

University Park Recreation District

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<http://universityparkrd.com/>

The regular meeting of the **Board of Supervisors of University Park Recreation District** will be held on **Friday, December 10, 2021 at 1:00 p.m.** at the **Community Center** located 8301 The Park Boulevard, University Park, FL 34201 and or virtually.

PLEASE NOTE: Anyone seeking to physically attend the University Park Recreation District Board of Supervisors meeting **MUST** wear a mask and socially distance. In light of social distancing requirements, there will be limited space for members of the public to physically attend the meeting. Once the meeting space has reached capacity with social distancing parameters in place, attendance will be available **ONLY** through virtual means. To attend the meeting virtually, please call:

Meeting ID: 812 6765 1755

Passcode: 753288

Join meeting via Zoom:

<https://us02web.zoom.us/j/81267651755?pwd=Q2JkTnNPdTJzQXQ4dS9hTXFocWxuZz09>

NOTE: If you are calling into the meeting by phone or Zoom, please MUTE your line!

BOARD OF SUPERVISORS' MEETING AGENDA

Organizational Matters

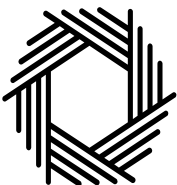
- Call to Order
- Roll Call to Confirm Quorum
- Public Comment Period *[for any members of the public desiring to speak on any proposition before the Board]*

Administrative Matters

1. Consideration of the Minutes of the November 2, 2021 Board of Supervisors Workshop
2. Consideration of the Minutes of the November 12, 2021 Board of Supervisors Meeting

Staff Report Matters

3. District Counsel
 - a. Update of the Charter and Statutory Amendment Changes
4. District Manager



pfm

5. Club Management (under separate cover)
 - a. Management Discussion & Analysis Report
 - b. Update on the potential relocation of Pro Shop to Varsity Club
 - c. Master Plan Update
 - d. Staffing Update

Business Matters

6. Consideration of Resolution 2022-03, Ratification of Revised Adopted Budget FY 2021 (under separate cover)
7. Monthly Board of Supervisors Reports
 - Jim Case- Topic is UPCA coordination with the Recreation District.
 - Sally Dickson- Topic is Future Master Planning Priorities.
 - Bill DiPaolo- Topic is Oversight of Restaurant Renovation.
 - Steve Ludmerer- Topic is Finance, including long term financial planning options.
 - Karen Pagano- Topic is Communications.

District Financial Matters

8. Ratification of Payment Authorization # 60-62

Date	Meeting Type	Time	Location	Note
January 4, 2022	Workshop Meeting	10:00 AM	University Park Country Club	Community Center
January 14, 2022	BOS Meeting	1:00 PM	University Park Country Club	Community Center

9. Supervisor Requests

Adjournment



University Park Recreation District

Consideration of the Minutes of the November
2, 2021 Board of Supervisors Workshop

MINUTES OF MEETING

UNIVERSITY PARK RECREATION DISTRICT BOARD OF SUPERVISORS WORKSHOP MEETING

Tuesday, November 2, 2021

UPCAI Community Center

8301 The Park Blvd, University Park, FL 32401

Board Members present at roll call: James Case, Sally Dickson, Bill DiPaolo, Steve Ludmerer and Karen Pagano

Present in person: John Fetsick, General Manager, Bruce Mantia, UP resident and Chris Edwards, UP resident, who facilitated the meeting.

FIRST ORDER OF BUSINESS--Organization Matters--Call to Order and Roll Call

The meeting was called to order at 8:15 am by Mr. Case and he confirmed that a quorum was present.

Public Comments—None

SECOND ORDER OF BUSINESS—Board discussion regarding organization and other matters.

The Board discussed various organizational and board meeting procedural matters including the following:

- Objectives of the meeting
- How to best accomplish Board meeting objectives
- Questions on various RD and HOA documents
- Key takeaways from the meeting
- Follow up: Board members agreed to provide their individual views to John Fetsick regarding RD and UPCC goals over the next 5 years. Mr. Fetsick will combine responses for discussion at the next scheduled workshop meeting.

THE MEETING WAS ADJOURNED AT 3:00 pm.

University Park Recreation District

Consideration of the Minutes of the November
12, 2021 Board of Supervisors Meeting

MINUTES OF MEETING

**UNIVERSITY PARK RECREATION DISTRICT
BOARD OF SUPERVISORS MEETING**

Friday, November 12, 2021

1:00 p.m.

Community Center

8301 The Park Boulevard, University Park, FL 34201

Board Members present at roll call in person or via phone:

James Case	Chairperson
Bill DiPaolo	Vice Chairperson
Karen Pagano	2nd Vice Chairperson
Steve Ludmerer	Treasurer
Sally Dickson	Assistant Secretary

Also, Present in person or via phone:

Vivian Carvalho	District Manager - PFM Group Consulting LLC
Venessa Ripoll (via phone)	Assistant District Manager-PFM Group Consulting LLC
Kourtney Dinkins (via phone)	Assistant District Manager-PFM Group Consulting LLC
Mark Barnebey	District Counsel- Blalock Walters Law Firm
Curtis Nickerson	Director of Properties & Facilities- Country Club
John Fetsick	General Manager – Country Club
Laurie Evans	Former General Manager- Country Club
Various Members of the General Public	

FIRST ORDER OF BUSINESS

Organizational Matters

Call to Order and Roll Call

The meeting was called to order at 1:01 p.m. by Mr. Case. Ms. Carvalho confirmed quorum to proceed with the meeting. Those in attendance are outlined above.

Opening Comments

Mr. Case announced the public comment period will be open in the beginning and at the end of the meeting.

Public Comments

There were no public comments at this time.

SECOND ORDER OF BUSINESS

Administrative Matters

Consideration of the Minutes of the October 8, 2021 Board of Supervisors Meeting.

Ms. Carvalho noted the version of Minutes presented to the Board contain changes from the first draft of Minutes the Board received previously.

ON MOTION by Ms. Dickson, seconded by Mr. Ludmerer, with all in favor, the Board approved the Minutes of the October 8, 2021 Board of Supervisors Meeting as presented.

Consideration of the Minutes of the October 26, 2021 Board of Supervisors Workshop Meeting.

The Board reviewed the Minutes of the October 26, 2021 Board of Supervisors Workshop Meeting. Ms. Dickson clarified the information in the Minutes were correct regarding a fee structure verification process. It was clarified the Minutes before the Board have been updated and are correct.

ON MOTION by Mr. DiPaolo, seconded by Ms. Pagano, with all in favor, the Board approved the Minutes of the October 26, 2021 Board of Supervisors Workshop Meeting.

THIRD ORDER OF BUSINESS

Staff Report Matters

District Counsel - Update of the Charter and Statutory Amendment Changes

Mr. Barnebey announced that himself, along with the Board Chair, met with staff from the offices of Senator Boyd and Representative Gregory. They have not committed to sponsoring a bill in favor of the District however, Counsel is on the agenda to present District Plans on November 23, 2021. Counsel is in the process of scheduling a meeting with County staff regarding the Charter Amendments. That meeting should take place in early December. Mr. Case stated he was pleased with the meeting with Senator Boyd's office. Mr. Case stated the District should be in good shape with the anticipation of getting a bill sponsored. If the District does not receive a sponsor, the plan is to attach Board's request to an already sponsored bill within the same subject matter. Mr. Ludmerer asked Counsel if they have reached out to other Recreation District Counsel to support and assist with securing a bill sponsor.

Mr. Barnebey confirmed his office has reached out for assistance. Mr. DiPaolo questioned the possibility of holding the Landowner Election in November 2022 through the County. Mr.

Barnebey explained the Board would have a better idea once the date becomes closer. A discussion ensued about the timeline of events that need to happen before the General Election.

District Manager – Ms. Carvalho announced the next District Workshop Meeting is scheduled for November 30, 2021 and a Board of Supervisors Meeting on December 10, 2021. Ms. Carvalho will work with John Fetsick in securing the insurance renewal for FY 2022. The insurance contract will be signed by the due date and there are no material changes with the insurance plans expected. There was a discussion about adding another Workshop Meeting in December.

General Manager & Director of Finance - Mr. Fetsick announced there will be updates for the Board pertaining to the Master Plan, Outdoor Dining, Pro Shop Relocation RFP, the Management Report and Financial Report.

Master Plan – Phase #1 Project Updates

Mr. Fetsick stated the croquet pitch renovations started about 5 weeks ago. The Board was presented with pictures displaying the progress of the project. Mr. Nickerson outlined the work and progress of the croquet pitch and the anticipated work that still needs to be done.

Mr. Fetsick presented pictures and outlined the progress of the dining renovations. An opening event is scheduled for January 15, 2022.

Mr. Fetsick presented a picture of the pickleball court progress. All contracts have been agreed upon and the site survey was done yesterday.

Outdoor Dining – Mr. Fetsick presented the blueprint for the outdoor dining renovations and explained the contents of the blueprint. He stated the seating counts for the outdoor dining space was presented to the Board for a total of 153 seats available for use throughout the outdoor space.

Mr. Fetsick presented a rendering of the hard roof structure and included pros and cons associated with choosing a hard roof structure. There was also a rendering of the canopy roof structure that included pros and cons associated with choosing a canopy roof structure. A financial analysis for both roof options was presented. The total dining renovations with the hard roof structure is estimated to be a \$2.5M cost.

Mr. Fetsick stated that after dining renovations are completed and with the approval of the hard roof structure, the District will have a balance of \$825,000 to use for other projects. Mr. Fetsick presented options where the remaining balance can be allocated, which included parking lot repairs, Pro Shop relocation, and kitchen equipment. A discussion took place about parking lot repairs and lighting in the area.

Mr. Fetsick presented operational considerations for the Pro Shop Relocation. A discussion

about meeting space ensued.

Mr. Fetsick presented a management and financial report. The Fall Festival was a success with 375 members and guests in attendance. The 2022 Dues and Fees schedule has been sent to the membership. There have been two additions to the leadership staff including a Marketing & Communications Director and a Senior Accountant. It has been difficult to hire qualified staff and there is a shortage of food and beverage staff. Hiring efforts will continue. Dining operations that have moved to the Varsity Club and Boardwalk Café have been well received by membership and the food and beverage team have continued to do fantastic work through the transition. There is a high demand for golf play and the total rounds of golf in October exceeded the budget. Mr. Fetsick will investigate getting the numbers of full member golf rounds purchased versus non-member golf rounds purchased. The members have been heavily engaged with fitness overall. Membership sales have continued to increase among both residents and non-residents of the District.

Mr. Fetsick presented a financial analysis chart for Fiscal Year 2021. There is projected to be an operational surplus of funds after collecting all revenues and paying all expenses. A discussion ensued about membership services and greeting members in a friendly manner.

Mr. DiPaolo requested Mr. Fetsick to consider renovating the boardwalk as the team plans for capital projects. Mr. Barnebey suggested the Board make a motion to authorize the Treasurer to amend the Budget to reflect the actual Budget expensed for Fiscal Year 2021.

ON MOTION by Ms. Dickson, seconded by Mr. DiPaolo, with all in favor, the Board approved the Treasurer to amend the Fiscal Year 2021 Budget.

Ms. Carvalho stated the amended Budget FY 2021 will need to be posted on the District website per Statute requirements.

FOURTH ORDER OF BUSINESS

Business Matters

**Consideration of Resolution
2022-01, Roof Structure for
Dining**

Mr. Case stated the roof structure has been thoroughly discussed as it pertains to choosing the hard roof option and requested any further comments or discussion on the topic.

There was no further discussion about the roof structure.

ON MOTION by Mr. DiPaolo, seconded by Mr. Ludmerer, with all in favor, the Board approved Resolution 2022-01, selection the permanent roof structure option for Dining Renovation part of the project.

**Consideration of Resolution
2022-02, Authorizing the
Club Manager to Prepare a
Long-Term Plan for Use of
the Pro Shop and Varsity
Club Spaces**

Mr. DiPaolo noted the importance of completing the dining and entertainment spaces of the Country Club before moving on to other capital projects. The Board was in agreement.

ON MOTION by Ms. Dickson, seconded by Ms. Pagano, with all in favor, the Board approved Resolution 2022-02, Authorizing the Club Manager to Prepare a Long-Term Plan for Use of the Pro Shop and Varsity Club Spaces.

**Monthly Board of
Supervisors Reports**

- Jim Case – Topic is UPCA coordination with the Recreation District
 - Mr. Case stated the coordination with UPCA is continuing and he is making a presentation to the UPCA next Tuesday.

- Sally Dickson – Topic is Future Master Planning Priorities
 - Ms. Dickson stated she will present the master planning priorities once decisions during this meeting have been finalized. Mr. Fetsick noted that Ms. Dickson has been working diligently on the report for master planning projects that will presented at the end of the calendar year 2021.

- Bill DiPaolo – Topic is Oversight of Restaurant Renovation
 - Mr. Paolo noted Mr. Fetsick have stayed on top of the contractors. The furniture for the restaurant is on the way and should arrive soon. Mr. Nickerson noted the restaurant renovations are still on schedule.

- Karen Pagano – Topic is Communications
 - Ms. Pagano announced the newsletter will be emailed to the membership soon.

- Steve Ludmerer – Financial Planning
 - Mr. Ludmerer stated the report for the long-term planning and financial goals will be presented to the Board by the end of the calendar year 2021.

FIFTH ORDER OF BUSINESS

District Financial Matters

Ratification of Payment Authorizations #58-59

Mr. Fetsick presented Payment Authorizations #58 and #59.

ON MOTION by Mr. Ludmerer, seconded by Ms. Pagano, with all in favor, the Board ratified Payment Authorizations #58-59.

Public Comments

Mr. Case revisited the public comment period and asked if there were any public comments.

Ms. Grudzinskas asked about the categories of club memberships and what number of residents are not paying for any memberships. Mr. Fetsick stated that 175 of 1,200 homes are not members due to them being grandfathered in. Mr. Case stated the number might change with the selling of homes and transfer of ownership.

SIXTH ORDER OF BUSINESS

Adjournment

Mr. Case requested a motion to adjourn the Board of Supervisors' Meeting.

ON MOTION by Ms. Dickson, seconded by Mr. DiPaolo, with all in favor, the Friday, November 12, 2021 Board of Supervisors' Meeting of University Park Recreation District was adjourned at 2:32 p.m.

Secretary / Assistant Secretary

Chairperson / Vice Chairperson

University Park Recreation District

District Counsel

AMEND SECTION 2-8-152 to read as follows:

Sec. 2-8-152. - Definitions. For the purposes of this article, the following additional definitions shall apply:

(a) “Act” shall mean sections 418.20-418.26, Florida Statutes, as amended, which provide for the creation and operation of recreation districts.

(b) “Board” shall mean the Board of Supervisors of the UPRD established pursuant to section 2-8-153.

(c) “Bond” shall mean any general obligation bond, special assessment bond, refunding bond, revenue bond, and other such obligation in the nature of a bond. A “Bond” does not include short-term loans or lines of credit with a maturity of ~~two~~five year(s) or less.

(d) “Cost,” when used with reference to any Project, includes, but is not limited to: (1) the expenses of determining the feasibility or practicability of acquisition, construction, or reconstruction; (2) the cost of surveys, estimates, plans, and specifications; (3) the cost of improvements; (4) engineering, fiscal, and legal expenses and charges; (5) the cost of all labor, materials, machinery, and equipment; (6) the cost of all lands, properties, rights, easements, and franchises acquired; (7) financing charges; (8) the creation of initial reserve and debt service funds; (9) working capital; (10) interest charges incurred or estimated to be incurred on money borrowed prior to and during construction and acquisition and for such reasonable period of time after completion of construction or acquisition as the Board may determine; (11) the cost of issuance of Bonds, including advertisements and printing; (12) the cost of any referendum held pursuant to this act and all other expenses of issuance of Bonds; (13) the discount, if any, on the sale or exchange of Bonds; (14) administrative expenses, including but not limited to trustee fees and expenses and dissemination agent fees; and (15) such other expenses as may be necessary or incidental to the acquisition, construction, or reconstruction of any Project or to the financing thereof, or to the development of any lands within the UPRD.

(e) “Elector” means any person at least 18 years of age who is a citizen of the United States, a legal resident of Florida, and who is registered to vote with the Manatee County Supervisor of Elections at his or her address within the UPRD.

(f) ~~“Owner” shall mean the owner of a freehold estate located in the UPRD, as appears by the deed of record, including a trustee, a private corporation or owner of a condominium unit; this definition does not include a reversioner, remainderman, mortgagee or any governmental entity, who shall not be counted and need not be notified of proceedings under this article or undertaken by the UPRD.~~ “Owner” shall mean the owner of a subdivision residential lot of record or a parcel that has been developed for residential uses located in the UPRD, as appears by the deed of record, including a trustee, a private corporation or owner

of a condominium unit; this definition does not include a reversioner, remainderman, mortgagee or any governmental entity, who shall not be counted and need not be notified of proceedings under this article or undertaken by the UPRD. Private corporations shall be considered a single ownership entity for voting purposes and shall have only one vote.

(g) “Project” means any development, improvement, property, utility, facility, works, enterprise, or service now existing or hereafter undertaken by the UPRD or established under the provisions of this article.

(h) “Resident” shall mean a person over eighteen (18) years of age who resides at one specific address within the UPRD for at least 183 days per calendar year.

(i) “Supervisor” shall mean a member of the UPRD Board of Supervisors.

AMEND SECTION 2-8-153 to read as follows:

Sec. 2-8-153. - Elections; Board of Supervisors.

(a) The UPRD shall be governed by a five-member Board of Supervisors. Beginning with the 2023 election, Supervisors shall be elected as follows:

- 1) if permitted by Florida law, Supervisors shall be elected by Owners based on a one-vote by an Owner; or
- 2) if voting pursuant to 1) above is not permitted by Florida law, then Supervisors shall be elected by the Owners and Residents. The initial election of Supervisors is scheduled to take place at the Lakeside Room at the University Park Country Club, 7671 The Park Blvd., University Park, FL 34201 on Monday, September 17, 2018 with proxy submissions beginning at 9:00 a.m., and the election to be held at 3:00 p.m.

Notice of ~~the initial election and subsequent~~ elections shall be published once a week for 2 consecutive weeks in a newspaper which is in general circulation in the area of the UPRD, the last day of such publication to be not fewer than 14 days or more than 28 days before the date of the election. ~~The Owners and Residents, when assembled, shall organize by electing a chair who shall conduct the election. The chair may be any person present at the meeting. At the initial and second election,~~

~~each Owner or Resident shall be entitled to one vote per parcel for each of up to five nominated candidates. Beginning with the third election, the election for supervisors shall occur on the third Tuesday in February after the November general election. Beginning with the third election and at each election thereafter, each resident and each Owner shall be entitled to one vote per board seat, provided, however, if permitted by law, one owner per lot shall be entitled to one vote per board seat with the owner entitled to vote being registered with the District at least days prior to the date of the election. Owners and Residents who are authorized to vote shall register with the District at least forty-five (45) days prior to the date of the election. If voting is permitted by Florida law based on one-vote by an Owner for each residential lot or parcel, the Owners of the residential lot or parcel shall select Owner to cast the vote for that residential lot or parcel and who shall register with the District. The District shall publish notice of the timeframe to register for each election shall be published once a week for two (2) consecutive weeks in a newspaper of general circulation in the area of UPRD, the last day of such publication to be not fewer than sixty (60) days or more than seventy-five (75) days before the election on the District website. Beginning with the 2023 election, the Board of Supervisors may appoint a non-supervisor to coordinate and conduct the election. Beginning with the 2023 election and each election thereafter, candidates of the Office of Supervisor shall file with the District Manager for the seat for which the candidate is running. The filing period shall terminate 60 days prior to the date of the election. Provided however, no Owner may vote if there is a Resident residing at Owner's address within the UPRD unless such Owner has received a proxy from such Resident. An Owner or Resident vote may vote be cast in person, or by mail, by proxy in writing, or by electronic voting, if allowed by Florida law. Each proxy must be signed by one of the Owners or Residents voter of the property for which the vote is cast and must contain the typed or printed name of the individual who signed the proxy and the street address, legal description of the property, or tax parcel identification number. The signature on a proxy need not be notarized. Upon the conclusion of the period for the casting of votes on the election day, the results shall be announced at a public meeting.~~

~~(a)(b) At the initial and second elections, the five candidates receiving the most votes shall be elected.~~ Beginning with the ~~third~~ 2023 election and at each election thereafter, the candidate receiving the most votes for each seat in any election shall be elected. The term of office for each successful candidate commences upon election. If, during the term of office, a vacancy occurs, the remaining members of the Board shall fill the vacancy by an appointment for the remainder of the unexpired term. Supervisors shall hold office for the terms for which they were elected or appointed and until their successors are chosen and qualified. If no Resident qualifies for a seat to be filled in an election, a vacancy in that seat shall be declared by the Board effective on the second Tuesday following the election. Within 90 days thereafter, the Board shall use its best efforts to identify

and appoint a Resident to fill the vacancy. Until such appointment, the incumbent Supervisor in that seat shall remain in office.

~~(b)(c)~~ The Supervisors elected at the first election shall each serve a one-year term. At the second election, the two candidates receiving the first and second highest vote totals shall serve three year terms, the two candidates receiving the third and fourth highest vote totals shall serve two year terms, and the candidate receiving the fifth highest vote total shall serve a one-year term. At all subsequent elections, each Supervisor shall be elected to a three-year term. Any tie in the number of votes cast for a Supervisor seat shall be resolved by a coin flip.

~~(e)(d)~~ To facilitate the Board's usage of the Supervisor of Elections during a general election year, the Board shall have the power by adoption of a resolution to shorten or lengthen all terms of office at the same time and change the terms of office to Beginning with the 2023 election, Tterm of office for Supervisors shall be for four (4) year staggered terms with three-two seats being filled in an even-numbered year (in 2023 and two-three seats being filled in the next even-numbered year (2025).

~~(d)(e)~~ Elections shall be nonpartisan.

~~(e)(f)~~ The cost of elections for the Board shall be borne by the UPRD.

~~(f)(g)~~ The Board shall use and rely upon the official records maintained by the Manatee County Supervisor of Elections, Property Appraiser and/or Tax Collector in making the determination of whether a person qualifies as an Owner or Resident-entitled to vote in an election of the Board.

~~(g)(h)~~ Upon entering into office, Supervisors shall take and subscribe to the oath of office as prescribed by sSection 876.05, Florida Statutes.

~~(h)(i)~~ There shall be a limit of three consecutive terms, and a total limit of four terms, for each person elected as a Supervisor.

~~(i)(j)~~ Supervisors shall serve without compensation.

~~(j)(k)~~ As soon as practicable after each election or appointment, the Board shall organize by electing one of its members as chair and by electing a secretary, who need not be a Supervisor, and such other officers as the Board may deem necessary. The Board shall designate a person who is a resident of the state as treasurer of the UPRD, who shall have charge of the funds of the UPRD. Such funds shall be disbursed only upon the order, or pursuant to the resolution, of the Board by warrant or check countersigned by two of the following: the treasurer, the General Manager, Controller, the Vice Chair of the Board ~~and/or~~ by such other persons s as may be authorized by the Board, by resolution.

~~(k)~~(l) The Board shall conduct regular meetings and shall periodically solicit the views of Residents and Owners as to their concerns regarding any aspect of matters within the authority or purview of the Board. The Board shall be primarily responsible for developing policy and overseeing the implementation of such policy, but in no way does this expression of intent limit the Board's powers.

~~(j)~~(m) A majority of the members of the Board shall constitute a quorum for the purposes of conducting its business, exercising its powers and for all other purposes. Action taken by the UPRD shall be upon a vote of a majority of the Supervisors present and voting unless general law or a rule of the UPRD requires a greater number.

AMEND SECTION 2-8-156 to read as follows:

Sec. 2-8-156. - Short-Term Borrowing. The UPRD at any time may obtain short-term loans or lines of credit with a maturity of ~~two~~ five years or less, in such amount and on such terms and conditions as the Board may approve, for the purpose of paying any of the expenses of the UPRD or any costs incurred or that may be incurred in connection with any of the Projects, which loans or lines of credit shall bear such interest as the Board may determine in compliance with section 215.84, Florida Statutes, and may be payable from and secured by a pledge of such funds, revenues, taxes, and assessments as the Board may determine, subject, however, to the provisions contained in any proceeding under which Bonds were theretofore issued and are then outstanding. For the purpose of defraying such costs and expenses, the UPRD may issue negotiable notes, warrants, or other evidences of debt to be payable at such times, to bear such interest as the Board may determine in compliance with section 215.84, Florida Statutes, and to be sold or discounted at such price or prices not less than 95 percent of par value and on such terms as the Board may deem advisable. The Board shall have the right to provide for the payment thereof by pledging the whole or any part of the funds, revenues, taxes, and assessments of the UPRD. The approval by referendum of short-term loans or lines of credit shall not be necessary except when required by the Act or State Constitution. Short-term borrowing authorized pursuant to this section shall also be subject to the provisions of section 2-8-157(g).

AMEND SECTION 2-8-157 to read as follows:

Sec. 2-8-157. - Bonds.

(a) The Board shall develop a detailed plan for the expenditure and repayment of the proceeds of each Bond issue. The repayment portion of each plan

shall specify the annual amount of Bond repayment due from each Owner within the UPRD. The plan must be the subject of a referendum prior to the issuance of a proposed Bond. Provided however, no referendum shall be required for refunding Bonds. The referendum required by this section may be held on the same day as any other referendum related to the UPRD; provided that such Bonds shall bear interest at a rate pursuant to section 215.84, Florida Statutes, and be sold ~~at public sale in accordance with law~~. In the event an offer of an issue of Bonds at public sale produces no bid, or in the event all bids received are rejected, or UPRD elects to sell pursuant to a private sale, if allowed by law, the UPRD is authorized to negotiate for the sale of such Bonds under such rates and terms as are acceptable; provided that no such Bonds shall be sold or delivered on terms less favorable than the terms contained in any bids rejected at the public sale thereof or the terms contained in the notice of public sale if no bids were received at such public sale.

(b) Bonds shall be authorized by resolution or resolutions of the Board which shall be adopted by a majority of all the Supervisors thereof then in office. Such resolution authorizing the issuance of bonds may be adopted prior to filing a complaint for validation of the Bonds, but the validation hearing shall not occur until after the referendum required by section 418.22, Florida Statutes. Such resolution or resolutions may be adopted at the same meeting at which they are introduced and need not be published or posted. Any resolution authorizing the issuance of Bonds may contain such covenants as the Board may deem advisable, and all such covenants shall constitute valid and legally binding and enforceable contracts between the UPRD and the bondholders, regardless of the time of issuance thereof. Such covenants may include, without limitation, covenants concerning the disposition of the Bond proceeds; the use and disposition of Project revenues; the pledging of revenues, taxes, and assessments; the obligations of the UPRD with respect to the operation of the Project and the maintenance of adequate Project revenues; the issuance of additional Bonds; the appointment, powers, and duties of trustees and receivers; the acquisition of outstanding Bonds and obligations; restrictions on the establishing of competing Projects or facilities; restrictions on the sale or disposal of the assets and property of the UPRD; the priority of assessment liens; the priority of claims by bondholders on the taxing power of the UPRD; the maintenance of deposits to assure the payment of revenues by users of UPRD facilities and services; the discontinuance of UPRD services by reason of delinquent payments; acceleration upon default; the execution of necessary instruments; the procedure for amending or abrogating covenants with the bondholders; and such other covenants as may be deemed necessary or desirable for the security of the bondholders.

(c) Any Bond issued by the UPRD, in the absence of an express recital on the face thereof that it is nonnegotiable, shall be fully negotiable and shall be and constitute a negotiable instrument.

(d) The UPRD shall have the power to issue Bonds to provide for the retirement or refunding of any Bonds or obligations of the UPRD at any time when in the judgment of the Board such issuance will be advantageous to the UPRD.

(e) Any two or more Projects may be combined and consolidated into a single Project and may be operated and maintained as a single Project. The Bonds authorized herein may be issued to finance any one or more of such Projects, regardless of whether or not such Projects have been combined and consolidated into a single Project. If the Board deems it advisable, the proceedings authorizing such Bonds may provide that the UPRD may thereafter combine the Projects then being financed or theretofore financed with other Projects to be subsequently financed by the UPRD, and that Bonds to be thereafter issued by the UPRD shall be on parity with the Bonds then being issued, all on such terms, conditions, and limitations as shall have been provided in the proceeding which authorized the original Bonds.

(f) If the Board determines to issue Bonds for more than one Project, the approval of the issuance of the Bonds for all such Projects may be submitted during one referendum process. The failure of the referendum to approve the issuance of Bonds for any one or more Projects shall not defeat the approval of Bonds for any Project which has been approved in such referendum process.

(g) All Bond issues, except for refunding bonds, shall be validated by appropriate court proceedings. No Bonds, short-term loans or lines of credit or other debt of the UPRD shall constitute debt of Manatee County or the State of Florida, and Manatee County does not make any legal representations with regard to any such indebtedness. UPRD shall be entitled to issue Bonds without the consent of the county. In furtherance thereof, the county shall not be requested to authorize any Bonds or other obligations secured by non-ad valorem assessments or taxes imposed by the UPRD pursuant to the Act or this article. The UPRD acting pursuant to the Act or this article shall not be empowered or authorized in any manner to create a debt as against the county and shall not be entitled to pledge the full faith and credit of the county in any manner whatsoever. No revenue bonds or debt obligations of the UPRD acting pursuant to the Act shall ever pledge or imply any pledge that the county shall be obligated to pay the same or the interest thereon, nor state or imply that such obligations are payable from the full faith and credit or the taxing power of the state or the county. The issuance of Bonds by the UPRD under the Act or this article shall not be deemed in any manner, directly or indirectly or contingently, to obligate the county to levy or to pledge any form of ad valorem taxation or other county revenues or to make any appropriation for their payment whatsoever.

AMEND SECTION 418.21 to read as follows:

418.21 Governing body.—

(1) The governing body of a recreation district shall be determined by ordinance of the municipality or county that created the district and must be either:

(a) A five-member or larger board of supervisors elected from among the owners or residents of the district, or

~~(b) Or a five-member or larger board of supervisors elected by owners based on a one vote for each full lot basis such voting shall be limited to one owner for each residential lot, or~~

~~(b)~~ (c) The governing body of the municipality or county that created the district.

(2)(a) If the governing body is a board of supervisors, the ordinance must specify the date of the election and must provide ~~that each which~~ property owners or residents in the district ~~has~~ have the right to vote in the election. The ordinance may also provide for the staggering of terms of the supervisors. The ordinance may also provide for the establishment of designated geographic areas within the district from each of which are elected one or more members of the board of supervisors to represent that area, provided the ordinance is made contingent on approval by a majority vote of the electors in each designated area.

(b) Members of the board of supervisors shall serve without compensation.

(3) If the governing body is the governing body of the municipality or county that created the district, that body may appoint a district advisory board to advise it on all matters relating to the district. Members of the advisory board shall serve without compensation.

AMEND SECTION 418.22 to read as follows:

418.22 Powers of recreation districts.—The charter of a recreation district may grant to the recreation district the following powers and all further or additional powers as the governing body of the municipality or county establishing the district may deem necessary or useful in order to exercise the powers for which provision is hereinafter made. The powers which may be granted by such charter include the following:

(1) To sue and be sued and to have a corporate seal.

(2) To contract and be contracted with.

(3) To acquire, purchase, construct, improve, and equip recreational facilities of all types, including real and personal property, within the boundaries of the district; such acquisition may be by purchase, lease, gift, or exercise of the power of eminent domain. If the governing body of the municipality or county that created the recreation district for exclusive use by a condominium established under chapter 718 or a cooperative established under chapter 719 makes the finding described in s. 418.24(4), the governing body of the district may make the recreational facilities available exclusively for district residents and property owners, and may restrict any access to

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recreational facilities by nonresidents by rules adopted by the governing body of the district. Prior to any vote of the electors in the district adopting or amending a charter pursuant to s. 418.20, the governing body shall decide whether the criteria in s. 418.24(4) apply and whether the recreation district shall be available exclusively for the district residents. The recreation district may construct and maintain security buildings and other structures needed to regulate access to, and provide security for, the recreational facilities.

(4) To issue bonds, secured by ad valorem taxes or by pledge of both such taxes and other revenues of the district, if approved at a referendum held in such district, and to levy and collect ad valorem taxes, without limitation or with such limitation as may be imposed by charter, on all real property subject to city taxation within such district in order to pay the principal of and interest on such bonds as the same respectively fall due or to accumulate a sinking fund for the payment of principal and interest. The referendum required by this section may be held on the same day as any other related to the district; provided that such bonds shall bear interest at a rate pursuant to s. 215.84 ~~and be sold at public sale. In the event an offer of an issue of bonds at public sale produces no bid, or in the event all bids received are rejected,~~ the district is authorized to sell the bonds at public sale or to negotiate for the sale of such bonds under such rates and terms as comply with state law are acceptable; provided that no such bonds shall be sold or delivered on terms less favorable than the terms contained in any bids rejected at the public sale thereof or the terms contained in the notice of public sale if no bids were received at such public sale.

(5) To operate and maintain recreational facilities or to enter into arrangements with others for such operation and maintenance pursuant to contract, lease, or otherwise.

(6) To establish, charge, and collect fees for admission to or use of recreational facilities and to apply such fees to the operation, maintenance, improvement, enlargement, or acquisition of recreational facilities or to the payment of bonds or revenue bonds of the district.

(7) To issue revenue bonds payable solely from the revenues to be derived from recreational facilities owned or operated by such district if approved at a referendum held in such district; provided that such bonds shall bear interest at a rate pursuant to s. 215.84 and be sold at public sale. In the event an offer of an issue of bonds at public sale produces no bid, or in the event all bids received are rejected, the district is authorized to negotiate for the sale of such bonds under such rates and terms as are acceptable; provided that no such bonds shall be so sold or delivered on terms less favorable than the terms contained in any bids rejected at the public sale thereof or the terms contained in the notice of public sale if no bids were received at such public sale.

(8) To adopt and enforce rules for the use of the recreational facilities owned or operated by the district.

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(9) To employ all personnel deemed necessary for the operation and maintenance of the facilities of the district.

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University Park Recreation District

District Manager

University Park Recreation District

Club Management
(under separate cover)

University Park Recreation District

Consideration of Resolution 2022-03,
Ratification of Revised Adopted Budget FY
2021 (under separate cover)

RESOLUTION 2022-03

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE UNIVERSITY PARK RECREATION DISTRICT ADOPTING AN AMENDED GENERAL FUND BUDGET FOR FISCAL YEAR 2020/2021, PROVIDING FOR APPROPRIATIONS; ADDRESSING CONFLICTS AND SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on August 14, 2020, the Board of Supervisors ("**Board**") of the University Park Recreation District ("**District**"), adopted Resolution 2020-15 providing for the adoption of the District's fiscal year 2020/2021 annual budget ("**Budget**"); and

WHEREAS, the District Manager, at the direction of the Board, has prepared an amended Budget, to reflect changes in the actual appropriations of the Budget; and

WHEREAS, Chapter 418, *Florida Statutes*, and Manatee County Ordinance 18-29 ("**Charter**") authorize the Board to adopt and amend the Budget; and

WHEREAS, the Board finds that it is in the best interest of the District and its residents to amend the Budget to reflect the actual appropriations.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE UNIVERSITY PARK RECREATION DISTRICT:

1. BUDGET AMENDMENT.

- a. The Board has reviewed the District Manager's proposed amended Budget, copies of which are on file with the office of the District Manager and at the District's Records Office, and hereby approves certain amendments thereto, as shown in Section 2 below.
- b. The amended Budget, attached hereto as **Exhibit A** and incorporated herein by reference (the "**Amended Budget**"), is hereby adopted in accordance with the provisions of Section 2-8-16 of the Charter and Section 189.016(6), *Florida Statutes*.
- c. The Amended Budget shall be maintained in the office of the District Manager and the District Records Office and identified as "The Adopted Budget for the University Park Recreation District for the fiscal year ending

September 30, 2021, as amended and adopted by the Board of Supervisors effective December 10, 2021.”

2. AMENDMENT. The Budget is hereby amended as set forth in Exhibit “A” attached hereto and incorporated herein by reference:

TOTAL GENERAL FUND	
TOTAL ALL FUNDS	

3. CONFLICTS. This Resolution is intended to amend, Resolution 2020-15. All District resolutions or parts thereof in actual conflict with this Resolution are, to the extent of such conflict, superseded and repealed.

4. SEVERABILITY. The invalidity or unenforceability of any one or more provisions of this Resolution shall not affect the validity or enforceability of the remaining portions of this Resolution, or any part thereof.

5. EFFECTIVE DATE. This Resolution shall take effect upon the passage and adoption of this Resolution by the Board.

Adopted this 10th day of December, 2021.

ATTEST:

**BOARD OF SUPERVISORS OF THE
UNIVERSITY PARK RECREATION
DISTRICT**

Secretary/Assistant Secretary

By: _____

Its: _____

Exhibit A: Amended Fiscal Year 2020/2021 Budget

Exhibit A
Amended Fiscal Year 2020/2021 Budget

[See attached]

University Park Recreation District

Monthly Board of Supervisors Reports

**University Park
Recreation District**

Ratification of Payment Authorization # 60-62

University Park Recreation District

11/1/2021

Payment Authorization No. 60


O&M - General Fund Expenses

<u>Vendor</u>	<u>Invoice</u>	<u>Description</u>	<u>Amount</u>
PFM	DM-10-2021-50	District Management Fee: October 2021	\$ 5,833.33
PFM	116561	Billable Expenses	\$ 75.63
PFM	OE-EXP-10-40	Postage	\$ 1.13
Philips Harvey Group	145099	FY 2021 Audit	\$ 1,500.00
Vglobal Tech	3125	Quarterly ADA & WCAG Audits	\$ 300.00
Vglobal Tech	3218	ADA Website Maintenance	\$ 208.33

O&M - General Fund Expenses Total	\$ 7,918.42
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Asst. Secretary/Secretary

Asst. Treasurer

 11/1/21

University Park Recreation District

11/11/2021

Payment Authorization No. 61

O&M - General Fund Expenses

<u>Vendor</u>	<u>Invoice</u>	<u>Description</u>	<u>Amount</u>
Blalock Walters	40896-000-36	General Representation - October 2021	\$ 2,268.50
McClatchy Company, LLC	72054	Notice of Public Meeting - October 2021	\$ 283.14
Chris Edwards		11/2/21 Board Meeting Expenses	\$ 431.87
Vglobal Tech	3298	ADA Website Maintenance	\$ 208.33

O&M - General Fund Expenses Total	\$ 3,191.84
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Asst. Secretary/Secretary

 11/11/2021

Asst. Treasurer

University Park Recreation District

11/19/2021


Payment Authorization No. 62

O&M - General Fund Expenses

<u>Vendor</u>	<u>Invoice</u>	<u>Description</u>	<u>Amount</u>
PFM	DM-11-2021-50	District Management Fee: November 2021	\$ 5,833.33
Blalock Walters	40896-000	Manatee County - Pre Application Fee	\$ 1,500.00

O&M - General Fund Expenses Total	\$ 7,333.33
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Asst. Secretary/Secretary

 11/19/21

Asst. Treasurer

University Park Recreation District

Supervisor Requests