

**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, April 18, 2023, at 5:00 p.m. at the Courtyard Orlando Lake Nona, 6955 Lake Nona Blvd, Orlando, FL 32827.

Present:

Bob Da Silva	Chairman	(joined @ 5:02 pm)
Kyle Scholl	Assistant Secretary	
John Lynaugh	Assistant Secretary	
Marsha Leed	Assistant Secretary	
Kam Shenai	Vice Chairman	

Also attending:

Jennifer Walden	PFM	
Lynne Mullins	PFM	(via phone)
Amanda Lane	PFM	(via phone)
Jeffrey Newton	Donald W. McIntosh Associates	
Matt McDermott	Construction Committee Member	
Larry Kaufmann	Construction Supervisor	(via phone)
Tucker Mackie	Kutak Rock	
Katie Harmer	Berman	(via phone)

**SECOND ORDER OF BUSINESS**

**Public Comment Period**

Ms. Walden noted there were no members of the public present.

**THIRD ORDER OF BUSINESS**

**Consideration of the Minutes of the  
March 21, 2023, Board of  
Supervisors' Meeting**

The Board reviewed the minutes of the March 21, 2023, 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 March 21, 2023, Board of Supervisors' Meeting.

**FOURTH ORDER OF BUSINESS**

**Review of Fiscal Year 2024  
Operations & Maintenance Budget**

Ms. Walden stated no action is required on this item, but District staff wanted to provide the budget for the Board to review and give feedback. The Board will be adopting the proposed budget at the next meeting.

Discussion ensued regarding the landscaping budget and the need for trail repairs.

#### **FIFTH ORDER OF BUSINESS**

#### **Review and Acceptance of Arbitrage Rebate Report for the Series 2016A Bonds**

Ms. Walden stated Arbitrage Rebate Counselors, LLC provided the report and they indicated there's no cumulative rebatable arbitrage liability as of September 14, 2021. The Board will need to accept this report for the record.

Ms. Leed asked about an item in the report that listed the District earned \$91,000.00 less on its investments during a computation period. Ms. Mackie responded that is a good thing because if the District is earning arbitrage on the Bonds, then the District is making money by continuing to sit on proceeds above the tax exempt rate. That's not money that the District would be allowed to keep as it would need to be provided to the IRS.

On motion by Ms. Leed, seconded by Mr. Lynaugh, with all in favor, the Board of Supervisors for the Myrtle Creek Improvement District accepted the Arbitrage Rebate Report for the Series 2016A Bonds.

#### **SIXTH ORDER OF BUSINESS**

#### **Ratification of Operation and Maintenance Expenditures Paid in March 2023 in an amount totaling \$58,093.18**

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

On motion by Mr. Scholl, 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 March 2023 in an amount totaling \$58,093.18.

#### **SEVENTH ORDER OF BUSINESS**

#### **Recommendation of Work Authorization/Proposed Services**

Mr. Kaufmann stated there were no Work Authorizations.

#### **EIGHTH ORDER OF BUSINESS**

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

Ms. Walden stated the financials are listed through March and the District has expenses of \$284,000.00 versus a little over \$1,000,000.00 budget. This equates to about 28% of the budget being spent so far.

Mr. Scholl stated that he supports the idea that the District needs to spend money on safety items like trail improvements. He asked if there is room in the budget to commission a local artist to decorate Lake Nona Boulevard now that a lot of the construction has been done. The Board discussed this idea and if it is something Tavistock or other entities would like to be involved with. Mr. Shenai stated he has been communicating with Craig Collin at Tavistock about artwork in the District, and it is something they are looking into. Ms. Mackie noted the District has the ability to make enhancements and use the funds available for such items, but it's the City's right-of-way, and the permit currently only allows the District to maintain existing landscaping and irrigation. The District would have to involve the City to the extent that the District would be locating something that from a traffic perspective might be problematic given its location. Further discussion ensued regarding areas of placement of potential items.

## **NINTH ORDER OF BUSINESS**

### **Staff Reports**

District Counsel –

No report.

District Manager –

Ms. Walden stated the next scheduled meeting is the second Tuesday of the month, which is May 9, 2023. Mr. Shenai, Ms. Leed and Mr. Da Silva all confirmed they would be in attendance.

Ms. Leed asked about the \$400,000.00 that is in the account for the ponds. Ms. Mackie replied that the Boggy Creek ID Board approved a Work Authorization today for new metes and bounds descriptions so that the land can be acquired. It's anticipated that at the June meeting the acquisition item will come back to the Board.

Ms. Walden noted the District has the Construction Committee Meetings that meet every other week at the District Engineer's office. District staff is changing locations to be held at the Tavistock office and will move forward with meeting only once a month. The meetings will be held on May 4, 2023, June 15, 2023, July 13, 2023, August 10, 2023, and September 7, 2023.

District Engineer –

Mr. Newton stated the update for the Performance Drive project and the roundabout on Lake Nona Boulevard is that they are in review by the City.

Construction Supervisor –

No report.

Landscape Supervisor –

Mr. McDermott stated for the Narcoossee entrance, the Advent Health Contractor finally moved in and started doing their work. There have been three broken irrigation issues already. He noted that he will bring an update to the June meeting as he is not sure the work will be done by the May meeting date. That update will include a fully thought-out proposal and price, which he will be looking for the Board's approval to use those funds.

Mr. McDermott stated for maintenance, District staff will be reaching out to BrightView a little more often as there's a lot of sod issues both in the median and on the east side of the road.

Mr. Shenai mentioned the floodlight on the monument being out for five months and is concerned about why the light can't be replaced. Mr. McDermott responded that it's not the District's property and the District doesn't have authorization to change it. Discussion ensued regarding solutions to this item. District staff stated they will continue to follow up with OUC regarding getting the issue fixed.

Irrigation Supervisor —

No report.

**TENTH ORDER OF BUSINESS**

**Supervisor Requests**

No Supervisor requests.

**ELEVENTH ORDER OF BUSINESS**

**Adjournment**

On motion by Mr. Shenai, seconded by Mr. Lynaugh, with all in favor, the April 18, 2023, Meeting of the Board of Supervisors for the Myrtle Creek Improvement District was adjourned.

  
Secretary/Assistant Secretary

  
Chair/Vice Chair