# Old Hickory <br> Community Development District 

 AgendaApril 15, 2024

## Agenda

# Old Hickory <br> Community Development District 

219 E. Livingston Street, Orlando, Florida 32801
Phone: 407-841-5524 - Fax: 407-839-1526
April 8, 2024
Board of Supervisors
Old Hickory Community
Development District
Dear Board Members:
The meeting of the Board of Supervisors of the Old Hickory Community Development District will be held Monday, April 15, 2024 at 10:00 a.m., or as shortly thereafter as reasonably possible, at the Oasis Club at ChampionsGate, 1520 Oasis Club Blvd., ChampionsGate, FL 33896. Following is the advance agenda for the regular meeting:

1. Roll Call
2. Public Comment Period
3. Approval of Minutes of the March 18, 2024 Meeting
4. Staff Reports
A. Attorney
i. Memorandum Regarding Annual Reminder on Florida Laws for Public Officials
B. Engineer
i. Discussion of Pending Plat Conveyances
ii. Status of Permit Transfers
C. District Manager's Report
i. Approval of Check Register
ii. Balance Sheet and Income Statement
D. Field Manager's Report
5. Other Business
6. Supervisor's Requests
7. Adjournment

The balance of the agenda will be discussed at the meeting. In the meantime, if you should have any questions, please contact me.

Sincerely,
George S. Mint
George S. Flint
District Manager
Cc: Jan Carpenter, District Counsel
David Reid, District Engineer
Enclosures

## Minutes

## MINUTES OF MEETING <br> OLD HICKORY COMMUNITY DEVELOPMENT DISTRICT

A regular meeting of the Board of Supervisors of the Old Hickory Community Development District was held Monday, March 18, 2024 at 10:00 a.m. at the Oasis Club at ChampionsGate 1520 Oasis Club Blvd. ChampionsGate, FL.

Present and constituting a quorum were:

Lane Register
Adam Morgan
Rob Bonin
Jarred Cornell
Kathryn Farr by phone

Chairman
Vice Chairman
Assistant Secretary
Assistant Secretary
Assistant Secretary

Also present were:
George Flint
Kristen Trucco
District Manager
District Engineer
Field Manager

## FIRST ORDER OF BUSINESS

## Roll Call

Mr. Flint called the meeting to order and called the roll. There were three Board members present in person and constituting a quorum.

## SECOND ORDER OF BUSINESS Public Comment Period

Mr. Flint noted that they did not have any members of the public in attendance.

## THIRD ORDER OF BUSINESS

Approval of Minutes of the February 19, 2024
Meeting
Mr. Flint presented the February 19, 2024 meeting minutes and asked for any comments or corrections from the Board. The Board had no changes to the minutes.

On MOTION by Mr. Morgan, seconded by Mr. Register, with all in favor, the Minutes of the February 19, 2024 Meeting, were approved, as presented.
A. Attorney
i. Discussion of Pending Platt Conveyances
ii. Status of Permit Transfers

Ms. Trucco noted that the only conveyances still needed were the tracts in Phase 4.

## B. Engineer

Mr. Reid had nothing further to report.

## C. District Manager's Report

i. Approval of Check Register

Mr. Flint presented the check register to the Board which totals $\$ 31,709.14$. There being no questions from the Board there was a motion of approval.

On MOTION by Mr. Morgan, seconded by Mr. Register, with all in favor, the Check Register, was approved.

## ii. Balance Sheet and Income Statement

Mr. Flint presented the unaudited financials through February. He asked for any questions on the financials. Hearing no questions, the next item followed.

## D. Field Manager's Report

Mr. Scheerer had nothing further to report. He stated that they would likely close the dog park to let the sod grow out. He noted that the entry lighting was completed.

## FIFTH ORDER OF BUSINESS <br> Other Business

There being no comments, the next item followed.

## SIXTH ORDER OF BUSINESS Supervisor's Requests

There being no comments, the next item followed.

## SEVENTH ORDER OF BUSINESS

## Adjournment

On MOTION by Mr. Morgan, seconded by Mr. Cornell, with all in favor, the meeting was adjourned.

## Section IV

## SECTION A

## Section 1

# LATHAM, LUNA, $\frac{\text { EDEN\&CBEAUDINE, }}{\frac{\text { LLP }}{\text { TTORNEYS AT LAW }}}$ 

201 SOUTH ORANGE AVENUE, SUITE 1400
Jay E. Lazarovich

Michael J. Beaudine
Jan Albanese Carpenter
Daniel H. Coultoff
Sarah M. Dinon Jennifer S. Eden Dorothy F. Green Bruce D. Knapp Peter G. Latham

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Marc L. Levine Justin M. Luna Lori T. Milvain Benjamin R. Taylor Christina Y. Taylor Kristen E. Trucco
Daniel A. Velasquez

To: CDD Board of Supervisors
From: District Counsel (Jan Albanese Carpenter, Esq., Jay E. Lazarovich, Esq. and Kristen E. Trucco, Esq.)
Regarding: Annual Reminder on Florida Laws for Public Officials
Date: April 2024

## I. Code of Ethics Reminders

a. "GIFTS LAW"
-BENEFIT TO YOU: public officials are prohibited from accepting or asking for anything of value based upon an understanding that such thing will influence the official's vote, official action or judgment. Section 112.313(2), Florida Statutes.
-BENEFIT TO SPOUSE/MINOR CHILDREN: a public official, their spouse and minor children are prohibited from accepting anything of value when the public official knows, or under the circumstances should know, that it was given to influence a vote or other official action of the public official. Section 112.313(4), Florida Statutes.
-DISCLOSURE DUTY: a public official must disclose gifts with a value of more than $\$ 100$ to the Commission on Ethics (on Form 9) unless the gift is from a relative or unless the public official pays the donor an amount to reduce the value of the gift to $\$ 100$ or less within 90 days of receiving the gift. Section 112.3148(8)(a), Florida Statutes.

## b. MISUSE OF PUBLIC POSITION

-No public official shall corruptly ${ }^{1}$ use or attempt to use his/her official position or any property or resource which may be within his or her trust, or perform his or her official duties, to secure a special privilege, benefit or exemption for himself/herself, or others. Section 112.313(6), Florida Statutes.
-Recent examples: (1) Florida Commission on Ethics found probable cause to believe that a CDD Supervisor misused her public position by using her official CDD email account to send an email

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endorsing her preferred candidates for the upcoming homeowners association election; and (2) Florida Commission on Ethics opined that use of City business cards by City Commissioners and a City Mayor for private promotion or gain creates a prohibited conflict of interest under Section 112.313(6), Florida Statutes.

## c. VOTING CONFLICTS

-A public officer must not vote on any measure which would (1) result in his/her special private gain or loss; or (2) which the officer knows would result in a special private gain or loss to:
i. a principal ${ }^{2}$ by whom the officer is retained ${ }^{3}$;
ii. a parent organization or subsidiary of a corporate principal by whom the officer is retained;
iii. a relative (parents, children, spouse, sibling, mother/father-in-law, son/daughter-in-law); and
iv. a business associate (pursuing common commercial/business pursuit for profit and such pursuit is current and ongoing). Example: business partner.
-If you have a voting conflict you should: (1) consult with your CDD's counsel and/or your CDD's District Manager; (2) disclose your conflict ${ }^{4}$; and (3) submit the Commission on Ethics Form 8B within 15 days after the vote occurs to your District Manager so that the form can be incorporated into the minutes.

## II. Quorum \& Sunshine Law Reminders

a. QUORUM
-A majority of the Board of Supervisors must be physically present in order for the Board to take any official action.
-Participation by telephone: Participation by physical presence at Board meetings is expected under the Sunshine law. However, when a quorum of the Board is physically present, a Supervisor may participate by telephone only if the Supervisor's absence is due to an extraordinary circumstance such as an illness. In the event a Supervisor participates by telephone, the Supervisor must vote on every action unless a voting conflict exists. Likewise, if a Supervisor is participating in person, the Supervisor must vote on every action unless a voting conflict exists.

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## b. SUNSHINE LAW

-Outside of a Board of Supervisors meetings, two or more members of the Board must not discuss any matter on which foreseeable action will be taken by the Board. This applies to in-person, "liaison" and "virtual" discussions, including text messages, emails, telephone calls, online postings (social media) and any other means of communication. Failure to abide to this rule constitutes a Sunshine law violation.
-Best practices: (1) utilize Board meetings for discussions with other Supervisors; (2) refrain from posting about CDD business online and responding/reacting to matters online related to CDD business.

## III. Public Records Reminders

-Chapter 119, Florida Statutes \& the Florida Constitution (Article 1, Section 24) guarantees the public a right to access government records.
-Includes all materials (i.e., documents, emails, TEXT MESSAGES, sound recordings, films, maps, books, photographs, tapes, etc.) made or received in connection with the official business of the CDD.
-You are required to keep records for the time period set by the Division of Library Information Services of the Florida Department of State. ${ }^{5}$ For example, correspondence and memoranda that are associated with administrative practices or routine issues (but do not create a policy/procedure, document the business of a particular program or act as a receipt) are required to be retained for $\mathbf{3}$ fiscal years. ${ }^{6}$ Correspondence and memoranda that document policy development, decision-making, or substantive programmatic issues, procedures or activities are required to be retained for $\mathbf{5}$ fiscal years. For more information on the retention and disposition of records, please contact your CDD's District Manager.
-Exceptions are very limited. Examples of exemptions: (1) materials related to security and/or fire safety of a facility (including video surveillance and security details); and (2) materials related to active criminal investigations.
-Best Practices: (1) in-person or telephone discussions (except with other Board members); (2) use or create a separate email account for CDD related materials; (3) avoid posting on social media about CDD business (posts can be removed/edited by users and website controller); and (4) avoid using text/social media messaging as they generally cannot be saved.

[^2]
## Section C

## Section 1

# Old Hickory <br> Community Development District 

Summary of Invoices

March 01, 2024 - March 31, 2024

| Fund | Date | Check No.'s |  | Amount |
| :---: | :---: | :---: | :---: | :---: |
| General Fund |  |  |  |  |
|  | 3/6/24 | 325-326 | \$ | 12,635.00 |
|  | 3/13/24 | 327-329 |  | 8,933.09 |
|  | 3/20/24 | 330 |  | 275.00 |
|  | 3/27/24 | 331 |  | 190.00 |
|  |  |  | \$ | 22,033.09 |
| Payroll |  |  |  |  |
|  | March 2024 |  |  |  |
|  | Adam Morgan | 50055 | \$ | 184.70 |
|  | D. Lane Register | 50056 | \$ | 184.70 |
|  | Jarred Cornell | 50057 | \$ | 184.70 |
|  | Patrick Bonin Jr. | 50058 | \$ | 184.70 |
|  |  |  | \$ | 738.80 |
|  | TAL |  | \$ | 22,771.89 |



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| TOTAL FOR BANK A | $22,033.09$ |
| :--- | :--- |
| TOTAL FOR REGISTER | $22,033.09$ |

## Section 2



# Old Hickory 

Community Development District

## Unaudited Financial Reporting

March 31, 2024

## Table of Contents

1 $\qquad$ Balance Sheet

2 General Fund Income Statement

3 Debt Service Fund Series 2020 Income Statement

4 $\qquad$ Month to Month

5


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## Old Hickory

Community Development District

## Balance Sheet

March 31, 2024

General
Fund

Debt Service
Fund

Totals Governmental Funds

Assets:

| Cash - Truist Bank | $\$$ | 108,444 | $\$$ | - | $\$$ | 108,444 |
| :--- | :--- | :---: | :--- | :---: | ---: | ---: |
| Investments: |  |  |  |  |  |  |
| Series 2020 | $\$$ | - | $\$$ | 177,750 | $\$$ | 177,750 |
| $\quad$ Reserve | $\$$ | - | $\$$ | 394,002 | $\$$ | 394,002 |
| Revenue | $\$$ | - | $\$$ | 4,149 | $\$$ | 4,149 |
| $\quad$ Prepayment | $\$$ | 365,135 | $\$$ | - | $\$$ | 365,135 |
| State Board of Administration |  |  |  |  |  |  |
| Total Assets | $\mathbf{4 7 3 , 5 7 8}$ | $\mathbf{\$}$ | $\mathbf{5 7 5 , 9 0 1}$ | $\mathbf{\$}$ | $\mathbf{1 , 0 4 9 , 4 8 0}$ |  |

Liabilities:

| Accounts Payable | $\$$ | 176 | $\$$ | - | $\$$ | 176 |
| :--- | :--- | :--- | :--- | :--- | :--- | :--- |
| Total Liabilities | $\$$ | $\mathbf{1 7 6}$ | $\$$ | - | $\$$ | $\mathbf{1 7 6}$ |

Fund Balances:

| Restricted For Debt Service 2020 | \$ | - | \$ | 575,901 | \$ | 575,901 |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| Unassigned | \$ | 473,402 | \$ | - | \$ | 473,402 |
| Total Fund Balances | \$ | 473,402 | \$ | 575,901 | \$ | 1,049,304 |
| Total Liabilities \& Fund Equity | \$ | 473,578 | \$ | 575,901 | \$ | 1,049,480 |

## Old Hickory

Community Development District
General Fund
Statement of Revenues, Expenditures, and Changes in Fund Balance
For The Period Ending March 31, 2024

|  | Adopted |  | Prorated Budget |  | Actual |  | Variance |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
|  | Budget |  | Thru 03/31/24 |  | Thru 03/31/24 |  |  |  |
| Revenues: |  |  |  |  |  |  |  |  |
| Special Assessments | \$ | 451,730 | \$ | 445,921 | \$ | 445,921 | \$ | - |
| Interest | \$ | - | \$ | - | \$ | 5,135 | \$ | 5,135 |
| Total Revenues | \$ | 451,730 | \$ | 445,921 | \$ | 451,056 | \$ | 5,135 |

## Expenditures:

## Administrative:

| Supervisor Fees | \$ | 12,000 | \$ | 6,000 | \$ | 2,000 | \$ | 4,000 |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| FICA Expense | \$ | 918 | \$ | 459 | \$ | 153 | \$ | 306 |
| Engineering Fees | \$ | 12,000 | \$ | 6,000 | \$ | - | \$ | 6,000 |
| Attorney | \$ | 25,000 | \$ | 12,500 | \$ | 554 | \$ | 11,946 |
| Arbitrage | \$ | 450 | \$ | 450 | \$ | 450 | \$ | - |
| Dissemination | \$ | 3,500 | \$ | 1,750 | \$ | 1,750 | \$ | (0) |
| Annual Audit | \$ | 5,100 | \$ | - | \$ | - | \$ | - |
| Trustee Fees | \$ | 4,050 | \$ | 4,050 | \$ | 4,041 | \$ | 9 |
| Assessment Administration | \$ | 5,300 | \$ | 5,300 | \$ | 5,300 | \$ | - |
| Management Fees | \$ | 38,955 | \$ | 19,478 | \$ | 19,478 | \$ | - |
| Information Technology | \$ | 1,800 | \$ | 900 | \$ | 900 | \$ | - |
| Website Maintenance | \$ | 1,200 | \$ | 600 | \$ | 600 | \$ | - |
| Telephone | \$ | 50 | \$ | 25 | \$ | - | \$ | 25 |
| Postage | \$ | 1,000 | \$ | 500 | \$ | 80 | \$ | 420 |
| Insurance | \$ | 6,210 | \$ | 6,210 | \$ | 5,843 | \$ | 367 |
| Printing \& Binding | \$ | 500 | \$ | 250 | \$ | 5 | \$ | 245 |
| Legal Advertising | \$ | 2,500 | \$ | 1,250 | \$ | - | \$ | 1,250 |
| Other Current Charges | \$ | 600 | \$ | 300 | \$ | 252 | \$ | 48 |
| Office Supplies | \$ | 150 | \$ | 75 | \$ | 16 | \$ | 59 |
| Property Appraiser | \$ | 500 | \$ | 500 | \$ | 221 | \$ | 279 |
| Dues, Licenses \& Subscriptions | \$ | 175 | \$ | 175 | \$ | 175 | \$ | - |
| Total Administrative: | \$ | 121,958 | \$ | 66,772 | \$ | 41,816 | \$ | 24,955 |

Operations \& Maintenance

| Field Operations | \$ | 16,695 | \$ | 8,348 | \$ | 8,348 | \$ | - |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| Property Insurance | \$ | 2,500 | \$ | 2,500 | \$ | 2,244 | \$ | 256 |
| Electric | \$ | 1,500 | \$ | 750 | \$ | 186 | \$ | 564 |
| Streetlights | \$ | 101,430 | \$ | 50,715 | \$ | 45,060 | \$ | 5,655 |
| Water \& Sewer | \$ | 24,940 | \$ | 12,470 | \$ | 12,544 | \$ | (74) |
| Landscape Maintenance | \$ | 142,393 | \$ | 71,197 | \$ | 62,132 | \$ | 9,065 |
| Landscape Contingency | \$ | 7,500 | \$ | 3,750 | \$ | - | \$ | 3,750 |
| Irrigation Repairs | \$ | 7,500 | \$ | 3,750 | \$ | 6,257 | \$ | $(2,507)$ |
| Lake Maintenance | \$ | 16,464 | \$ | 8,232 | \$ | 6,670 | \$ | 1,562 |
| Repairs \& Maintenance | \$ | 2,500 | \$ | 1,250 | \$ | 190 | \$ | 1,060 |
| Walls, Entry \& Monuments | \$ | 2,500 | \$ | 1,250 | \$ | - | \$ | 1,250 |
| Contingency | \$ | 3,850 | \$ | 1,925 | \$ | - | \$ | 1,925 |
| Total Operations \& Maintenance: | \$ | 329,772 | \$ | 166,136 | \$ | 143,630 | \$ | 22,506 |
| Total Expenditures | \$ | 451,730 | \$ | 232,908 | \$ | 185,446 | \$ | 47,461 |
| Excess Revenues (Expenditures) | \$ | - |  |  | \$ | 265,609 |  |  |
| Fund Balance-Beginning | \$ | - |  |  | \$ | 207,793 |  |  |
| Fund Balance-Ending | \$ | - |  |  | \$ | 473,402 |  |  |

## Old Hickory

## Community Development District

Debt Service Fund - Series 2020
Statement of Revenues, Expenditures, and Changes in Fund Balance
For The Period Ending March 31, 2024

|  | Adopted |  | Prorated Budget |  | Actual |  |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
|  | Budget |  | Thru 03/31/24 |  | Thru 03/31/24 |  | Variance |  |
| Revenues: |  |  |  |  |  |  |  |  |
| Special Assessments | \$ | 356,100 | \$ | 350,743 | \$ | 350,743 | \$ | - |
| Interest | \$ | 7,500 | \$ | 3,750 | \$ | 10,010 | \$ | 6,260 |
| Total Revenues | \$ | 363,600 | \$ | 354,493 | \$ | 360,753 | \$ | 6,260 |

## Expenditures:

Series 2020

| Interest $-12 / 15$ | $\$$ | 111,538 | $\$$ | 111,538 | $\$$ | 111,538 | $\$$ | - |
| :--- | :--- | :--- | :--- | ---: | :--- | ---: | :--- | :--- |
| Principal -06/15 | $\$$ | 130,000 | $\$$ | - | $\$$ | - | $\$$ | - |
| Interest-06/15 | $\$$ | 111,538 | $\$$ | - | $\$$ | - | $\$$ | - |
|  |  |  |  |  |  |  |  |  |
| Total Expenditures | $\$$ | $\mathbf{3 5 3 , 0 7 5}$ | $\$$ | $\mathbf{1 1 1 , 5 3 8}$ | $\mathbf{\$}$ | $\mathbf{1 1 1 , 5 3 8}$ | $\mathbf{\$}$ | - |

Other Sources/(Uses)

| Transfer In/(Out) | \$ | - | \$ | - | \$ | - | \$ | - |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| Total Other Financing Sources (Uses) | \$ | - | \$ | - | \$ | - | \$ | - |
| Excess Revenues (Expenditures) | \$ | 10,525 |  |  | \$ | 249,216 |  |  |
| Fund Balance-Beginning | \$ | 144,553 |  |  | \$ | 326,686 |  |  |
| Fund Balance-Ending | \$ | 155,078 |  |  | \$ | 575,901 |  |  |



## Old Hickory

## Community Development District

## Long Term Debt Report

|  | SERIES 2020, SPECIAL ASSESSMENT BONDS |  |
| :--- | :---: | ---: |
|  |  |  |
| OPTIONAL REDEMPTION DATE: | $6 / 15 / 2030$ |  |
| INTEREST RATE: | $2.500 \%, 3.000 \%, 4.000 \%, 4.000 \%$ |  |
| MATURITY DATE: | $6 / 15 / 2050$ |  |
| RESERVE FUND DEFINITION | $50 \%$ OF MAXIMUM ANNUAL DEBT SERVICE |  |
| RESERVE FUND REQUIREMENT | $\$ 177,750$ |  |
| RESERVE FUND BALANCE | $\$ 177,750$ | $(\$ 6,245,000$ |
|  |  | $(\$ 120,000)$ |
| BONDS OUTSTANDING - 10/21/20 | $(\$ 125,000)$ |  |
| LESS: PRINCIPAL PAYMENT 06/15/21 | $(\$ 10,000)$ |  |
| LESS: PRINCIPAL PAYMENT 06/15/22 | $(\$ 130,000)$ |  |
| LESS: SPECIAL CALL 09/15/22 |  |  |
| LESS: PRINCIPAL PAYMENT 06/15/23 |  | $\mathbf{\$ 5 , 8 6 0 , 0 0 0}$ |

## Old Hickory

## COMMUNITY DEVELOPMENT DISTRIC'

Special Assessment Receipts
Fiscal Year 2024

| Gross Assessments | $\$$ | $480,563.05$ | $\$$ | $377,991.00$ | $\$$ | $858,554.05$ |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| Net Assessments | $\$$ | $451,729.27$ | $\$$ | $355,311.54$ | $\$$ | $807,040.81$ |



|  | $\mathbf{9 9 . 3 7 \%}$ | Net Percent Collected |
| ---: | ---: | ---: |
| $\$$ | $5,080.53$ | Balance Remaining to Collect |


[^0]:    1 "Corruptly" "means done with a wrongful intent and for the purpose of obtaining, or compensating or receiving compensation for, any benefit resulting from some act or omission of a public servant which is inconsistent with the proper performance of his or her public duties." See Section 112.312(9), Florida Statutes.

[^1]:    ${ }^{2}$ According to the Commission on Ethics, a "principal" excludes a "government agency" and includes: (1) an employer; (2) a client of a legal, accounting, insurance or other professional practice; and (3) a corporation for which the officer serves as a compensated director.
    ${ }^{3}$ Generally speaking, a "principal by whom retained" means for compensation, consideration or similar thing of value. See Section 112.3143(1)(a), Florida Statutes for the full definition.
    ${ }^{4}$ Although there may be a slight difference on timing and procedure for disclosure of a voting conflict for "Elected Officers" vs. "Appointed Officers," it is recommended that the conflict be disclosed prior to any discussion on the matter. Further, we caution that discussions on items on which a Supervisor has a voting conflict could potentially be challenged as a violation of the "Misuse of Public Position" rule in Section 112.313(6), Florida Statutes, if the discussion is seen as persuasion or an attempt to influence the Board's position to secure a special benefit for the Supervisor or others. If you have any questions, please contact counsel to discuss.

[^2]:    ${ }^{5}$ The Records Schedule is accessible at the following URL: https://files.floridados.gov/media/706717/gs1-sl-june2023.pdf.
    ${ }^{6}$ October $1^{\text {st }}$ through September $30{ }^{\text {th }}$.

