

**MYRTLE CREEK IMPROVEMENT DISTRICT
BOARD OF SUPERVISORS' MEETING MINUTES**

FIRST ORDER OF BUSINESS

The Board of Supervisors' Meeting for the Myrtle Creek Improvement District was called to order on Monday, November 16, 2015 at 4:30 p.m. at 9801 Lake Nona Road, Orlando, FL 32827. Board Members listed below constituted a quorum.

Jeff Macre	Chair
Kyle Scholl	Vice-Chair
Donald Tubbs	Board Member
Bob da Silva	Board Member (arrived at 4:34 p.m.)

District staff also in attendance:

Michael Eckert	Hopping Green & Sams
John Florio	Donald W. McIntosh Associates
Larry Kaufmann	District Construction Supervisor
Joe MacLaren	Fishkind & Associates
Brad Reed	Fishkind & Associates
Jennifer Walden	Fishkind & Associates

SECOND ORDER OF BUSINESS

Public Comment Period

There were no members of the public that wished to speak on any specific agenda items.

THIRD ORDER OF BUSINESS

**Consideration of Minutes of
the October 19, 2015 Board
of Supervisors' Meeting**

Board Members reviewed the minutes from the October 19, 2015 Board of Supervisors' Meeting. Mr. Florio provided edits.

On Motion by Mr. Scholl, second by Mr. Tubbs, with all in favor, the Board of Supervisors for the Myrtle Creek Improvement District approved the Minutes of the October 19, 2015 Board of Supervisors' meeting, as corrected.

FOURTH ORDER OF BUSINESS

Consideration of Resolution 2016-01, Cancelling Prior Declared Assessments

Mr. MacLaren explained that there are a series of resolutions related to cancelling the prior declared assessments for the USTA area and restarting that assessment allocation process. Mr. Eckert stated District staff started a process based on certain assumptions of development that was going to happen. Those development assumptions changed and in fact staff found that there was some increased square footage and they usually try to provide landowners with notice of what the maximum is their assessments could be but because there was additional square footage District staff is going to cancel the process that was started before and then start anew. This resolution cancels what the Board did before related to the USTA site, cleans up the record, and makes sure that the District is proceeding under new assessment resolutions. Mr. Maclaren noted that the change is that the District previously outlined in the Assessment Methodology 123,000 square foot of USTA facility structures and in their new complex, and when the District got construction plans, review of those construction plans showed a new structure that was not in the City of Orlando SPMP and it was an enclosed air-conditioned structure that was going to be around 6 tennis courts. That had not been factored into the Assessment Methodology previously and it needed to be assessed just like all of the vertical construction within the District. Mr. MacLaren said it was 47,000 square feet of space. Mr. MacLaren subtracted the amount for the tennis courts because the tennis courts were previously counted in with the development and so that was 6,600 square feet per tennis court for a total of 39,600 square feet of tennis courts. He noted that they had a 47,000 square foot building minus 39,000 square feet and the net result is an additional 7,000 square foot of space that District staff is proposing to assess as part of the Assessment Methodology. There is no change in the ERU values and no change in the assessments for any existing property owner, and no change in assessments for any Village Walk residents. Mr. Eckert stated that the first step is to adopt Resolution 2016-01 and then they will go through the other resolutions which are going to restart the process that the District just abandoned.

On Motion by Mr. Scholl, second by Mr. Macre, with all in favor, the Board of Supervisors for the Myrtle Creek Improvement District approved Resolution 2016-01, Cancelling Prior Declared Assessments Related to the USTA Site.

FIFTH ORDER OF BUSINESS

**Consideration of Resolution
2016-02, Declaring a
Reallocation of Special
Assessments & Designating
ERUs**

Mr. MacLaren stated that this resolution is similar to the previous resolution that the Board approved but now it has a revised Assessment Methodology. Mr. MacLaren directed the attention of the Board to one of the exhibits at the rear of tab 3 under the Third Supplemental Assessment Methodology. The exhibit is Table 5 which shows the ERU values and Series 2006A Bond Debt Allocations for USTA Development Units. Mr. MacLaren noted that where they previously had 123,000 square foot of training, admin, and dorm structures it has been adjusted to 130,000 square feet to account for the new newly discovered enclosed air-conditioned complex. Mr. Eckert stated that this resolution is the first step in the process. Once the Board adopts this resolution, another resolution will be adopted setting a hearing and then in the meantime District staff will wait for comments from the landowners. Mr. MacLaren stated that the new facility uses the same ERU value for indoor and outdoor courts. Mr. MacLaren stated that they use this as the basis to mail notices that will go to the District's property owners of a reallocation of Bond debt assessments. Mr. MacLaren stated that District staff is asking for the Board's preliminary approval of 2016-02 of that direction and Resolution 2016-03 is setting a hearing. Mr. MacLaren recommended the District's January Board meeting which is January 18, 2016 at 4:30 p.m. to be held the Valencia College – Lake Nona Campus.

On Motion by Mr. Macre, second by Mr. da Silva, with all in favor, the Board of Supervisors for the Myrtle Creek Improvement District approved Resolution 2016-02, Declaring a Reallocation of Special Assessments & Designating ERUs.

SIXTH ORDER OF BUSINESS

**Consideration of Resolution
2016-03, Setting Hearing on
Reallocation of Special
Assessments & ERU
Designation**

A discussion took place about the public hearing date. Mr. MacLaren recommended January 18, 2016. It was indicated that January 18, 2016 is MLK Day. The Board discussed holding the public hearing on January 11, 2016 at Valencia College – Lake Nona Campus at 4:30 p.m.

On Motion by Mr. Macre, second by Mr. Scholl, with all in favor, the Board of Supervisors for the Myrtle Creek Improvement District approved Resolution 2016-03, Setting Hearing on Reallocation of Special Assessments & ERU Designation on January 11, 2016 at the Valencia College – Lake Nona Campus, 12350 Narcoossee Road, Orlando, FL 32832 at 4:30 p.m.

SEVENTH ORDER OF BUSINESS

**Discussion of Potential
Traffic and/or Crosswalk
Signalization**

Mr. Florio stated that the good news is that the District's vendor Universal Signs has looked at the new intersection location and has agreed to honor the prices that it had already given the District. Mr. Florio has had some discussions with the City of Orlando about how they want to go about permitting that. The City of Orlando is not quite sure but they have agreed to get a sketch from the District which will give the City a general idea of the location. They will work with the District on figuring out a way to get it permitted so that the District builds it to the City's standard because ultimately it is in their road. Mr. Florio noted that by next month he should have a total price all in and ready to go. Mr. Kaufmann said that they had the issue of the signalization at the main entrance and that there was some conversation with the City. They have a meeting set for December 4, 2015 with the City to talk about that some more so he will update the Board at the next Board meeting.

EIGHTH ORDER OF BUSINESS

**Ratification of Requisition
Nos. 403-405 Approved in
October 2015 in the Amount
Totaling \$2,074.10**

Board Members reviewed Requisition Nos. 403-405 approved in October 2015 in the amount totaling \$2,074.10.

On Motion by Mr. Scholl, second by Mr. Tubbs, with all in favor, the Board of Supervisors for the Myrtle Creek Improvement District ratified payment of Requisition Nos. 403-405 approved in October 2015 in the amount of \$2,074.10.

NINTH ORDER OF BUSINESS

**Consideration of Operation
and Maintenance
Expenditures Paid in
October 2015 in the Amount
Totaling \$41,788.52**

Board Members reviewed the Operation and Maintenance Expenditures paid in October 2015 in the amount totaling \$41,788.52.

On Motion by Mr. Tubbs, second by Mr. Macre, with all in favor, the Board of Supervisors for the Myrtle Creek Improvement District ratified the Operation and Maintenance Expenditures Paid in October 2015 in the amount of \$41,788.52.

TENTH ORDER OF BUSINESS

**Recommendation of Work
Authorizations/Proposed
Services**

Mr. Kaufmann had no work authorizations for this District.

ELEVENTH ORDER OF BUSINESS

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

Board Members reviewed the Statement of Financial Position and Budget to Actual YTD. The District started a new fiscal year October 1, 2015. The District is under budget for its first month. No action is required.

TWELFTH ORDER OF BUSINESS

Staff Reports

District Counsel – No Report

Mr. Macre asked if there were any changes with Carole King or the landscaping because the USTA is coming in. Mr. Kaufmann responded that there is going to be some change because they are cutting out the median to do a turn lane and there are some site line issues that they will have to address by removing plants and trees. Mr. Macre asked if the District will incur any costs. Mr. Kaufmann stated that they may not need to go back and

say that there is reduction in work and that the District should get a credit for that. Mr. Florio said that it depends on what the District plants and that they need to look at what is there and what they are putting in and see if there are differences and that the District will have those discussions if they can. Mr. MacLaren noted that the District's landscaping contract with Carol King is up September 30, 2016 and so in the spring District staff will bring an RFP package to the Board with proposed service area and service standards regarding how often they are going to mow, how high they are going to mow, what they are going to do with the different plants, etc. So the work will get rebid out this coming spring. Mr. MacLaren stated that the District staff will take a hard look at the service area to make sure that they are correct as far as the new USTA development is concerned. Mr. Florio asked if the District has the option to go longer than a three year plan. Mr. Eckert stated that they do not. He noted that they could do some renewals depending on how the contract is worded but that you don't want to do an initial contract more than three years. Mr. Florio was thinking about the extensions because right now the District requires them to bid three years and hold those numbers which gives the District an idea of budgeting but it is pretty often that the District is happy with the vendor when they are close to the same pricing so he was curious if the District wanted to consider doing an extension by mutual agreement or something along those lines so that they make and avoid the rebidding process if the District wanted to later. Mr. Eckert explained that the Rules of Procedure say that the District can extend up to the length of the initial contract so they could extend up to another three if they wanted to. Most Districts do not do that because the landscaper's efforts fall off in the third year. Mr. Tubbs asked if it is a onetime extension. Mr. Eckert stated that once the District does a contract for three years and extends it up to another three years then they have to rebid. Mr. Eckert suggested that the District could do the initial contract of three years and then one year, then another year, and then the final year. Mr. MacLaren said that it is not a bad idea to keep the contractors honest and just rebid. He noted that Laureate Park has a different Landscaping Maintenance Contractor than this District and that it is not just Carol King who is providing lowest bids. Mr. Eckert stated that most times the District bids work out it comes in lower. Mr. Florio noted that in today's economy people will do anything to get connected with the project. He said he wouldn't be surprised to see people try to buy the job.

District Manager – No Report

District Engineer – No Report

Construction Supervisor – No Report

THIRTEENTH ORDER OF BUSINESS

**Supervisor Requests,
Audience Comments
& Adjournment**

There was no further business to discuss. Mr. MacLaren requested a motion to adjourn.

On Motion by Mr. Scholl, second by Mr. Tubbs, with all in favor, the November 16, 2015 meeting of the Board of Supervisors for the Myrtle Creek Improvement District was adjourned.


Secretary/Assistant Secretary


Chair/Vice Chair