

MINUTES OF MEETING  
HERITAGE PARK  
COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Heritage Park Community Development District was held on Thursday, July 30, 2020 at 1:00 p.m. via Zoom video conferencing, due to the COVID-19 virus.

Present and constituting a quorum were:

Ken Kinnecom	Chairman
Robert Curran	Vice Chairman
Mark Masley	Supervisor
Joanne Wharton	Supervisor
Thomas Ferry	Supervisor

Also present were:

Jim Oliver	District Manager
Carl Eldred	District Counsel
Jenny Urcan	District Engineer
Brian Stephens	Riverside Management
Residents	

*The following is a summary of the actions taken at the July 30, 2020 meeting. A copy of the proceedings can be obtained by contacting the District Manager.*

**FIRST ORDER OF BUSINESS**

**Roll Call**

Mr. Oliver called the meeting to order at 1:00 p.m. All Supervisors were present.

**SECOND ORDER OF BUSINESS**

**Public Comment**

There was no public comment.

**THIRD ORDER OF BUSINESS**

**Affidavit of Publication of Notice of Public Hearing**

Mr. Oliver stated the public hearing for the budget was advertised in the St. Augustine Record on July 2, 2020 and July 9, 2020 as required by Statute.

July 30, 2020

Heritage Park CDD

**FOURTH ORDER OF BUSINESS**

**Approval of the Minutes of the May 28, 2020 Meeting**

On MOTION by Mr. Ferry seconded by Mr. Curran with all in favor the Minutes of the May 28, 2020 Meeting as presented were approved.

**FIFTH ORDER OF BUSINESS**

**Approval of Audit Criteria and Authorization for Staff to Issue an RFP**

Mr. Oliver recalled the Board met as an Audit Committee prior to this meeting and approved the evaluation criteria, so the District could issue Request for Proposals (RFP) for Fiscal Year 2020 auditing services.

On MOTION by Mr. Kinnecom seconded by Mr. Masley with all in favor approving the audit criteria and authorizing staff to issue Request for Proposals for audit proposals was approved.

**SIXTH ORDER OF BUSINESS**

**Consideration of Amendment to Agreement with Yellowstone Landscape**

Mr. Oliver presented the Amendment to the Agreement with Yellowstone Landscape, with a slight increase for maintenance of the CDD drainage easement, which was included in the Fiscal Year 2021 budget. Mr. Kinnecom was satisfied with the agreement. Ms. Wharton noted a covered drain by the dog park. Mr. Kinnecom stated the drain was the responsibility of the HOA and asked if the fence was cleaned. Mr. Stephens replied affirmatively.

Ms. Wharton felt that Yellowstone was negligent with the tree trimming as trees were overgrown. Mr. Kinnecom did not blame Yellowstone, since Yellowstone was not their contractor for the 14 years the CDD was responsible for The Villas and E. Red House Branch. Ms. Wharton appreciated Mr. Kinnecom following up and asked if the homeowner contracted him or Mr. Stephens about damage to their property. Mr. Kinnecom told the homeowner it was not the CDD's responsibility, since the water flowed from the neighboring property.

On MOTION by Mr. Ferry seconded by Mr. Masley with all in favor Amendment to Agreement with Yellowstone Landscape was approved.

July 30, 2020

Heritage Park CDD

**SEVENTH ORDER OF BUSINESS****Public Hearing to Adopt the Budget for Fiscal Year 2021**

Mr. Oliver noted no budget changes since the last meeting. The District operated a small surplus each year and accumulated \$122,000 in capital reserves. Operation and maintenance (O&M) assessments remained the same. There was a small increase to Landscape Maintenance.

Ms. Wharton questioned the following:

- Why \$40,000 was budgeted for Streetlights versus what was previously budgeted. Mr. Oliver stated \$36,000 was projected to be spent and would obtain comparisons for streetlight costs over the past several years.
- The difference between the assessment of \$384,574 on Page 9 of the Adopted Budget and assessment tax roll of \$255,000 on Page 2 of the unaudited financials. Mr. Oliver explained there were two different components of the assessment; \$255,000 was for the General Fund or O&M assessment and \$384,574 was for the Debt Service Fund assessment.
- Why \$7,000 was budgeted for Carp and included a contingency on Page 6. Mr. Oliver explained a monthly fee was paid to the vendor to maintain the pond and \$7,000 was for the carp to help with algae control. The contingency was used for electrical issues with the pumps.

Ms. Wharton asked if other species of fish would help with the algae and provide a more natural state. Mr. Stephens explained carp was most effective and there were no native fish that would eat algae. Mr. Oliver requested Mr. Stephens look into other options. Mr. Stephens noted the ponds were not restocked with carp in the past several years and contingency funds were used mainly for fountain repairs. Ms. Wharton stated an otter was killing the carp.

On MOTION by Mr. Kinnecom seconded by Mr. Curran with all in favor the Public Hearing to adopt the budget for Fiscal Year 2020 was opened.

There were no public comments on the Fiscal Year 2020 budget.

On MOTION by Ms. Wharton seconded by Mr. Ferry with all in favor the Public Hearing to adopt the budget for Fiscal Year 2020 was closed.

July 30, 2020

Heritage Park CDD

**A. Consideration of Resolution 2020-06, Relating to the Annual Appropriations and Adopting the Budget for Fiscal Year 2021**

Mr. Eldred presented Resolution 2020-06, adopting the District's budget for Fiscal Year 2021 and appropriating the funds set forth in the budget as approved by the Board. The budget was filed with the county 60 days prior to today's public hearing.

On MOTION by Mr. Kinnecom seconded by Ms. Wharton with all in favor Resolution 2020-06 Relating to the Annual Appropriations and Adopting the Budget for Fiscal Year 2021 was adopted.

**B. Consideration of Resolution 2020-07, Imposing Special Assessments and Certifying an Assessment Roll for Fiscal Year 2021**

Mr. Eldred presented Resolution 2020-07 imposes and levies O&M and debt assessments in the form approved by the Board previously. There was no increase in assessments.

On MOTION by Ms. Wharton seconded by Mr. Masley with all in favor Resolution 2020-07 Imposing Special Assessments and Certifying an Assessment Roll for Fiscal Year 2021 was adopted.

**EIGHTH ORDER OF BUSINESS**

**Renewals of Existing Contracts**

**A. Future Horizons**

**B. GMS (Onsite Management and Maintenance Contract Administration)**

Mr. Oliver did not have the renewal documents with Future Horizons and GMS, but according to the budget, there were no price changes. Mr. Stephens confirmed there were no increases. Mr. Oliver requested the Board approve the agreements in substantial form and for District Counsel to prepare the documents and have the Chairman execute.

On MOTION by Mr. Kinnecom seconded by Mr. Masley with all in favor the renewal agreements with Future Horizons and GMS in substantial form were approved.

**NINTH ORDER OF BUSINESS**

**Staff Reports**

**A. Attorney**

Mr. Eldred reported on the effectiveness of Senate Bill 1446, which was effective on July 1, reducing the number of documents the District must maintain on its website. His office will

July 30, 2020

Heritage Park CDD

continue to coordinate the items to be included on the website. The Governor extended the Executive Order, allowing Districts to meet virtually until the end of September. His office will continue to monitor further changes to the Governor's orders that may affect the District.

**B. Engineer**

Mr. Oliver reported the District Engineer was going to provide paper copies of the updated drainage map. Ms. Urcan provided it to the District Manager's office this morning. Her office completed the Consulting Engineer's Report last month and the budget for Fiscal Year 2020 appears to be sufficient and there was adequate insurance coverage. This report must be submitted each year as required by the Master Trust Indenture. Mr. Kinnecom thanked Ms. Urcan for completing the drainage map.

**C. Manager – Discussion of Fiscal Year 2021 Meeting Schedule**

Mr. Oliver presented the meeting schedule for Fiscal Year 2021, which was similar to last year's schedule for bi-monthly meetings on the third Thursday for November, January, March, May, July and September.

On MOTION by Mr. Ferry seconded by Mr. Masley with all in favor the Fiscal Year 2021 meeting schedule was approved.

**D. Operations Manager - Report**

Mr. Stephens presented the Operations Manager Report, which was in the agenda package. The fence on the easement on E. Red House Branch Road was pressure washed. The power supply for the timer in Pond 100 was repaired. Due to recent storms and lightning, staff was resetting GFI outlets several times per week.

**TENTH ORDER OF BUSINESS**

**Audience Comments**

There being none, the next item followed.

**ELEVENTH ORDER OF BUSINESS**

**Supervisors Requests**

Supervisors questioned whether the District was eligible for a refinancing and if there were mosquito problems. Mr. Oliver explained there was a 10-year call provision and the District

July 30, 2020

Heritage Park CDD

would not be eligible for a refinancing until 2025 or 2026. Mr. Stephens was not aware of any mosquito issues.

**TWELFTH ORDER OF BUSINESS                      Financial Reports**

**A.        Balance Sheet and Statement of Revenues & Expenditures**

Mr. Oliver presented the Unaudited Financial Statements through June 30, 2020. There were no unusual variances and there was a slight positive variance for the year.

**B.        Assessment Receipt Schedule**

Mr. Oliver reported the District was fully collected on its assessments. When tax bills were sent out for Fiscal Year 2021 on November 1<sup>st</sup>, the process would start all over again.

**C.        Approval of Check Register**

On MOTION by Mr. Kinnecom seconded by Mr. Masley with all in favor the Check Register from May 16, 2020 to July 23, 2020 in the amount of \$25,505.76 was approved.

**THIRTEENTH ORDER OF BUSINESS                      Next Scheduled Meeting – September 17, 2020 @ 1:00 p.m.**

Mr. Oliver stated the next scheduled meeting was listed as September 19, 2020 at 1:00 p.m. at this location. Ms. Wharton noted September 19<sup>th</sup> was on a Saturday. Mr. Oliver will correct the meeting date to September 17, 2020. In response to a question, Mr. Oliver explained the purpose of moving the July meeting from the third Thursday to the fourth Thursday, was to meet the 60-day noticing requirement between the budget and the public hearing for budget adoption. Future meetings would be held on the third Thursday. Mr. Eldred confirmed the extension of the Executive Order runs through September 1<sup>st</sup>. A dual notice would be published in case the Governor did not extend the Executive Order.

July 30, 2020

Heritage Park CDD

**FOURTEENTH ORDER OF BUSINESS      Adjournment**

On MOTION by Mr. Masley seconded by Mr. Ferry with all in favor the meeting was adjourned.

DocuSigned by:

*James Oliver*

D1BA5E5E7410418...

Secretary/Assistant Secretary

DocuSigned by:

*Ken Kinnecom*

F8E4DB9F04FC44E...

Chairman/Vice Chairman