

**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, June 20, 2023, at 5:00 p.m. at the Courtyard Orlando Lake Nona, 6955 Lake Nona Blvd, Orlando, FL 32827.

Present:

Bob Da Silva	Chairman
Kyle Scholl	Assistant Secretary
John Lynaugh	Assistant Secretary
Marsha Leed	Assistant Secretary
Kam Shenai	Vice Chairman

Also attending:

Jennifer Walden	PFM	
Lynne Mullins	PFM	
Jorge Jimenez	PFM	(via phone)
Amanda Lane	PFM	(via phone)
Jeffrey Newton	Donald W. McIntosh Associates	
Matt McDermott	Construction Committee Member	
Tucker Mackie	Kutak Rock	
Ryan Dugan	Kutak Rock	(via phone)
Katie Harmer	Berman	(via phone)
Samantha Sharenow	Berman	(via phone)

SECOND ORDER OF BUSINESS

Public Comment Period

Ms. Walden asked if there were any public comments. She noted there were no members of the public present.

THIRD ORDER OF BUSINESS

**Consideration of the Minutes of the
May 9, 2023, Board of Supervisors'
Meeting**

The Board reviewed the minutes of the May 9, 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 May 9, 2023, Board of Supervisors' Meeting.

FOURTH ORDER OF BUSINESS

**Discussion of Construction
Committee Member Vacancy**

Ms. Walden stated Larry Kauffmann resigned at the end of Thursday's Construction Committee meeting. The recommendation is to fill the seat with David Beyer.

On motion by Mr. Shenai, seconded by Mr. Lynaugh, with all in favor, the Board of Supervisors for the Myrtle Creek Improvement District approved filling the vacant seat on the Construction Committee with David Beyer.

FIFTH ORDER OF BUSINESS

Discussion regarding Excess Funds in the 2016 Reserve Account

Ms. Walden stated she spoke with Amanda Lane, the District's Accountant, and the overage in the revenue account was due to a timing issue in Fiscal Year 2016 during the refunding of the bonds. The assessments were put on roll at the 2006 assessment rate as the 2016 Bonds were issued after that date and the amount needed for the bond call had been reduced. Ms. Walden stated District staff needs direction from the Board as to what to do with the excess funds of \$14,657.71.

Discussion ensued regarding the options for the excess funds.

On motion by Mr. Shenai, seconded by Mr. Lynaugh, with all in favor, the Board of Supervisors for the Myrtle Creek Improvement District approved moving the excess funds to the O&M Reserve Account.

SIXTH ORDER OF BUSINESS

Consideration of Non-Ad Valorem Assessment Administration Agreement with Orange County Property Appraiser

Ms. Walden stated this is a standard agreement that the District signs every year with the Property Appraiser for their services for going on roll.

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 Non-Ad Valorem Assessment Administration Agreement with Orange County Property Appraiser.

SEVENTH ORDER OF BUSINESS

Review and Acceptance of Fiscal Year 2022 Audit

Ms. Walden stated District staff has reviewed the audit and provided comments. Those comments have been incorporated into the final audit before the Board today. She noted this was a standard and clean audit and there were no deficiencies in internal controls that would be considered material weaknesses.

On motion by Mr. Scholl, seconded by Mr. Da Silva, with all in favor, the Board of Supervisors for the Myrtle Creek Improvement District approved the Fiscal Year 2022 Audit.

EIGHTH ORDER OF BUSINESS

Ratification of Operation and Maintenance Expenditures Paid in May 2023 in an amount totaling \$38,682.10

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

On motion by Mr. Da Silva, 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 May 2023 in an amount totaling \$38,682.10.

NINTH ORDER OF BUSINESS

Recommendation of Work Authorization/Proposed Services

Ms. Walden stated there were no Work Authorizations.

TENTH ORDER OF BUSINESS

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

Ms. Walden stated the financials are listed through May and the District has expenses of just under \$366,000.00 versus a little over \$1,000,000.00 budget. This equates to about 36% of the budget being spent so far.

Mr. Shenai asked about the interest income line item. Ms. Walden stated Ms. Lane reached out to the County and their response was that the interest distribution amount for the second quarter is determined by how much interest their office earned from December 2022 to February 2023. Interest is dispersed pro rata based on the budget figure for the City, town, Municipality or CDD. With interest levels where they have been, they have been able to earn a considerable amount which is then distributed to the parties. They earned roughly 10 times as much interest in the second quarter versus the first quarter, which is why there is such an increase in the value dispersed. Mr. Scholl added that the District should treat this as a one-time item and not assume this will be the case every year. The other Board Members agreed.

Mr. Shenai asked where District staff thinks the District will be by the end of the year with landscaping. Mr. McDermott stated that the landscaping line-item amount was set on the high side and BrightView came in lower than expected. Additionally, the amount will escalate each year but there will be some funds left over at the end of the year.

Mr. Shenai asked about landscape enhancements and how much work is left to be completed. Mr. McDermott responded that the front entrance cost is roughly \$35,000.00. He noted that there are some proposals for the Board to consider but wanted to point out that BrightView has some sod to replace at their cost.

Discussion ensued regarding landscaping enhancements.

Mr. McDermott asked for a not-to-exceed amount of \$20,000.00 for additional landscaping enhancements.

On motion by Mr. Lynaugh, seconded by Mr. Da Silva, with all in favor, the Board of Supervisors for the Myrtle Creek Improvement District approved a not-to-exceed amount of \$20,000.00 for landscaping enhancements.

ELEVENTH ORDER OF BUSINESS

Staff Reports

District Counsel –

Ms. Mackie stated the District is likely to close on the Interchange pond acquisition within the week. There is an Interlocal Agreement where Greenway ID, Myrtle Creek ID and Boggy Creek ID agreed to share in not only the construction costs associated with Interchange improvements, but also maintenance. Myrtle Creek's respective share for the acquisition is \$380,220.75. That amount is less than the District originally anticipated because the acreage was adjusted as CFX took certain portions of the pond which reduced the overall acreage that the District is purchasing from the Developer. The total funds remaining in the construction account from the refinancing of the 2013 Bonds is \$412,000.00. Following this action, the District will then review the overall CIP and if the District can declare the project complete, whatever remains in that account will be flushed through to pay the bonds.

District Manager –

Ms. Walden stated the next Board meeting is Tuesday, July 18, 2023. Additionally, Board Members need to submit their Form 1 by the July 1, 2023, deadline.

Ms. Walden noted Fire Ant Control matched Massey's pricing for the District so there will be a savings for the District.

District Engineer –

No report.

Construction Supervisor –

No report.

Landscape Supervisor –

No report.

Irrigation Supervisor –

No report.

TWELFTH ORDER OF BUSINESS

Supervisor Requests

Ms. Lane noted that at this time there may be more excess funds in the account than the \$14,657.71 previously discussed. She asked if the Board wants all funds moved or just the funds that the Board previously approved. The Board decided to move the entire amount of excess funds to the O&M reserve account.

On motion by Mr. Lynaugh, seconded by Mr. Da Silva with all in favor, the Board of Supervisors for the Myrtle Creek Improvement District approved moving the entire amount of excess funds to the O&M Reserve Account.

THIRTEENTH ORDER OF BUSINESS

Adjournment

On motion by Mr. Scholl, seconded by Mr. Da Silva, with all in favor, the June 20, 2023, Meeting of the Board of Supervisors for the Myrtle Creek Improvement District was adjourned.


Secretary/Assistant Secretary


Chair/Vice Chair