

**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, July 19, 2018 at 10:00 a.m. at the Heritage Oak Park Lodge, 19520 Heritage Oak Boulevard, Port Charlotte, Florida.

Present and constituting a quorum were:

Brian Bitgood	Chairperson
Paul Falduto, Jr.	Vice Chairperson
Olin Earl Bell	Assistant Secretary
Donald Oppenheim	Assistant Secretary
Edward Carey	Assistant Secretary

Also present were:

Robert Koncar	District Manager
Michelle Egan	Project Manager
Wendell Gaertner (via telephone)	Public Resources Advisory Group (PRAG)
Residents	

*The following is a summary of the minutes and actions taken at the July 19, 2018 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.

**SECOND ORDER OF BUSINESS**

**Pledge of Allegiance**

The Pledge of Allegiance was recited.

**THIRD ORDER OF BUSINESS**

**Audience Comments on Agenda Items**

There being no comments, the next item followed.

**FOURTH ORDER OF BUSINESS**

**Approval of Consent Agenda**

- A. Approval of the Minutes of the June 7, 2018 Continued Meeting
- B. Approval of the Minutes of the June 21, 2018 Meeting
- C. Financial Statements and Check Register

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

**FIFTH ORDER OF BUSINESS**

**Old Business**

**A. Further Discussion on the Financial Advisor**

- Mr. Bitgood noted Mr. Gaertner was at the prior meeting. He is here today via telephone to review SEC regulations and the process that takes a minimum of three months to go through.
- Mr. Gaertner noted the process the Board has to go through to borrow any kind of money under Florida Law as a special assessment takes a minimum of a three-month process.
- The process under Florida Law is you must first come up with what the project is. Your District Engineer has to certify what the expected cost of the project will be.
- The District Manager has to develop an Assessment Methodology Report that takes the cost and the benefit of the improvements and allocates what assessments would be required for each property owner as their share of the total principal amount and the annual amount of assessments.
- During the process your Financial Advisor is working with those parties to come up with what estimates of what the financing would be; what the costs will be in addition to the construction; what reserves are necessary; what the expected interest rate would be and what are the terms of the financing. That helps translate your project cost numbers into your annual debt service numbers and creates the preliminary assessment methodology report.
- You would then have to notice a public meeting with at least 30-day notice and a letter has to be sent to each homeowner stating what the maximum assessment would be if you choose to implement the financing.
- That takes a little while to prepare and get notices out. It is about a 45-day period, after you receive preliminary numbers and until the public notice or public meeting is held. During that time period, your team along with us, if we were your financial advisor, would put the financials in place and review all legal documentation necessary. Then after the public hearing, you would be able to implement your assessments and close the financing.
- For projects that are relatively small, under \$8 million, a bank loan is usually more efficient. They tend to carry a higher interest rate, but they have less costs. The other option is a bond issue with typically a lower interest rate, but has more costs involved.
- Mr. Bitgood requested Mr. Gaertner discuss validation.

- Mr. Gaertner noted under Florida Law, Special District Debt needs to be validated. This is a legal term where you take your proposed financing; then your District Attorney and your Bond Counselor file that with the courts and say this District is planning to issue this debt.
- He described the validation further and the importance of the District Attorney and Bond Counsel in this process.
- Mr. Bitgood thanked Mr. Gaertner for his time and will receive updates on what is happening.

*Let the record reflect Mr. Gaertner left the meeting via telephone.*

**B. Update on Irrigation Mainline Engineering**

- Mr. Carey gave the Board an update on the irrigation mainline engineering.
- He discussed reclaimed water and the misconception we just dump it into the pond.
- Mr. Bitgood noted under our Engineering Agreement, we have two open meetings in our contract for questions.
- Mr. Bitgood would like some kind of a report from Mr. Carey, even if it just verbal, so the public can understand what is going on. Maybe September would be a good time to do that.
- Mr. Falduto noted my concern with scheduling the meeting with the engineers too early is that we only have two open meetings in the contract. We do not want an open meeting before they have something concrete for us because then we would be wasting one of our open meetings. Scheduling too early would be a mistake. We should wait until we have something more concrete on paper before we have them in here to ask questions.
- Mr. Bitgood asked Ms. Egan to contact them.

**SIXTH ORDER OF BUSINESS**

**New Business**

**A. Discussion on Back Doors at the Activity Center**

- Mr. Falduto noted the reason this is on the agenda is because we have seen a lot of people in blue Security Alarm shirts walking around. They are working on installing electronic locks on the entry doors to the facilities for the Sports Bar; the Lodge, the bathrooms at the pool and the Library and the Activity Room.
- Those locks should be installed and up and running sometime next week.
- We are not putting electronic locks on the five back doors, the two doors off the corners of the Lodge and the three doors going to the lanai.

- Since the last meeting, we had the three doors of the lanai locked at all times.
- He proposed to keep those three doors locked and the other doors unlocked during business hours, meaning the far left corner door that goes to the Sports Bar and the far right corner door that goes to the Activity and Library walkway. They should be open from 7:00 a.m. until close of business at 4:00 p.m. at which time those doors would be locked by staff when they leave. The two doors on the main entry door off the parking lot and the main entry door to the pool would be open from 7:00 a.m. until 10:00 p.m.
- At 10:00 p.m. they would be automatically, electronically locked. At 7:00 a.m. they would automatically, electronically open.
- This eliminates the position we currently pay \$7,500 a year for locking and unlocking the doors manually. We would be able to take that out of the budget.
- He wanted to put this before the Board to make sure the Board did not want to do something different with the back doors of the main Lodge doors.

Mr. Falduto MOVED to keep the three lanai doors locked all the time; to use the doors that go to the Sports Bar and the Library unlocked during normal business hours Monday through Friday and have the Main Entry doors to the Lodge and the pool and the parking lot open from 7:00 a.m. to 10:00 p.m. and Mr. Oppenheim seconded the motion.

- The Supervisors voiced their opinions.

On VOICE vote with Mr. Bitgood, Mr. Falduto, Mr. Oppenheim and Mr. Carey voting aye and Mr. Bell voting nay, the prior motion was approved.

## **SEVENTH ORDER OF BUSINESS**

### **Staff Reports**

#### **A. Attorney**

##### **i. Discussion on ADA Website Compliance**

- Mr. Koncar noted recently there have been several Federal lawsuits filed against districts and local governments for non-compliance with ADA requirements. The issue is many websites were not set up to handle responses from the visually impaired, but meet all the other requirements. All files on the website are converted to PDF. There is technology that allows you to take a PDF file and convert it to an audio file so someone who is visually impaired can go onto the website, identify a document and listen to it from an audio standpoint.

- He will work with the District Attorney on this, but recommends the Board authorize staff to bring back proposals for compliance with this requirement to keep the Board from being involved in some type of Federal action for non-compliance with ADA requirements.
- Unfortunately, to do this, it gets expensive from what we have identified with consultants already, but we feel there will not be a choice for the Board.
- He recommends instructing staff to bring back proposals at your August meeting for consideration on bringing your website into compliance with this ADA requirement.

Mr. Oppenheim MOVED to authorize staff to bring proposals for consideration on bringing the District website into compliance with the ADA requirement at the August Board meeting, and Mr. Bell seconded the motion.

- Mr. Bitgood asked whether Federal Grants were looked into.
- Mr. Koncar does not believe there are, based on the research already done. However, he will check into this further.
- Mr. Carey noted HOPCA is looking at new website platform next year. From what he has seen, it is a very good website and is very user friendly.

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

**B. Engineer**

There being no report, the next item followed.

**C. Manager**

**i. Discussion on Modified, Tentative Budget for Fiscal Year 2019**

**ii. Proposed Meeting Schedule for Fiscal Year 2019**

**iii. Consideration of Resolution 2018-03A Approving Adoption and Execution of the Statewide Mutual Aid Agreement**

- Mr. Koncar noted the modified, tentative budget was distributed to the Board based on the tentative budget that was approved by the Board. No further action is required at this time.
- Letters will be going to residents for the public hearing coming up for the consideration of the final adoption of the budget.
- We place this item on the agenda to see if there are any questions from Board members, but there is no action required by the Board at this time.

- Mr. Bitgood asked for the August meeting can we include the reduction for the person who locks up at night?
- Mr. Koncar stated you mean change the budget to reflect that \$7,500 reduction.
- Mr. Bitgood stated plus the FICA.

**ii. Proposed Meeting Schedule for Fiscal Year 2019**

- Mr. Koncar reviewed the meeting schedule for Fiscal Year 2019.
- After some discussion, the December 2018 and March 2019 meeting dates were changed.

On MOTION by Mr. Bell seconded by Mr. Falduto with all in favor the meeting schedule for Fiscal Year 2019 with the December 2018 and the March 2019 dates changed was approved, as amended.

**iii. Consideration of Resolution 2018-03A Approving Adoption and Execution of the Statewide Mutual Aid Agreement**

- Mr. Koncar noted this was sent to us through the FEMA process. With the hurricane last year, we learned some lessons.
- Mr. Koncar noted the Statewide Mutual Aid Agreement allows for assistance from State, local governments and other special districts. Since the community development districts in Florida are considered special units of local government they are included in this process.
- There is a reimbursement schedule set up. The same is true if we were to provide support to other districts or the county or the city, then it provides for some response for that as well in terms of funding that the District would receive.
- Mr. Bitgood noted we have a contract with Unlimited Restoration and assumed it would kick in first.

On MOTION by Mr. Bell seconded by Mr. Falduto with all in favor this issue was tabled.

**D. Field Manager's Report**

- Mr. Koncar noted the Field Management Report, prepared by Brandon Romine, was included in the agenda package.

**EIGHTH ORDER OF BUSINESS**

**On-Site Administration Report – Project Updates**

- Ms. Egan updated the Board on the following:
  - Tennis Courts – they were scheduled to start yesterday. She received an email this morning that they will be here on Friday or Monday morning. When she receives confirmation, she will send out an email blast.
  - Wind screens will be replaced.
  - The locks are being installed. They started yesterday.
  - There will be noise when drilling is performed.
  - There will be tree trimming performed on the roads.
  - Last week, she met with Artistree on complaints about landscaping around the lake.
  - She noticed branches hanging over the walkways. She spoke to them about the issue with the weeds.
  - Mr. Bitgood noted he does not want to keep meeting with Artistree every month to complain about their services. If this continues, he will ask the Board to consider going out for bids if there are no objections.

**NINTH ORDER OF BUSINESS**

**Supervisor Requests**

- Mr. Bell noted he wanted to thank staff since the last meeting when he mentioned the Park does not look presentable. The hedges on Heritage Oak Boulevard were taken care of almost immediately and within five working days, the parking lot was handled. He thanked staff.
- Mr. Bell asked about activities for Candidates Night.
- Mr. Bitgood noted it will probably be in September and will be scheduled before Early Voting.

**TENTH ORDER OF BUSINESS**


**Audience Comments**

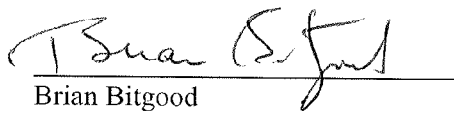
There not being any, the next item followed.

**ELEVENTH ORDER OF BUSINESS**

**Adjournment**

There being no further business, the meeting was adjourned.

  
Secretary

  
Brian Bitgood  
Chairman