

**MINUTES OF MEETING
BOYNTON VILLAGE
COMMUNITY DEVELOPMENT DISTRICT**

A Regular Meeting of the Boynton Village Community Development District's Board of Supervisors was held on **Tuesday, December 8, 2015 at 10:15 a.m.**, at **2300 Glades Road, Suite 202E, Boca Raton, Florida 33431.**

Present and constituting a quorum were:

Adam Freedman	Chair
Jim Giolda	Vice Chair
Gary Einfalt	Assistant Secretary
Mike Oliveri	Assistant Secretary
Michael Smith (<i>via telephone</i>)	Assistant Secretary

Also present were:

Michal Szymonowicz	Wrathell, Hunt and Associates, LLC
Dennis Lyles	District Counsel
Jeff Schnars	District Engineer
John Markey	Developer

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Szymonowicz called the meeting to order at 10:40 a.m., and noted, for the record, that Supervisors Freedman, Giolda, Oliveri and Einfalt were present, in person. Supervisor Smith was not present at roll call.

SECOND ORDER OF BUSINESS

Public Comments

There being no public comments, the next item followed.

*****Supervisor Smith joined the meeting, telephonically, at 10:43 a.m.*****

THIRD ORDER OF BUSINESS

**Consideration of Supplemental
Engineer's Report**

Mr. Schnars indicated that the beginning of the Engineer's Report summarizes the proposed CDD improvements. The benefits that the expansion parcel provides to the CDD

improvements are described on Pages 4 and 5, including surface water management, water distribution, sewer, roadways, canal bridge and irrigation.

On MOTION by Mr. Giolda and seconded by Mr. Freedman, with all in favor, the Engineer's Report, dated December 4, 2015, in substantial form, was approved.

FOURTH ORDER OF BUSINESS

Consideration of Revised Supplemental Special Assessment Methodology Report

Mr. Szymonowicz distributed an updated version of the Revised Supplemental Special Assessment Methodology Report, dated December 4, 2015, as the version in the agenda was outdated.

Mr. Szymonowicz noted the addition of language specifying that the city-owned parcel, or future parcels, would not be assessed, as they are not sellable, developable land and will be parks. There are also references to the recent expansion of the District, which occurred on November 27, 2015.

Mr. Szymonowicz explained that the Methodology apportions the existing 2007A-2 debt to the proposed planned uses under the revised development and the recently approved platting.

On MOTION by Mr. Freedman and seconded by Mr. Einfalt, with all in favor, the Revised Supplemental Special Assessment Methodology Report, dated December 4, 2015, in substantial form, was approved.

FIFTH ORDER OF BUSINESS

Consideration of Resolution 2016-1, A Resolution of the Board of Supervisors of the Boynton Village Community Development District Declaring Revised Special Assessments Securing the District's Special Assessment Bonds, Series 2007A-2; Indicating the Location, Nature and Estimated Total Cost of Those Improvements Whose Cost is to Be Defrayed by the Revised Special Assessments; Providing the Portion of the Estimated Total Cost of the Improvements to Be Defrayed by the Revised Special Assessments; Providing the Manner in Which Such Revised Special Assessments Shall Be Made; Providing When Such Revised Special Assessments Shall Be Made; Designating Lands Upon Which the Revised Special Assessments Shall Be Levied; Authorizing the Preparation of a Revised Assessment Roll; Providing for a Public Hearing to Consider the Advisability and Propriety of Said Revised Assessments and the Related Improvements; Providing for Publication of this Resolution; and Providing for an Effective Date

Mr. Szymonowicz presented Resolution 2016-1 for the Board's consideration.

Mr. Lyles indicated that this is the first step, in the Chapter 170 process, of declaring assessments. There will be a public hearing to adopt the assessments and establish liens on the property.

On MOTION by Mr. Giolda and seconded by Mr. Oliveri, with all in favor, Resolution 2016-1, A Resolution of the Board of Supervisors of the Boynton Village Community Development District Declaring Revised Special Assessments Securing the District’s Special Assessment Bonds, Series 2007A-2; Indicating the Location, Nature and Estimated Total Cost of Those Improvements Whose Cost is to Be Defrayed by the Revised Special Assessments; Providing the Portion of the Estimated Total Cost of the Improvements to Be Defrayed by the Revised Special Assessments; Providing the Manner in Which Such Revised Special Assessments Shall Be Made; Providing When Such Revised Special Assessments Shall Be Made; Designating Lands Upon Which the Revised Special Assessments Shall Be Levied; Authorizing the Preparation of a Revised Assessment Roll; Providing for a Public Hearing to Consider the Advisability and Propriety of Said Revised Assessments and the Related Improvements; Providing for Publication of this Resolution; and Providing for an Effective Date, was adopted.

SIXTH ORDER OF BUSINESS

Consideration of Resolution 2016-2, Setting a Public Hearing for the Purpose of Hearing Public Comment on Securing the District’s Special Assessment Bonds, Series 2007A-2; on Certain Property Within the District Generally Described as the Boynton Village Community Development District in Accordance with Chapters 170, 190 and 197, Florida Statutes; and Providing for an Effective Date

Mr. Szymonowicz presented Resolution 2016-2 for the Board’s consideration.

Mr. Lyles explained that this is the required second step in the assessment process. The Board must select the date of the public hearing to adopt the assessments and establish liens on the property.

In response to Mr. Szymonowicz’ question, Mr. Lyles indicated that the notification process is 30 days. Mr. Szymonowicz explained that notification must be sent to all property owners, which must be at least 30 days prior to the public hearing. Mr. Szymonowicz requested that the Board authorize Staff to provide notification, at least 35 days prior to the public hearing.

The public hearing was scheduled for January 26, 2016 at 10:15 a.m.

On MOTION by Mr. Giolda and seconded by Mr. Einfalt, with all in favor, Resolution 2016-2, Setting a Public Hearing for the Purpose of Hearing Public Comment on Securing the District’s Special Assessment Bonds, Series 2007A-2 for January 26, 2016 at 10:15 a.m., at this location; on Certain Property Within the District Generally Described as the Boynton Village Community Development District in Accordance with Chapters 170, 190 and 197, Florida Statutes; and Providing for an Effective Date, was adopted, and authorization for Staff to advertise the public hearing 35 days prior, was adopted.

SEVENTH ORDER OF BUSINESS

Ratification of Robling Architecture Construction, Inc. Contract Agreement

Mr. Schnars presented two contracts for Board consideration; one contract was for the Greenway and traffic signal at Old Boynton Road and the other for the entry on Parcel WR-1 and the dog park construction, which are within the boundaries of the District and subject to a funding agreement.

Mr. Lyles requested that the Board approve both agreements, in substantial form, in a not-to-exceed amount, subject to District Counsel review.

Mr. Freedman recalled that the Board approved the Robling Architecture Construction, Inc. (Robling) contract at the last meeting, and requested ratification. Mr. Schnars concurred.

Mr. Lyles stated that, if it is the same agreement that was previously approved, then this is ratification of the execution, as opposed to any new terms and conditions. Mr. Schnars replied that it is essentially the same contract with a different scope and price.

Mr. Szymonowicz requested the final form of the agreement for inclusion in the public record. Mr. Lyles questioned if the record will reflect that the final form was before the Board, for its review, at this meeting. Mr. Szymonowicz replied affirmatively.

Mr. Schnars pointed out that his company name and address are incorrect. The unit should be 947 and the company name should be “Corp”.

EIGHTH ORDER OF BUSINESS

Ratification of Amended and Restated Funding Agreement (2015 Project – SMU Improvements)

Mr. Freedman recalled that the Amended and Restated Funding Agreement (2015 Project – SMU Improvements), was approved in substantial form, at the last meeting, and the Chair was authorized to execute the agreement, which has occurred. This is simply a ratification.

On MOTION by Mr. Giolda and seconded by Mr. Freedman, with all in favor, the Amended and Restated Funding Agreement (2015 Project – SMU Improvements), was ratified.

NINTH ORDER OF BUSINESS

Authorization for Chair/Vice Chair to Execute Cortina PUD Replat Two

Mr. Schnars explained that the property is being replatted to match the currently approved site plan, as the prior site plan had a different configuration with different lots. The plat was approved by the City Commission and staff is ready to record it, which requires execution by all property owners.

Mr. Lyles reported that a copy of the plat was provided and all Board Members reviewed it prior to this meeting.

On MOTION by Mr. Freedman and seconded by Mr. Oliveri, with all in favor, authorization for Chair/Vice Chair to execute Cortina PUD Replat Two, was approved.

TENTH ORDER OF BUSINESS

Approval of Minutes

A. October 27, 2015 Regular Meeting

Mr. Szymonowicz presented the October 27, 2015 Regular Meeting Minutes and asked for any additions, deletions or corrections.

B. November 4, 2015 Continued Meeting

Mr. Szymonowicz presented the November 4, 2015 Continued Meeting Minutes and asked for any additions, deletions or corrections.

On MOTION by Mr. Giolda and seconded by Mr. Einfalt, with all in favor, the October 27, 2015 Regular Meeting and the November 4, 2015 Continued Meeting Minutes, as presented, were approved.

ELEVENTH ORDER OF BUSINESS

Other Business

Mr. Freedman presented an amendment for the existing, executed and approved Lake Conveyance Agreement, between the District and the developer, for Board consideration. He noted that the closing date was extended.

Mr. Freedman provided a copy of a draft agreement to District Counsel and requested that the Board authorize District Counsel to work with Developer’s Counsel to prepare a final form of agreement.

In response to Mr. Lyles’ question, Mr. Freedman requested approval to execute the agreement, between meetings, subject to Mr. Lyles’ approval. Mr. Lyles will work with Developer’s Counsel and submit the agreement, for ratification, at the next meeting.

On MOTION by Mr. Freedman and seconded by Mr. Oliveri, with all in favor, authorization for the Chair to execute the Lake Conveyance Agreement, between the District and developer, subject to District Counsel working with Developer’s Counsel to prepare the final form of agreement, was approved.

TWELFTH ORDER OF BUSINESS

Staff Reports

A. Attorney

There being no report, the next item followed.

B. Engineer

There being no report, the next item followed.

C. Manager

i. Approval of Unaudited Financial Statements as of October 31, 2015

Mr. Szymonowicz presented the Unaudited Financial Statements as of October 31, 2015.

Page 2 reflected no assessment collections. At this time, the District is operating from fund balance.

On MOTION by Mr. Giolda and seconded by Mr. Oliveri, with all in favor, the Unaudited Financial Statements as of October 31, 2015, were approved.

ii. NEXT MEETING: January 12, 2016 at 10:15 A.M.

Mr. Szymonowicz indicated that the next meeting is scheduled for January 12, 2016 at 10:15 a.m., at this location. It may be moved to coincide with the public hearing date of January 26, 2016.

Mr. Freedman requested that the January 12, 2016 meeting not be cancelled.

▪ **Ratification of Amended and Restated Funding Agreement (2015 Project – SMU Improvements) - Continued**

Discussion of the Amended and Restated Funding Agreement (2015 Project – SMU Improvements) resumed.

Mr. Lyles clarified the motion by indicating that the October 27, 2015 meeting minutes reflected that staff was directed to prepare the agreement but did not authorize execution. The motion at today's meeting was to ratify the execution; therefore, he requested reconsideration of this item to have the Board authorize execution, pursuant to Chair's direction, at the last meeting, versus ratification.

On MOTION by Mr. Giolda and seconded by Mr. Freedman, with all in favor, authorization for Chair to execute the Amended and Restated Funding Agreement (2015 Project – SMU Improvements), was approved.

▪ **Ratification of Robling Architecture Construction, Inc. Contract Agreement - Continued**

Discussion of the contract agreements for the Greenway and traffic signal at Old Boynton Road and the entry on parcel WR-1 and dog park construction, resumed.

Mr. Freedman advised that both agreements are similar in form, apart from the scope. He worked with District Counsel to finalize the agreement with the contractor and, subsequently, executed both agreements, as Chair.

Mr. Schnars asked if the agreement for the Greenway and traffic signal at Old Boynton Road was part of Funding Agreement #2, as the contract for Parcel WR-1 and the dog park construction was under Funding Agreement #1. Mr. Freedman replied affirmatively.

Referring to both agreements, Mr. Freedman reported that the funding agreements, bonds and contract amounts matched.

Mr. Schnars asked if the \$1,638,888 included allowances. Mr. Freedman replied affirmatively.

Mr. Lyles pointed out that the pricing information of the Greenway agreement, as reflected in Article 4, is \$1,638,888, and asked the Chair for the pricing information for the entryway agreement. Mr. Freedman indicated that the amount of the entry and dog park agreement is \$1,048,972.

Mr. Schnars confirmed that the Greenway agreement has allowances for the traffic signal and there should not be allowances in the entryway agreement. Mr. Freedman concurred and will remove the allowances from the entryway agreement; this was an oversight in the compilation of the two agreements. Mr. Lyles reported that the allowances are separate and apart from the total recited earlier. Mr. Freedman concurred.

In response to Mr. Szymonowicz' question, Mr. Freedman indicated that the \$1,048,972 amount was for the dog park construction, lake reshaping along the park and the access road.

On MOTION by Mr. Oliveri and seconded by Mr. Einfalt, with all in favor, the Robling Architecture Construction, Inc. Contract Agreement for work related to the Boynton Village Greenway and traffic signal at Old Boynton Road and Renaissance Commons Blvd., in a not-to-exceed amount of \$1,638,888, was ratified.

On MOTION by Mr. Freedman and seconded by Mr. Oliveri, with all in favor, the Robling Architecture Construction, Inc. Contract Agreement for work related to the entry on Parcel WR-1 and dog park construction, in a not-to-exceed amount of \$1,048,972, as amended, was ratified.

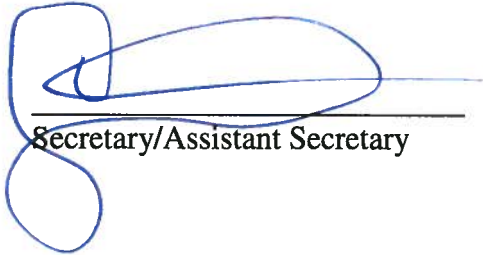
There being no Supervisors' requests, the next item followed.

FOURTEENTH ORDER OF BUSINESS Adjournment

There being no further business to discuss, the meeting recessed.

**On MOTION by Mr. Einfalt and seconded by Mr. Oliveri,
with all in favor, the meeting adjourned at 11:15 a.m.**

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]



Secretary/Assistant Secretary



Chair/Vice Chair