

MINUTES OF MEETING

Each person who decides to appeal any decision made by the Board with respect to any matter considered at the meeting is advised that the person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which such appeal is to be based.

HERITAGE LANDING COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Heritage Landing Community Development District was held on Thursday, June 8, 2017 at 10:00 a.m. at the Heritage Landing Amenity Center, located at 370 Heritage Landing Parkway, St. Augustine, Florida 32092.

Present and constituting a quorum:

| | |
|--------------------|--|
| Bret Sovine | Board Supervisor, Chair |
| Virginia Moore | Board Supervisor, Vice Chair |
| Dallas Dunn | Board Supervisor, Assistant Secretary |
| Timothy Fleming | Board Supervisor, Assistant Secretary |
| Johnny "John" Kuca | Board Supervisor, Assistant Secretary |

Also present were:

| | |
|------------------|---|
| Melissa Dobbins | District Manager, Rizzetta & Company, Inc. |
| Wes Haber | Hopping Green & Sams, P.A. |
| Denise Powers | Vesta |
| Dave Bissonnette | Vesta |
| Dan Fagen | Vesta |
| Rodney Hicks | Brightview Landscaping |

Audience Members **Present**

FIRST ORDER OF BUSINESS

Call to Order

Mr. Sovine called the meeting to order at 10:00 a.m. and read the roll call.

SECOND ORDER OF BUSINESS

Audience Comments on Agenda Items

There were no audience questions

THIRD ORDER OF BUSINESS

Consideration of the Minutes of the Board of Supervisors Regular Meeting held May 11, 2017

On a motion by Ms. Moore, seconded by Mr. Dunn, with all in favor, the Board approved the minutes of the Board of Supervisors regular meeting held May 11, 2017 for Heritage Landing Community Development District.

FOURTH ORDER OF BUSINESS

**Ratification of the Operation and Maintenance
Expenditures for April 2017**

On a motion by Mr. Dunn, seconded by Ms. Moore, with all in favor, the Board ratified the Operation and Maintenance Expenditures for April 2017 in the amount of \$115,953.73 for Heritage Landing Community Development District.

FIFTH ORDER OF BUSINESS

Staff Reports

A. District Counsel

Mr. Haber updated the Board that he researched the Board's request for him to determine if the District can charge residents that require staff or a security guard to stay longer than their shift where as the District would be charged overtime. He stated he does believe that additional cost can be charged back to the resident(s) that were directly the cause of the overtime.

Mr. Haber also updated the Board that he is comfortable with the District's current sign policies and they are enforceable.

**Moved to Business Item C. 2.) Landscape Report, May 31, 2017*

Mr. Hicks stated the pump was completed, sod replacement will be completed next week and irrigation repairs were made, some due to vandalism.

B. District Engineer

i.) 2017 Annual District Engineer Report

Mr. Doub reviewed report under Tab 3.

On a motion by Mr. Kuca, seconded by Mr. Dunn, with all in favor, the Board accepted the 2017 Annual District Engineer Report for Heritage Landing Community Development District.

ii.) 2017 Public Facilities Report

Mr. Doub reviewed report under Tab 4.

On a motion by Mr. Kuca, seconded by Mr. Fleming, with all in favor, the Board accepted the 2017 Public Facilities Report for Heritage Landing Community Development District.

C. Landscape and Maintenance**1.) Field Inspection Report, May 2017****D. Amenity Center Manager Report**

Ms. Powers reviewed report under Tab 7 and discussed most recent issues with suspended minors and keeping them off CDD property. After discussion, the Board reviewed recommended changes to the suspension of privileges (exhibit A) and changing the age from 14 to 16 for a minor to be able to go to the gym and/or pool without an adult.

Discussion ensued.

On a motion by Ms. Moore, seconded by Mr. Dunn, with all in favor, the Board approved changing the age from 14 to 16 for a minor to be able to go to the pool and/or gym without an adult for Heritage Landing Community Development District.

On a motion by Ms. Moore, seconded by Mr. Dunn, with all in favor, the Board approved recommended suspension of privileges, as presented, with the additional revision to add that at the Board's discretion they may suspend the household (all living in the same home) for Heritage Landing Community Development District.

E. Facility Maintenance Report

Mr. Bissonnette reviewed report under Tab 8 and noted that the RV gate will be repaired on Friday.

1.) Charles Aquatics Pond Service Report, May 31, 2017**F. District Manager**

Ms. Dobbins noted that the District received an \$868.00 credit off the current insurance policy after the insurance inspection last month.

SIXTH ORDER OF BUSINESS

Discussion Regarding Rule and Fee Development

i.) RV Lease Fee

The Board discussed scheduling a public hearing to develop new and revised rules regarding the following:

- RV Lease Fee – The Board set a max rate increase to be no more than 30% higher than the current rates.

On a motion by Mr. Kuca, seconded by Mr. Sovine, three to one, with Mr. Fleming opposed and Mr. Dunn abstained noting a conflict of interest and completed Form 8B (exhibit B), the Board set a max rate increase to be no more than 30% higher than the current rates for Heritage Landing Community Development District.

ii.) Short Term Lease Access

The Board discussed creating a rule to limit the time a property owner can transfer their amenity privileges within a short term lease to two times per year.

The Board also discussed creating a rule of the revised suspension of privileges policies they approved at today's meeting.

The Board reviewed a draft of Resolution 2017-07 (exhibit C) which will be modified to include all proposed rates and rules that were discussed to be adopted at a public hearing set for August 10, 2017 at 6:00 p.m.

On a motion by Mr. Kuca, seconded by Ms. Moore, with all in favor, the Board adopted Resolution 2017-07, in substantial form, setting the Public Hearing to adopt Rates and Rules for August 10, 2017 at 6:00 p.m. for Heritage Landing Community Development District.

SEVENTH ORDER OF BUSINESS

Audience Comments and Supervisor Requests

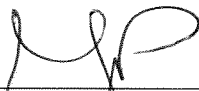
There was a question regarding RV gate repairs.

Supervisor Sovine requested Ms. Powers to obtain proposals to upgrade the security cameras and renovate outside area of office to enclose with glass.

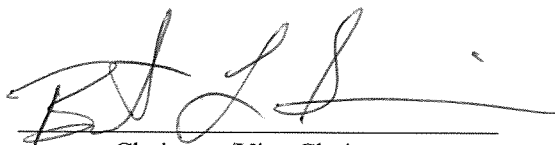
EIGHTH ORDER OF BUSINESS

Adjournment

On a motion by Mr. Kuca, seconded by Mr. Dunn, with all in favor, the Board adjourned the meeting at 12:51 p.m. for Heritage Landing Community Development District.



Secretary/Assistant Secretary



Chairman/Vice Chairman

Exhibit A

CURRENT SUSPENSION AND TERMINATION OF PRIVILEGES POLICY

ADULT PATRON

- (1) Privileges at the Camp Heritage Amenity Center and other District facilities can be subject to suspension or termination by the Board of Supervisors if an Adult Patron:
 - Submits false information on the application for a pass.
 - Permits unauthorized use of a pass.
 - Exhibits unsatisfactory behavior, deportment or appearance.
 - Fails to abide by the Rules and Policies established for the use of all District facilities.
 - Treats the personnel or employees of the facilities in an unreasonable or abusive manner.
 - Engages in conduct that is improper or likely to endanger the welfare, safety or reputation of the Camp Heritage Amenity Center or ASG.

- (2) The District shall follow the process below in regards to Suspension or Termination of a Adult Patrons privileges:
 - a. **First Offense** - Verbal warning by staff of violations which shall be recorded by staff and kept on file in the Amenity Center Office.
 - b. **Second Offense** - Written warning by staff of continued violations signed by Patron and held on file in the Amenity Center Office.
 - c. **Third Offense** – Automatic suspension of all amenity privileges for One (1) week, and written report signed by Patron and filed in the Amenity Center Office.
 - d. **Fourth Offense** – Suspension of all amenity privileges until the next Board of Supervisors Meeting. At the Board meeting, a record of all previous offenses will be presented to the Board for recommendation of termination of Patrons privileges for one calendar year (or some shorter amount of time at the Board’s discretion).

- (3) Notwithstanding the foregoing, at any time an Adult Patron is arrested for an act committed, or allegedly committed, while at any District Facility, including the Camp Heritage Amenity Center, that Adult Patron shall have all amenity privileges suspended until the next Board of Supervisors meeting. At the Board meeting, the Board will be presented with the facts surrounding the arrest and the Board may make a recommendation of termination of the Patron’s privileges for one calendar year (or some shorter amount of time at the Board’s discretion).

MINOR PATRON

At the discretion of Camp Heritage Amenity Center personnel, Minors (*children between the ages of ten (10) and seventeen (17)*), who violate the rules and policies **may be expelled from the facilities for one (1) day**. Upon such expulsion, a written report shall be prepared detailing the name of the child, the prohibited act committed and the date. This report will be kept on file at the Amenity Center Office.

Any Minor who is *expelled from the facilities three (3) times in a one year period*, shall have their amenity facilities privileges suspended for one calendar year from the date of the third offense. *A Minor who has his or her facility privileges suspended may still use the facilities when accompanied by a parent or legal guardian.*

Notwithstanding the foregoing, at any time a Minor is arrested for an act committed, or allegedly committed, while at any District Facility, including the Camp Heritage Amenity Center, that minor shall have all amenity privileges suspended until the next Board of Supervisors meeting. At the Board meeting, the Board will be presented with the facts surrounding the arrest and the Board may make a recommendation of termination of the Patron's privileges for one calendar year (or some shorter amount of time at the Board's discretion).

RECOMMENDED POLICY

(No distinction is made between Adult and Minor)

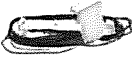
- (1) Privileges at the Amenity Center can be subject to suspension or termination is the sole discretion of the Board if a Patron:
 - Submits false information on the application for a Facility Access Card.
 - Permits unauthorized use of a Facility Access Card.
 - Exhibits unsatisfactory behavior, deportment or appearance.
 - Fails to abide by the rules and policies established for the use of facilities.
 - Treats Amenity Center Staff in an unreasonable or abusive manner.
 - Engages in conduct that is improper or likely to endanger the welfare, safety or reputation of the Amenity Centers or Amenity Center Staff.
 - Is arrested while on the premises of the Amenity Center.
- (2) Amenity Center Staff may at any time remove any Patron or guest from the Amenity Facilities when such action is necessary to protect the health, safety and welfare of other Patrons and their guests, or to protect the District's facilities from damage.
- (3) At the discretion of the Amenity Center Manager and District Manager privileges are subject to temporary suspension until the next scheduled board meeting in which time, the Board will be presented with the facts surrounding the event. The Board will then make a determination of the length of the suspension. Any Patron whose privileges have been terminated is entitled to appeal such termination to the Board of Supervisors, whose determination on appeal shall be final.
- (4) Notwithstanding the foregoing, at any time a Patron is arrested for an act committed, or allegedly committed, while at any District Facility the Patron shall have all amenity privileges suspended until the next Board of Supervisors meeting. The Board will then make a determination of the length of the suspension. Any Patron whose privileges have

been terminated is entitled to appeal such termination to the Board of Supervisors, whose determination on appeal shall be final.

The management protocol to suspend privileges is as follows:

- An incident report is created and the Patron or the parents of a minor Patron are alerted verbally and/or via e-mail of the suspension.
- The Amenity Manager forwards the incident report to the District Manager.
- A letter is issued to the Patron by the District Manager.
- Review and discussion of the incident is placed on the agenda of the upcoming meeting.
- Supervisors decide the length of suspension and any additional consequences to the individual or household.

Exhibit B



FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

| | |
|--|---|
| LAST NAME—FIRST NAME—MIDDLE NAME <i>Dunn Dallas M</i> | NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>Heritage Landing CDD</i> |
| MAILING ADDRESS <i>216 St. Louis Way St. Johns</i> | THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input checked="" type="checkbox"/> OTHER LOCAL AGENCY |
| CITY <i>June 8 2017</i> | NAME OF POLITICAL SUBDIVISION: <i>CDD</i> |
| DATE ON WHICH VOTE OCCURRED | MY POSITION IS: <input checked="" type="checkbox"/> ELECTIVE <input type="checkbox"/> APPOINTIVE |

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing the reverse side and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * *

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you otherwise may participate in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on other side)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Dallas DUNN, hereby disclose that on June 8, 20 17:

(a) A measure came or will come before my agency which (check one)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, _____;
- inured to the special gain or loss of my relative, _____;
- inured to the special gain or loss of _____, by whom I am retained; or
- inured to the special gain or loss of _____, which is the parent organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

Raising fees on the RV Lot in which I currently have an RV in and could result in my loss or gain.

6/8/17
Date Filed

[Signature]
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.

Exhibit C

RESOLUTION 2017-07

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE HERITAGE LANDING COMMUNITY DEVELOPMENT DISTRICT TO DESIGNATE THE DATE, TIME AND PLACE OF A PUBLIC HEARING AND AUTHORIZATION TO PUBLISH NOTICE OF SUCH HEARING FOR THE PURPOSE OF ADOPTING RATES AND RULES REGARDING DISTRICT AMENITY FACILITIES.

WHEREAS, the Heritage Landing 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 St. Johns County, Florida; and

WHEREAS, the Board of Supervisors of the District (hereinafter the “Board”) is authorized by Sections 190.011(5) and 190.035, *Florida Statutes*, to adopt rules, orders, rates, fees and charges pursuant to Chapter 120, *Florida Statutes*.

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

Section 1. The District’s Board of Supervisors intends to adopt rates and rules relating to use of the District’s recreation facilities and services, as set forth in more detail on **Exhibit A**, and will hold a public hearing at a meeting of the Board to be held on _____, at _____ a/p.m., at the Heritage Landing Amenity Center, 370 Heritage Landing Parkway, St. Augustine, Florida 32092.

Section 3. The District Secretary is directed to publish notice of the hearing in accordance with Section 120.54, *Florida Statutes*.

Section 4. This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED THIS 8th DAY OF JUNE, 2017.

ATTEST:

**HERITAGE LANDING COMMUNITY
DEVELOPMENT DISTRICT**

Secretary/Assistant Secretary

Chairperson, Board of Supervisors

EXHIBIT A: Proposed Rates