

MINUTES OF MEETING

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

Friday, March 13, 2020 at 1:00 p.m.

**University Park Country Club, Lakeside Room,
7671 The Park Blvd.,
University Park, Florida 34201**

Board Members present at roll call:

Bob Wood	Chairperson
Jim Long	Assistant Secretary
Beth Bertsch	2nd Vice Chairperson (joined in progress)
Nancy Kopnisky	Assistant Secretary
Steve Ludmerer	Vice Chairperson & Treasurer

Also, Present:

Hank Fishkind	PFM
Vivian Carvalho	PFM
Kimberly Riffle	PFM (via phone)
Jennifer Glasgow	PFM (via phone)
Mark Barnebey	Blalock Walters Law Firm (joined in progress)
Laurie Evans	County Club
Ron Tobin	County Club
Curtis Nickerson	Country Club

Various Members of the General Public

FIRST ORDER OF BUSINESS

Call to Order and Roll Call

The meeting was called to order at 1:05 p.m. Those in attendance are outlined above.

Those present stood for the Pledge of Allegiance.

SECOND ORDER OF BUSINESS

Organizational Matters

Opening Comments

Mr. Wood provided opening remarks.

Public Comments

Mr. Craf and Ms. Craf brought up an issue with the golf course and area in which she tripped and fell in her lanai. He spoke to the Director of Property and Facilities. He stated that 21st golf hole there is an issue with landscape being removed and requested the inclusion of a buffer. Mr. Nickerson will look into that matter and provide suggestions.

FOURTH ORDER OF BUSINESS

Business Matters

Consideration of Minutes of the February 4, 2020 Board of Supervisors' Workshop Meeting

The Board reviewed the Minutes of the February 4, 2020 Board of Supervisors' Workshop meeting. Ms. Kopnisky sent corrections to Ms. Carvalho yesterday. Mr. Ludmerer provided edits as well. All changes were incorporated in the final draft.

ON MOTION by Mr. Long, seconded by Ms. Bertsch, with all in favor, the Board approved Minutes of the February 4, 2020 Board of Supervisors' Workshop Meeting, subject to changes that have been submitted to management.

Consideration of Minutes of the February 14, 2020 Board of Supervisors' Meeting.

The Board reviewed the Minutes of the February 14, 2020 Board of Supervisors' meeting. Ms. Kopnisky sent corrections to Ms. Carvalho yesterday. Mr. Ludmerer provided edits as well. All changes were incorporated in the final draft.

ON MOTION by Mr. Long, seconded by Ms. Bertsch, with all in favor, the Board approved Minutes of the February 14, 2020 Board of Supervisors' Meeting, subject to changes that have been submitted to management.

Consideration of Resolution 2020-11, Adopting Policies to Implement

the Purchase of Goods and Services that are not for Resale

Dr. Fishkind provided an overview of the policy.

ON MOTION by Mr. Ludmerer, seconded by Mr. Long, with all in favor, the Board approved Resolution 2020-11, Adopting Policies to Implements the Purchase of Goods and Services that are not for Resale.

Review & Consideration of the Mission & Strategy Presentation

Mr. Whyte provided an overview of the presentation. Mr. Barnebey provided an overview of the trademark holding approval. Mr. Ludmerer suggested approving the framework excluding the trademark issues. Mr. Long discuss the issue with the time it takes to address this matter.

ON MOTION by Mr. Ludmerer, seconded by Mr. Long, with all in favor, the Board approved the Mission & Strategy statement excluding the trademark issue.

Ms. Kopnisky volunteered to work with District Counsel to address the trademark aspect for UPCC.

Review and Consideration of the Final Payment Release from UPCC Owners

Mr. Barnebey explained he believes the release is too broad and a narrow release is more appropriate. There were concerns over the release. Counsel Representative for the Developer stated he is not aware of the issues with the release. Mr. Wood asked what risk the Board will have and Counsel stated the risk is low. This item was tabled to later in the meeting so both Counsel can review the items of concern for a final resolution.

Review and Consideration of Acceptance Payment from Florida Insurance Alliance

Mr. Barnebey stated the insurance company agreed to pay the District \$100,000.00. He recommended the Board accept \$100,000.00 from the insurance company. The monies will go into the General Fund Account.

ON MOTION by Ms. Bertsch, seconded by Mr. Ludmerer, with all in favor, the Board accepted Payment from Florida Insurance Alliance in the amount of \$100,000.00.

Consideration of Resolution 2020-12, Election of Supervisors' Terms

Dr. Fishkind explained December 8, 2020 would be the date of the election. It costs \$5,000 to conduct the election.

A discussion took place at the Board of Supervisors Workshop. Mr. Ludmerer stated the District wants to have an option for a 5 year short term loan and to choose between a public sale vs. negotiated sale. Mr. Long and Ms. Bertsch do not see a need to change the process. Mr. Wood suggested the Board defer this conversation until the Board has more time to study it. The items was deferred to the next meeting.

Update on FY 2019 Report

Dr. Fishkind stated that the report is moving along. Mr. Ludmerer asked if the District has a timetable with the accountants or the completion of the audit. Dr. Fishkind confirmed.

Update of the Owners Outstanding Assessments

Dr. Fishkind provided an overview of the assessments which are due and did not pay. Some relate to the installment payments and others refer to the resistant payers of the \$1,000.00. The Board authorized District Counsel to file the liens against the three individuals that did not pay the \$1,000.00 assessment. Mr. Ludmerer spoke with Dr. Fishkind earlier and asked that District staff call the individuals on the phone before moving to any further legal action. Dr. Fishkind suggested if the calls are unsuccessful or the individuals do not provide payment within two weeks then the Board authorize District staff to move forward with legal means to collect these monies.

Mr. Long commented on the people that have not paid. Mr. Ludmerer stated the individuals who owe \$40.00 or less should be approached by telephone. A lengthy discussion took place.

Mr. Barnebey stated 40 individuals owe \$40.00 or less, 8 individuals owe \$667.00, and 2 individuals owe \$300.00. Mr. Barnebey suggested that he send a letter to the 50 individuals who still owe money on assessments and if they do not pay he will file a lien.

ON MOTION by Ms. Kopnisky, seconded by Mr. Long, with all in favor, the Board authorized District Counsel to send a demand letter to the 50 delinquent assessment payers and after 2 weeks file a lien of foreclosure if the assessments remain unpaid.

**Discussion of Pertaining to Parcel
7**

Mr. Long asked District Counsel if he brought the communication on how to proceed with the Tract 7 issue. Mr. Barnebey replied it would be on the next agenda. Mr. Long believes the timeframe is unacceptable. Mr. Barnebey stated staff is currently working on the draft.

Mr. White requested a letter of intentions from the District Manager. A discussion took place. Dr. Fishkind suggested a motion delegating a Board Member to oversee the work of the District Manager on behalf of this Board to get a letter of intent so the District has the business parameters negotiated. A discussion ensued. Mr. Long has been designated the representative of the Board on this transaction and is the one District staff should work with and the District should be able to take action by the next Board meeting.

**Update Pertaining to the Usage of
the Sales Center**

Mr. Wood provided an overview of the Welcome Center.

FOURTH ORDER OF BUSINESS

District Financials

**Ratification of Payment
Authorization 13**

The Board reviewed Payment Authorization 13. Mr. Ludmerer stated there is travel from October/November from District Management and he asked why it was delayed in the submittal. District Management agreed to strike out from the Payment Authorization. There was also an authorization that has not been approved by the Board regarding a reimbursement to SAEVN which he cannot support. The SEC Lawsuit has incurred significant expense on the part of the District of \$15,000.00 to \$20,000.00. Mr. Wood mentioned that Mr. Ludmerer has the authorization to sign Payment Authorizations and

suggested he take it up with District Counsel and bring them back for ratification at the next meeting.

Review of District Financial Position

Dr. Fishkind noted the District is on track and has one-time expenses that is matching the Budget. Insurance proceeds will offset litigation expenses.

FIFTH ORDER OF BUSINESS

Staff Reports

District Counsel- Mr. Barnebey provided an update pertaining to the reimbursement to SAEVN Group. He provided a memo as to the voting issues.

Ms. Kopnisky questioned the 2nd Analysis regarding the conflict issue. If the donating Board Member would be ineligible unless they state that they waive any receipt of possible reimbursement. Not everyone who donated needs to waive that right, just the Board Members. If the Board authorizes it SAEVN can do what they want with the reimbursement. The Board discussed waiving any reimbursement and support the payment to SAEVN. In order to have a quorum and vote on the issue the Board must disavow any reimbursement.

ON MOTION by Mr. Ludmerer, seconded by Mr. Long, with 3 in favor and 2 abstained from voting, the motion was carried to proceed with the reimbursement to SAEVN for the expense incurred, all Board Members disavowed any personal repayment, in conjunction with discovery during the Garrett Litigation.

Mr. Barnebey discussed the release payment and stated the Developer Counsel is not interested in making any adjustments in the release. He noted it is a broad release and he thinks the chances of an issue is low.

ON MOTION by Mr. Long, seconded by Mr. Ludmerer, with all in favor, the Board approved as presented the release agreement totaling \$40,000.00.

District Manager- No Report

1. February General Manager Report

Ms. Evans stated she does not receive the financials until the 10th of the month. The Country Club had another very good month and is \$185,000.00 over Budget. Mr. Ludmerer commended Ms. Evans and the team about their performance.

Ms. Evans updated the Board and public about COVID-19 update and the steps that she is taking. Some events will be cancelled.

Mr. Nickerson stated all Capital Projects are underway or under permitting and planning. Golf Carts are ordered and will arrive in 4-6 weeks meantime all carts have been updated and all batteries have been repaired.

The next Board meeting is scheduled for April 10, 2020 at 1:00 p.m. at this location.

Supervisor Requests- Ms. Bertson thanked Dr. Fishkind and Ms. Carvalho for the work completed thus far. Mr. Long thanked General Manager and staff for their work during these difficult times.

Public Comment- There were no public comments.

SIXTH ORDER OF BUSINESS

Adjournment

Mr. Wood requested a motion to adjourn.

ON MOTION by Ms. Kopnisky, seconded by Mr. Ludmerer, with all in favor, the Friday, March 13, 2020 Board of Supervisors' Meeting for University Park Recreation District was adjourned at 2:21PM.



Secretary / Assistant Secretary



Chairperson / Vice Chairperson