

**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 15, 2025, at 5:04 p.m. at 6900 Tavistock Lakes Blvd., Suite 200, Orlando, FL 32827.

Present:

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

Also attending:

Jennifer Walden	PFM	
Lynne Mullins	PFM	(via phone)
Amanda Lane	PFM	(via phone)
Blake Firth	PFM	(via phone)
Jeffrey Newton	Donald W. McIntosh Associates	
Bob Schanck	Donald W. McIntosh Associates	
Tucker Mackie	Kutak Rock	
Dan Young	Tavistock	
DJ Batten	Berman	
Katie Harmer	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  
February 18, 2025, Board of  
Supervisors' Meeting**

The Board reviewed the minutes of the February 18, 2025, Board of Supervisors' Meeting.

On motion by Ms. Leed, seconded by Mr. Shenai, with all in favor, the Board of Supervisors for the Myrtle Creek Improvement District approved the Minutes of the February 18, 2025, Board of Supervisors' Meeting.

**FOURTH ORDER OF BUSINESS**

**Consideration of the Minutes of the  
March 11, 2025, Board of  
Supervisors' Meeting**

The Board reviewed the minutes of the March 11, 2025, Board of Supervisors' Meeting.

On motion by Ms. Leed, seconded by Mr. Lynaugh, with all in favor, the Board of Supervisors for the Myrtle Creek Improvement District approved the Minutes of the March 11, 2025, Board of Supervisors' Meeting.

## **FIFTH ORDER OF BUSINESS**

### **Consideration of Trail Maintenance Proposals**

Ms. Walden reviewed the Work Authorization provided by Berman with a proposal from Atlantic Asphalt for \$101,500.00 and Berman's fee for managing this project is \$10,150.00, for a combined total of \$111,650.00 for trail maintenance.

Ms. Harmer stated this is Berman's standard ten percent fee that they use on all contracts for project management. She noted both prices were included for full transparency.

Ms. Walden stated Atlantic Asphalt is asking for fifty percent of the total due upfront, but this is something the District could negotiate, and District Counsel has provided the District's standard agreement that can be utilized to directly contract with Atlantic Asphalt. Ms. Mackie added that the agreement also provides for an extended warranty and would request a revised Work Authorization with Berman to include their scope and only the cost for Berman managing the project.

There was a brief discussion regarding the possible start date of this project.

On motion by Mr. Da Silva, seconded by Mr. Shenai, with all in favor, the Board of Supervisors for Myrtle Creek Improvement District authorized District Counsel to work with Berman on negotiating payment terms for the Trail Maintenance Proposal and move forward with the project at a total cost of \$111,650.00.

Mr. Scholl asked if the Board should consider hiring Donald W. McIntosh Associates to put together an as-built survey for when the District needs to go out for a larger bid to be able to provide Contractors with clearer drawings.

Mr. Newton stated that Contractors are going to be able to bid a project better if there is an actual plan established. He believes it to be advantageous for the District to have a plan and specifications that a Contractor can reasonably bid.

Discussion ensued regarding plans and using the current project to help guide those plans.

## **SIXTH ORDER OF BUSINESS**

### **Consideration of First Amendment to Website Services Agreement**

Ms. Walden noted the vendor is asking for a \$10 increase per month, which would take effect on October 1, 2025. She added the vendor has not taken a fee increase in almost four years and that increase was due to adding the firewall and https security. Ms. Walden noted the Chair has seen the proposal and District Counsel has drafted this Agreement as a First Amendment to the original.

On motion by Mr. Da Silva, seconded by Mr. Lynaugh, with all in favor, the Board of Supervisors for the Myrtle Creek Improvement District approved the First Amendment to Website Services Agreement with VGlobalTech in the amount of \$145.00 per month.

## **SEVENTH ORDER OF BUSINESS**

### **Review of Auditor Selection Committee Rankings & Selection of Auditor**

Ms. Walden noted the recommended rankings from the Auditor Selection Committee as followed:

1. Grau & Associates received 100 points
2. Berger, Toombs, Elam, Gaines & Frank received 94.2 points.

On motion by Mr. Shenai, seconded by Mr. Da Silva, with all in favor, the Board of Supervisors for the Myrtle Creek Improvement District accepted the rankings from the Auditor Selection Committee and the recommendation to move forward with the No. 1 proposer, Grau & Associates.

## **EIGHTH ORDER OF BUSINESS**

### **Review of Fiscal Year 2026 Operations & Maintenance Budget**

Ms. Walden stated District staff, the Construction Committee, and other parties have been reviewing and discussing the budget and wanted to provide the opportunity for the Board to address any items of concern prior to the start of the actual budget process next month.

There was a brief discussion regarding some of the line items. No action was required.

## **NINTH ORDER OF BUSINESS**

### **Request to Advertise for RFQ to Prequalified Contractors for District Infrastructure Projects**

Mr. Newton explained the Lake Nona Districts typically keep and maintain a list of prequalified Contractors for infrastructure projects. He noted since Myrtle Creek is a mature District, there are no remaining infrastructure projects outside of Performance Drive. Mr. Newton stated Boggy Creek, Midtown, and Poitras East are preparing to advertise for prequalified contractors and recommended advertising for all five Districts, including Myrtle Creek. He noted Greenway agreed to join in the prequalification process and that the current 4-year prequalification period expires in August of this year.

Mr. Scholl asked if the way Myrtle Creek awards their criteria should be different than the other sister Districts being that it is a mature District with different requirements, such as landscaping, which Myrtle Creek has a separate bid for.

Mr. Newton explained landscaping is done through a request for proposal, whereas an RFQ prequalifies Contractors for District infrastructure projects, so the District does not have to do a request for proposal and can just issue an invitation to bid, so the criteria would not be different. There would be cost savings to advertise at the same time as the other Districts.

On motion by Mr. Scholl, seconded by Mr. Lynaugh, with all in favor, the Board of Supervisors for the Myrtle Creek Improvement District authorized District staff to advertise the RFQ to Prequalified Contractors for District Infrastructure Projects.



## **TENTH ORDER OF BUSINESS**

### **Ratification of Operation and Maintenance Expenditures Paid in March 2025 in an amount totaling \$74,671.87.**

Ms. Walden stated these expenditures have already 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 March 2025 in an amount totaling \$74,671.87.

## **ELEVENTH ORDER OF BUSINESS**

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

Ms. Walden noted there were no Work Authorizations.

## **TWELFTH ORDER OF BUSINESS**

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

Ms. Walden stated the financials are updated through March 2025. The District has expenses just shy of \$327,000.00 versus an overall budget of roughly \$1,000,000.00, which equates to approximately 32% of the total budget spent.

## **THIRTEENTH ORDER OF BUSINESS**

### **Staff Reports**

#### District Counsel –

Ms. Mackie stated District Counsel is watching for updates regarding the Florida 2025 session. However, this session does appear to be less active than prior sessions and District Counsel will report back on what gets adopted after the session officially closes. This session is anticipated to extend beyond the regular timeframe.

#### District Manager –

Ms. Walden noted the next Board Meeting will be Tuesday, May 20, 2025.

Ms. Walden stated there are excess funds with the Trustee in the amount of \$15,127.80 and the Trustee will apply the funds as directed by the District. She noted these funds could be used to prepay down the bonds or can be returned to the District to be used for O&M.

Ms. Mackie noted most Boards tends take these additional funds and apply them towards the District's reserves.

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 to transfer excess funds from the Trustees in the amount of \$15,127.80 to the District's reserves.

Ms. Lane asked the Board for clarity on which reserves the funds will be transferred to.

The Board confirmed the excess funds will be transferred to the Operations and Maintenance reserves and not the debt service reserves.

<u>District Engineer</u> –	Mr. Newton introduced Bob Schanck with his firm.
<u>Construction Supervisor</u> –	No report.
<u>Landscape Supervisor</u> –	No report.
<u>Irrigation Supervisor</u> –	No report.

#### **FOURTEENTH ORDER OF BUSINESS**

#### **Supervisor Requests**

Mr. Shenai noted there were grey ribbons around the Oak trees on Lake Nona Blvd in front of the ER and asked if District staff could find out why they are there. Mr. Batten wasn't able to obtain any information prior to the meeting but will see what he can find out.

Mr. Scholl expressed his gratitude to the Board that the next fiscal year won't result in an increase. He stated his hope of no increases in the future and once the trail maintenance is completed, the Board could discuss the possibility of a beautification enhancement project.

#### **FIFTEENTH ORDER OF BUSINESS**

#### **Adjournment**

Ms. Walden requested a motion to adjourn.

On motion by Mr. Shenai, seconded by Mr. Scholl, with all in favor, the April 15, 2025, Meeting of the Board of Supervisors for the Myrtle Creek Improvement District was adjourned.

  
Secretary/Assistant Secretary

  
Chair/Vice Chair