

**MINUTES OF MEETING  
BOGGY BRANCH  
COMMUNITY DEVELOPMENT DISTRICT**

The Boggy Branch Community Development District held a Regular Meeting on March 3, 2020, at 11:00 a.m. at the office of England-Thims & Miller, Inc., located at 14775 Old St. Augustine Road, Jacksonville, Florida 32258.

**Present at the meeting were:**

J. Malcolm Jones, Jr.	Chair
A. Chester (Chet) Skinner, IV	Vice Chair
Breanna Bohlen	Assistant Secretary
James Dubois (Bois) Farrar, III	Assistant Secretary

**Also present were:**

Craig Wrathell	District Manager
Howard McGaffney	Wrathell Hunt and Associates
Scott Wild	District Engineer
Katie Buchanan	District Counsel
Kelly McCarrick (via telephone)	ICI Homes
Brett Sealy	MBS

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Mr. Wrathell called the meeting to order at 11:21 a.m. Supervisors Jones, Skinner, Bohlen and Farrar were present, in person. Supervisor Hassel was not present.

**SECOND ORDER OF BUSINESS**

**Public Comments**

There being no public comments, the next item followed.

**THIRD ORDER OF BUSINESS**

**Consideration of Responses to RFP for Annual Audit Services**

- A. Affidavit of Publication**
- B. RFP Package**

The affidavit of publication and Request for Proposals (RFP) were included for informational purposes.

**C. Respondents**

- I. Berger, Toombs, Elam, Gaines & Frank (BTEG&F)**

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**II. Carr, Riggs & Ingram, LLC (CRI)**

**III. McDirmit Davis & Company, LLC (MDC)**

Mr. Wrathell stated all three firms were well-qualified.

**D. Evaluation/Ranking**

The ranking results were as follows:

BTEG&F 99 points

CRI 94 points

MDC 96 points.

**E. Award of Contract/Engagement of Auditor**

**On MOTION by Mr. Skinner and seconded by Mr. Farrar, with all in favor, designating Berger, Toombs, Elam, Gaines & Frank, as the number-one ranked firm, was approved.**

**On MOTION by Mr. Skinner and seconded by Mr. Farrar, with all in favor, authorizing Staff to negotiate and prepare a Continuing Services Agreement with Berger, Toombs, Elam, Gaines & Frank, the number one ranked respondent, and authorizing the Chair or Vice Chair to execute, was approved.**

**FOURTH ORDER OF BUSINESS**

**Discussion: Board Member Compensation: 190.006 (8), F.S.**

This item was discussed during the Seventeenth Order of Business.

**FIFTH ORDER OF BUSINESS**

**Presentation of Engineer's Report: England, Thims & Miller, Inc.**

Ms. Buchanan discussed the following:

- The District was commencing the assessment and bond issuance processes for the residential improvements that would be installed by the purchaser.
- Assessments would only be levied in Phase 1 of the community, not Phases 2 and 3.
- After the Phase 1 lands are sold, liens would be placed on the property, which would allow the District to issue bonds to fund the Phase 1 infrastructure for that neighborhood.

Mr. Scott Wild presented the Engineer's Report and reviewed the project background, Tables, Project Phasing, Shared Master Infrastructure Improvements, Utility Improvements,

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shared costs, cost estimates and Exhibits. Mr. Wrathell stated the project was designed such that Phase 1 can be developed and be self-sufficient, completely separate from Phases 2 and 3, which are not currently owned by the Developer. Mr. Wild confirmed that the Engineer's Report would be approved in substantial form and the cost summaries had a few contingencies.

**On MOTION by Mr. Farrar and seconded by Mr. Skinner, with all in favor, the Engineer's Report, prepared by England-Thims and Miller Inc., dated March 2, 2020, in substantial form, was approved.**

**SIXTH ORDER OF BUSINESS**

**Presentation of Phase 1 Master Special Assessment Methodology Report: Wrathell, Hunt & Associates, LLC**

Mr. Wrathell presented the Phase 1 Master Special Assessment Methodology Report, dated March 2, 2020, and highlighted the following:

- The Methodology only focuses on Phase 1; the lien structure would only apply to Phase 1 and not encumber the remainder of the property.
- The assessment public hearing would be scheduled on or after April 15, 2020.
- ICI Homes would be the Developer for the Phase 1 component.
- There would be shared Master Infrastructure costs.

Mr. Wrathell presented the Assessment Methodology Report and discussed the Benefit Allocation, ERU weightings, True-Up Mechanism, Tables and Exhibits and bond amounts.

Ms. McCarrick requested the following word change throughout the Methodology:  
Change "multi-family" to "townhome"

**On MOTION by Mr. Skinner and seconded by Mr. Farrar, with all in favor, the Phase 1 Master Special Assessment Methodology Report, prepared by Wrathell, Hunt & Associates, LLC, dated March 2, 2020, as amended and in substantial form, was approved.**

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SEVENTH ORDER OF BUSINESS**

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**Consideration of Resolution 2020-06, Designating a Date, Time, and Location of a Public Hearing Regarding the District's Intent to Use the Uniform Method for the Levy, Collection, and Enforcement of Non-Ad Valorem Special Assessments as Authorized by Section 197.3632, Florida Statutes; Authorizing the Publication of the Notice of Such Hearing; and Providing for an Effective Date**

Mr. Wrathell presented Resolution 2020-06.

**On MOTION by Ms. Bohlen and seconded by Mr. Farrar, with all in favor, Resolution 2020-06, Designating a Date, Time, and Location of April 22, 2020 at 1:30 p.m., at the office of England-Thims & Miller, Inc., 14775 Old St. Augustine Road, Jacksonville, Florida 32258, for a Public Hearing Regarding the District's Intent to Use the Uniform Method for the Levy, Collection, and Enforcement of Non-Ad Valorem Special Assessments as Authorized by Section 197.3632, Florida Statutes; Authorizing the Publication of the Notice of Such Hearing; and Providing for an Effective Date, was adopted.**

**EIGHTH ORDER OF BUSINESS**

**Consideration of Resolution 2020-07, Declaring Special Assessments; Indicating the Location, Nature and Estimated Cost of those Infrastructure Improvements Whose Cost is to be Defrayed by the Special Assessments; Providing the Portion of the Estimated Cost of the Improvements to be Defrayed by the Special Assessments; Providing the Manner in Which Such Special Assessments Shall be Made; Providing When Such Special Assessments Shall be Paid; Designating Lands Upon Which the Special Assessments Shall be Levied; Providing for an Assessment Plat; Adopting a Preliminary Assessment Roll; Providing for Publication of this Resolution**

Mr. Wrathell presented Resolution 2020-07 and read the title.

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**On MOTION by Mr. Skinner and seconded by Mr. Farrar, with all in favor, Resolution 2020-07, Declaring Special Assessments; Indicating the Location, Nature and Estimated Cost of those Infrastructure Improvements Whose Cost is to be Defrayed by the Special Assessments; Providing the Portion of the Estimated Cost of the Improvements to be Defrayed by the Special Assessments; Providing the Manner in Which Such Special Assessments Shall be Made; Providing When Such Special Assessments Shall be Paid; Designating Lands Upon Which the Special Assessments Shall be Levied; Providing for an Assessment Plat; Adopting a Preliminary Assessment Roll; Providing for Publication of this Resolution, was adopted.**

**NINTH ORDER OF BUSINESS**

**Consideration of Resolution 2020-08, Setting a Public Hearing for the Purpose of Hearing Public Comment on Imposing Special Assessments on Certain Property Within the District Generally Described as the Boggy Branch Community Development District in Accordance with Chapters 170, 190, and 197, *Florida Statutes***

Mr. Wrathell presented Resolution 2020-08 and read the title.

**On MOTION by Mr. Skinner and seconded by Ms. Bohlen, with all in favor, Resolution 2020-08, Setting a Public Hearing for April 22, 2020 at 1:30 p.m. at the office of England-Thims & Miller, Inc., 14775 Old St. Augustine Road, Jacksonville, Florida 32258, for the Purpose of Hearing Public Comment on Imposing Special Assessments on Certain Property Within the District Generally Described as the Boggy Branch Community Development District in Accordance with Chapters 170, 190, and 197, *Florida Statutes*, was adopted.**

**TENTH ORDER OF BUSINESS**

**Consideration of Resolution 2020-09, Directing the Chairman and District Staff to Submit a Request to the City Council of the City of Jacksonville, Florida, for Consent to Exercise Special Powers; Making Findings in Support Thereof; and Providing an Effective Date**

Mr. Wrathell presented Resolution 2020-09 and read the title.

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**On MOTION by Mr. Skinner and seconded by Mr. Farrar, with all in favor, Resolution 2020-09, Directing the Chairman and District Staff to Submit a Request to the City Council of the City of Jacksonville, Florida, for Consent to Exercise Special Powers; Making Findings in Support Thereof; and Providing an Effective Date, was adopted.**

**ELEVENTH ORDER OF BUSINESS**

**Consideration of Resolution 2020-10, Approving an Interlocal Agreement Regarding the Construction and Maintenance of Certain Improvements; Providing General Authorization, and Addressing Conflicts, Severability and an Effective Date**

Ms. Buchanan stated Resolution 2020-10 accomplishes the following:

- Authorizes the form of the Interlocal Agreement.
- Delegates authority to the Chair to make changes or modifications deemed necessary to finalize the transaction.
- Governs the transfer of funds from Boggy Branch CDD (BBCDD) to Ryals Creek CDD (RCCDD) and is aligned with the proposed takedowns of the residential CDD.

Referencing slides, Ms. Buchanan reviewed the exhibits, project funds, bonds, pay requisition payment process and costs associated to BBCDD and RCCDD. The private parties, the buyer and the seller, have third-party beneficiary rights, in that they could step into the shoes of the respective CDDs and force the Agreement, if necessary.

**On MOTION by Mr. Farrar and seconded by Mr. Skinner, with all in favor, Resolution 2020-10, Approving an Interlocal Agreement Regarding the Construction and Maintenance of Certain Improvements; Providing General Authorization, and Addressing Conflicts, Severability and an Effective Date, in substantial form, was adopted.**

**TWELFTH ORDER OF BUSINESS**

**Authorization of Request for Proposals for Residential Phase 1A Master Infrastructure**

Mr. Wild presented a draft RFP for Residential Phase 1A Master Infrastructure.

The following changes would be made:

Noticing Dates: Changed from March 4, 2020 to March 6, 2020

Public Hearing Date: Change from April 3, 2020 to April 6, 2020

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Special Meeting Date: Change from April 7, 2020 to April 14, 2020

**On MOTION by Mr. Skinner and seconded by Mr. Farrar, with all in favor, the Request for Proposals for Residential Phase 1A Master Infrastructure, was approved.**

**THIRTEENTH ORDER OF BUSINESS**

**Consideration of Resolution 2020-11, Adopting an Internal Controls Policy Consistent with Section 218.33, Florida Statutes; Providing an Effective Date**

Mr. Wrathell presented Resolution 2020-11 and explained the purpose of internal controls.

**On MOTION by Mr. Skinner and seconded by Mr. Farrar, with all in favor, Resolution 2020-11, Adopting an Internal Controls Policy Consistent with Section 218.33, Florida Statutes; Providing an Effective Date, was adopted.**

**FOURTEENTH ORDER OF BUSINESS**

**Acceptance of Unaudited Financial Statements as of January 31, 2020**

Mr. Wrathell presented the Unaudited Financial Statements as of January 31, 2020.

**On MOTION by Mr. Farrar and seconded by Ms. Bohlen, with all in favor, the Unaudited Financial Statements as of January 31, 2020, were accepted.**

**FIFTEENTH ORDER OF BUSINESS**

**Consideration of Minutes**

- A. November 19, 2019 Landowners' Meeting**
- B. November 19, 2019 Public Hearings and Regular Meeting**

Mr. Wrathell presented the November 19, 2019 Landowners' Meeting and the November 19, 2020 Public Hearings and Regular Meeting Minutes.

**On MOTION by Mr. Skinner and seconded by Mr. Farrar, with all in favor, the November 19, 2019 Landowners' Meeting and November 19, 2019 Public Hearings and Regular Meeting Minutes, as presented, were approved.**

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SIXTEENTH ORDER OF BUSINESS**

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**Staff Reports**

**A. District Counsel: *Hopping Green & Sams, P.A.***

There being no report, the next item followed.

**B. District Engineer: *England, Thims & Miller, Inc.***

Mr. Wild asked if the Form of Agreement for Engineering Services was approved, as it was by the Ryals Creek CDD Board. Ms. Buchanan believed that the form was approved but that it did not make it into the agenda.

**On MOTION by Mr. Skinner and seconded by Ms. Bohlen, with all in favor, the England, Thims & Miller Continuing Services Agreement and authorizing the Chair to endorse the rate schedule, was approved.**

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

- **NEXT MEETING DATE: April 7, 2020 at 10:00 AM**

Mr. Wrathell stated that the April 7<sup>th</sup> meeting might be cancelled. He discussed three new meeting dates and stated that calendar invites would be sent.

- **March 30, 2020 at 11:30 a.m.**
- **April 14, 2020 at 11:30 a.m.**
- **April 22, 2020 at 1:30 p.m.**

- **QUORUM CHECK**

**SEVENTEENTH ORDER OF BUSINESS**

**Board Members' Comments/Requests**

- **Discussion: Board Member Compensation: 190.006(8), F.S.:**

**This item, previously the Fourth Order of Business, was presented out of order.**

Mr. Jones asked motioned to approve Board Member compensation.

**On MOTION by Mr. Jones and seconded by Mr. Skinner, with all in favor, Board Members compensation of \$200 per meeting, effective today, was approved.**

**EIGHTEENTH ORDER OF BUSINESS**

**Public Comments**

There being no public comments, the next item followed.



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NINETEENTH ORDER OF BUSINESS**

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**Adjournment**

There being nothing further to discuss, the meeting adjourned.

**On MOTION by Mr. Skinner and seconded by Mr. Farrar, with all in favor, the meeting adjourned at 12:31 p.m.**

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

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DocuSigned by:  
*Craig Wrathell*  
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Secretary/Assistant Secretary

DocuSigned by:  
*Malcolm Jones*  
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Chair/Vice Chair