

MINUTES OF MEETING  
OTC COMMUNITY DEVELOPMENT DISTRICT

A regular meeting of the Board of Supervisors of the OTC Community Development District was held Wednesday, February 9, 2022 at 10:30 a.m. at the offices of Riverside Management Services, Inc., 9655 Florida Mining Boulevard West, Building 300, Suite 305, Jacksonville, Florida 32257.

Present were:

Michelle Pierce

Rocky Morris

Kurt von der Osten

Chairperson

Supervisor

Supervisor

Also present were:

Jim Oliver

Peter Ma

Jennifer Kilinski

Johnathan Smith

District Manager

District Engineer

District Counsel (by phone)

KPR Centers (by phone)

The following is a summary of the discussions and actions taken at the February 9, 2022 meeting. An audio copy of the proceedings can be obtained by contacting the District Manager.

**FIRST ORDER OF BUSINESS**

**Roll Call**

Mr. Oliver called the meeting to order and called the roll.

**SECOND ORDER OF BUSINESS**

**Audience Comments**

There were no members of the public in attendance.

**THIRD ORDER OF BUSINESS**

**Organizational Matters**

**A. Oath of Office for Newly Elected Supervisors**

Mr. Oliver, being a notary public for the State of Florida administered an oath of office to Ms. Pierce and Mr. Morris.

**B. Consideration of Resolution 2022-01, Canvassing and Certifying the Results of the Landowners Election**

Mr. Oliver stated that 40 votes each were cast for Michelle Pierce and Rocky Morris, providing them each with four-year terms. There was no nomination to fill Seat 5, therefore it remains vacant.

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On MOTION by Mr. Morris seconded by Mr. von der Osten with all in favor Resolution 2022-01, canvassing and certifying the results of the landowners election was approved.

**C. Consideration of Resolution 2022-02, Designating Officers**

Mr. Oliver reminded the Board that currently Ms. Pierce serves as Chairperson, Ms. Bock serves as Vice Chairperson, the remaining supervisors serve as Assistant Secretaries and there are GMS staff members serving as Secretary, Treasurer, Assistant Secretaries and Assistant Treasurers in order to be able to execute documents between meetings. The Board members agreed to keep the slate of officers the same.

On MOTION by Mr. Morris seconded by Ms. Pierce with all in favor Resolution 2022-02, designating officers was approved.

**FOURTH ORDER OF BUSINESS Minutes**

**A. Approval of the Minutes of the July 14, 2021 Meeting**

There were no comments on the minutes.

On MOTION by Mr. Morris seconded by Mr. von der Osten with all in favor the minutes of the July 14, 2021 Board of Supervisors meeting were approved as presented.

**B. Acceptance of the Minutes of the November 10, 2021 Landowners Election**

There were no comments on the minutes.

On MOTION by Mr. Morris seconded by Ms. Pierce with all in favor the minutes of the November 10, 2021 Landowners Election meeting were accepted as presented.

**FIFTH ORDER OF BUSINESS Ratification of Engagement Letter with Grau & Associates for the Fiscal Year 2021 Audit**

Mr. Oliver noted the engagement letter with Grau & Associates was executed in order to being the audit process. The fee in the amount of \$3,500 is under the budgeted amount.

On MOTION by Mr. Morris seconded by Mr. von der Osten with all in favor the engagement letter with Grau & Associates for the Fiscal Year 2021 audit was ratified.

**SIXTH ORDER OF BUSINESS Ratification of Transfer of Legal Services to KE Law Group**

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Mr. Oliver noted the letter regarding the transfer of legal services to KE Law Group was executed in August. Ms. Kilinski stated that the fee agreement is consistent with the hourly rates the District has been charged in the past.

On MOTION by Ms. Pierce seconded by Mr. von der Osten with all in favor the transfer of legal services to KE Law Group was ratified.

**SEVENTH ORDER OF BUSINESS**

**Acceptance of the 2021 Annual Engineer's Report**

Mr. Oliver summarized that the letter states that the District maintains in good repair the capital assets, which are the two stormwater management facilities.

On MOTION by Mr. Morris seconded by Mr. von der Osten with all in favor 2021 annual engineer's report was accepted.

**EIGHTH ORDER OF BUSINESS**

**Consideration of Resolution 2022-03, Waiving a Portion of the Rules of Procedure Relating to Meeting Notices**

Ms. Kilinski informed the Board that the District's Rules of Procedure currently require a notice be run in a newspaper for every regularly scheduled meeting. This resolution would waive that requirement and allow for relying on the annual meeting schedule that is published both in a newspaper and on the District's website. This would in turn save the District money on the regular meeting notices.

On MOTION by Ms. Pierce seconded by Mr. Morris with all in favor Resolution 2022-03, waiving a portion of the Rules of Procedure relating to meeting notices was approved.

**NINTH ORDER OF BUSINESS**

**Consideration of Resolution 2022-04, Authorizing a Change in Registered Agent and Registered Office**

Mr. Oliver pointed out that the registered agent is proposed to be changed to Ernesto Torres, and the registered office changed to the offices of GMS.

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On MOTION by Mr. von der Osten seconded by Mr. Morris with all in favor Resolution 2022-04, authorizing a change in registered agent and registered office was approved.

## **TENTH ORDER OF BUSINESS**

### **Consideration of Resolution 2022-05, Adopting Amended Prompt Payment Policies**

Ms. Kilinski stated that the District has prompt payment policies in place that are statutorily required by law for all local governments. There have been several changes to the legislative structure, including the payment responsibilities, the timeline for payment and the interest applicable if a payment is made late. The policies included in the agenda package include these legislative changes. She's included in the policy the ability for the District to change the policies after each session to the extent there are further changes without having to go through a more formal process.

On MOTION by Mr. Morris seconded by Ms. Pierce with all in favor Resolution 2022-05, adopting amended prompt payment policies was approved.

## **ELEVENTH ORDER OF BUSINESS**

### **Staff Reports**

#### **A. District Counsel – Memo Regarding Stormwater Needs Analysis**

Ms. Kilinski informed the Board that during the last legislative session there was a law passed that requires all local governments to do a stormwater needs analysis that would be a 20-year study and has to be updated every five years. The first report is due in June.

#### **B. District Engineer – Consideration of Work Authorization for Preparation of a Stormwater Needs Analysis Report**

Mr. Ma presented the work authorization for preparation of a stormwater needs analysis report with the estimated fee not to exceed \$6,000. Mr. Oliver noted that while this is an unbudgeted expense, the capital reserves can cover the cost.

On MOTION by Mr. Morris seconded by Mr. von der Osten with all in favor the work authorization for preparation of a stormwater needs analysis report at an amount not to exceed \$6,000 was approved.

#### **C. District Manager**

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Mr. Oliver noted the budget will be brought to the next meeting for approval.

**TWELFTH ORDER OF BUSINESS      Supervisor's Requests and Audience Comments**

There being none, the next item followed.

**THIRTEENTH ORDER OF BUSINESS      Financial Reports**

**A. Balance Sheet and Income Statement**

Copies of the financial statements were included in the agenda package.

**B. Assessment Receipt Schedule**

A copy of the assessment receipt schedule showing the district is 96.5% collected was included in the agenda package.

**C. Approval of Check Register**

A copy of the check register totaling \$315,550.59 was included in the agenda package.

On MOTION by Mr. Morris seconded by Ms. Pierce with all in favor the Check Register was approved.

**FOURTEENTH ORDER OF BUSINESS      Next Scheduled Meeting – May 11, 2022 at 10:30 a.m. at the offices of Riverside Management Services**

**FIFTEENTH ORDER OF BUSINESS      Adjournment**

On MOTION by Mr. Morris seconded by Mr. von der Osten with all in favor the meeting was adjourned.

DocuSigned by:  
*Jim Oliver*  
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Secretary/Assistant Secretary

DocuSigned by:  
*Michelle Pierce*  
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Chairman/Vice Chairman