

**MINUTES OF MEETING
OSPREY OAKS
COMMUNITY DEVELOPMENT DISTRICT**

A Public Hearing and a Regular Meeting of the Osprey Oaks Community Development District's Board of Supervisors was held on **Thursday, September 14, 2017 at 6:15 p.m.**, at the **Clubhouse of Osprey Oaks, located at 7054 Muscovy Court, Lake Worth, Florida 33463.**

Present and constituting a quorum were:

Meredith Naim	Chair
James Gielda	Vice Chair
John Flaherty	Assistant Secretary
Steve Ratkowski	Assistant Secretary
Jeffrey Fuchs	Assistant Secretary

Also present were:

Cindy Cerbone	District Manager
Ginger Wald	District Counsel
Michele Gerskin	Resident
Tony Keller	Resident
Ken Naim	Resident
Nick Patrona	Resident
Jonathan Berman	Resident
Sanjeev Gadamsetti	Resident

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Ms. Cerbone called the meeting to order at 6:15 p.m. Supervisors Naim, Gielda, Flaherty and Ratkowski, were present, in person. Supervisor Fuchs, was not present at roll call.

Ms. Cerbone noted that the meeting was not being held in the posted meeting location, due to Hurricane Irma; it was being held across the breezeway. A notice was posted on the Clubhouse door that the meeting was being held in the gym, in the children's room. Anyone that approached the Clubhouse during the meeting would be visible through the window and Ms. Cerbone would be able to redirect them to this room, which was successful when Mr. Sanjeev Gadamsetti, a resident, arrived.

Ms. Cerbone stated that, prior to the meeting, she spoke with the Chair and suggested that she lead the meeting, since they were in a different meeting location, had a Public Hearing and

potentially, would be abbreviating the agenda. The Board had no objections. Based on the Clubhouse not being available, proceeding with the Public Hearing but holding an abbreviated Regular Meeting, was suggested.

On MOTION by Mr. Flaherty and seconded by Ms. Naim, with all in favor, due to the reasons specified, holding an abbreviated Regular Meeting, was approved.

SECOND ORDER OF BUSINESS

Public Comments

Mr. Nick Patrona, a resident at 7030 Muscovy Court, asked if the CDD was for taxes or utilities. Ms. Cerbone explained that the CDD was a Special Taxing District, which allows municipal bonds to be issued. Those bonds pay for part or most of the infrastructure for a community. The bonds are paid back via non-ad valorem assessments to the property owners.

THIRD ORDER OF BUSINESS

Public Hearing to Hear Comments and Objections on Adoption of Fiscal Year 2017/2018 Budget

Ms. Cerbone stated that the public would be free to make statements and ask questions when she opened the Public Hearing.

A. Affidavit of Publication

Ms. Cerbone presented the affidavit of publication for today’s Public Hearing and Regular Meeting.

B. Consideration of Resolution 2017-9, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2017 and Ending September 30, 2018

Ms. Cerbone presented Resolution 2017-9. Several months ago the Board approved a proposed Fiscal Year 2018 budget. There was discussion about Management’s fees and how to low those fees in Fiscal Year 2018. From a budget perspective, the Board would like to meet six times during the year, which would reduce Management’s fee from \$42,000 per year to \$34,000 per year. The proposed Fiscal Year 2018 budget did not reflect \$34,000 because, if the Board met more than six times during the year, the District would need funds to pay for those additional meetings. If the Board did not meet more than the six times during the year, Management would

not charge \$42,000; rather, the District would only be charged \$34,000 and the difference would go to build the Fund Reserve. If the Board adopted the Fiscal Year 2018 budget today, an Amendment to the existing Wrathell, Hunt and Associates' Agreement would be presented, which lowers the fee to \$34,000 with a caveat that, if the District meets more than the six times during a fiscal year, Management's fee would be an additional \$1,333 per meeting. There were no other changes since the last meeting

Mr. Flaherty inquired if Ms. Cerbone had the power to negotiate on behalf of Management. Ms. Cerbone replied that she did, to a certain degree. For the record, she already negotiated Management's fee, which, in her opinion was fair. The Board previously asked for a 20% reduction in Management's fees and received that discount, as reflected in the proposed Fiscal Year 2018 budget. Mr. Flaherty stated that his concern was having six fewer Board meetings during the year, for the 20% discount. Ms. Cerbone reiterated that the \$42,000 per year Management fee was the fee, regardless of how many meetings were held, and the \$34,000 per year covered only six meeting. Any additional meetings would be \$1,333 per additional meeting.

******Mr. Fuchs arrived at the meeting at approximately 6:25 p.m.******

Mr. Flaherty asked if Ms. Cerbone could give the District one additional meeting at no additional cost. Ms. Cerbone replied that the majority of the Board would have to approve the additional meeting and she would need to gain that approval from each member individually, to avoid violating the Sunshine Law. That approval would be done by calling each Board Member separately, to obtain their approval to hold the extra meeting. If the Board Members agreed to the extra meeting, she would consent to Mr. Flaherty's request. If the majority did not approve the extra meeting, the meeting would not be held. Discussion ensued regarding the reduction in Management's fees.

Ms. Cerbone explained the Fund Balance and that at least three months worth of the budget amount should remain. The District would not receive any assessment revenues until the County received payments and, in the interim, the District must be able to pay its bills. A few bills, such as the insurance at \$5,600, advertising the annual meeting schedule, legal, perhaps engineering and management's fees, would be due towards the end of the fiscal year.

******Ms. Cerbone opened the Public Hearing.******

Mr. Ken Naim, a resident at 6220 Viero Court, asked about the Property Appraiser's charges, as it appeared to have tripled from the Fiscal Year 2017 budget. Ms. Cerbone stated that there were some changes in Palm Beach County in that, the Property Appraiser would now charge for adding on Non Ad-Valorem Taxes. This process involved both the Property Appraiser and the Tax Collector. The fees were modified on the Property Appraiser's side, which used to charge a flat rate but now it charges a flat rate, plus a percentage of the assessments put onto the property owners.

Ms. Michelle Gerskin, a resident at 6321 Viero Court, wanted to know why such a young District would require twelve Board Meetings per year, in lieu of six. A Board Member stated that the District was lowering the number of meetings per year from twelve to six, which would reduce expenses. Ms. Cerbone stated that six meetings was an estimate of the number of meetings needed. If the Board needed additional meetings, the District should budget for it. Management's fee was not only for the meetings, it also included the preparation time, matters requiring discussion or review for meetings and other District business. That amount was budgeted to protect the District from depleting its funds or being in a position where the District could not pay its bills. It was safe to assume twelve meetings but this topic could be addressed again, during budget discussions for Fiscal Year 2019.

Mr. Patrona asked if there was a fixed cost involved in the Management's fees. Ms. Cerbone reiterated Management's fees and explained what was covered in the fees. Management's fees were a flat, annual fee. Discussion ensued regarding the number of meetings and the associated Management fees.

Mr. Ken Naim, a resident at 6220 Viero Court, inquired about the \$200 being paid to the Supervisors for attendance at each meeting. Ms. Wald stated that, under Florida Statutes, Board Members could receive payment of \$200 per meeting, not to exceed \$4,800 per year. It the decision of each Supervisor if they elected to receive payment. The line item reflected the same.

*****Ms. Cerbone closed the Public Hearing.*****

On MOTION by Mr. Giolda and seconded by Mr. Flaherty, with all in favor, Resolution 2017-9, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2017 and Ending September 30, 2018, was adopted.

FOURTH ORDER OF BUSINESS

Consideration of Resolution 2017-10, Making a Determination of Benefit and Imposing Special Assessments for Fiscal Year 2017/2018; Providing for the Collection and Enforcement of Special Assessments; Certifying an Assessment Roll; Providing for Amendments to the Assessment Roll; Providing a Severability Clause; and Providing an Effective Date

Ms. Cerbone presented Resolution 2017-10. This Resolution directs District Staff to submit the assessment information to the Property Appraiser and Tax Collector for placement of the non-ad valorem assessments on the property tax bills.

On MOTION by Mr. Flaherty and seconded by Ms. Naim, with all in favor, Resolution 2017-10, Making a Determination of Benefit and Imposing Special Assessments for Fiscal Year 2017/2018; Providing for the Collection and Enforcement of Special Assessments; Certifying an Assessment Roll; Providing for Amendments to the Assessment Roll; Providing a Severability Clause; and Providing an Effective Date, was adopted.

FIFTH ORDER OF BUSINESS

Consideration of Resolution 2017-11, Adopting the Annual Meeting Schedule for Fiscal Year 2017/2018

Ms. Cerbone presented Resolution 2017-11. Many months ago the Board discussed meeting on the first Monday of each month, at 6:15 p.m., in the Clubhouse; 11 meetings were on the proposed Fiscal Year 2018 Meeting Schedule and one more meeting could be added.

Mr. Flaherty suggested advertising all meetings at once. Ms. Cerbone stated that it would not be necessary to re-advertise, if the meetings did not change. It was easier to cancel a meeting than add one, which would require additional advertisement.

The Board elected to add a meeting on Monday, January 8, 2018 at 6:15 p.m., as the twelfth meeting. The year for the September 13 meeting would be changed from “2017” to “2018”. Discussion ensued regarding which meeting dates the Board wanted to specify as their six definite meeting dates. The Board selected November 6 and December 4, 2017 and April 2,

May 7, August 6 and September 13, 2018 as the six meeting dates and those dates would be highlighted on the schedule.

On MOTION by Mr. Giolda and seconded by Ms. Naim, with all in favor, Resolution 2017-11, Adopting the Annual Meeting Schedule for Fiscal Year 2017/2018, as amended to add a meeting on January 8, 2018, change the September 13 meeting year to 2018 and highlight the six selected meeting dates, was adopted.

SIXTH ORDER OF BUSINESS

**Discussion: Public Records Request(s)
from Board Members**

A. Environmental Resources Management (ERM)

This item was deferred.

SEVENTH ORDER OF BUSINESS

**Consideration of Addendum #1 to
Agreement for Management Services with
Wrathell, Hunt and Associates, LLC**

Ms. Cerbone presented Addendum #1 to Agreement for Management Services with Wrathell, Hunt and Associates, LLC. The word "Addendum" would be changed to "Amendment". Following the change that any meeting exceeding the maximum of six per fiscal year would incur a fee of \$1,333 per meeting, a provision would be added whereby no fee will be incurred for a seventh meeting if a majority of the Board of Supervisors agrees that the meeting is needed.

On MOTION by Ms. Naim and seconded by Mr. Giolda, with all in favor, Addendum #1 to Agreement for Management Services with Wrathell, Hunt and Associates, LLC, as amended changing Amendment to Addendum and adding a provision for a seventh meeting that would be free of Management's fee of \$1,333, if a majority of Board Members agreed the meeting was needed, was adopted.

EIGHTH ORDER OF BUSINESS

Consideration of Responses to Request for Qualifications (RFQ) for District Engineering Services (*deferred from June 5, 2017 Regular Meeting*)

- A. RFQ Package**
- B. Affidavit of Publication**
- C. Respondents**
 - i. Higgins Engineering, Inc.**
 - ii. Motre Co. LLC**
- D. Ranking**
- E. Award of Contract/Authorization to Negotiate with Number-One Ranked Firm**

These items were deferred.

NINTH ORDER OF BUSINESS

Approval of Unaudited Financial Statements as of July 31, 2017

- A. Check Register**
- B. Invoices**

These items were deferred.

TENTH ORDER OF BUSINESS

Approval of June 5, 2017 Regular Meeting Minutes

This item was deferred.

ELEVENTH ORDER OF BUSINESS

Staff Reports

- A. District Counsel**

There being no report, the next item followed.
- B. District Engineer**

There being no report, the next item followed.
- C. District Manager**

- i. NEXT MEETING DATE: October 2, 2017 at 6:15 P.M.**

Ms. Cerbone stated that the next meeting will be held on October 2, 2017 at 6:15 p.m., at the Clubhouse. Based on the adopted Fiscal Year 2018 meeting schedule and the Board's

meeting date preference, the October meeting would likely be cancelled and next meeting would probably be November 6, 2017; however, the October 2, 2017 meeting would not be cancelled until closer to the date of the meeting.

TWELFTH ORDER OF BUSINESS

Public Comments

There being no public comments, the next item followed.

THIRTEENTH ORDER OF BUSINESS

Supervisors' Requests

There being no Supervisors' requests, the next item followed.

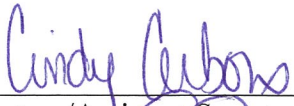
FOURTEENTH ORDER OF BUSINESS

Adjournment

There being nothing further to discuss, the meeting adjourned.

**On MOTION by Ms. Naim and seconded by Mr. Ratkowski,
with all in favor, the meeting adjourned at 6:59 p.m.**

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]



Secretary/Assistant Secretary



Chair/Vice Chair