

MYRTLE CREEK IMPROVEMENT DISTRICT BOARD OF SUPERVISORS' MEETING MINUTES

FIRST ORDER OF BUSINESS

Roll Call to Confirm a Quorum

The Board of Supervisors' Meeting for the Myrtle Creek Improvement District was called to order on Tuesday, May 17, 2022, at 5:00 p.m. at the Courtyard Orlando Lake Nona, 6955 Lake Nona Blvd, Orlando, FL 32827.

Present:

Bob da Silva	Chairman
Kam Shenai	Vice Chairman
John Lynaugh	Assistant Secretary
Marsha Leed	Assistant Secretary
Kyle Scholl	Assistant Secretary (via phone, joined in person @ 5:10 p.m.)

Also attending:

Jennifer Walden	PFM
Lynne Mullins	PFM
Amanda Lane	PFM (via phone)
Kevin Plenzler	PFM (via phone)
Tucker Mackie	Kutak Rock
Jeff Newton	Donald W. McIntosh Associates, Inc.
Larry Kaufmann	Construction Supervisor & Construction Committee Member (via phone @ 5:08 p.m.)
Scott Thacker	District Landscape Supervisor
Aaron Wilbanks	Berman
Matt McDermott	Construction Committee Member

SECOND ORDER OF BUSINESS

Public Comment Period

Ms. Walden called for public comments and noted there is no one from the public present.

THIRD ORDER OF BUSINESS

Consideration of the Minutes of the April 19, 2022, Board of Supervisors' Meeting

Board Members reviewed the minutes from the April 19, 2022, Board of Supervisors' Meeting.

On Motion by Mr. da Silva, second by Mr. Lynaugh, with all in favor, the Board of Supervisors for the Myrtle Creek Improvement District approved the Minutes of the April 19, 2022, Board of Supervisors' Meeting.

FOURTH ORDER OF BUSINESS

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

Ms. Walden explained that the District is required to state on the record the number of registered voters within the District. As of April 15, 2022, the District has 2,388 registered voters. No action is required.

FIFTH ORDER OF BUSINESS

**Consideration of Resolution
2022-02, General Election**

Ms. Walden explained that this resolution states that Seat 3, currently held by John Lynaugh, Seat 4, currently held by Kyle Scholl, and Seat 5, currently held by Bob da Silva, are up for election through the General Election this November. Included as an exhibit to the resolution is the ad that will be placed noting the qualifying period for candidates with the Orange County Supervisor of Elections.

On Motion by Mr. da Silva, second by Mr. Lynaugh, with all in favor, the Board of Supervisors for the Myrtle Creek Improvement District approved Resolution 2022-02, General Election.

SIXTH ORDER OF BUSINESS

**Review and Acceptance of
Fiscal Year 2021 Audit**

Ms. Walden explained District staff has reviewed and provided comments. This was a standard and clean audit. There were no deficiencies in internal controls that would be considered material weaknesses.

On Motion by Mr. Shenai, second by Ms. Leed, with all in favor, the Board of Supervisors for the Myrtle Creek Improvement District accepted the Fiscal Year 2021 Audit.

SEVENTH ORDER OF BUSINESS

**Matters Pertaining to
Wellspring Drive and
Performance Drive Project
Master Special Assessments**

- a) Presentation of Engineer's Report for Capital Improvements for Infrastructure (Wellspring Drive and Performance Drive), dated August 12, 2020
- b) Presentation of Preliminary Wellspring Drive and Performance Drive Project Master Assessment Methodology Report,

- dated May 2022
- c) Consideration of Resolution 2022-03, Declaring Wellspring Drive and Performance Drive Project Special Assessments
- d) Consideration of Resolution 2022-04, Setting Public Hearing for Levy of Wellspring Drive and Performance Drive Project Special Assessments

Ms. Mackie explained that the Engineer's Report included in the agenda packet was approved by the District back in August of 2020 and is the basis by which the District has constructed, acquired, or will construct or acquire portions of Wellspring Drive and Performance Drive. The items in the agenda start the process of the Chapter 170 process for the levying of a Master Debt Service Assessment that could formulate the issuance of bonds in the future. Ms. Mackie referenced the map on page 93 highlights the assessment area that could receive a debt service assessment in the future if the District does issue bonds and the operations and maintenance assessment for Wellspring Drive and Performance Drive. The process today for the Board to engage in is an approval of a preliminary assessment methodology, declaring a master assessment, and setting a public hearing for these master debt service assessments. She noted that no debt assessment will be levied against the property unless the District issues bonds, which are not anticipated in the near future, but the District would go through the process by which we would assign benefit to these properties, which would be used for the operations and maintenance assessment. Currently, the Developer funds the maintenance of this right-of-way, and as they are selling the property, they would like to assess for the operations and maintenance of this right-of-way.

Ms. Mackie noted that part of this process includes a published notice and a mailed notice which will go out to the effected parties, which are mainly Tavistock entities. The Board decided that they were comfortable with the Engineer's Report and the Methodology and did not need a review from District Staff. Ms. Mackie stated that the Board could consider Resolution 2022-03, which would declare the assessments at the total estimated cost of the Improvements, which is \$12,300,000.00, and the assessments would defray approximately \$16,380,000.00, which includes financing costs.

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 2022-03, Declaring Wellspring Drive and Performance Drive Project Special Assessments.

Ms. Mackie explained the next resolution sets the date, time, and location for the public hearing. Discussion ensued regarding moving the public hearing to July instead of in August with the budget public hearing.

On Motion by Mr. Shenai, second by Mr. Scholl, with all in favor, the Board of Supervisors for the Myrtle Creek Improvement District approved Resolution 2022-04, Setting Public Hearing for Wellspring Drive and Performance Drive Project Special Assessments for July 19, 2022, at 5:00 p.m. at 6955 Lake Nona Blvd., Orlando, FL 32827.

EIGHTH ORDER OF BUSINESS

Consideration of Resolution 2022-05, Approving a Preliminary Budget for Fiscal Year 2023 and Setting a Public Hearing Date

Ms. Walden explained that the budgets are listed as an exhibit to the resolution. District staff is suggesting approving an Operations and Maintenance budget with expenses of \$1,020,882.57 with assessments remaining the same at \$858,801.80, a carryforward of \$81,861.27, and Wellspring Assessments of \$79,519.50.

On Motion by Mr. Scholl, second by Mr. Shenai, with all in favor, the Board of Supervisors for the Myrtle Creek Improvement District approved Resolution 2022-05, Approving a Preliminary Budget for Fiscal Year 2023 and Setting Public Hearing Date for August 16, 2022, at 5:00 p.m. at 6955 Lake Nona Blvd., Orlando, FL 32827.

NINTH ORDER OF BUSINESS

Ratification of Operation and Maintenance Expenditures Paid in April 2022 in an amount totaling \$19,010.90

The Board reviewed Operation and Maintenance Expenditures paid in April 2022 in an amount totaling \$19,010.90. Ms. Walden noted these have been approved and need to be ratified by the Board.

On Motion by Mr. Shenai, 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 April 2022 in an amount totaling \$19,010.90.

TENTH ORDER OF BUSINESS

Recommendation of Work Authorization/Proposed Services (if applicable)

Mr. Kaufmann noted there were no Work Authorizations.

ELEVENTH ORDER OF BUSINESS

Review of District's Financial Position and Budget to Actual YTD

The Board review the District's Financial Statements through the end of April 2022. Ms. Walden noted the District has spent \$328,000.00 of the \$1,009,000.00 budget. No action is required by the Board.

TWELFTH ORDER OF BUSINESS

Staff Reports

District Counsel – No Report

District Manager – Ms. Walden noted the next meeting is scheduled for Tuesday, June 21, 2022.

District Engineer – No Report

Construction Supervisor – No Report

District Landscape Supervisor- Mr. Thacker explained that he will be transitioning out of his role over the next couple of months but will be bringing Mr. Aaron Wilbanks, the Berman Landscape Manager, up to speed on District items.

Mr. McDermott noted that Cepra's landscape proposals are being reviewed as their revisions have been submitted and there should be progress by next month. Mr. Lynaugh asked about the area with the yellow tape in front of the main gate. Mr. McDermott responded that there was an accident there, the County was notified, they did some work, and he will follow up to make sure that everything is back in working order and get the yellow tape removed.

Irrigation Supervisor- No Report

THIRTEENTH ORDER OF BUSINESS

Supervisor Requests & Adjournment

There were no Supervisor requests, so Ms. Walden requested a motion to adjourn.

On Motion by Mr. Lynaugh, second by Mr. Shenai, with all in favor, the May 17, 2022, Meeting of the Board of Supervisors for the Myrtle Creek Improvement District was adjourned.


Secretary/Assistant Secretary


Chair/Vice Chair