

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

A Regular Meeting of the Osprey Oaks Community Development District's Board of Supervisors was held on Monday, February 5, 2018 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
Jim Gielda	Vice Chair
Steve Ratkowski	Assistant Secretary
John Flaherty	Assistant Secretary
Jeffrey Fuchs	Assistant Secretary

Also present were:

Cindy Cerbone	District Manager
Ginger Wald	District Counsel
Robert Harding	Resident and HOA President
Ted Glover	Resident
Ken Revilla	Resident
Ken Naim	Resident

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Ms. Naim called the meeting to order at 6:17 p.m. All Supervisors were present, in person.

SECOND ORDER OF BUSINESS

Public Comments

There being no public comments, the next item followed.

THIRD ORDER OF BUSINESS

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

A. Environmental Resources Management (ERM)

Mr. Flaherty stated that he met with ERM's Acting Administrator and staff to review and discuss the plans that were submitted and compare them against the Notice of Violation (NOV) they received relating to the littoral area. The HOA made the necessary corrections and the meeting ended with no fines being assessed to the CDD. Once the final inspection is completed, which is scheduled for next month, they would then close the record on the NOV.

Mr. Flaherty stated that, per ERM, the CDD went over its removal by 12% and ERM preferred removal by hand instead of machinery. The CDD only has to maintain the area; it does not need to apply for cleanup. Usually, ERM inspections are random; however, in this instance, it was specifically brought to their attention. The bond was released. ERM mentioned that, if the CDD ever decided to move the littoral zones, it could, if it remained the correct amount, percentage-wise.

Discussion ensued regarding ERM reviewing the CDD's original plans and not the final plans that reflect where the zones are located. It was noted that the change was made to group the littorals into one patch so they did not abut the rear of anyone's yard and obstruct lake views.

FOURTH ORDER OF BUSINESS

Discussion Correspondence

A. Letter from Palm Beach County Department of Planning, Zoning and Building to Osprey Oaks CDD Regarding CDD Affidavits of Compliance

This item was provided for informational purposes.

B. Letter from Mr. Jonathan Berman to Office of Attorney General Ms. Pam Bondi Regarding CDD Ordinance Violations and Others

This item was provided for informational purposes.

C. Email from Florida Attorney General's Office to Osprey Oaks CDD and Department of Economic Opportunity Special District Accountability Program

This item was provided for informational purposes.

D. Letter from Mr. Jim Giolda, Manager, BR Osprey Acquisition, LLC, to Mr. Lorenzo Aghemo, Palm Beach County Planning Director, Regarding CDD Affidavits of Compliance

This item was provided for informational purposes.

Ms. Cerbone gave a brief overview and timeline of the activities relating to the NOV regarding a certain ordinance. The District received a letter from the Attorney General advising

the District to handle this matter as it deems appropriate; however, since the District is not a party in this matter and has no control over the involved residents, the Developer, the County or any involved parties, so the District cannot do anything. Ms. Cerbone stressed that the District was never a party to this matter and has no legal responsibility or rights, in this matter, and suggested that, Board Members with an issue such as this should address it, as a resident, with whichever party is responsible. In response to the question of whether the County requested anything from the District, Ms. Cerbone replied no, the District was only copied on these matters, for informational purposes.

FIFTH ORDER OF BUSINESS

Consideration of Rejection of Responses to Request for Qualifications (RFQ) for District Engineering Services

Ms. Naim recalled previous discussions about rejecting the responses to the Request for Qualifications and District Counsel recommended an official vote to reject all bids.

In response to a Board Member’s question of why this motion was necessary, Ms. Cerbone explained that District Counsel suggested this process in order to clarify, for the record, the Board’s decision to formally reject the bids received.

Ms. Wald explained that, with the Board deciding at the last meeting to retain the current District Engineer, Schnars Engineering, a motion to reject all the bids received should have been made. This action formally completes the RFQ process.

On MOTION by Ms. Giolda and seconded by Mr. Flaherty, with all in favor, rejecting all bid responses to the Request for Qualifications (RFQ) for District Engineering Services, was approved.

SIXTH ORDER OF BUSINESS

Approval of Unaudited Financial Statements as of December 31, 2017

- A. Check Register: *October - December***
- B. Invoices: *October - December***

Ms. Naim presented the Unaudited Financial Statements as of December 31, 2017. Assessment revenue collections were at 94%.

On MOTION by Mr. Flaherty and seconded by Ms. Naim, with all in favor, the Unaudited Financial Statements as of December 31, 2017, were approved.

SEVENTH ORDER OF BUSINESS

Approval of November 6, 2017 Regular Meeting Minutes

Ms. Naim presented the November 6, 2017 Regular Meeting Minutes and asked for any additions, deletions or corrections. The following change was made:

Line 176: Change “Mr.” to “Ms.”

On MOTION by Mr. Ratkowski and seconded by Mr. Gielda, with all in favor, the November 6, 2017 Regular Meeting Minutes, as amended, were approved.

EIGHTH ORDER OF BUSINESS

Staff Reports

A. District Counsel: *Billing, Cochran, Lyles, Mauro & Ramsey, P.A.*

There being no report, the next item followed.

B. District Engineer: *Schnars Engineering Corporation*

There being no report, the next item followed.

C. District Manager: *Wrathell, Hunt and Associates, LLC*

i. Board Member Seats in November, 2018 General Election

- **SEAT 3: Currently Held by Jim Gielda**
- **SEAT 4: Currently Held by Jeff Fuchs**

Ms. Cerbone stated, at the next meeting, she would present a Resolution relating to Board Seats 3 and 4, which are up for election in November. She explained the candidate qualification process, which consisted of advertising, sometime in June, for the upcoming elections and interested parties should file with the Supervisor of Elections (SOE) office, within the appropriate deadline, in order to be included in the November General Election. If no one runs for a seat, the Board Member would retain their seat until someone else is appointed.

Ms. Wald explained the holdover process such that, if no candidates qualified to be placed on the ballot, Florida Statutes allow the Board to proceed in declaring a vacancy and then appointing someone to fill the seat.

Discussion ensued regarding various procedural processes, the qualification process in June, the District already meeting the threshold for the General Election process, the qualified voter's process, etc. Once a candidate has submitted their information and the SOE has approved their candidacy, their name would then be added to the November General Election ballot.

ii. NEXT MEETING DATE: March 5, 2018 at 6:15 P.M.

Ms. Cerbone stated that the next meeting will be held on March 5, 2018 at 6:15 p.m., at this location. Supervisors Gielda and Flaherty would not be in attendance but a quorum was confirmed. The Board previously decided that the next two meetings would be in March and May. Board Members should send their budgetary requirements to Ms. Cerbone, via email, so they are prepared to discuss them at the next meeting, at which, she expects to present the Fiscal Year 2019 proposed budget and schedule the public hearing for September.

NINTH ORDER OF BUSINESS

Public Comments

There being no public comments, the next item followed.

TENTH ORDER OF BUSINESS

Supervisors' Requests

The Board directed Ms. Cerbone to send a welcome letter to the new HOA Board Members. She would coordinate with Mr. Ratkowski for their contact information and titles. Ms. Cerbone verbally welcomed the new HOA Board Members that were in attendance.

ELEVENTH ORDER OF BUSINESS

Adjournment

There being nothing further to discuss, the meeting adjourned.

On MOTION by Ms. Naim and seconded by Mr. Gielda, with all in favor, the meeting adjourned at 6:36 p.m.


Secretary/Assistant Secretary


Chair/Vice Chair