

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

The Board of Supervisors of the Boynton Village Community Development District held a Regular Meeting on Wednesday, April 11, 2018 at 10:30 a.m., at 2300 Glades Road, Suite 202E, Boca Raton, Florida 33431.

**Present and constituting a quorum were:**

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

**Also present were:**

Cindy Cerbone	District Manager
Gerry Knight	District Counsel
Jeff Schnars ( <i>via telephone</i> )	District Engineer
John Markey	Developer

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Ms. Cerbone called the meeting to order at 10:33 a.m. Supervisors Freedman, Gielda, and Einfalt were present, in person. Supervisors Oliveri and Smith were attending via telephone.

**SECOND ORDER OF BUSINESS**

**Public Comments**

There being no public comments, the next item followed.

**THIRD ORDER OF BUSINESS**

**Consideration of Boynton Village Land  
Conveyance Agreement (2018)**

Mr. Freedman presented a historical timeline of the property. A few years ago a swap was completed in order to implement the District's original plan for the South portion of the property, known as Cortina Phase 3, to have two lakes. This was done while the land and L1 and L2 lake tracts were being re-titled and re-platted. In order to build the second lake and finalize

the project, the District must reduce the size of the larger lake and swap out a portion of CDD land with the Developer by taking single-family and excess density from another piece of the overall residential property, which the Developer is platting for apartments, meaning reshaping the Lake L1 and removing Lake L2, thus reversing the prior lake and land swap and replacing it with a new one. The 2018 Agreement was prepared in coordination with District Counsel, the District Engineer and the Developer's Counsel.

***\*\*\*Mr. John Markey arrived at the meeting at 10:36 a.m.\*\*\****

Ms. Cerbone asked if there were any variations to the swap or if there was equality in the swap for both the District and the Developer. Mr. Freedman stated, once the development is completed, the CDD would own more real estate than it owned prior to the original lake swap. The lake is required to be a certain size, to conform to the South Florida Water Management District (SFWMD) permit and this reshaping complies with the permit.

In response to Mr. Knight's question, both Mr. Freedman and Mr. Schnars confirmed these changes result in the District having more surface lake area and more capacity in the lake than before. Mr. Schnars confirmed that excavation and filling of the lake will occur at the same time. Mr. Knight stated this new Land Swap Agreement was in substantial form and that Mr. Barry Lapides, Counsel for BR Cortina Acquisition, LLC (BR Cortina), would forward additional changes. The Funding Agreement must be amended or have certain verbiage removed and placed on a separate document. If amended, both documents would be presented for consideration. In response to a question, Mr. Knight confirmed that the Board was able to approve this document, in substantial form, subject to final approval by the Chair, District Counsel and the District Manager, and subject to the Funding Agreement being amended or with the intent to terminate. Discussion ensued regarding whether a Funding Agreement was necessary if the work was being paid for directly by the owner, whether the existing Funding Agreement must be amended or replaced with another document.

Mr. Freedman requested that the Lake Swap documents be completed by the end of April, in parallel with the re-plat process. Mr. Knight stated a condition in the form states "prior to the closing of the swap, the new site plan and re-plat needed to be approved". In response to whether the condition portion could be removed, Mr. Freedman stated they could hold the Agreement in escrow. Mr. Knight stated there were still a number of items, such as title insurance, that the Developer must complete before being able to close. Mr. Freedman stated the

closing between the District and BR Cortina must be completed prior to BR Cortina's closing with the buyer, scheduled for June, and all documents should be completed by the end of April, with the closeout occurring no later than May. Mr. Schnars expected to have both new site plans ready by May 15 and the plat approval placed on the same Commission's agenda.

**On MOTION by Mr. Giolda and seconded by Mr. Freedman, with all in favor, the Boynton Village Land Conveyance Agreement (2018), in substantial form, pending amended Funding Agreement, was approved.**

**FOURTH ORDER OF BUSINESS**

**Consideration of Funding Agreement**

Ms. Cerbone recapped of the earlier Funding Agreement discussions about whether to amend the Agreement, create a new Agreement or create a separate document from the Funding Agreement. Mr. Knight affirmed that the 2015 Funding Agreement would be amended. Both District Counsel and Counsel for BR Cortina were working on the documents and they would be presented at the next meeting.

**FIFTH ORDER OF BUSINESS**

**Approval of Unaudited Financial Statements as of February 28, 2018**

Ms. Cerbone presented the Unaudited Financial Statements as of February 28, 2018.

**On MOTION by Mr. Freedman and seconded by Mr. Giolda, with all in favor, the Unaudited Financial Statements as of February 28, 2018, were approved.**

**SIXTH ORDER OF BUSINESS**

**Approval of February 14, 2018 Regular Meeting Minutes**

Ms. Cerbone presented the February 14, 2018 Regular 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 February 14, 2018 Regular Meeting Minutes, as presented, were approved.**

**SEVENTH ORDER OF BUSINESS**

**Staff Reports**

**A. District Counsel**

There being no report, the next item followed.

**B. District Engineer**

There being no report, the next item followed.

**C. District Manager**

Ms. Cerbone reported the following:

➤ Amended Maintenance Agreement: According to Ms. Linda Mason, the Boynton Town Center Master Association, Inc. (BTCMA) Property Manager, the BTCMA Board approved the Amendment to the Maintenance Agreement between the District and BTCMA and she was working on forwarding an executed document to the District.

➤ Irrigation Issues: A variety of irrigation issues continue with some relating to pump stations and switch boxes that do not connect to any CDD-owned equipment or infrastructure. Biweekly communications between her, Ms. Mason and Dave, the Landscape and Irrigation Manager, occurred and they are working on those issues. \$800 expenditure for a few irrigation items was approved, which were appropriate for the CDD's current infrastructure; the Association was responsible for the remaining issues. Mr. Freedman stated they would continue to discuss whether the BTCMA can manage the irrigation and landscape materials within the Greenway, getting them working properly, and, if not, the District would eventually have to take over the maintenance.

Ms. Cerbone stated the District currently has approximately \$16,000 in its Special Revenue Fund, General Repairs and Maintenance, contingency fund and asked what amount should be added to the proposed Fiscal Year 2019 budget, if the Board chose to take on the additional Greenway maintenance. Mr. Freedman stated the total cost would be the same; if the District takes on those responsibilities, to protect the District's infrastructure, the funds allocated to the BTCMA budget would be reallocated back to the District's budget. In response to a question of whether the CDD could purchase its own pump and controls and reconnect them to

the District’s irrigation system, Mr. Freedman replied affirmatively, that was his intent. Ms. Cerbone will work with Mr. Schnars to obtain estimates and validate the proposal. Mr. Gielda stated he expects the potential engineering issues would relate to water use permit issues and the Osprey irrigation infrastructure component having to be reviewed and, since it is drought season, it should be addressed now, to prevent any further loss in landscape materials. Discussion ensued regarding the District having limited funds, the possibility of deferring the cost or a payment plan, how quickly could it be done and the cost.

- A few downed trees were being taking care of.
- Ms. Mason was advised that the soil in the dog parks was not conducive to vegetation growth.

**i. NEXT MEETING DATE: April 25, 2018 at 10:30 a.m.**

The next meeting will be held on April 25, 2018 at 10:30 a.m., at this location. Ms. Cerbone stated that the proposed Fiscal Year 2019 budget would likely be presented at the second meeting in May.

**EIGHTH ORDER OF BUSINESS**

**Supervisors’ Requests**

Mr. Freedman spoke with MBS Capital LLC (MBS), regarding an opportunity to refinance the District’s bonds; MBS would submit a proposal to him. He advised MBS to focus on the A1 bonds only, as the A2 bonds would most likely be extinguished soon. Once the information is provided, it would be included as a discussion item on a future agenda.

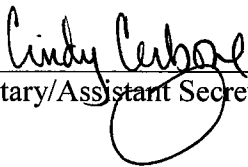
**NINTH ORDER OF BUSINESS**

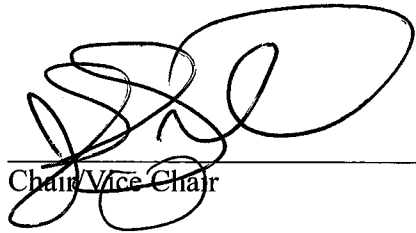
**Adjournment**

There being nothing further to discuss, the meeting adjourned.

**On MOTION by Mr. Einfalt and seconded by Mr. Gielda, with all in favor, the meeting adjourned at 10:59 a.m.**

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

  
Secretary/Assistant Secretary

  
Chair/Vice Chair