

**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, May 23, 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 Giolda	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
Ginger Wald	District Counsel
Gerry Knight ( <i>via telephone</i> )	Billing, Cochran, Lyles, Mauro & Ramsey, P.A.

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Ms. Cerbone called the meeting to order at 10:30 a.m. Supervisors Freedman, Giolda, 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 Resolution 2018-03, Approving the District's Proposed Budget for Fiscal Year 2018/2019 and Setting a Public Hearing Thereon Pursuant to Florida Law; Addressing Transmittal, Posting and Publication Requirements; and Providing an Effective Date**

Ms. Cerbone presented Resolution 2018-03. She recalled conversations at the prior meeting regarding the intent to replace the irrigation and pump systems and to fully separate

them from the Master Association and the response from Sullivan Electric & Pump, Inc. (Sullivan), the installer and manufacturer of the existing equipment, about whether other options were available, instead of replacement, since that cost was exorbitant.

Ms. Cerbone conveyed Mr. Schnars' conversation with Mr. Sullivan regarding the pump station in the Greenway. Mr. Sullivan reported that the pump station was in good condition and it was not necessary to replace it or build a new one, provided regular maintenance is performed. Performing maintenance now to address certain issues was recommended. He also addressed the condition on the Variable Frequency Drives (VFD) and the recent work performed on them, the recent installation of new check valves and new isolation valves and that the repairs to one suction line were not up to his standards but it was operating sufficiently. Mr. Sullivan proposed the following to address the future condition of the pump station:

- Repairs: Repair the suction line at a cost of \$1,200
- General Regular Maintenance Program: Enter into a Maintenance Contract whereby maintenance is performed twice each year at a cost of \$475, per visit. After maintenance is completed, if additional repairs to the pump station or irrigation components were necessary, a report and proposal would be provided.

Ms. Cerbone and Mr. Schnars reviewed the recommendations of Mr. Sullivan and the impact on the Fiscal Year 2018 and 2019 budgets. Two versions of the proposed Fiscal Year 2019 budget were presented as follows:

- Version 1: In "Fund Balance" line item, funds were allocated to begin building reserves to fund the expense of a new pump station.
- Version 2: Page 4, New "Repairs & Maintenance- irrigation equipment" line item: In Fiscal Year 2018, funds were allocated, even though not budgeted, to cover the expense to repair the suction line and for one maintenance visit by Sullivan, which both were recommendations from Mr. Sullivan. The Fiscal Year 2019 budget contains the repair of one suction line, two maintenance visits and the cost of a VFD, if needed. Ms. Cerbone suggested budgeting annually for a new VFD. No funds were allocated for the irrigation, new pump station, overhaul, etc.

Ms. Cerbone completed the review of the proposed Fiscal Year 2019 budget.

The following changes were made:

Page 9, Unit Type: Change "Condo" to "Medplex Compson"

Mr. Freedman stated that the increased assessments would result in reduced Master Association assessments, offsetting the CDD increase.

The following change was made to Resolution 2018-03:

LOCATION: Change "Suite 202E" to "Suite 410W"

**On MOTION by Mr. Freedman and seconded by Mr. Einfalt, with all in favor, Resolution 2018-03, Approving the District's Proposed Budget for Fiscal Year 2018/2019, as amended, and Setting a Public Hearing Thereon Pursuant to Florida Law for September 12, 2018 at 10:30 a.m., at this address, as amended to Suite 410W instead of 202E; Addressing Transmittal, Posting and Publication Requirements; and Providing an Effective Date, was approved.**

**FOURTH ORDER OF BUSINESS**

**Consideration of Temporary Construction and Access Easement (2018)**

Ms. Cerbone presented the Temporary Construction and Access Easement. This Easement was presented, in substantial form, and would be executed after the closing, once the Land Conveyance Funding Agreement is finalized, subject to review by various Counsels. This would be presented at the next meeting, if significant changes were made.

**On MOTION by Mr. Freedman and seconded by Mr. Einfalt, with all in favor, the Temporary Construction and Access Easement, in substantial form, subject to final legal review, was approved.**

***\*\*\*Mr. Knight joined the meeting at 10:48 a.m., via telephone.\*\*\****

- **Resolution \_\_\_\_\_, Authorizing the Conveyance of real Property to BR Cortina Acquisition, LLC; Authorizing the Acceptance of a Land Conveyance From BR Cortina Acquisition, LLC; Authorizing and Directing Of Certain Officials of the District to Take All Appropriated Action Required in Connection With Effectuating and Closing on the Conveyances of Such Real Property; and Providing an Effective Date.**

***\*\*\*This item was an addition to the agenda.\*\*\****

Mr. Knight stated that the title company for the land swap requested a Resolution approving the conveyance of the land to BR Cortina and the acceptance of the land from BR Cortina and authorizing the appropriate District officials to execute the documents. This Resolution would be prepared for execution.

**On MOTION by Mr. Freedman and seconded by Mr. Giolda, with all in favor, a Resolution \_\_\_\_\_, to be prepared by District Counsel, Authorizing the Conveyance of real Property to BR Cortina Acquisition, LLC; Authorizing the Acceptance of a Land Conveyance From BR Cortina Acquisition, LLC; Authorizing and Directing Of Certain Officials of the District to Take All Appropriate Action Required in Connection With Effectuating and Closing on the Conveyances of Such Real Property; and Providing an Effective Date, was adopted.**

▪ **Escrow Agreement**

*\*\*\*This item was an addition to the agenda.\*\*\**

Ms. Cerbone distributed the Escrow Agreement pertaining to the Land Conveyance Funding Agreement. Funds, the amount of \$20,000, will be held in escrow, at closing, by Mr. Lapides and used to cover the Fiscal Year 2018 valorem and ad-valorem property tax bills. Any unused funds would be returned to the Developer.

**On MOTION by Mr. Giolda and seconded by Mr. Freedman, with all in favor, the Escrow Agreement, was approved.**

**FIFTH ORDER OF BUSINESS**

**Staff Reports**

**A. District Counsel: *Billing, Cochran, Lyles, Mauro & Ramsey, P.A.***

There being no report, the next item followed.

**B. District Engineer: *Schnars Engineering Corporation***

Ms. Cerbone asked, at the direction of the Board, for Mr. Schnars to contact Jackson Land Development, LLC (Jackson) to see whether the proposal received nine months ago was still valid and, if not, she suggested the Board consider authorizing Mr. Schnars, the District

Manager and District Counsel to prepare an Agreement with Jackson to perform bridge repairs, in a not-to-exceed amount of \$25,000.

**On MOTION by Mr. Giolda and seconded by Mr. Einfalt, with all in favor, authorizing the District Engineer to contact Jackson Land Develop, LLC to confirm if the prior proposal is still valid and authorizing the District Engineer, District Management and District Counsel to prepare an Agreement with Jackson Land Development, LLC, for bridge repairs, in a not-to-exceed amount of \$25,000, was approved.**

Ms. Cerbone asked the Board to consider authorizing the District Engineer to obtain a proposal from Sullivan for the suction line cleanout and, once reviewed, if an Agreement is necessary, giving District Counsel the authority to prepare it.

**On MOTION by Mr. Freedman and seconded by Mr. Einfalt, with all in favor, authorizing the District Engineer to contact Sullivan Electric & Pump, Inc., to proceed with suction line cleanout and perform one regular maintenance for Fiscal Year 2018 only, in a not-to-exceed amount of \$2,000, and for District Counsel to prepare an Agreement, if necessary, was approved.**

**C. District Manager: *Wrathell, Hunt and Associates, LLC***

Ms. Cerbone stated the Agreement with the Master Association and just approved with Sullivan was for Sullivan to perform work on equipment that the Master Association owns and is supposed to maintain. Mr. Freedman asked if the Master Association owns the equipment. Ms. Cerbone was certain the District did not own the equipment but would contact Mr. Sullivan to find out what entity owns it. Mr. Giolda suspected that, if the equipment is not owned by the Master Association, it was probably owned by the Developer. Ms. Wald stated, if that was the case, approval from the Developer would be necessary. Mr. Freedman stated the Conveyance must be reviewed. Ms. Wald stated it must be decided whether a Licensing Agreement was needed instead. Ms. Cerbone stated that no action would be taken without conferring with District Counsel and suggested deferring this item pending further review by the District Engineer, District Manager and, as needed, consultation with District Counsel. She would work

with District Counsel on modifying the Maintenance Agreement with the Master Association regarding certain irrigation repairs and maintenance. The Master Association assessments were expected to decrease. The conveyance documents between the Master Association to BR Cortina and BR Cortina to the CDD would be reviewed further; she would ask Mr. Sullivan which entity paid for it and, if the Developer originally paid for it, which entity it was conveyed to.

**On MOTION by Mr. Giolda and seconded by Mr. Einfalt, with all in favor, pending further review by the District Engineer, District Manager and, as needed, consultation with District Counsel, authorizing the District Manager to work with the Chair to take all appropriate actions, prior to commence work, subject to obtaining clearance from the Chair, was approved. .**

**i. NEXT MEETING DATE: June 13, 2018 at 10:30 a.m.**

The next meeting will be held on June 13, 2018 at 10:30 a.m., at this location.

**SIXTH ORDER OF BUSINESS**

**Supervisors' Requests**

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


**SEVENTH ORDER OF BUSINESS**


**Adjournment**

There being nothing further to discuss, the meeting adjourned.

**On MOTION by Mr. Einfalt and seconded by Mr. Freedman, with all in favor, the meeting adjourned at 11:01 a.m.**

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

  
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Secretary/Assistant Secretary

  
\_\_\_\_\_  
Chair/Vice Chair