

**GREENWAY IMPROVEMENT DISTRICT
BOARD OF SUPERVISORS' MEETING MINUTES**

FIRST ORDER OF BUSINESS

The Board of Supervisors' Meeting for the Greenway Improvement District was called to order on Tuesday, November 19, 2019, at 3:00 p.m. at 6900 Tavistock Lakes Blvd., Suite 200, Orlando, FL 32827. Members listed below constituted a quorum.

Richard Levey	Chair
Chad Tinetti	Vice-Chair
Karen Duerr	Assistant Secretary

Also attending:

Jennifer Walden	PFM
Tucker Mackie	Hopping Green & Sams
Jeff Newton	Donald W. McIntosh Associates
Larry Kaufmann	Construction Supervisor & Construction Committee member
Scott Thacker	District Landscape Supervisor & Construction Committee member
Amanda Lane	PFM (via phone)

SECOND ORDER OF BUSINESS

Public Comment Period

Dr. Levey noted that there were no members of the public present.

THIRD ORDER OF BUSINESS

**Consideration of Minutes of
the October 15, 2019 Board of
Supervisors' Meeting**

Board Members reviewed the minutes from the October 15, 2019 Board of Supervisors' Meeting.

On Motion by Mr. Tinetti, second by Ms. Duerr, with all in favor, the Board of Supervisors for the Greenway Improvement District approved the minutes of the October 15, 2019 Board of Supervisors' Meeting.

FOURTH ORDER OF BUSINESS

**Consideration of Resolution
2020-01, Adopting an
Amended Budget for FY 2019**

Ms. Walden stated that this District went over budget and there were a few line items that went over the threshold. She requested that the Board amend the budget with the changes noted behind the resolution. Dr. Levey asked Ms. Walden to point out the line items that went over the threshold and the amendments that District staff is proposing. Ms. Walden stated that there are many line items that exceeded the \$10,000.00 or 10% threshold. Some of the main ones are the water reclaimed line item which was over \$27,000.00, irrigation line item which was over \$18,000.00, the flower and plant replacement line item which was over \$37,000.00 and the Interchange landscape line item which was over \$11,000.00.

Dr. Levey asked if Ms. Walden was realigning expenditures or seeking an increase to the budget. Ms. Walden indicated that in this instance it is both. Dr. Levey asked if the District is showing a loss of \$16,492.00. Ms. Lane said that is correct. Dr. Levey asked how that is being funded. Ms. Lane responded that the District carried over the loss from the beginning of the year. Dr. Levey asked if the District will continue to run over budget every year. Ms. Lane stated that the Fiscal Year 2020 Budget was increased to try to avoid that happening again. Ms. Walden noted that District Management will work with District staff as well for some of the items that come up to ensure that the District is not over spending.

Dr. Levey asked what the total expenditure number is for Fiscal Year 2020. Ms. Walden replied that it is \$921,167.85. Dr. Levey noted that the budget was increased \$61,000.00. Ms. Duerr asked if this would affect the way the District bills individuals on their CDD Assessments. District staff responded no. She also asked what action District staff is looking for from the Board. District staff is looking for approval of the resolution. Ms. Duerr asked what makes a change to the budget or line items. Ms. Walden responded that District staff estimated some line items at a higher amount than was spent and some line items were estimated lower than actuals. Mr. Thacker noted that there were a lot of new sections of roadway in Nemours Parkway that came online this year and he thinks the District did not budget enough for those items but going into next year District staff anticipated better to cover those costs.

Ms. Duerr mentioned that it is not that big of a percentage change based on the whole budget.

On Motion by Ms. Duerr, second by Mr. Tinetti, with all in favor, the Board of Supervisors for the Greenway Improvement District approved Resolution 2020-01, Adopting an Amended Budget for FY 2019.

FIFTH ORDER OF BUSINESS

Consideration of Release and Termination of Temporary Construction Access Easement Agreement

Ms. Mackie stated that this was requested by Developer's Counsel to be added to the District's agenda. It relates to the District's construction of Nemours Parkway Phase 7 which has concluded. In advance of the District acquiring the right-of-way the District typically receives a Temporary Construction Easement so that the District has the ability to work within the right-of-way. Developer's Counsel requested that the District execute this release to clean up title for Lake Nona's property on a going forward basis. Ms. Mackie has no issues with the Board approving this release and it being recorded.

On Motion by Mr. Tinetti, second by Ms. Duerr, with all in favor, the Board of Supervisors for the Greenway Improvement District approved Release and Termination of Temporary Construction Access Easement Agreement.

SIXTH ORDER OF BUSINESS

Consideration of Agreement between the GID and Professional Service Industries, Inc. for Geotechnical and Soil Testing Engineering Services

Ms. Mackie stated that the District received a proposal for work from PSI for \$2,901.00. This relates to services needed for sections A, B, C, and D of Centerline Drive. Dr. Levey asked why there was an agreement and not a recommended work authorization. Ms. Mackie reviewed it to see if the District had a master agreement for these two entities (PSI and Kittelson) and the District does not have a master agreement for the geotechnical work (PSI) and the engineering services that the Board will consider next (Kittelson). That is why there is a form of agreement within the agenda package in addition to the work authorization.

On Motion by Mr. Tinetti, second by Ms. Duerr, with all in favor, the Board of Supervisors for the Greenway Improvement District approved the Agreement between the GID and Professional Service Industries, Inc. for Geotechnical and Soil Testing Engineering Services

SEVENTH ORDER OF BUSINESS

**Consideration of Agreement
for Traffic Engineering
Services**

Ms. Mackie explained the Traffic Engineering Services Agreement relates to services provided by Kittelson for sections A, B, C, and D associated with Centerline Drive. The proposal is included behind Tab 8 in the work authorizations but the sum total of those sections and the work described in the proposal amount to \$23,500.00 for traffic studies.

On Motion by Ms. Duerr, second by Mr. Tinetti, with all in favor, the Board of Supervisors for the Greenway Improvement District approved the Agreement for Traffic Engineering Services.

Mr. Newton mentioned that the form of the PSI Agreement in the agenda book is not the latest one and the amount was not \$2,900.00 it was approximately \$12,500.00. Ms. Mackie noted while the Agreement is the District's form of agreement in the agenda package, the District did receive comments shortly before arriving today and she has a redlined comment from Professional Service Industries asking for both a waiver for the duty to defend the District in connection with any negligence and a waiver of consequential damages. She will respond to PSI to the extent that they have added a qualifier that it is to the extent of its negligence and request that the duty defend remain within the agreement. She does not have an issue with the waiver of consequential damages.

On Motion by Ms. Duerr, second by Mr. Tinetti, with all in favor, the Board of Supervisors for the Greenway Improvement District amended approval of the form of the Agreement between the GID and Professional Service Industries, Inc. for Geotechnical and Soil Testing Engineering Services and authorize District staff and District Chair to execute once an agreed upon format is reached with PSI.

EIGHTH ORDER OF BUSINESS

**Ratification of Requisition
Nos. 665 – 668 & 2018-31 –
2018-36 Approved in October
2019 in an amount \$981,967.04**

Board Members reviewed Requisition Nos. 665 – 668 & 2018-31 – 2018-36 Approved in October 2019 in an amount \$981,967.04.

On Motion by Ms. Duerr, second by Mr. Tinetti, with all in favor, the Board of Supervisors for the Greenway Improvement District ratified Requisition Nos. 665 – 668 & 2018-31 – 2018-36 Approved in October 2019 in an amount \$981,967.04.

NINTH ORDER OF BUSINESS

**Ratification of Operation and
Maintenance Expenditures
Paid in October 2019 in the
amount totaling \$22,707.58**

Board Members reviewed the Operation & Maintenance expenditures paid in October 2019 in the amount totaling \$22,707.58. Ms. Walden noted that these have already been approved and paid and just need to be ratified by the Board.

On Motion by Mr. Tinetti, second by Ms. Duerr, with all in favor, the Board of Supervisors for the Greenway Improvement District ratified the Operation & Maintenance expenditures paid in October 2019 in the amount totaling \$22,707.58.

TENTH ORDER OF BUSINESS

**Recommendation of Work
Authorizations/Proposed
Services**

Mr. Kaufmann presented a Work Authorization from Central Florida Locating, Inc. for locating utilities in Centerline Line Drive Segment C in the attached graphic in the amount of \$1,160.00.

On Motion by Mr. Tinetti, second by Ms. Duerr, with all in favor, the Board of Supervisors for the Greenway Improvement District approved Work Authorization from Central Florida Locating, Inc. for locating utilities in Centerline Line Drive Segment C in the amount of \$1,160.00.

Mr. Kaufmann presented a Work Authorization from Professional Service Industries, Inc. for Centerline Drive Segments A & B in the amount of \$4,600.00 for Geotechnical Engineering Services. The proposal is attached along with the graphic where sections A&B are located.

On Motion by Ms. Duerr, second by Mr. Tinetti, with all in favor, the Board of Supervisors for the Greenway Improvement District approved Work Authorization from Professional Service Industries, Inc. for Centerline Drive Segments A & B in the amount of \$4,600.00 for Geotechnical Engineering Services.

Mr. Kaufmann presented a Work Authorization from Professional Service Industries, Inc. for Centerline Drive Segments C & D in the amount of \$7,910.00 for Geotechnical Engineering Services. The proposal is attached along with the graphic where segments C & D are located.

Ms. Duerr asked why A, B, C, and D were not included in one Work Authorization. Mr. Kaufmann stated that the thought was that construction would be phased. Mr. Tinetti asked if the work is being done at different times. Mr. Newton replied that the goal was to get the work all done at the same time but the District is doing it as two different permitting efforts through the City. Ultimately when the District bids the work, it will be bid as separate projects and also as a combined project like the District did when it went out to bid for landscaping.

On Motion by Ms. Duerr, second by Mr. Tinetti, with all in favor, the Board of Supervisors for the Greenway Improvement District approved Work Authorization from Professional Service Industries, Inc. for Centerline Drive Segments C & D in the amount of \$7,910.00 for Geotechnical Engineering Services.

Mr. Kaufmann presented a Work Authorization from Kittelson & Associates, Inc. for Centerline Drive Segments A & B in the amount of \$12,500.00 for traffic intersection and pavement analysis. He also presented a Work Authorization from Kittelson & Associates, Inc. for Centerline Drive Segments C & D in the amount of \$11,000.00 for traffic intersection and pavement analysis. A discussion took place about possible overlapping scopes within the Work Authorizations. Dr. Levey requested that Mr. Kaufmann pursue efficiencies.

On Motion by Ms. Duerr, second by Mr. Tinetti, with all in favor, the Board of Supervisors for the Greenway Improvement District approved Kittelson & Associates, Inc. for Centerline Drive Segments A & B in the amount of \$12,500.00 for traffic intersection and pavement analysis and Segments C & D in the amount of \$11,000.00 for traffic intersection and pavement analysis.

ELEVENTH ORDER OF BUSINESS

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

The Board reviewed the District's financial position. Ms. Walden explained that the first two pages of the financials the Board saw in conjunction with the amended budget resolution. The two pages of the financials after that give a breakdown of each month of those charges. Then documents after the first four pages provides the financials for the new fiscal year.

Mr. Tinetti asked about the Dissemination Agent. Ms. Mackie responded that it is a requirement under the Trust Indenture in association with the issuance of the District's Bonds for certain postings to be made as part of the continuing disclosure agreement. She noted that the District's Dissemination Agent is PFM.

Dr. Levey asked if the Trustee Services in the Fiscal Year 2020 financials are a one-time payment. Ms. Walden replied that it might be broken out into two. Some of the costs for the District are billed monthly and some of the costs are billed up front. Dr. Levey asked about the insurance. Ms. Walden stated that the insurance is usually billed at the beginning of the year. Dr. Levey asked about the fee for the Assessment Administration. Ms. Walden stated that it is a one-time fee. Dr. Levey asked if the budgeted amount is

assigned monthly. Ms. Lane responded that is correct. She went on to explain that in the second column of the budget is the amount of the annual divided by 12 up to whatever month the District is in in the fiscal year. The fourth column is the annual budget for the Board to see what the overall amount would be. Dr. Levey noted that District Counsel did not invoice the District this month. Ms. Lane noted that they are usually a month and a half behind. The District probably received their October invoice in November. Dr. Levey stated that the District exceeded the Dues, License, and Fees budgeted amount. Ms. Lane explained that the District had \$175.00 from the Department of Economic Opportunity and the District had a storage tank registration fee for \$75.00 that the District had to pay and did not budget for but it is an annual fee. Ms. Walden noted that no action was required by the Board today.

TWELFTH ORDER OF BUSINESS

Staff Reports


- District Counsel –** No Report
- District Manager –** Ms. Walden noted that the next meeting is scheduled for Tuesday, December 17, 2019.
- District Engineer –** Mr. Newton circulated the Construction Contract Status Memorandum (Minutes Exhibit A). He noted that the District is in clean up and close out of the projects.
- The Nemours 6 Project had erosion by the school and has been repaired. The Contractor is replacing sidewalk panels that they cracked and landscaping that they damaged.
- The Nemours 7 Project road is now open to traffic. The only thing keeping the District from closing that out is the starting up the lift station which Mr. Newton hopes to happen next week.
- The Kellogg Avenue Project had the permanent drainage pipe installed. There was a glitch with the top of some of the structures. They will not line up with the future curb when the road is built but the Contractor is fixing that. There were no Change Orders and no action was required by the Board regarding the memorandum.
- Construction Supervisor –** Mr. Kaufmann indicated that there are monuments on Nemours Parkway Phase 6 that are scheduled to be installed at the entrance to the project and are still in permitting. They are part of the Nemours Phase 7 Construction Contract but are located at Nemours Phase 6. Mr. Newton noted that Dix-Hite is having trouble getting them out because when they submitted the permit application they put that the Contractor was to be determined not realizing that Jr. Davis was the Contractor. Now the City wants them to file a new application with new signatures from Tavistock and Jr. Davis and go through a process. Dr. Levey asked the District Engineer and Construction Supervisor to let Ralph know because he has a meeting with the City on Friday and might be able to help.

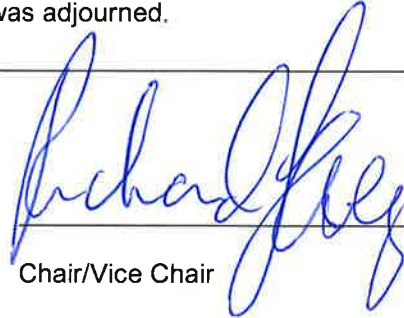
THIRTEENTH ORDER OF BUSINESS

**Supervisor and Audience
Comments & Adjournment**

Dr. Levey called for Supervisor requests. Hearing none he requested motion to adjourn.

On Motion by Ms. Duerr, second by Mr. Tinetti, with all in favor, the November 19, 2019 Meeting of the Board of Supervisors for the Greenway Improvement District was adjourned.


Secretary/Assistant Secretary


Chair/Vice Chair



MEMORANDUM

DONALD W. McINTOSH ASSOCIATES, INC.

DATE: November 19, 2019
TO: Greenway Improvement District Board of Supervisors
FROM: Donald W. McIntosh Associates, Inc. District Engineer
RE: Construction Contract Status

Dear Board Members,

Please accept this correspondence as a current summary of our construction contract status. Listed below by project is a brief summary of recent contract activity. Copies of the latest Change Order logs are attached.

CIVIL ENGINEERS

LAND PLANNERS

SURVEYORS

Nemours Parkway Phase 6 - Jr. Davis Construction, Inc. / BrightView

Construction Status: The erosion repair has been substantially completed. A punch list walk was conducted on 11/11/19 and corrective work is underway and anticipated to be completed within the next week.

Change Order (C.O.) Status: None at this time.

Recommended Motion: None at this time.

Nemours Parkway Phase 7 - Jr. Davis Construction, Inc.

Construction Status: The roadway and trail have been completed and are currently open to traffic. Curb ramp connections to existing sidewalks on the west end of the project are anticipated to start this week and be completed by Thanksgiving. A landscape walk-through was conducted on 11/15/19. The lift station is substantially complete and initial start-up is anticipated the week of 11/25/19. Substantial completion of the project is anticipated in late-November or early-December. An invoice will need to be issued to the Boggy Creek Improvement District for their portion of the project cost (estimated \$776,384.98).

Change Order (C.O.) Status: None at this time.

Recommended Motion: None at this time.

2200 Park Ave. North

Winter Park, FL

32789-2355

Fax 407-644-8318

407-644-4068

**LAKE NONA SOUTH
Greenway Improvement District
Nemours Parkway Phase 6
Change Order Log
Jr. Davis**

C.O. #	Date	Description of Revision	Additional Days	Amount	Status	New Contract Amount Original Contract Date 8/17/17	To Board	Approval Date	Notes
						\$2,070,587.60			
<u>1</u>	7/10/2018	8" Directional Bore	0	\$ 10,874.88	Approved	\$ 2,081,462.48	7/17/2018	7/17/2018	
<u>2</u>	6/20/2018	Culvert Rail Installation	0	\$ 13,464.00	Approved	\$ 2,094,926.48	7/17/2018	7/17/2018	
<u>3</u>	7/16/2018	OCPS sidewalk revision	30	\$ 42,220.54	Approved	\$ 2,137,147.02	7/17/2018	7/17/2018	
<u>4</u>	5/20/2019	Erosion repair and expanded protection at the north and south ends of the quad 36" culverts	0	\$ 77,713.83	Approved	\$ 2,214,860.85	5/21/2019	5/21/2019	

**LAKE NONA SOUTH
Greenway Improvement District
Nemours Parkway Phase 7
Change Order Log
Jr. Davis**

C.O. #	Date	Description of Revision	Additional Days	Amount	Status	New Contract Amount Original Contract Date	To Board	Approval Date	Notes
						\$6,312,276.78			
1	2/8/2019	Contract adjustment for revision to include scope of work for addendums/plans issued after bid date.		\$ 161,445.97	Approved	\$ 6,473,722.75	2/19/2019	2/19/2019	
2	5/20/2019	Add sanitary and reclaim service laterals intended to serve the Nemours Children's Hospital.		\$ 12,879.00	Approved	\$ 6,486,601.75	5/21/2019	5/21/2019	
3	9/12/2019	Contract Calendar Extension - Add 60 Days	60	\$ -	Approved	\$ 6,486,601.75	9/17/2019	9/17/2019	
4	9/19/2019	Landscaping and Irrigation Revisions		\$ 49,204.52	Approved	\$ 6,535,806.27	10/15/2019	10/15/2019	

**LAKE NONA SOUTH
Greenway Improvement District
Kellogg Avenue Extension
Change Order Log
Dewitt Excavating**

C.O. #	Date	Description of Revision	Additional Days	Amount	Status	New Contract Amount Original Contract Date	To Board	Approval Date	Notes
						\$1,797,324.58			
1	7/12/2018	Developer Portion - Stabilize Construction Access Road and Import Fill	0	\$230,500.00	Approved	\$2,027,824.58	7/17/2018	7/17/2018	
2	8/1/2018	Add days to contract due to weather	8	\$0.00	Approved	\$2,027,824.58	8/23/2018	8/23/2018	
3	9/14/2018	OUC Access Revision - electric and street lighting layout configuration - Kellogg Avenue Extension	0	-\$2,146.88	Approved	\$2,025,677.70	9/18/2018	9/18/2018	
4	9/14/2018	OUC Access Revision - electric and street lighting layout configuration - Hartwell Court Extension	0	\$65,127.18	Approved	\$2,090,804.88	9/18/2018	9/18/2018	
5	10/15/2018	Change of Oak Trees to Acer Rubrum	0	-\$500.00	Approved	\$2,090,304.88	10/16/2018	10/16/2018	
6	10/16/2018	Addition of compost to plant area for Canopy Trees only	0	\$1,691.88	Approved	\$2,091,996.76	11/19/2018	11/19/2018	
7	2/4/2019	Credit for dirt not imported	0	-\$124,608.00	Approved	\$1,967,388.76	2/19/2019	2/19/2019	
8	1/7/2019	Core and connection for SM07 - Soccer Field; Water Service Connection for Soccer Field and Water park	0	\$19,077.25	Approved	\$1,986,466.01	2/19/2019	2/19/2019	
9	2/6/2019	Stop sign and thermopaint	0	\$1,956.00	Approved	\$1,988,422.01	2/19/2019	2/19/2019	
10	2/19/2019	Change of street sign	0	\$750.00	Approved	\$1,989,172.01	3/19/2019	3/19/2019	
11	rev 8/26/2019	Drainage improvements along future northerly extension of Centerline Drive	0	\$202,994.27	Approved	\$2,192,166.28	8/20/2019	8/20/2019	
12	9/17/2019	(formerly Kellogg CO #10 by Tavistock) Irrigation Repairs	0	\$2,220.00	Approved	\$2,194,386.28	9/17/2019	9/17/2019	