

**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, August 16, 2022, at 5:00 p.m. at the Courtyard Orlando Lake Nona, 6955 Lake Nona Blvd, Orlando, FL 32827.

Present:

Bob Da Silva	Chairman	(joined at 5:12 p.m.)
Kam Shenai	Vice Chairman	
John Lynaugh	Assistant Secretary	
Marsha Leed	Assistant Secretary	
Kyle Scholl	Assistant Secretary	

Also attending:

Jennifer Walden	PFM	
Lynne Mullins	PFM	
Amanda Lane	PFM	(via phone)
Tucker Mackie	Kutak Rock	
Jeffrey Newton	Donald W. McIntosh Associates	
Larry Kaufmann	Construction Supervisor	(via phone)
Matt McDermott	Construction Committee Member	
Aaron Wilbanks	Berman	
Ryan Dugan	Kutak Rock	
Kevin Plenzler	PFM	(via phone)
Jorge Orsini	PFM	(via phone)

SECOND ORDER OF BUSINESS

Public Comment Period

There were no public comments.

THIRD ORDER OF BUSINESS

**Consideration of the Minutes of the
July 19, 2022, Board of Supervisors'
Meeting**

The Board reviewed the minutes of the July 19, 2022, Board of Supervisors' Meeting.

On motion by Mr. Shenai, seconded by Mr. Lynaugh, with all in favor, the Board of Supervisors for the Myrtle Creek Improvement District approved the Minutes of the July 19, 2022, Board of Supervisors' Meeting.

FOURTH ORDER OF BUSINESS

**Consideration of Resolution 2022-07,
Approving an Annual Meeting
Schedule for Fiscal Year 2023**

Ms. Walden stated the District is recommending keeping the third Tuesday of every month at 5:00 p.m. at the current location, with the exception of December moving up a week due to Christmas, and keeping the Construction Committee meeting the same at every other week starting with Thursday, October 6, 2022, same current time and location.

On motion by Mr. Shenai, seconded by Mr. Lynaugh, with all in favor, the Board of Supervisors for the Myrtle Creek Improvement District approved the Resolution 2022-07, Approving an Annual Meeting Schedule for Fiscal Year 2023 with the Board of Supervisors' Meeting schedule taking place on the third Tuesday of each month, except December which is to take place on the second Tuesday, at 5:00 p.m. at the Courtyard Orlando Lake Nona, 6955 Lake Nona Blvd., Orlando, Florida 32827 and the Construction Committee Meeting schedule taking place every other Thursday at 3:30 p.m. at the office of Donald W. McIntosh Associates, Inc., 2200 Park Avenue North, Winter Park, Florida 32789.

FIFTH ORDER OF BUSINESS

Public Hearing on the Adoption of the District's Annual Budget and Imposition of Special Assessments

- a) Public Comments and Testimony**
- b) Board Comments**
- c) Consideration of Resolution 2022-08, Adopting the Fiscal Year 2023 Budget and Appropriating Funds**
- d) Consideration of Resolution 2022-09, Adopting an Assessment Roll and Certifying Special Assessments**

Ms. Walden noted that the budget public hearing was noticed pursuant to Florida Statutes and asked for a motion to open the public hearing.

On motion by Mr. Scholl, seconded by Ms. Leed, with all in favor, the Board of Supervisors for the Myrtle Creek Improvement District opened the Public Hearing.

Ms. Walden stated the budget is an exhibit to Resolution 2022-08. A couple line items were changed under the Wellspring Drive section but the overall budget is the same budget the Board approved back in May.

Ms. Walden noted there are no members of the public present in person or on the phone.

Mr. Shenai asked if the carryforward proposed budget for 2023 would be \$82,000.00 or would it be \$372,000.00 if we didn't use all the funds in 2022. Ms. Lane explained the budget will stay at \$82,000.00 and then as the actuals are calculated every month, if they turn out to be higher than anticipated then that will be reflected in the actual column, but the budget itself will remain at \$82,000.00. Discussion ensued regarding funds remaining in the budget and some of the areas the Board would like to use the funds in the future. A key item that the Board would like staff to continue to monitor and provide suggestions for is landscape enhancements.

On motion by Mr. Scholl, seconded by Mr. Lynaugh, with all in favor, the Board of Supervisors for the Myrtle Creek Improvement District closed the Public Hearing.

There were no additional questions or comments from the Board.

On motion by Mr. Scholl, seconded by Mr. Shenai, with all in favor, the Board of Supervisors for the Myrtle Creek Improvement District approved Resolution 2022-08, Adopting the Fiscal Year 2023 Budget and Appropriating Funds.

Ms. Walden asked for a motion to open the public hearing for special assessments.

On motion by Mr. Scholl, seconded by Ms. Leed, with all in favor, the Board of Supervisors for the Myrtle Creek Improvement District opened the Public Hearing.

Ms. Walden noted the District sent out mailed notices and advertisements as required by Florida Statutes. Ms. Mackie added that this is related to the Wellspring and Performance Drive section and only the landowners that benefit would have received notice. Ms. Walden noted there were no members of the public present.

On motion by Mr. Da Silva, seconded by Mr. Scholl, with all in favor, the Board of Supervisors for the Myrtle Creek Improvement District closed the Public Hearing.

The Board did not have any questions or comments.

On motion by Mr. Da Silva, seconded by Mr. Shenai, with all in favor, the Board of Supervisors for the Myrtle Creek Improvement District approved Resolution 2022-09, Adopting an Assessment Roll and Certifying Special Assessments.

SIXTH ORDER OF BUSINESS

**Ratification of Operation and
Maintenance Expenditures Paid in
July 2022 in an amount totaling
\$78,422.01**

Ms. Walden noted that these Operation and Maintenance Expenditures have been approved and need to be ratified by the Board.

On motion by Mr. Shenai, seconded by Mr. Lynaugh, with all in favor, the Board of Supervisors for the Myrtle Creek Improvement District ratified the Operation and Maintenance Expenditures paid in July 2022 in an amount totaling \$78,422.01.

SEVENTH ORDER OF BUSINESS

Recommendation of Work Authorization/Proposed Services

Mr. Kaufmann noted that there are no Work Authorizations.

EIGHTH ORDER OF BUSINESS

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

The Board reviewed the District's Financial Statements through July 2022. Ms. Walden noted the District has spent just over \$533,000.00 of the \$1,009,000.00 budget, which is approximately 52%.

NINTH ORDER OF BUSINESS

Staff Reports

District Counsel –

Ms. Mackie stated District staff transmitted the notice of award in response to the RFP for Landscape Maintenance per Board direction at the last meeting. The District did receive a request for information related to the landscape proposals, but no bid protest was received. District staff is finalizing the contract and circulating for signatures.

District Manager –

Ms. Walden noted that the next meeting is scheduled for Tuesday, September 20, 2022, also a calendar invite will be coming in a few days for the next Fiscal Year meetings.

Mr. Plenzler stated after reviewing some of the financials he identified some additional funds in the revenue account in conjunction with some work that Ms. Mackie assisted with. It is believed that there is an opportunity to take those funds in the revenue account and apply them to pay down the bonds. There's approximately \$600,000.00 in the revenue account that can be applied and reduce debt service assessments going forward. The annual savings going forward would be on average approximately \$42.00. The range would be from \$28.00 to \$77.00 in savings based on the lot size. Ms. Mackie stated the District refinanced the bonds in 2016 and the bonds did not close until after the assessments for that year were certified. So, for over a year, assessments were over collected. District staff will confirm their understanding that the indenture would allow the District to make an extraordinary redemption. It is anticipated that these savings are there whether the District applies them now or when the next term bond is due. The roll can be certified with or without the reduction and the District can make corrections as needed. Due to this being an extraordinary redemption, District staff will post a notice to the market, the owners essentially, that the District will call their bonds early which has to be done 45 days prior to the redemption date.

District Engineer –

No report.

Construction Supervisor –

No report.

Landscape Supervisor –

Mr. McDermott stated shrubs have been planted on the west side of the road, as well as some sod work there. He stated that fairly completes the 2022 enhancements minus what has been held off on the Narcoossee Road and Lake Nona Blvd entrance. Mr. McDermott met with Cepra to confirm scope of work, and they are going to get the proposal so that enhancements can be finished out for this year. He wanted to check to make sure the Board is happy with going forward with the shrub and tree work on the sides of the entrance statement. After discussing, the Board decided to wait to do the shrub and tree work on the entrance statement. Mr. McDermott also mentioned the tree trimming budget and that he and Mr. Wilbanks put together a full plan to trim all the trees within the specified budget. This year all of the trees will be trimmed from Narcoossee Road toward the 417 westbound. Next year the funds are available to do the eastbound median trees that weren't touched and still have money left over.

Irrigation Supervisor –

No report.

TENTH ORDER OF BUSINESS

Supervisor Requests

There were no Supervisor requests.

ELEVENTH ORDER OF BUSINESS

Adjournment

On motion by Mr. Scholl, seconded by Mr. Da Silva, with all in favor, the August 16, 2022, meeting of the Board of Supervisors for the Myrtle Creek Improvement District was adjourned.


Secretary/Assistant Secretary


Chair/Vice Chair