
Troy Davidson	Tavistock Development
Scott Thacker	Tavistock Development
Mike Eckert	Hopping Green & Sams (via phone)

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 September
18, 2018 Board of
Supervisors' Meeting**

Board Members reviewed the minutes from the September 18, 2018 Board of Supervisors' Meeting. Ms. Walden noted that the District Engineer provided minor comments prior to the Board meeting to clean up some items in the minutes and she will ensure those get incorporated.

On Motion by Mr. Scholl, second by Mr. Da Silva, with all in favor, the Board of Supervisors for the Myrtle Creek Improvement District approved the Minutes of the September 18, 2018 Board of Supervisors' Meeting, as amended.

FOURTH ORDER OF BUSINESS

Consideration of Property Insurance for Hardscape Items

Ms. Walden explained that she has provided a building schedule (Minutes Exhibit A) which details the hardscape items and building replacement value. She added that Mr. Kaufmann and Mr. Thacker met with the insurance company to go over these hardscape items in the District that should be covered by insurance. The cost of the premium for these items will be \$1,488.00. The District is budgeted in FY 2019 for \$10,075.00 for insurance and if coverage is added for these hardscape items then insurance premiums would come to a total of \$8,461.00 and it does fit into the budget.

Mr. Da Silva asked about the deductible. Ms. Walden stated that she thinks the deductible is \$1,000.00 but will follow up with that. The insurance company was unable to provide a proposal for today and just gave her the hard numbers of the cost for the premium so we could keep this moving forward. Mr. Macre asked if this was for defects and if someone hits it with a car the District will go after their insurance. Ms. Walden stated that the District will go after the other person's insurance if they can but many times they leave the scene so that's not always possible. Mr. Newton stated that the District would go back to the Contractor for defects. Mr. Kaufmann added that the building replacement values are for repairs and not to replace the entire feature. Mr. Macre asked if the District received multiple quotes. Ms. Walden replied that there are not a lot of insurance companies that work with Districts so Mr. Kaufmann and Mr. Thacker met with the current policy holder which is Egis and asked about adding on these items for this property.

Ms. Walden noted that one of the other sister Board's tabled this item until they got the actual proposal. The Board agreed to table this item until the District gets the proposal and then weigh the benefits and cost analysis at that time. Another Board Member asked to also see the cost to install the features from scratch. Another Board Member stated that four monuments of the same time being destroyed is unlikely and his prediction would be that one of the columns would get hit and he requested to see the cost of fixing one of the columns. Mr. Macre asked if District staff could bring back different options of cost if the deductible were higher.

FIFTH ORDER OF BUSINESS

**Ratification of Requisition
No. 517 Approved in
September 2018 in an
amount totaling \$751.25**

Board Members reviewed Requisition No. 517 approved in September 2018 in an amount totaling \$751.25. Ms. Walden stated that these have been approved and paid and need to be ratified by the Board.

On Motion by Mr. Scholl, second by Mr. Da Silva, with all in favor, the Board of Supervisors for the Myrtle Creek Improvement District ratified Requisition No. 517 approved in September 2018 in an amount totaling \$751.25.

SIXTH ORDER OF BUSINESS

**Ratification of Operation
and Maintenance
Expenditures Paid in
September 2018 in an
amount totaling \$92,689.81**

Board Members reviewed the Operation and Maintenance Expenditures paid in September 2018 in an amount totaling \$92,689.81.

Mr. Macre stated that the invoice for Brightview Landscape Services hit the budget and asked if the Board previously discussed that staff was working with the vendor and they were replacing some controllers for the District. Mr. Thacker stated that a couple of controllers are being replaced and that is included in one of these numbers.

Mr. Shenai asked how many controllers the District has. Mr. Thacker answered that the District has 8 controllers. Mr. Shenai stated that he thought that there were only single digit controllers but he saw one labelled controller 24. Mr. Thacker stated that it might be a typo. Mr. Macre stated that controller #1 is being replaced in the amount of \$505.75. Mr. Thacker responded that when BrightView says that it is repairing controllers it is actually repairing heads and lines being served by that controller. The District has done a number of repairs in controller area #1 and #6 and should not see those for a while. Mr. Thacker stated that the new controllers should last 20 years and shouldn't have the problems that the existing controllers do have today.

Mr. Da Silva stated that whenever he drives down Lake Nona Boulevard, he sees a BrightView truck parked in the grass and he asked if they are breaking irrigation heads when they do that. Mr. Thacker stated that in the past he thinks that the District has been getting charged to fix heads like that but the new water management specialist has been keeping an eye on that and he is now validating all of these invoices.

Mr. Shenai asked how much the District spent on controller repairs within the year. Mr. Thacker stated that it is listed in the budget under the irrigation line item for that and it would include any repairs to the irrigation system. Mr. Scholl asked if there could be a separate line item for just repair of irrigation equipment. District staff answered that there is a separate line for irrigation in the amount of \$54,000.00.

Mr. Shenai stated that the Board had a previous discussion about the 33 spots on the side path and how it was going to be expensive to repair it and the Board discussed assessments. He stated that he thinks the District needs to do a deeper dive to understand it and the cost. Mr. Thacker stated that there have been a lot of main line irrigation repairs in the District because it is an older system and part of that is not surprising. He pointed out that the mainline repair at the intersection of the USTA entrance which is right after Wellspring Drive there was a mainline repair there that was repaired 3-4 month ago. It failed again and as the water management specialist investigated why it failed again, it was because BrightView had repaired it deficiently the first time. BrightView's initial repair to fix it the second time was \$7,000.00 and he was able to get that down to \$1,800.00 to pay only for the materials to properly repair it as they should have done the first time. Going forward with the water management specialist really paying attention to what is happening to those irrigation systems, he expects the repair costs to decrease. Mr. Scholl stated that he thought some of the money spent in this fiscal year was because the District did large landscape upgrades and hurricane repairs and noted that somewhere in these numbers is a combination of those two things as well which should be factored in.

Mr. Shenai stated that he does not know which amount of money is the right number. Mr. Kaufmann suggested letting the water management specialist know to monitor the irrigation, the Board would like him to come to the next meeting and tell him how the Board wants to look at the situation. Mr. Shenai stated that he can come up with a list of questions. Mr. Thacker asked him if he is curious to see what an audit would be of where the District spent the \$54,000.00. Mr. Scholl suggested some means of identifying and tracking data to keep an eye on things going forward and identifying problems. The Board discussed the rain sensors. Mr. Thacker stated that the water management specialist can be prepared to let the Board know how many of the rain sensors work.

On Motion by Mr. Scholl, second by Mr. Shenai, with all in favor, the Board of Supervisors for the Myrtle Creek Improvement District ratified the Operation and Maintenance Expenditures paid in September 2018 in an amount totaling \$92,689.81.

SEVENTH ORDER OF BUSINESS

**Recommended Work
Authorization/Proposed
Services**

There were no Work Authorizations for this District.

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 the end of September. Ms. Walden noted that the District is able to book expenses headed into the next fiscal year for the first two months of the prior fiscal year. She should have a more updated financial position at the next meeting. Ms. Walden stated that the District is currently under budget but there are a few invoices that have not been incurred yet. There was no action required.

NINTH ORDER OF BUSINESS

Staff Reports

District Counsel – No Report

District Manager – Ms. Walden reminded the Board that the next meeting is scheduled for Tuesday, November 20, 2018 at 5:00 p.m. It is the Tuesday prior to Thanksgiving so please advise the team if any of the Board Members will be unable to attend.

District Engineer – No Report

Construction Supervisor – Mr. Kaufmann stated that at the last meeting District staff discussed the repairs to the trail and he received a quote from a Contractor for \$151,060.00 (Minutes Exhibit B). It was noted by the Contractor that it would take a lot of excavation to get the roots out and Mr.

Kaufmann thinks it will probably be in the \$100,000.00 range to fix all 33 issues and the roots. He added that the proposal includes putting root barriers adjacent to where the roots come in but it does not include the cost for a permit. He also spoke to Jr. Davis but they did not give him a quote prior to today's meeting but they are talking with the City to figure out how to finesse this without providing alternative access.

Mr. Macre stated that Mr. Kaufmann had mentioned something about potentially having the City do this as a City of Orlando project. Mr. Kaufmann stated that he did not get into that yet because he is trying to get the numbers in case the District had to do it themselves, to see the impact and then go speak to the City about fixing their trail. Mr. Kaufmann stated that he thinks the City will come back and say that it is a developer issue and not a City issue. A discussion took place about the longevity of the trail. Mr. Scholl asked at what point does the Board say that the liability falls on pedestrians and bicyclists. He brought up a point of requesting bicyclists to utilize the bike lane in the roadway and not the trail. Mr. Kaufmann stated that the ADA requires any edge to be less than 1/8 of an inch in difference.

Mr. Kaufmann stated that much of the trail is in the City right-of-way and working in the City right-of-way without a City permit could be challenging. A discussion took place about the District's responsibility.

Mr. Macre stated that he is glad that the District got a quote because it is great to see so much action and a little bit more knowledge and visibility to what it would cost. He asked that some of the questions be taken back to the vendor to get some more ideas.

Mr. Da Silva asked if Mr. Kaufmann had a chance to investigate the issues on Wellspring Drive. Mr. Kaufmann responded that he went around Wellspring and Performance Drive too and he did not see any damage. Mr. Macre stated that he would take a look today. Mr. Da Silva stated that one is right as you go around the corner from Lake Nona under Wellspring Drive within the first 100 yards and the other is right before turning into USTA within the last 100 yards.

Mr. Kaufmann stated that Mr. Thacker obtained a quote from Driveway Maintenance Inc. (Minutes Exhibit C) and they were quoting more areas in the amount of \$66,000.00 but he thinks that what they were doing was digging out a strip and putting down some asphalt. Mr. Scholl stated that maybe they were onto something and District staff can talk to the other companies about that method.

TENTH ORDER OF BUSINESS

**Supervisor Requests,
Audience Comments
& Adjournment**

There were no Supervisor requests or audience comments. Ms. Walden requested a motion to adjourn.

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


Secretary/Assistant Secretary


Chair/Vice Chair

Myrtle Creek BUILDING SCHEDULE					
Unit Number	DESCRIPTION OF OCCUPANCY (If Vacant, state "Vacant" if Under Construction, state "Under Construction," If Historic Bldg state "Historic")	ADDRESS Line 1	Building Replacement Value	Construction Type	
1	Decorative Monuments (2)	Lake Nona Blvd & Narcoossee Rd	\$ 75,000	Masonry Non Combustible	
2	Column Features (4)	Lake Nona Blvd & Narcoossee Rd	\$ 50,000	Non Combustible	
3	Fencing w/Column Features	Lake Nona Blvd & Narcoossee Rd	\$ 50,000	Non Combustible	
4					
5			\$ 175,000		
6					



JON M. HALL
COMPANY
 Site Development Since 1974

Proposal Date: 10/11/2018

Proposed Request # 1

PROJECT: Lake Nona - New Trail Repairs
 OWNER: Tavistock

Owner:
 Tavistock Development Company
 6900 Tavistock Lakes Boulevard, suite 200
 Orlando, FL 32827

ATTN: Chris Wilson, Larry Koffman
 EMAIL: lkaufmann@tavistock.com
 EMAIL: cwilson@tavistock.com

ITEM	CODE	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	EXTENSION
01		Trail Repairs				\$ 151,060.00
1.01		Mobilization	1	LS	\$ 4,200.00	\$ 4,200.00
1.02		Supervision	1	LS	\$ 4,320.00	\$ 4,320.00
1.03		Remove /Replace Bike Trail with base and new asphalt	33	EA	\$ 2,880.00	\$ 95,040.00
1.04		Root Prune and install Root Barrier	1	LS	\$ 47,500.00	\$ 47,500.00

SUBTOTAL	\$ 151,060.00
Bond Rate Added	0% \$ -
TOTAL	\$ 151,060.00

QUALIFICATIONS:

- 1) No survey included in price(will need areas marked out by Tavistock)
- 2) No geotechnical testing included
- 3) No permits included in price
- 4) No As-built included
- 5) We will match existing asphalt depth for trail

Sincerely,

Phillip Hartmann, Project Manager
 Jon M. Hall Company
 1920 Boothe Circle, Suite 230
 Longwood, FL 32750
 Phone 407 215-0410
 Fax 407 215-0411
www.jonmhallcompany.com
PHartmann@jonmhallcompany.com

Proposal Accepted By:

OWNER: Tavistock

Authorized Signature	Date
Name / Title	

I/We as authorized representative of the owner accept this proposal and qualifications therein and direct Jon M Hall Company to proceed with the work. Client shall pay all attorneys fees associated with collection of any unpaid balances.

Client shall pay interest in the amount of 18% per annum on overdue balance. Payment Terms: Net 10 days from the date of the invoice.



Exhibit C

PROPOSAL

11-182045

Yard: 677 Fairvilla Road • Mail to: P.O. Box 617585
Orlando, Florida 32861-7585
Orlando: (407) 298-8558 • Fax: (407) 298-8588
Kissimmee: (407) 870-7578 • Email: Orlando@Driveway.net
Web Site: www.Driveway.net

7/18/2018

Tavistock Development Company
6900 Tavistock Lakes Blvd. #200
Orlando, FL 32827

Myrtle Creek Improvement District
Lake Nona Blvd.
Orlando, FL

(407)-816-6684

ATTENTION: Scott Thacker

As per directions to perform the following work:

ASPHALT REPAIR TREE ROOT DAMAGED ASPHALT: 61 AREAS TOTALING 14,263 SF

- 1. Sawcut root damaged asphalt where required and clean areas to be patched.
2. Cut and remove any exposed surface roots.
3. Clean off existing surface with a power street blower.
4. Tack area with MS-1 primer tack.
5. Install concrete fine road base, as needed.
6. Install 1.5" average overlay using hot plant mixed asphalt, Type SP 9.5.
7. Roll and compact using a dual steel drum vibratory roller.
8. Broadcast builders sand on newly paved surface to minimize initial scuffing and marking.
9. Remove and haul away any related debris from site.

PAGE 1 OF 2

WE PROPOSE to furnish labor and material - complete in accordance with above specifications, and subject to conditions stated herein, for the sum of:

WITH PAYMENTS TO BE MADE AS FOLLOWS:



- Not responsible for any damage to underground utilities.
• A Certificate of Insurance will be issued upon request prior to commencement of work.

ACCEPTED: The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

ACCEPTANCE OF PROPOSAL

DATE OF ACCEPTANCE

PRINT NAME SIGNATURE

TITLE

All material is guaranteed to be as specified. All work is to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs, will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance upon above work. Our workers are covered by Workmen's Compensation Insurance.

DRIVEWAY MAINTENANCE INC.

X

Mike Turtle



PROPOSAL

11-182045

Yard: 677 Fairvilla Road • Mail to: P.O. Box 617585
Orlando, Florida 32861-7585
Orlando: (407) 298-8558 • Fax: (407) 298-8588
Kissimmee: (407) 870-7578 • Email: Orlando@Driveway.net
Web Site: www.Driveway.net

7/18/2018

Tavistock Development Company
6900 Tavistock Lakes Blvd. #200
Orlando, FL 32827

Myrtle Creek Improvement District
Lake Nona Blvd.
Orlando, FL

(407)-816-6684

ATTENTION: Scott Thacker

*DURING THE MILLING PROCESS ASPHALT IS SUBJECT TO BREAKING LOOSE THICKER THAN THE SPECIFIED MILLING DEPTH, RESULTING IN THE NEED FOR ADDITIONAL MATERIAL. SHOULD EXCESSIVE REMOVAL OCCUR, THE INCREASED TONNAGE WILL BE BILLED AT A RATE OF \$120.00 PER TON IN PLACE.

*NEW PAVEMENT IS SUSCEPTIBLE TO SCUFFING AND MARKS UNTIL IT HAS PROPERLY CURED. THIS CONTRACTOR WILL NOT BE RESPONSIBLE FOR POWER STEERING MARKS AND OTHER SURFACE ABRASIONS AND INDENTATIONS.

*THIS CONTRACTOR CANNOT GUARANTEE THE ELIMINATION OF STANDING WATER.

*THIS CONTRACTOR WILL NOT BE RESPONSIBLE FOR DAMAGES CAUSED TO OR BY CARS OR PERSONS TRESPASSING IN DESIGNATED AREAS.

*DUE TO INCREASES IN THE COSTS OF MATERIALS, THIS PRICE CAN ONLY BE GUARANTEED FOR 30 DAYS.

*PERMIT FEES, PROCUREMENT, RECORDS RETRIEVAL, ENGINEERING, AND ANY ADDITIONAL WORK REQUIRED BY THE PERMIT WILL BE AN ADDITIONAL COST TO THIS CONTRACT.

PAGE 2 OF 2

WE PROPOSE to furnish labor and material - complete in accordance with above specifications, and subject to conditions stated herein, for the sum of:

** FORTY FOUR THOUSAND NINE HUNDRED EIGHTY FIVE DOLLARS AND 00 CENTS **

WITH PAYMENTS TO BE MADE AS FOLLOWS:

NET DUE UPON COMPLETION

- Not responsible for any damage to underground utilities.
• A Certificate of Insurance will be issued upon request prior to commencement of work.

ACCEPTED: The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

ACCEPTANCE OF PROPOSAL

DATE OF ACCEPTANCE

PRINT NAME SIGNATURE

TITLE



All material is guaranteed to be as specified. All work is to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs, will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance upon above work. Our workers are covered by Workmen's Compensation Insurance.

DRIVEWAY MAINTENANCE INC.

X

Mike Turtle