

**MINUTES OF MEETING
HERITAGE OAK PARK
COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of the Heritage Oak Park Community Development District was held on Thursday, August 20, 2020 at 10:00 a.m. at the Heritage Oak Park Lodge, 19520 Heritage Oak Boulevard, Port Charlotte, Florida, Call-In Number 800-747-5150; Access Code 2836125.

Present and constituting a quorum were:

Brian Bitgood	Chairperson
Paul Falduto, Jr.	Vice Chairperson
Edward Carey	Assistant Secretary
Kent Weeks	Assistant Secretary

Also present were:

Robert Koncar	District Manager
Michelle Egan	Project Manager
Andy Cohen (via telephone)	District Attorney
Residents	

The following is a summary of the minutes and actions taken at the August 20, 2020 meeting of the Heritage Oak Park CDD Board of Supervisors.

FIRST ORDER OF BUSINESS

Call to Order and Roll Call

- Mr. Bitgood called the meeting to order and Mr. Koncar called the roll.
- Mr. Bitgood noted we received a letter of resignation from Mr. Earl Bell.

On MOTION by Mr. Carey seconded by Mr. Falduto with all in favor Mr. Earl Bell's letter of resignation was accepted.

SECOND ORDER OF BUSINESS

Pledge of Allegiance

- The Pledge of Allegiance was recited.

THIRD ORDER OF BUSINESS

Audience Comments on Agenda Items

- There not being any, the next item followed.

FOURTH ORDER OF BUSINESS

Approval of Consent Agenda

- A. Approval of the Minutes of the July 16, 2020 Meeting**
- B. Financial Statements and Check Register**
- C. Proposed Meeting Schedule FY 2021**

- Mr. Bitgood requested the December meeting date be changed from December 17, 2020 to December 10, 2020.

On MOTION by Mr. Falduto seconded by Mr. Weeks with all in favor the Consent Agenda was approved as amended.

FIFTH ORDER OF BUSINESS

Public Hearing for Purpose of Imposing Special Assessments

- Mr. Cohen gave a brief introduction on the debt assessment. First, we will need a motion to open the public hearing, hear from the audience, then need a motion to close the public hearing, then we will have Board discussion. There are also two resolutions.
- Mr. Cohen noted we will then have a separate public hearing for the budget, with a motion to open it, take any public comment regarding the budget and the O&M assessments, then a motion to close and then there are two resolutions to adopt the budget.
- Mr. Cohen noted everything is in order regarding the \$2 million loan from Valley State Bank. In anticipation of the Board's actions today, documents have been executed by the District Manager and the Chairman with a proposed closing, subject to Board direction, of Friday of this week.
- There are two resolutions; Resolution 2020-10 regards to the note itself and authorizes the issuance and the award of sale of the note to Valley National Bank. It was prepared by your Financial Counselor, Mike Williams. It approves the form of the indenture with U.S. Bank; it approves the form of the note and gives authority to the Board and staff to take whatever action might be needed and it designates the note as a tax-exempt obligation.
- Mr. Cohen noted the next resolution is a resolution 2020-11 prepared by him. This has to do with the assessment for this \$2 million note. This completes the process launched last month; and authorizes and confirms the project with Exhibit A, the Engineer's Report. It equalizes, approves and confirms the assessments and approves the methodology; Exhibit B, distributed to the Board earlier. It confirms the terms of the note, which is Exhibit C, the Term Sheet. It further provides for recording and noted that he prepared that we will

record in the public record that will show up in title, advising all potential purchasers of this new financing that the Board is contemplating completing.

- He noted we should now make a motion to open the public hearing on the new debt assessment.

On MOTION by Mr. Falduto seconded by Mr. Weeks with all in favor the public hearing on the new debt assessment was opened.

- Mr. Bitgood asked for public comment on Resolution 2020-10 and Resolution 2020-11.
- Audience comments were received.
- Mr. Carey commented on single family homes, multi-family and carriage homes. He did not think the Methodology made any sense. He proposed the Board vote to re-evaluate the Methodology and use that as a basis for the FY 2022 budget.
- Mr. Bitgood noted we can place this item under New Business.
- Mr. Cohen noted the methodology was prepared by Inframark and carries through the methodology that has been in affect from the beginning. There are different ways to do a methodology and it could be looked at in the future. It is a complicated process to change it that would involve public hearings and notices. You can look at it, but it is not as easy as snapping your fingers. It is too late for the upcoming fiscal year.
- Another audience member commented on the above.

On MOTION by Mr. Falduto seconded by Mr. Carey with all in favor the public hearing was closed on the new debt assessment.

A. Consideration of Resolution 2020-10

On MOTION by Mr. Falduto seconded by Mr. Weeks with all in favor Resolution 2020-10, a resolution of Heritage Oak Park Development District authorizing the issuance of and awarding the sale of its not exceeding \$2,000,000 principal amount of Heritage Oak Park Community Development District capital Improvement Revenue Note, Series 2020 pursuant to a negotiable sale Valley National Bank for the purpose of providing funds to acquire and construct irrigation improvements located in common areas owned by the District and other assessable improvements, approving the form of and authorizing the execution of the second supplemental

trust indenture and approving U.S. Bank National Association, as trustee, bond registrar and paying agent thereunder; approving the form of said 2020 note; authorizing certain officials of Heritage Oak Park Community Development District and others to take all actions required in connection with the issuance, sale and delivery of said 2020 note; providing certain other details with respect to said 2020 note; designating said 2020 note as a “Qualified tax-exempt obligation” under Section 265(b)(3)(B) of the internal revenue code of 1986; and providing an effective date, was adopted.

**B. Consideration of Resolution 2020-11
Exhibit A Engineer’s Report
Exhibit B Assessment Methodology
Exhibit C Term Sheet**

On MOTION by Mr. Falduto seconded by Mr. Carey with all in favor Resolution 2020-11, a Resolution of the Board of Supervisors of the Heritage Oak Park Community Development District authorizing and confirming District projects for construction and/or maintenance and repair of improvements, equalizing, approving, confirming and levying special assessments on property specially benefited by such improvements to pay the costs of the improvements thereof and confirming and adopting a final special assessment methodology report; providing for the payment and the collection of such special assessments by the methods provided for by Chapters 170, 190 and 197, Florida Statutes; confirming the District’s intention to issue its capital Improvement Revenue note, Series 2020; making provisions for exemptions from special assessments and transfers of real property to governmental bodies; providing for the recording of an assessment notice and supplement to the improvement lien book providing for severability, conflicts and effective date, was adopted.

SIXTH ORDER OF BUSINESS

**Public Hearing to Adopt the Budget for
Fiscal Year 2021**

A. Proposed Budget for Fiscal Year 2021

On MOTION by Mr. Falduto seconded by Mr. Weeks with all in favor the public hearing on the budget Fiscal Year 2021 was opened.

- o There being no comments or questions,

On MOTION by Mr. Falduto seconded by Mr. Carey with all in favor the public hearing on the budget Fiscal Year 2021 was closed.

B. Consideration of Resolution 2020-08 Adopting the Budget for FY 2021

On MOTION by Mr. Falduto seconded by Mr. Weeks with all in favor Resolution 2020-08, a Resolution of the Heritage Oak Park Community Development District relating to the annual appropriations of the District and adopting the budget for the Fiscal Year beginning October 1, 2020; and ending September 30, 2021, and referring the maintenance and benefit special assessments to be levied by the District for said fiscal year, was adopted.

C. Consideration of Resolution 2020-09 Levy of Non-Ad Valorem Assessments

On MOTION by Mr. Falduto seconded by Mr. Weeks with all in favor Resolution 2020-09, a Resolution levying and imposing a non-ad valorem maintenance special assessment for Heritage Oak Park Community Development District for Fiscal Year 2021, was adopted.

SEVENTH ORDER OF BUSINESS **New Business**

A. Develop a New Assessment Methodology

- o Mr. Carey wanted to make a motion the Board consider revising the Assessment Methodology we use for determining the assessments of all the parcels within the Park for Fiscal Year 2022.

Mr. Carey MOVED to develop a new Assessment Methodology for Fiscal Year 2022 and Mr. Falduto seconded the motion.

- o Mr. Weeks had questions on the Assessment Methodology.
- o Mr. Koncar will bring a proposal for updating the methodology at the next meeting.
- o Mr. Cohen noted we would need to hire a methodology consultant to prepare a report. It may involve the consent of the lender as well because we are not changing the security for their assessment, but they would have some involvement of the process.

On VOICE vote with all in favor the prior motion was approved.

EIGHTH ORDER OF BUSINESS **Old Business**

A. Pool Repair Contract

- Ms. Egan reviewed the pool repair contract which was in the agenda package. The Board can change, add or remove anything.
- Mr. Cohen noted his office prepared the contract.
- Mr. Bitgood described in detail what the work will involve. The work will take between six and eight weeks to complete.
- Mr. Cohen noted we have a 30-day termination for whatever reason.

Mr. Falduto MOVED to approve the pool repair contract with Kast Pool Company in the amount of \$290,000 with a start date on or about October 1, 2020 and Mr. Carey seconded the motion.

- Mr. Weeks emphasized this has nothing to do with how we use the pool, it is for repairs only.
- Mr. Bitgood noted we are in contact with the YMCA across the street and for a minimal amount of money they can use the pool. He discussed the joiner fee. If anyone needs more information on this, they should contact Kelly Columbus, Activities Coordinator.

On VOICE vote with all in favor the prior motion was approved.

- Ms. Egan noted she and Mr. Bitgood will meet with Todd Proa of Kast Pools.

NINTH ORDER OF BUSINESS

Staff Reports

A. Attorney

i. Discussion regarding Use of Amenities

- Mr. Cohen noted we have tax exempt financing for the work we will be doing. Our amenities are open to the general public, residents and non-residents. Residents pay for amenities through their O&M assessments. We can charge non-residents. The District Manager sent him the policies and procedures. You have fees set up if a non-resident wants to use your Clubhouse.
- As part of financing we signed some documents recognizing that our amenities are public, and we will allow non-residents usage.
- Mr. Koncar will follow up on fees and guidelines on HOP amenities.

B. Engineer

- There being no report, the next item followed.

C. Manager

i. RFP for Audit Selection

- Mr. Koncar noted every three years we should be doing Statement of Qualifications for annual auditing services.
- Mr. Koncar recommends moving forward with getting this process started.
- He suggested the Board authorize us to advertise for Statements of Qualifications for auditing firms.
- At the September meeting, he will bring Criteria for Selection and at that meeting you will need to appoint an Audit Selection Committee who will evaluate the proposals and make a recommendation to the Board. If you want, it can be the Board itself.

Mr. Falduto MOVED to authorize the advertisement for Statements of Qualifications for Proposals for auditing services for the District and Mr. Weeks seconded the motion.

- Mr. Koncar noted we have auditing firms that work with us throughout the State. You are required to post the notice. We usually advertise and see what proposals we get. Then you have the Audit Selection Committee review the SOQs and bring a recommendation to the Board.
- Mr. Weeks suggested we have a Workshop before the meeting in October.

On VOICE vote with all in favor the prior motion was approved.

TENTH ORDER OF BUSINESS

On-Site Administration Report – Project Updates

- Ms. Egan noted regarding the door back right-hand corner in the Lodge, the contractor came yesterday, but could not replace. We will have the locksmith come and fix that.
- The sound system – they will be here next week to install.
- Ms. Egan discussed cleaning the pool. The contractor was short staffed last week due to the COVID-19. He is working on it.
- She noted the cabinets are getting installed.

ELEVENTH ORDER OF BUSINESS

Supervisor Requests

- Mr. Weeks commented we have an erosion problem on our sidewalks.
- Mr. Falduto commented for our Labor Day celebration this year we are trying to do the cook out on September 9th without using the Lodge. We are looking at bringing in food trucks,

C. Manager

i. RFP for Audit Selection

- Mr. Koncar noted every three years we should be doing Statement of Qualifications for annual auditing services.
- Mr. Koncar recommends moving forward with getting this process started.
- He suggested the Board authorize us to advertise for Statements of Qualifications for auditing firms.
- At the September meeting, he will bring Criteria for Selection and at that meeting you will need to appoint an Audit Selection Committee who will evaluate the proposals and make a recommendation to the Board. If you want, it can be the Board itself.

Mr. Falduto MOVED to authorize the advertisement for Statements of Qualifications for Proposals for auditing services for the District and Mr. Weeks seconded the motion.

- Mr. Koncar noted we have auditing firms that work with us throughout the State. You are required to post the notice. We usually advertise and see what proposals we get. Then you have the Audit Selection Committee review the SOQs and bring a recommendation to the Board.
- Mr. Weeks suggested we have a Workshop before the meeting in October.

On VOICE vote with all in favor the prior motion was approved.

TENTH ORDER OF BUSINESS

On-Site Administration Report – Project Updates

- Ms. Egan noted regarding the door back right-hand corner in the Lodge, the contractor came yesterday, but could not replace. We will have the locksmith come and fix that.
- The sound system – they will be here next week to install.
- Ms. Egan discussed cleaning the pool. The contractor was short staffed last week due to the COVID-19. He is working on it.
- She noted the cabinets are getting installed.

ELEVENTH ORDER OF BUSINESS

Supervisor Requests

- Mr. Weeks commented we have an erosion problem on our sidewalks.
- Mr. Falduto commented for our Labor Day celebration this year we are trying to do the cook out on September 9th without using the Lodge. We are looking at bringing in food trucks,

but that can be expensive. He spoke about doing “Coffees” via Zoom. He’ll get more information.

TWELFTH ORDER OF BUSINESS

Audience Comments

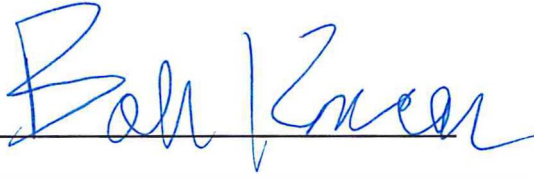
- o There not being any, the next item followed.


THIRTEENTH ORDER OF BUSINESS

Adjournment

- o Mr. Bitgood thanked the Board of Supervisors for all the work they do.

On MOTION by Mr. Mr. Falduto seconded by Mr. Weeks with all in favor the meeting was adjourned.


Secretary


Brian Bitgood
Chairman