

**HERITAGE OAK PARK**  
**COMMUNITY DEVELOPMENT DISTRICT**  
**AGENDA PACKAGE FOR THE**  
**AUGUST 15, 2024**  
**REGULAR MEETING**

**Heritage Oak Park Community Development District**  
Inframark, Infrastructure Management Services  
210 N. University Drive, #702, Coral Springs, FL 33071  
Tel: 954-603-0033

August 8, 2024

Board of Supervisors  
Heritage Oak Park Community Development District

Dear Board Members:

A regular meeting of the Board of Supervisors of the Heritage Oak Park Community Development District will be held **Thursday, August 15, 2024 at 10:00 a.m.**, at 19520 Heritage Oak Boulevard, Port Charlotte FL 33948. Following is the advanced agenda:

**Agenda**

Thursday, August 15, 2024 – 10:00 a.m. Regular Meeting

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Regular Meeting

1. Call to Order and Roll Call
2. Pledge of Allegiance
3. Audience Comments on Agenda Items
4. Comments from the Chairman
5. Approval of Consent Agenda
  - A. Approval of the Minutes of the July 18, 2024 Regular Meeting
  - B. Financials and Check Register for July 31, 2024
6. New Business
7. Old Business
8. Staff Reports
9. Managers Report
  - A. Approval of Updated Management Contract
  - B. Authorization to Allow the Chairman to Execute the Application and Final Insurance Coverage Policy for The District
  - C. Consideration of Resolution 2024-07 Spending Authorization
10. Supervisor Requests
11. Audience Comments
12. Adjournment

**Next regular meeting – September 19, 2024**

Any supporting material for the items listed above and not enclosed will be distributed at the meeting. I look forward to seeing you and, in the meantime, if you have any questions, please contact me.

Sincerely,  
Bob Koncar  
District Manager

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

1 The regular meeting and budget public hearing of the Board of Supervisors of the Heritage Oak  
2 Park Community Development District was held Thursday, July 18, 2024 beginning at 10:00  
3 a.m. at 19520 Heritage Oak Boulevard, Port Charlotte, Florida 33948.

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5 Present and constituting a quorum were:

|    |                   |                     |
|----|-------------------|---------------------|
| 6  |                   |                     |
| 7  | Paul Falduto, Jr. | Chairperson         |
| 8  | Steve Horsman     | Vice Chairperson    |
| 9  | Vincent Scotto    | Assistant Secretary |
| 10 | Jeanne Teter      | Assistant Secretary |
| 11 | Carmen Russo      | Assistant Secretary |
| 12 |                   |                     |

13 Also present were:

|    |               |                             |
|----|---------------|-----------------------------|
| 14 | Robert Koncar | District Manager, Inframark |
| 15 | Michelle Egan | Project Manager, Inframark  |
| 16 |               |                             |

17 *The following is a summary of the discussions and actions taken.*

18 **FIRST ORDER OF BUSINESS** **Call to Order and Roll Call**

19 Mr. Falduto called the meeting to order, and Mr. Koncar called the roll. A quorum was  
20 established.

21 **SECOND ORDER OF BUSINESS** **Pledge of Allegiance**

22 The Pledge of Allegiance was recited.  
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24 **THIRD ORDER OF BUSINESS** **Audience Comments on Agenda Items**

25 Ms. Cheri Alexander had questions on a legal ad and resolutions.  
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27 **FOURTH ORDER OF BUSINESS** **Comments from the Chairman**

28 None.

29 **FIFTH ORDER OF BUSINESS** **Approval of Consent Agenda**

30 **A. Approval of the Minutes of the June 20, 2024 Regular Meeting**

31 **B. Financials and Check Register for June 30, 2024**  
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| 33 On MOTION by Mr. Horsman seconded by Mr. Russo, with all in<br>34 favor, the Consent Agenda, minutes of the June 20, 2024 meeting<br>35 and the June Financial Statements were approved. 5-0 |
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37 **SIXTH ORDER OF BUSINESS** **New Business**

38 None.

39 **SEVENTH ORDER OF BUSINESS** **Old Business**

40 **A. Consideration of Amending Resolution 2017-09 – Purchase of Goods and Services**

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On MOTION by Ms. Teter seconded by Mr. Russo, with all in favor, Resolution 2024-06 approving a Purchasing Policy Amendment contingent upon District Counsel review, was adopted. 5-0

**EIGHTH ORDER OF BUSINESS** **Staff Reports**

On MOTION by Mr. Russo seconded by Ms. Teter, with all in favor, contracting with WRE to clean out drainage system in the amount of \$19,750, was approved. 5-0

On MOTION by Mr. Horsman seconded by Mr. Russo, with all in favor, the contract with Mainscape to update the software for the wiring and timers for the irrigation system for a total cost of \$10,360, which includes a replacement of the electronics was approved. 5-0

**PUBLIC HEARING**

**NINTH ORDER OF BUSINESS** **Manager’s Report**

- A. Consideration of Adoption of the Fiscal Year 2024-2025 Budget**
  - i. Consideration of Resolution 2024-04 Adopting the FY2024-2025 Budget**

On MOTION by Mr. Scotto seconded by Mr. Horsman, with all in favor, Resolution 2024-04 relating to the annual appropriations of the District and adopting the budget for fiscal year beginning October 1, 2024 and ending September 30, 2025 and referencing the maintenance and benefit special assessments to be levied by the district for said fiscal year was adopted. 5-0

- ii. Consideration of Resolution 2024-05 Adopting the Levying of Assessments**

On MOTION by Mr. Scotto seconded by Ms. Teter, with all in favor, Resolution 2024-05 levying and imposing a non-ad valorem maintenance special assessment for the District for fiscal year 2025 was adopted. 5-0

- iii. Consideration of the Fiscal Year 2024-2025 Meeting Schedule**

On MOTION by Mr. Scotto seconded by Ms. Teter, with all in favor, the fiscal year 2024-2025 meeting schedule was approved with the following amended dates: the December 19, 2024 meeting date to be changed to December 12, 2024 and the April 17, 2025 meeting date to be changed to April 10, 2025 was approved as amended. 5-0

86 **TENTH ORDER OF BUSINESS** **Supervisor Requests**  
87       There were comments regarding open competition, total contract amounts and resolution  
88 on purchasing.

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90 **ELEVENTH ORDER OF BUSINESS** **Audience Comments**  
91       None.

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93 **ELEVENTH ORDER OF BUSINESS** **Adjournment**  
94       There being no further business, the meeting was adjourned.

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97 \_\_\_\_\_  
98 Robert Koncar  
99 Secretary

\_\_\_\_\_

Paul Falduto, Jr.  
Chairman

**Awaiting Financial Report**

# Memorandum

August 8, 2024

TO: Heritage Oak Park Board Members  
FROM: Bob Koncar  
SUBJECT: Management Contract

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## **Recommendation:**

That the Board of Supervisors approve a new District Management contract with Inframark, subject to legal sign off, and authorize the Chairman to execute the document once the District Attorney has approved it. The following key provisions are to be included:

- **Evergreen Contract:** The proposed contract does not have a termination date, but has the following provisions for the Board to terminate the contract if they deem it necessary:

The Agreement may be terminated as follows:

- (a) The failure of either party to comply with the terms of this Agreement shall constitute a default. Upon default by one party, the other party shall send written Notice of Termination. Such notice shall clearly specify the nature of the default and provide the defaulting party forty-five (45) days to cure the default. If the default is capable of being cured within forty-five (45) days but is not cured within forty-five (45) days, the Agreement shall terminate at midnight of the forty-fifth (45th) day following receipt of the Notice. In the case of default that cannot be cured within forty-five (45) days, this Agreement shall not terminate so long as the defaulting party has given written notice of the extension to the other party and the defaulting party has commenced and is diligently pursuing a cure. upon the dissolution or court-declared invalidity of the **DISTRICT**; or
  - (b) By the **DISTRICT**, for any reason, upon sixty (60) days written notice and by the **MANAGER**, for any reason, upon ninety (90) days written notice.
- **Annual contract amount:** Based upon the currently adopted budget for the District.
  - **Scope of Services:** See attached.

## SCOPE OF SERVICES

### A. Management Services

- Attend up to twelve Meetings of the **DISTRICT** Board of Supervisors and provide meaningful dialogue on the issues before the **DISTRICT** Board of Supervisors for action.
- Identification of significant policies, including analysis of policy implementation with administrative and financial impact statement and effect on the **DISTRICT**.
- Preparation of **DISTRICT'** s budget as more fully outlined in this proposal.
- Implementation of budget directives.
- Preparation of Specifications and coordination for the following services:
  - Insurance, General Liability along with Director's and Officer's Liability.
  - Independent Auditor Services.
  - Such other services as may be identified from time to time.
- Provide all required annual disclosure information to the local government in the County in which the **DISTRICT** resides:
  - Public Facilities Report
  - Designation of Registered Office and Registered Agent
  - Public Meeting Schedule
  - Audited Financial Statement
- Ensure compliance with the following Florida Statutes:
  - Annual Financial Audit
  - Annual Financial Report
  - Public Depositor Report
  - Proposed Budget
  - **DISTRICT** Map and Amendments (in conjunction with the **DISTRICT** Engineer)
  - Public Facilities Report (in conjunction with the **DISTRICT** Engineer)
  - Registered Agent and Registered Office
  - Regular Public Meeting Schedule (The reporting requirements of the **DISTRICT** periodically change, and **MANAGER** will ensure that we update reporting requirements as set forth in Chapter 190 of the Florida Statutes.
- Record all meetings of the **DISTRICT**.
- Provide Oath of Office and Notary Public for all newly elected members of the **DISTRICT** Board of Supervisors.
- Coordinate and provide contract administration for any services provided to the **DISTRICT** by outside vendors. Contract administration will not require any "project management" (i.e., oversight of construction and/or engineering work that may require professional certifications or other expertise that the Inframark personnel may not possess. **MANAGER** personnel are available to provide project management work for which it is qualified at an additional fee to be negotiated at the time of the project inception.
- Provide day-to-day management of in-house operations which includes a full time Project Manager, a full-time maintenance professional (40 hours a week) and a part time Event Coordinator.
  - Performing the following duties and responsibilities:
    - Hire and maintain a highly qualified staff.



- Coordinate all personnel applications, benefits, and payroll and submit in an accurate and timely manner.
- Prepare and implement operating schedules.
- Prepare and implement operating policies.
- Interface with Residents to ensure anticipated levels of service are being met.
- Implement internal purchasing policies.
- Prepare and bid services and commodities, as necessary.
- Coordinate with the **DISTRICT** residents to determine the services and levels of service to be provided as part of the **DISTRICT's** budget preparations.
- Oversee the daily operations of the maintenance personnel and Event Coordinator.
- Provide research on qualified vendors, obtain quotes for services as directed by the Board of Supervisors and District Manager.
- Work with the District Manager to follow up on all District priorities.
- Provide daily maintenance services as required, given that the work to be performed does not require a professional license and/or certification. Assist in overseeing the work of vendors hired to complete work for the District.
- Develop community events that are geared toward providing the highest level of entertainment for the community at the most cost-effective pricing.
- Make certain that all planned events produce a positive financial result for the District. If it is determined that there are not sufficient attendees to make an event profitable, it should be cancelled.

#### **B. Recording Services**

- Prepare of all **DISTRICT** Board of Supervisor agendas and coordination of receipt of sufficient material for **DISTRICT** Board of Supervisors to make informed policy decisions.
- Prepare and advertise all notices of meetings in an authorized newspaper of circulation in the county in which the **DISTRICT** is located.
- Record and transcribe meeting minutes for all meetings of the **DISTRICT** Board of Supervisors including regular meetings, special meetings, workshops, and public hearing(s).
- Maintain Minutes for the **DISTRICT** and send to the appropriate governmental agencies in accordance with Florida Law.
- Maintain **DISTRICT** Seal.

#### **C. Financial Accounting Services**

- Prepare a budget that achieves maximum cost-to-benefit equity for approval.
- Submit a preliminary budget to the **DISTRICT** Board of Supervisors in accordance with Chapter 190, Florida Statutes.
- Modify preliminary budget for consideration by the **DISTRICT** Board of Supervisors at the **DISTRICT's** advertised Public Hearing.
- Prepare budget and assessment resolutions as required by Chapter 190, Florida Statutes.
- Establish budget public hearing(s) and dates.
- Establish **DISTRICT** Board of Supervisors workshop dates (if required).
- Coordinate budget preparation with **DISTRICT** Board of Supervisors, Engineer, and Attorney.
- Prepare budget resolution approving the **DISTRICT** Manager's budget and authorization to set public hearing.

- Prepare budget resolution adopting the **DISTRICT** Managers budget, as modified by the **DISTRICT** Board of Supervisors.
- Prepare agendas for budget hearings.
- Attend workshop(s) and public hearing(s) and be available to answer questions by the Board and the public. The **MANAGER** will attend up to fourteen regular Board meetings, workshops, and other public hearings (annually) at no additional charge. For attendance at more than fourteen meetings a year see the supplemental fee schedule in Exhibit B. (meetings held on the same day will count as one meeting).
- Prepare and coordinate applications for:
  - Federal ID Number.
  - Tax Exemption Certificate
- Establish Government Fund Accounting System in accordance with the Uniform Accounting System prescribed by Department of Banking and Finance for Government Accounting, Generally Accepted Accounting Principles (GAAP) and Government Accounting Standards Board (GASB).
- Prepare required investment policies and procedures pursuant to Chapter 218, Florida Statutes.
- Preparation of annual financial report for units of local government and distribution to the State Comptroller.
- Preparation of Public Depositor's Report and distribution to State Treasurer.
- Coordination and distribution of Annual Public Facilities Report and distribute to appropriate agencies.
- Administer purchase order system, periodic payment of invoices.
- Coordination of tax collection and miscellaneous receivables.
- Preparation of bid specifications for the purchase of services and commodities pursuant to Florida Statutes.
- Preparation of all required schedules for year-end audit.

#### D. Special Assessment Services

- Prepare assessment resolution levying the assessments on the property in the District and prepare assessment rolls.
- Prepare and maintain a property database by using information obtained by local Property Appraiser's secured roll.
- Review and compare information received from the Property Appraiser to prior years' rolls, to ensure that the **DISTRICT** rolls follow the law, and that **MANAGER** has obtained all the pertinent information to prepare accurate assessments.
- Periodically update the database for all activity such as transfer of title, payment of annual assessment, prepayment of principal.
- Function as the primary contact to answer property owner questions regarding special assessments, tax bills, etc. Provide pay off information upon request to property owner.
- Upon adoption of the budget and assessments, coordinate with the office of the Property Appraiser and Tax Collector to ensure correct application of assessments and receipt of District funds.
- Function as primary contact to answer property owners' questions regarding the Capital Assessment.

**RESOLUTION 2024-07**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF HERITAGE OAK PARK COMMUNITY DEVELOPMENT DISTRICT AUTHORIZING THE DISBURSEMENT OF FUNDS FOR PAYMENT OF CERTAIN RECCURRING EXPENSES WITHOUT PRIOR APPROVAL OF THE BOARD OF SUPERVISORS; AUTHORIZING THE DISBURSEMENT OF FUNDS FOR PAYMENT OF CERTAIN NON-RECURRING EXPENSES WITHOUT PRIOR APPROVAL OF THE BOARD OF SUPERVISORS; PROVIDING FOR A MONETARY THRESHOLD; DETAILING ADDITIONAL PURCHASING REQUIREMENTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR CONFLICT AND AN EFFECTIVE DATE.**

**WHEREAS**, Heritage Oak Park Community Development District (hereinafter the “**District**”) is a local unit of special-purpose government created and existing pursuant to Chapter 190, Florida Statutes, being situated entirely within Charlotte County, Florida; and

**WHEREAS**, section 190.011(5), Florida Statutes, authorizes the District to adopt resolutions that may be necessary for the conduct of District business; and

**WHEREAS**, the District's Board of Supervisors (hereinafter the “**Board**”) meets as necessary to conduct the business of the District, including authorizing the payment of District operating and maintenance expenses and the acquisition of goods and services; and

**WHEREAS**, the Board may establish semi-monthly, monthly, quarterly, or other meeting/workshop dates, or may cancel scheduled meetings/workshops from time to time; and

**WHEREAS**, to conduct the business of the District in an efficient manner, recurring, non-recurring and other disbursements for goods and services must be processed and paid in a timely manner; and

**WHEREAS**, the Board determines that this Resolution is in the best interest of the District and necessary for the efficient conduct of District business; the health, safety, and welfare of the residents within the District; and the preservation of District assets or facilities.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF HERITAGE OAK PARK COMMUNITY DEVELOPMENT DISTRICT:**

**SECTION 1. Recurring General Expenses:** The Board hereby authorizes the payment of invoices of recurring expenses that meet the following requirements:

1. The invoices must be due on or before the next scheduled meeting of the Board.
2. The invoice must be pursuant to a contract or agreement authorized by the Board.
3. The total amount paid under such contract or agreement, including the current invoice, must be equal to or less than the amount specified in the contract or agreement.

4. The invoice amount will not cause payments to exceed the adopted budget of the District.

**SECTION 2. Non-Recurring General Expenses:** The Board hereby authorizes the disbursement of funds for payment of invoices of non-recurring expenses that are: 1) required to provide for the health, safety, and welfare of the residents within the District; or 2) required to repair, replace due to damage, control, or maintain a District facility or asset beyond the normal, usual, or customary maintenance required for such facility or assets, pursuant to the following schedule:

1. Non-Recurring Expenses less than **\$5,000** - with approval of the Chair (or Vice Chair in the Chair's absence) or District Manager.
2. Non-Recurring Expenses **equal to or more than \$5,000 but no more than \$10,000** - with approval of the District Manager and Chair (or Vice Chair in the Chair's absence).

**SECTION 3. Acquisition Parameters.** The District will obtain quotes for the acquisition of goods and services within the following guidelines:

For the acquisition of goods estimated to cost more than **\$5,000** - It is encouraged to obtain three quotes and/or proposals; Mandatory competitive bidding laws will always be followed.

- a) All proposals and quotes, when possible, will be in writing and provide a detailed description of the goods and/or services to be provided; and
- b) Warranty information on all goods and services will be included in each quote or proposal if available; and
- c) For services, all applicable licenses will be included in each submission; and
- d) For services, all applicable permits will be required to be presented prior to the start of any work commencing at the District; and
- e) All proposals, bids and quotes will include information that will include the following (at a minimum): a full description of the services to be provided and/or the goods that will be delivered, payment terms and conditions, and a schedule of when the goods will be delivered. For services, a complete schedule for the start date and completion of the services to be provided, and any requirements of the District in terms of staging and preparation for the services to be delivered; and
- f) The District understands that there may be a strong justification for using a trusted/preferred contractor to perform work in the community, for quality and consistency purposes, and that when this justification is present the District can choose to not bid out a project as long as mandatory competitive bidding laws are followed. In an emergency situation, such as a natural disaster, a preferred contractor may be utilized as well.

**SECTION 4. Delegation of Authority.** With consent of the Board, the Chair may delegate certain approval responsibilities (e.g., a Board member may have specialized knowledge on landscape related items) to other Board members for approval of Non-Recurring Expenses as referenced above.

**SECTION 5. Ratification.** Any payment made pursuant to this Resolution shall be submitted to the Board at the next scheduled meeting for approval and ratification.

**SECTION 6. Severability.** Should any sentence, section, clause, part, or provision of this Resolution be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this Resolution as a whole, or any part thereof, other than the part declared invalid.

**SECTION 7. Effective Date and Conflicts.** This Resolution shall become effective immediately upon its adoption and shall amend and supersede any Resolutions in conflict therewith previously adopted by the Board.

**PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2024.**

**ATTEST:**

**HERITAGE OAK PARK COMMUNITY  
DEVELOPMENT DISTRICT**

\_\_\_\_\_  
Secretary/Asst. Secretary

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Chair / Vice Chair