

**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, January 15, 2019 at 3:03 p.m. at the 6900 Tavistock Lakes Blvd., Suite 200, Orlando, FL 32827. Members listed below constituted a quorum.

Richard Levey
Chad Tinetti
Amanda Kost

Chair
Board Member
Board Member

Also attending:

Lynne Mullins
Jeff Newton
Scott Thacker
Tucker Mackie

Fishkind & Associates
Donald W. McIntosh Associates
Construction Committee
Hopping Green & Sams

SECOND ORDER OF BUSINESS

Public Comment Period

Mr. Levey announced that there were no public comments at this time.

THIRD ORDER OF BUSINESS

**Consideration of Minutes of
the December 18, 2018
Board of Supervisors'
Meeting**

Board Members reviewed the minutes from the December 18, 2018 Board of Supervisors' Meeting.

On Motion by Mr. Levey, second by Mr. Tinetti, with all in favor, the Board of Supervisors for the Greenway Improvement District approved the minutes of the December 18, 2018 Board of Supervisors' Meeting.

FOURTH ORDER OF BUSINESS

Consideration of Ms. Courtney's Resignation Letter

Ms. Mullins requested a motion to accept the resignation letter from Ms. Courtney.

On Motion by Ms. Kost, second by Mr. Tinetti, with all in favor, the Board of Supervisors for the Greenway Improvement District accepted Ms. Courtney's Resignation Letter.

FIFTH ORDER OF BUSINESS

Consideration of Resolution 2019-03, Election of Officers

Ms. Mullins explained that there is some change to District staff. She requested to add herself as Assistant Secretary. At the last meeting two Board Members resigned and there are two new Board Members. There is an open Vice-Chair position and three Assistant Secretaries.

Ms. Mackie asked if there were any nominations for Ms. Courtney's former seat at this time. Mr. Levey stated that he was not aware of any nominations.

Mr. Levey explained the position of Vice-Chair and requested a nomination.

On Motion by Ms. Kost, second by Mr. Levey, with all in favor, the Board of Supervisors for the Greenway Improvement District approved Mr. Tinetti as Vice-Chair.

Ms. Mullins asked if Mr. Levey wanted to nominate Ms. Kost as an Assistant Secretary.

On Motion by Mr. Levey, second by Mr. Tinetti, with all in favor, the Board of Supervisors for the Greenway Improvement District approved Ms. Kost and Ms. Mullins as Assistant Secretary and approved Resolution 2019-03, Election of Officers, as presented.

SIXTH ORDER OF BUSINESS

Consideration of Authorization to Issue Request for Qualifications for Traffic Signal Design

Mr. Newton stated that this is related to some pre-approved qualified and ranked Signal Design Consultants. The No. 1 Signal Design Consultant is who the District has been using and in the past the Construction Committee's experience with them has been less than satisfactory from a time and performance standpoint. Being that they are ranked No. 1 it is who the Construction Committee goes to first. Ms. Mackie stated that if negotiations break down or if staff does not agree with pricing or timing, they can then go to the No. 2 bidder. Ms. Mackie stated that the thought at the Construction Committee meeting was to re-open the RFQ process for other vendors. She stated that District staff must engage with the No. 1 ranked bidder first as the rules provide. Mr. Levey asked what the District can do to modify the method in which the District ranks them so that the Construction Committee has flexibility in recommending to the Board the most appropriate consultant for the particular job. Ms. Mackie stated that staff discussed at the Construction Committee level, as the District goes through the next review of Rules of Procedure, finding ways in which to disqualify particular consultants or put in place in the rules the ability to put in a process up front to put in a rotating selection.

Mr. Levey agreed with the process for disqualifying based on performance and he thinks the Board should look at a system that allows some flexibility to pre-qualified firms that the District can go to more than one and get bids from more than one and see what they get. He discussed adding them on a continuing services master agreement.

Ms. Mackie will look at the Rules of Procedure and come up with suggestions for the next Board Meeting.

SEVENTH ORDER OF BUSINESS

Consideration of Special Warranty Deed for Nemours Parkway Phase 6- Sidewalk Parcel

Ms. Mackie stated that previously she had noted to the Board that the District would be asked to consider acquiring this at a future time when the District executed certain easement agreements concerning the landscaping outside of this section of right of way. She stated that now that drainage issues and roadway issues have been resolved it is clear that this is the area that would be encompassed by the corner cut that the District would maintain. Within this parcel is a small amount of sidewalk and landscaping.

Mr. Newton explained that this is the sidewalk that goes into the school and it was built with a clip of the corner and because of the alignment of the sidewalk, it made more sense to do a corner clip conveyance then it did to tear out and rebuild a piece of the sidewalk.

Ms. Kost asked if there are long term costs associated with this. Ms. Mackie replied that the District would be maintaining it regardless but it is not within platted right of way which would have been conveyed to the City and it is a parcel owned by Lake Nona so it does make sense to put this in the District's name for purposes of maintenance.

On Motion by Ms. Kost, second by Mr. Tinetti, with all in favor, the Board of Supervisors for the Greenway Improvement District approved the Special Warranty Deed for Nemours Parkway Phase 5- Sidewalk Parcel.

EIGHTH ORDER OF BUSINESS

Consideration of District Management and Assessment Consultant Agreement

Mr. Levey asked if the existing agreement is expiring. Ms. Mullins stated that there is an agreement in place whereby Fishkind & Associates would be acquired by PFM. She noted that costs and staff will remain the same. Mr. Levey asked if this was an assignment or a new agreement. Ms. Mackie stated that District Counsel reviewed the documents and provided comments. She noted that the compensation for District Management and Assessment Consultant Service is in line with what the District is currently paying. This District has previously engaged PFM relating to certain financings in the past and that is the Financial Advisory Agreement behind Tab 6 in the agenda packages. She noted that the Financial Advisor would receive a certain percentage of the amount issued for whatever issuances transpire in the future for which they provide advisory services. She noted that it is not uncommon for the Financial Advisory Agreement to be executed in advance of a financing contemplated as opposed to something that is in place currently with no financing anticipated.

Mr. Levey asked about the changes to the District Management and Assessment Consultant Agreement. Ms. Mackie stated that the changes were not concerning because section 3 was not previously included in Fishkind's Agreement and that is the Municipal Advisor Role that they can serve because they have the requisite licensing to provide those services. She discussed the limitations of liability for willful misconduct, bad faith, gross negligence, and reckless disregard that were added. Ms. Mackie had no issue with those changes. Counsel requested that certain

language be added to clarify that this is both a District Management and Assessment Consulting Services Agreement.

On Motion by Ms. Kost, second by Mr. Tinetti, with all in favor, the Board of Supervisors for the Greenway Improvement District approved the District Management and Assessment Consultant Agreement.

NINTH ORDER OF BUSINESS

Consideration of the Financial Advisory Agreement

The Board discussed the agreement and whether or not to enter into the Financial Advisory Agreement. District Counsel stated that she is making no recommendations other than to say she has no comments to the form of the agreement. Mr. Levey recommended tabling the Financial Advisory Agreement until such time as it is necessary.

TENTH ORDER OF BUSINESS

Consideration of Resolution 2019-04, Designating District Manager, Assessment Consultant, and Financial Advisor

Mr. Levey stated that this would have to be modified to eliminate the Financial Advisor component. Ms. Mackie stated that the resolution contemplates the transaction that the Board just reviewed in terms of Fishkind & Associates being acquired by PFM and at such time in the future PFM would be the contracting entity with the District for District Management and Assessment Methodology services.

On Motion by Mr. Tinetti, second by Ms. Kost, with all in favor, the Board of Supervisors for the Greenway Improvement District approved resolution 2019-04, Designating District Manager and Assessment Consultant, as amended to remove the Financial Advisor Component from the Resolution.

ELEVENTH ORDER OF BUSINESS

Ratification of Requisition Nos. 607 – 613 Approved in December 2018 in an amount totaling \$532,794.88

Board Members reviewed Requisition Nos. 607 – 613 Approved in December 2018 in an amount totaling \$532,794.88.

Ms. Mullins 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. Kost, with all in favor, the Board of Supervisors for the Greenway Improvement District ratified Requisition Nos. 607 – 613 Approved in December 2018 in an amount totaling \$532,794.88.

TWELFTH ORDER OF BUSINESS

Ratification of Operation and Maintenance Expenditures Paid in December 2018 in an amount totaling \$102,338.74

Board Members reviewed the Operation and Maintenance Expenditures paid in December 2018 in an amount totaling \$102,338.74.

Ms. Mullins noted that these have already been approved and paid and just need to be ratified by the Board.

On Motion by Ms. Kost, second by Mr. Tinetti, with all in favor, the Board of Supervisors for the Greenway Improvement District ratified the Operation and Maintenance Expenditures paid in December 2018 in an amount totaling \$102,338.74.

THIRTEENTH ORDER OF BUSINESS

Recommendation of Work Authorizations/Proposed Services

Mr. Newton stated that there are no work authorizations for this District.

FOURTEENTH ORDER OF BUSINESS

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

Board Members reviewed the District's statement of financial position. There was no action required.

Ms. Mullins provided an overview of the District's financials for the new Board Members. Ms. Mackie noted that some items are booked once as opposed to monthly so Supervisors may see the entire budget for one item to hit at the beginning of the year. Ms. Mullins invited the Board Members to email her with any questions.

FIFTEENTH ORDER OF BUSINESS

Staff Reports

District Counsel – No Report

District Manager – Ms. Mullins noted that the next meeting is February 19, 2019.

District Engineer – Mr. Newton circulated the Construction Contract Status Memorandum (Minutes Exhibit A). Nemours Parkway Phase 6 is working on closeout and Nemours Parkway Phase 7 is just starting construction. Kellogg Avenue and Centerline Drive extensions are in closeout and the contractor will probably stripe them next month. Mr. Tinetti asked where the closeout documents go. Mr. Newton replied that they are submitted to the City and copied to Tavistock digitally.

Ms. Kost asked if there is a section of the budget that shows the Change Order items. Mr. Newton responded that the Capital Budget for the District is done a little differently. He explained that an Engineer's Report is prepared before a bond financing is done and it has a map that shows the various Capital Projects that the District intends to undertake. This report lists how much money they think they are going to spend on roadways, utility systems, and various components of the projects and it comes up with an overall amount of capital money so there is not a specific budget per se for Nemours

Parkway Phase 7. He noted that contracts are required to stay within the bid, unless the Board specifically authorizes change orders, and that is what his log shows in the back of the Construction Contract Status memorandum.

Construction Supervisor – No Report

SIXTEENTH ORDER OF BUSINESS

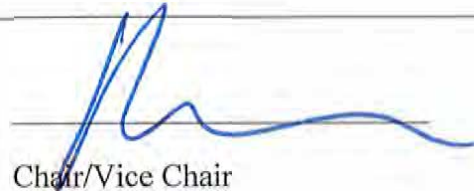
**Supervisor and Audience
Comments & Adjournment**

There were no audience comments or Supervisor requests

On Motion by Ms. Kost, second by Mr. Tinetti, with all in favor, the January 15, 2019 Meeting of the Board of Supervisors for the Greenway Improvement District was adjourned.



Secretary/Assistant Secretary



Chair/Vice Chair



**DONALD W. MCINTOSH
ASSOCIATES, INC.**

MEMORANDUM

DATE: January 15, 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

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

LAND PLANNERS

Construction Status: Final as-built surveys have been received from the Contractor and the final project certification was submitted to the City of Orlando on December 12, 2018. Review comments from the City Surveyor were received by DWMA on January 11, 2019, and forwarded to the Contractor for review and correction.

SURVEYORS

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 Contractor has set the lift station wet well and is continuing with the installation of the underground storm and sanitary sewer systems and has initiated installation of the pressure utilities (i.e., potable and reclaimed water systems). Revised shop drawings for the sanitary sewer lift station generator fuel tanks and components have been received, reviewed by DWMA and submitted for City review on December 18, 2018. The fuel tank and component submittals were received from the City, Approved as Noted, and returned to the Contractor on January 2, 2019. Shop drawings for the lift station generator, pumps and panels were received from the Contractor, reviewed by DWMA and submitted for City review on December 20, 2018. The lift station pumps and panel submittal was received from the City on January 8, 2019, Approved as Noted, and returned to the Contractor on January 9, 2019. The lift station generator submittal was received from the City on January 8, 2019 marked for revision and resubmittal and was returned to the Contractor on January 9, 2019 for corrections. District Staff is coordinating with the Developer regarding a proposed change in lighting fixtures from cobra heads to straw hats, which may require a plan change to show revised junction box locations.

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

407-644-1088

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<http://www.dwma.com>



Memorandum

*Re: Greenway Improvement District
Construction Contract Status*

January 15, 2019

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Lake Nona Kellogg Avenue Extension – DeWitt Excavation

Construction Status: The final lift of asphalt is complete and final striping is currently scheduled for February 6, 2019. DWMA is coordinating with the Contractor on final as-built surveys and related documents needed for project close-out.

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

Recommended Motion: None at this time.

Should there be any questions, please advise.

Thank you.

End of memorandum.

c: Larry Kaufmann
Troy Davidson
Scott Thacker
Lance Jackson
James C. Nugent
Tarek Fahmy

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
						\$2,070,387.60			
1	7/10/2018	8" Directional Bore	0	\$ 10,874.88	Approved	\$ 2,081,462.48	7/17/2018	7/17/2018	
2	6/20/2018	Culvert Rail Installation	0	\$ 13,464.00	Approved	\$ 2,094,926.48	7/17/2018	7/17/2018	
3	7/16/2018	OCPS sidewalk revision	30	\$ 42,220.54	Approved	\$ 2,137,147.02	7/17/2018	7/17/2018	

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
						\$5,721,337.59			

**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	\$ -	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		\$ (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		\$ 1,691.88	Approved	\$2,091,996.76	11/19/2018	11/19/2018	