

**HARMONY
COMMUNITY DEVELOPMENT DISTRICT**

**DECEMBER 17, 2020
REGULAR MEETING AGENDA PACKAGE**

**Grace Community Church
5501 East Irlo Bronson Highway
Saint Cloud, Florida 32772**

Osceola County Emergency Ordinance 2020-60 remains in place requiring all people working, living, visiting or doing business in Osceola County to wear face coverings while in public places. Social distancing measures will be enforced, and masks are required to attend the Harmony CDD meetings until otherwise advised. Remote participation options will continue to be provided for telephonic public attendance at **800-747-5150** Access Code **8185960#**



210 N. UNIVERSITY DRIVE, SUITE 702
CORAL SPRINGS, FLORIDA 33071

Harmony Community Development District

Teresa Kramer, Chair
 Daniel Leet, Vice Chair
 Steve Berube, Assistant Secretary
 Kerul Kassel, Assistant Secretary
 Mike Scarborough, Assistant Secretary



Kristen Suit, District Manager
 Timothy Qualls, *Esq.* District Counsel
 Steve Boyd, *PE* District Engineer
 Gerhard van der Snel, Field Manager

December 8, 2020

Board of Supervisors
 Harmony Community Development District

Dear Board Members:

The regular meeting of the Board of Supervisors of the Harmony Community Development District will be held Thursday, December 17, 2020 at 6:00 p.m. at Grace Community Church, 5501 East Irlo Bronson Highway, Saint Cloud, Florida 32772 and via conference call at 800-747-5150 / 8185960#. Following is the advance agenda for the meeting:

1. **Call to Order - Roll Call**
2. **Approval of Agenda**
3. **Audience Comments (Limited to a Maximum of 3 Minutes)**
4. **Draft In-Person Meeting Policy [Page 5]**
5. **Public Hearing: Brownies Septic & Plumbing LLC Contract**
6. **Approval of Minutes for:**
 - A. **November 19, 2020 – Regular Monthly Meeting [Page 9]**
7. **Subcontractors' Reports**
 - A. **Servello**
 - i. Grounds Maintenance Status
8. **Staff Reports**
 - A. **District Engineer Report [Page 22]**
 - i. Billy's Trail
 - a. Consideration of Trail/CDD Property/Wetland Area Cleanup
 - o Staking Proposal [Page 26]
 - ii. Garden Road
 - a. Arrow Pavement Services
 - b. Straightline Fence
 - c. Other Option
 - iii. Compaction of Storm Pipe Repair
 - a. Soil Profiles [Page 30]
 - iv. Proposed Playground on Five Oaks Drive
 - v. Status of RV / Board Storage Area
 - B. **District Counsel**
 - i. Update on Fusilier Litigation and CDD Irrigation Infringement Injunction
 - ii. Follow-up regarding East Lakes Deed of Dedication Parcel J Berm to District
 - iii. Policies
 - a. Draft Procurement Procedures [Page 35]
 - b. Draft Disposal Policy [Page 39]
 - iv. Follow-up on Termination of Website Maintenance Contract
 - v. Follow-up Discussion of District Counsel Billing the District at a Flat Fee

- C. Field Manager**
 - i. Facilities Maintenance (*Parks, Pools, Docks, Boats, etc.*) [Page 42]
 - ii. Facility Use Records (*Inclusive - Boats & Other*) [Page 45]
 - iii. Resident Submittals (*Facebook & Direct*) [Page 48]
 - iv. Pond Maintenance (*Chart & Map*) [Page 50]
 - v. Wetlands Report (*Chart & Map*) [Page 53]
 - vi. Alley Way Proposals
 - a. Install Bollards to prevent garbage trucks tearing up corners
- \$3,200.00 [Page 57]
 - b. Saw cut, remove asphalt, overlay, tack, and compact - \$800.00 [Page 59]
- 9. District Manager's Report**
 - A. Financial Statements for November 30, 2020** [Page 62]
 - B. Approval of: #248 Invoices, Check Register, Credit Card & Debit Purchase**
(*Invoices, Credit Card & Debit Receipts Available Upon Request*) [Page 76]
 - C. Facilities Usage Applications**
 - i. Farmers Market – Awaiting Mr. Fusilier's Response
 - ii. Food Truck – Awaiting follow-up from HROA
- 10. Old Business**
 - A. Discussion and Consideration of Relocating West Entrance Crosswalk** [Page 85]
 - i. Junction of 5 Oaks Drive, Milk Weed and Darksky Drive - \$5,304.00 [Page 88]
 - ii. Demo 200 SF Sidewalk and 20 LF of Valley Curb,
Form and Pour 20 LF of Type "F" Curb - \$3,300.00 [Page 90]
- 11. New Business**
 - A. Discussion and Consideration of Video Recording Meetings**
 - i. Presentation [Page 94]
 - ii. ADA Compliance Memo [Page 105]
 - iii. Records Retention Memo [Page 114]
 - B. Discussion of Maintenance of District Vehicles and Equipment**
 - C. Field Services – Services/Work Load**
- 12. Supervisors' Requests**
- 13. Adjournment**

We look forward to speaking with you at the meeting. In the meantime, if you have any questions, please contact me.

Sincerely,

Kristen Suit

Kristen Suit
District Manager

Fourth Order of Business

CDD IN-PERSON MEETING POLICY DURING COVID-19 PANDEMIC

Osceola County Emergency Ordinance 2020-60 remains in place requiring all people working, living, visiting or doing business in Osceola County to wear face coverings while in public places. Social distancing measures will be enforced and masks are required to attend the CDD meetings until otherwise advised. Remote participation options will continue to be provided for virtual public attendance.

The CDC recommends for everyone to have the following supplies on hand:

- Masks
- Tissues
- Hand Sanitizer (with at least 60% alcohol)

Social Distancing

- Board Members, Staff, and the Public are instructed to maintain at least a six foot distance from each other
- Persons who need to cough or sneeze should use a cloth or tissue or, if not available, into their elbow.
- Do not shake hands or engage in any unnecessary physical contact with any other individuals at the meeting.

Assessing Health Prior to Meetings

- It is strongly encouraged all persons attending the meeting to consider if they are at high-risk and are encouraged to practice an overabundance of caution.
- The CDC defines high risk people as follows:
 - People aged 65 years and older
 - People with chronic lung disease, moderate to severe asthma, serious heart conditions, immunocompromised, severe obesity or underlying medical conditions, such as those with diabetes, renal failure, or liver disease may also be a higher risk.
- Temperature Check: The CDD strongly encourages board members, staff, and the public to have their temperature taken the day of in-person meetings.
- Known or potential COVID-19 infection: Board Members, Staff, or the Public who have a temperature in excess of 100°F (or who would exhibit such fever in the absence of fever reducing drugs) and/or with symptoms of cough or difficulty breathing and/or experiencing loss of taste and/or smell, are strongly encouraged to not attend in-person meetings.
- Known contacts with COVID-19 positive or high-risk individuals: board members, staff, or the public who has had recent contact with an individual known to have tested positive for coronavirus, or has been exposed to a recent high-risk situation, such as national or international airline travel to a known virus “hot spot” or who has had contact with an individual from a high-risk area are strongly encouraged to not attend in-person meetings.
- All board members, staff, and the public should read these guidelines prior to attending meetings for the first time. If you do not understand the guidance or have questions, contact the District Manager.

Onsite Safety

- **Masks:** All persons in attendance at an indoor, in-person meeting must wear a mask unless under the age of 2 or if the mask would cause impairment due to an existing health condition. (Osceola County has enacted an emergency ordinance that requires all people working, living, visiting or doing business in Osceola County to wear face coverings while in public places. Emergency Ord. 60-2020 as amended on Oct. 5, 2020)
- **Handwashing:** should be performed at regular intervals using soap and water and/or hand sanitizers and should be performed before and after entering communal spaces.
- **Food and Drink ARE NOT ALLOWED** in the meeting room.
- **Bathroom Use:** Where possible, all persons attending meetings should aim to use the bathroom facilities one at a time.
- **Cleaning of the meeting facilities:** will be ongoing, including high touch surfaces.

Onsite Logistics

- Any members of the Public attending in-person meetings may not arrive prior to 5:45 p.m., or 15 minutes before the start of the regularly scheduled meetings. Members of the Public must leave promptly at the conclusion of the meeting.
- **Persons not Observing Guidelines:** all individuals attending meetings are encouraged to speak up and let others know if they are not adequately following the safety guidelines.

Sixth Order of Business

6A.

MINUTES OF MEETING HARMONY COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Harmony Community Development District was held Thursday, November 19, 2020, at 6:00 p.m. at the at the Grace Community Church, 5501 East Irlo Bronson Highway, St. Cloud, FL.

Present and constituting a quorum were:

Teresa Kramer	Chair
Dan Leet	Vice Chairman
Steve Berube	Assistant Secretary
Kerul Kassel	Assistant Secretary
Mike Scarborough	Assistant Secretary

Also present were:

Kristen Suit	District Manager: Inframark
Tim Qualls	District Attorney: Young Qualls, P.A.
Tristan LaNasa	Young Qualls, P.A.
Steve Boyd	District Engineer (via phone)
Gerhard van der Snel	Field Services Manager
Pete Betancourt	Servello
Residents and Members of the Public	

The following is a summary of the discussions and actions taken at the November 19, 2020 Harmony CDD Board of Supervisors meeting.

FIRST ORDER OF BUSINESS Roll Call

Supv Berube called the meeting to order at 6:00 p.m.

Roll was called and the record will reflect a quorum.

SECOND ORDER OF BUSINESS Audience Comments

Hearing none, the next order of business followed.

THIRD ORDER OF BUSINESS Organizational Matters

A. Oath of Office for Newly Elected Supervisors via General Election – Seat 1 – Daniel Leet, Seat 3 – Kerul Kassel and Seat 5 – Teresa Kramer

Ms. Suit, a Notary Public of the State of Florida administered the oath of office to Supv Kassel, Supv Kramer and Supv Leet, copies of which are attached hereto and made part of the record.

B. Election of Officers – Resolution 2021-04

Ms. Suit outlined the election of officers.

Supv Scarborough addressed the Chairman noting Mr. Berube has had the

position for many years. He comes from the CDD background working under Mr. van der Snel and he thinks the community knows and he knows first hand of the diligence that Supervisor Berube has put into the community, and has invested above and beyond the call of the duty for the position that he holds; he has been extremely successful with the community, the CDD and the position that he has held.

Supv Scarborough nominated Supv Berube as Chairman and Supv Berube seconded the nomination; with Supv Scarborough and Supv Berube voting aye and Supv Kassel, Supv Kramer and Supv Leet voting nay, the nomination failed. (2-3)

Supv Kassel nominated Supv Kramer as Chair and Supv Leet seconded the nomination; with Supv Kassel, Supv Leet and Supv Kramer voting aye and Supv Berube and Supv Scarborough voting nay; Supv Kramer was elected Chair. (3-2)

Supv Kramer nominated Supv Leet as Vice Chair and Supv Kassel seconded the nomination. There being no further nominations, with all in favor, Supv Leet was elected Vice Chair. (5-0)

On MOTION by Supv Kassel seconded by Supv Leet, with all in favor, Resolution 2021-04 designating officers of the Harmony Community Development District as Teresa Kramer – Chair, Daniel Leet – Vice Chair, Kristen Suit – Secretary, Alan Baldwin – Treasurer, Stephen Bloom – Assistant Treasurer and Kerul Kassel, Steve Berube and Mike Scarborough as Assistant Secretaries was adopted. (5-0)

FOURTH ORDER OF BUSINESS

Public Hearing: Brownies Septic & Plumbing LLC Contract

Supv Kramer inquired if anyone was present representing Brownies. Hearing no one, she inquired if they were noticed.

Mr. Qualls noted he believes so and confirmed that he did so via email. He noted his advice is to give them another opportunity at the December meeting.

Ms. Kramer noted they will table to December and inquired if they can send a letter asking Brownies to confirm that they will be present.

Mr. Qualls noted they will.

FIFTH ORDER OF BUSINESS

Approval of the Minutes

A. October 29, 2020 - Regular Monthly Meeting Minutes

On MOTION by Supv Kassel seconded by Supv Leet, with all in favor, the October 29, 2020 regular meeting minutes were approved. (5-0)

SIXTH ORDER OF BUSINESS

Subcontractors' Reports

A. Servello

i. Grounds Maintenance Status

Mr. Pete Betancourt reported at this time the Bahia is behind. The machine has been in for repair for the past week and was just back today and they will start mowing the Bahia on Monday.

Mr. van der Snel noted the tree trimming has been fast forwarded after some concerns and should be done in the next couple of weeks.

Mr. Betancourt stated they will be back on Monday.

Supv Scarborough inquired if Servello has a short week next week.

Mr. Betancourt noted they do.

Supv Berube addressed the prior discussion areas with tree rings along Cat Brier and a couple of other areas and inquired if there is a proposal for the Liriope?

Mr. Betancourt noted he will follow-up with Mr. Feliciano on it; he has not had a chance to go over it with him.

Supv Berube noted they other open item is the touching up the inner street trees while the tree trimmers are onsite.

Mr. van der Snel stated it is bi-annual so the inside trees will happen next year, but the low hanging branches will be taken care of.

Supv Kramer noted there is an item on the agenda to accept a deed of a berm that would add to the landscape maintenance contract.

Supv Kassel noted she believes they are already paying to maintain it.

Mr. van der Snel noted the deed is for along side the entrance of Cat Lake. This will also need to be added as an addendum.

Supv Berube noted Supv Kramer previous brought up mistletoe in the trees along Cupseed.

Supv Kramer noted there were several that she provided photos and information on the location.

Supv Berube inquired if they were done.

Supv Kramer noted she has not noticed if it has been done.

SEVENTH ORDER OF BUSINESS

Storm Drain Pipe Failure Update

Supv Kramer noted this was part of the hearing and inquired if there is any other information that needs to be provided.

Supv Berube addressed approving engaging Devo Engineering noting he inquired a couple of times and other things and some answers came in late today, but he does not know where the soil penetrometer test stands.

EIGHTH ORDER OF BUSINESS

Staff Reports

B. District Attorney

Mr. Qualls gave an overview of the Sunshine Law, emails and Facebook postings. He also addressed public records and using the Harmony email address rather than a personal email and avoiding texting about District business.

Supv Kramer addressed calls between a Supervisor and staff.

Mr. Qualls addressed the TOHO easement with the road regrade noting they worked to make sure the is language for after their work is done they will regrade the road to the satisfaction of the District Engineer.

i. Discussion and Consideration of Accepting the East Lakes Parcel J Berm Deed of Dedication

Mr. Qualls addressed the dedication noting Mr. Boyd verified the ownership was consistent with the language in the deed of dedication. He further noted they did not see any issues in the deed of dedication.

ii. Update on Fusilier Litigation and CDD Irrigation Infringement Injunction

Mr. Qualls reported they filed today a motion for emergency injunction, and they will let them know they status of it and try to get the earliest possible hearing. He suspects it will be a Zoom hearing and anybody can access it.

Mr. Qualls reported the Servello contract expires September 2021. Under the Competitive Procurement law, they would have the ability under Statute to renew the existing contract for a period of three years. It is just something to think about and may be a good option.

The last item is he had said he would bring forth a proposal to try to do what they can to help plan for legal fees in the future. What the proposal would be is a \$5,000 per month retainer that would save them roughly \$26,000 over and above what they spent this past year. Included within the retainer would be all the work they do for the District plus any out of court work they would do in litigation. Depositions and court appearances are not included.

Supv Berube clarified \$5,000 per month for \$60,000 per year save for extraordinary costs.

Mr. Qualls noted in court litigation.

Supv Kramer noted they will take it under advisement and bring it up at the next meeting.

Mr. Qualls noted the total amount from December 2019 to November 2020 the average monthly costs was \$7,507.00 and backing out the litigation it is closer to \$6,000.00.

A. District Engineer

Mr. Boyd noted Devo Engineering will be completing the compaction testing at the pipe tomorrow. He will forward the results as soon as they are received.

Discussion followed on the garden road and quotes for concrete finds. Mr. van der Snel noted he provided some quotes to Mr. Boyd.

Supv Berube addressed the quotes received noting they did not include compaction to a certain density and should be part of the contract.

Supv Kramer noted they will need to look at it to make sure they have a proper scope of work.

Supv Leet noted under New Business they have the section of CDD property that is adjacent to wetlands.

Supv Kramer inquired if this is Billy's Trail.

Supv Leet noted it is.

Mr. Boyd noted he has not been onsite yet and will be doing a site visit next week.

Discussion continued on the trail with it being noted it is on the edge of wetlands and there was a survey done about a year ago.

Supv Leet inquired if they need Mr. Boyd's input on the proposed move of the crosswalk.

Supv Kramer inquired if Mr. Boyd has seen the full agenda.

Mr. Boyd noted he has and can review the information sent by the County.

Supv Kramer noted her concern is whether it was a requirement of the PUD for the crosswalk to be close to 192 and if the Highway Dept would require them to maintain the crosswalk.

Discussion continued with it being noted there is a crosswalk there that was paved over.

Mr. Boyd noted it is not a requirement of FDOT, it is a county-controlled issue and he does not know that the CDD is required to do anything.

Ms. Kramer noted it does seem to be a dangerous situation with cars coming in off of 192. In her estimation the cost would be \$3,000.00 to \$5,000.00 to move it. It would link two existing roads and sidewalks and inquired if there is any reason not to consider it.

Mr. Boyd noted there is not. There is no stop sign at this location but the County did propose putting up crosswalk signs along with the crosswalk.

Supv Kramer inquired if there is any reason to hold it up today.

Mr. Boyd noted not that he is aware of. He will contact the County Engineer to ask if he needs the District to prepare anything.

Discussion followed on obtaining the costs for the sidewalk and curb cuts.

B. District Attorney (continued)

iii. Discussion of Solicitation Policy (updated)

Supv Berube noted he likes the revision done by Supervisor Kassel.

Supv Berube MOVED to approve the revised Solicitation Policy and Supv Kassel seconded the motion.

Supv Kramer addressed her understanding of why the Solicitation Policy came about and her concerns of adopting a policy.

Mr. Qualls noted if you are going to allow one group to put something up then you have to allow everybody, but Supervisor Kassel has included *“All forms of solicitation and distribution are strictly prohibited at all times on any community property, unless previously and explicitly authorized by the District Board of Supervisors”* and if a group has filled out the form and is going to have an event with signage, if the Board looks at it and approves it that may alleviate the concern about not being able to have any signage at all.

Discussion followed on the Farmer’s Market and a usage application.

Supv Berube outlined the history of the menu issue.

Discussion continued on whether there is a need to have a policy.

On VOICE vote, with all in favor, the motion was approved. (5-0)

C. Field Manager

- i. Facilities Maintenance (Parks, Pools, Docks, Boats, etc.)**
- ii. Facility Use Records (Inclusive – Boats & Other)**
- iii. Resident Submittals (Facebook & Direct)**
- iv. Pond Maintenance (Chart & Map)**
- v. Wetlands Report (Chart & Map)**

Mr. van der Snel noted his reports were in the package and inquired if there were any questions or concerns.

Supv Kramer inquired if the play structures are inspected for rust and such and are those issues addressed.

Mr. van der Snel noted they do every Friday or Saturday. He addressed the play structure at the dog park and its poor condition that is not fixable.

Supv Kramer addressed the pond maintenance and an excessive amount of torpedo grass and cattails that are interfering with waterflow. She noted she has not seen this in the reports and inquired if they are updated regularly or quarterly.

Mr. van der Snel inquired if they are interfering with waterflow.

Supv Kramer noted she will be happy to meet with him to show him the areas. She inquired about the Old World Climbing Fern.

Mr. van der Snel noted there are areas that are a 40-foot wall and they have purchased a bush hog to cut a path through.

Supv Kassel inquired about the drain from the swings to the pond.

Mr. van der Snel noted he will be in touch with Supervisor Scarborough about putting in a drain and a list of supplies he will need.

NINTH ORDER OF BUSINESS District Manager's Report

A. Financial Statements for October 31, 2020

B. Approval of: #247 Invoices, Check Register and Debit Purchases

Ms. Suit noted she would be happy to answer any questions.

C. Discussion of Reserves – Sidewalks

Ms. Suit noted the Arrow Paving invoices can be reallocated to Reserves. Her question to the accountant was when the reimbursement check is received does it go to the General Fund or returned to Reserves.

Discussion followed on Reserve funds and line items.

On MOTION Supv Kramer seconded by Supervisor Berube, with all in favor, reallocating Arrow Paving invoices paid out of R&M Sidewalk to Reserve – Sidewalks & Alleyways and Insurance Reimbursements to be allocated to General Fund was approved. (5-0)

On MOTION by Supv Berube seconded by Supv Kassel, with all in favor, Invoice Approval #247, Check Register and Debit Purchases was approved. (5-0)

D. Facilities Usage Applications

i. Harmony Community Church Christmas Eve Service

Ms. Suit outlined the application - it is anticipated to be 100 plus attendees in all age groups on December 24th from 5:30 p.m. to 8:00 p.m.

Supv Kramer inquired if they will be complying with all CDD requirements.

Ms. Suit noted yes, and they have signed the waiver.

On MOTION by Supv Leet seconded by Supv Berube, with all in favor, the Harmony Community Church usage application, with no fee, was approved. (5-0)

ii. Soccer Shots – Soccer Instruction for Ages 2 to 8

Ms. Suit outlined the application – 2- to 8- years old from January 10th to June 25th from 5:00 p.m. to 7:00 p.m. on Fridays. The District charges them \$200.

Supv Leet inquired how the soccer field is looking. Has there been an impact from them using it in the past?

Supv Kassel noted the field is not in great shape but she does not know that is due to Soccer Shots.

On MOTION by Supv Leet seconded by Supv Berube, with all in favor, the Soccer Shots usage application with a fee of \$200 was approved. (5-0)

TENTH ORDER OF BUSINESS Old Business

A. Survey – Cost for HROA Mail Survey

Supv Berube noted the got with Mr. Mark Hills who noted a letter would be cheaper than a postcard – there 1,128 addresses for a total cost of \$1197.45.

Discussion followed on letter versus postcard and providing the link information for Survey Monkey in the letter.

On MOTION by Supv Kassel seconded by Supv Leet, with all in favor, the Survey Monkey mailing by the HROA at a cost not to exceed \$1,200.00 was approved. (5-0)

Supv Kassel will coordinate the survey on Survey Monkey and Ms. Suit will provide the letter/survey link to the HROA.

ELEVENTH ORDER OF BUSINESS New Business

A. Discussion and Consideration of Trail/CDD Property/Wetland Area Cleanup

Previously addressed.

B. Discussion and Consideration of Osceola County Traffic Operations Request

Supv Kramer outlined the request from Mr. Yeager at Osceola County to move the crosswalk at Five Oaks Drive near US 192.

Mr. van der Snel will obtain a quote for the sidewalk and curb cuts.

Discussion followed on the crosswalk. Supv Kramer noted she can approach them about installing a solar-powered motion activated flashing red light.

TWELFTH ORDER OF BUSINESS**Topical Subject Discussions**

There being none, the next item of business followed.

THIRTEENTH ORDER OF BUSINESS**Supervisors' Requests**

Supv Leet inquired as to having item placed on the agenda for discussion.

Ms. Suit noted it is preferable if it requested at the meeting to be placed on the next agenda.

Supv Leet requested for a future meeting revisiting the video recording of meetings. He will update his information for discussion at next month's meeting.

Discussion followed on the prior discussions on the matter with it being noted Mr. Qualls will provide the prior research regarding records retention and ADA compliance.

Ms. Suit noted there was no action of the Deed of Dedication.

On MOTION by Supv Kassel seconded by Supv Scarborough, with all in favor, the East Lakes Parcel J Berm Deed of Dedication was accepted.

Supv Kramer noted she would like to work Mr. Qualls to expand the District's procurement procedure. She addressed the City of St. Clouds procedure with anything over \$25,000.00 going to the full advertisement and sealed bid process, anything from \$3,000.00 to \$25,000.00 is a competitive bid, and \$0 to \$3,000.00 is purchased on the open market. She would also like to include piggybacking on contracts by other local governments and additionally finding a way to relieve Field Services of this responsibility due to their workload. There was no objection to working with Mr. Qualls on this matter. Further she addressed the workload of field staff noting they have had a lot of projects moved their way. She would like to work with Mr. van der Snel to understand all the projects they have. Lastly, she addressed virtual meetings should the Governor reinstate the Executive Order waiving the physical quorum.

On MOTION by Supv Kramer seconded by Supv Kassel, with all in favor, to hold the CDD Board meetings virtually if the Governor reinstates the Executive Order waiving the requirement for a physical quorum was approved.

Mr. Qualls noted the CDD Rules do allow people attending virtually even if the Governor does not waive it if somebody wanted to call in.

Supv Leet confirmed that would still require a physical quorum in the room with it being noted that is correct.

Supv Kassel requested should they move to a virtual meeting they get a commitment from Board members and staff to be on camera.

FOURTEENTH ORDER OF BUSINESS

Adjournment

There being no further business,

On MOTION by Supv Kassel seconded by Supv Leet, with all in favor, the meeting was adjourned.

Kristen Suit
Secretary

Teresa Kramer
Chair

EIGHTH ORDER OF BUSINESS

8A

Memorandum

To: Harmony CDD Board of Supervisors
From: Steve Boyd, District Engineer
Date: 12/8/2020
Re: Harmony CDD – Engineers Report for December 2020

As requested by the Board of Supervisors at during the April 30th CDD meeting, I visited

I. BILLY'S TRAIL:

On Friday Nov 27th I met with Dan Leet to look at the Section of the Billys Trail. The Section that is currently in bad condition and being driven over is just outside the south / west boundary of the CDD tract. This section needs to be staked to re-establish the correct location of the trail. A proposal from Johnston's Surveying is included with the Agenda package for this work.

Once this section of the trail is re-staked, clearing and stabilization (if required) can be performed.

I spoke with Richard Jerman and he said the construction on the adjacent neighborhood is starting now. Initial clearing and earthwork should begin in January. He said that if some minor assistance with the Trail is required they are willing to assist.

II. GARDEN ROAD:

Based on follow up conversation with Chairman Kramer and a site visit on Nov 27th, I observed the unstabilized sand that was placed on the road. Unstabilized sand is not a suitable driving surface and creates a washboard effect.

The following are my comments from the review of the two previously provided bids for reworking this road:

This work is considered maintenance of the existing unpaved service road. For the reasons we have discussed previously providing a permanent paved or concrete surface will require permits from the County, water management district and review and approval by the FGT.

Roadway compaction specifications are dependent on the specific existing soil conditions and proposed materials to be applied and we depend on a geotechnical engineer to determine the exact specifications for a given site.

However, given the fact that we are limited in the type of improvements that can be done, and that stabilizing the underlying sub-grade is not practical, I am offering my opinion on the two provided proposals as a maintenance application, not a permanent resurfacing.

My recommendation is based on the following exceptions:

1. With sandy soils like those that exist on this site, it is usually necessary to stabilize the underlying sand so that the base material has a firm subgrade that will hold up and not rut or be displaced when the base material is being laid down or compacted.
2. Stabilization is not practical because it requires that clay be mixed into the subgrade to a depth of 8 to 12 inches and the mixed subgrade compacted prior to the base being installed.
3. I cannot say for certain that the underlying surface (after the existing loose sand is removed) is stable enough to not be displaced to some extent when a new crushed concrete base is compacted on top of it.

My input on the two provided bids, that do not include sub-grade stabilization are summarized below:

Arrow Pavement Services:

Arrow pavement specifies 222 Cubic Yards of “concrete fines” over a drive area of 1000 ft. long x 12 ft. wide. This translates to 6” of concrete fines being applied over the existing road. They state that they will “demo soft sugar sand areas to proper grade”. I do not know specifically what material is being referenced as concrete fines. I am familiar with crushed concrete, which is similar to limerock base material and is generally accepted as road base material provided that all steel wire and rebar has been removed. 6” of crushed concrete is acceptable. The typical compaction specification for this material and this use is “95% of the maximum density per AASHTO T-180.”

Straightline Fence:

Straightline Fence specified the area of 12,000 SF but did not specify the depth for the application of crushed concrete. Based on the price it appears that they intend to install at least 6” of crushed concrete, but they do not state the depth in the bid. The same specification should apply for compaction of the crushed concrete: “95% of the maximum density per AASHTO T-180.”

Other Option:

Alternately, the Board may wish to have a Geotechnical Engineer take shallow borings of the roadway and recommend the most suitable repairs and requirements for long term maintenance of this unpaved road.

III. COMPACTION OF STORM PIPE REPAIR:

Devo Engineering completed a soil penetration analysis of the backfill placed by Brownies over the repaired storm pipe. This data is included in the Agenda package. I will discuss in more detail during the meeting.

IV: PROPOSED PLAYGROUND ON FIVE OAKS DRIVE

The field survey required prior to design of the new playground area has been completed. Chairman Kramer asked me to provide a summary of the additional tasks and approximate costs to complete the playground.

Osceola County will require a "Site Development Permit (SDP)" for this construction. The Board may recall that SDP permit was also required for the Butterfly Trail Sidewalk. The SDP will require the following:

1. Site Plan showing limits of all proposed improvements, including sidewalk and playground equipment. A drainage plan will also be required.
2. Landscape plan (which is required for all SDP application), showing minimum tree coverage, with details of any existing trees being removed, and how existing trees being preserved will be counted toward the tree planting requirement. The Landscape Architect will also specify the ground cover play surface material required code.

Small projects are difficult to provide efficient costs due to the fact that as a percentage of the overall effort, the permitting process is a larger percentage of the overall effort.

Fees for design services including Civil Engineering and Landscape Architecture should fall in the following range:

1. Civil Engineering and Landscape Architecture Design and Construction Plans: \$10,000 - \$12,000
2. Osceola County Permitting: \$4,000 - \$6,000
3. Final Permit Certifications: \$2,500 - \$3,000

Actual Construction costs cannot be estimated until a plan has been prepared.

V: STATUS OF RV / BOAT STORAGE AREA

The PD Amendment for bringing the RV parking area into compliance with the Harmony PD Zoning is proceeding. John Adams, the Land Planner processing the application, has requested that I develop a set of development standard specific to this site. I will be completing these development standards and will provide to Mr. Adams by December 10th. Mr. Adams will the complete the process for County approval of the PD Zoning Amendment.

Following approval of the Zoning Amendment, the County has stated that an SDP application must also be filed. The SDP application will include plans and details for construction of the fencing and other improvements required to bring the facility in compliance with the requirements of the PD zoning amendment and other required County Codes. There may be issues that arise during this process related to drainage or other standard code compliance issues. These issues, if any arise, will need to be considered and responded to on a case by case basis.

It is my opinion that if the buffers are properly maintained, and that runoff is not concentrated or creating erosion, that the site as it presently exist does not require a South Florida Water Management (SFWMD) Permit. However, as part of the County SDP process, County staff may bring up additional requirements related to stormwater management with or without the need for a SFWMD permit.

8Ai.



Katrina S. Scarborough, CFA, CCF, MCF
Osceola County Property Appraiser

- Home
- Base Maps
- Layers
- Sales
- Identify
- Tools
- Print

Identify

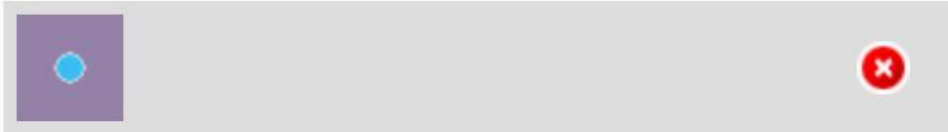
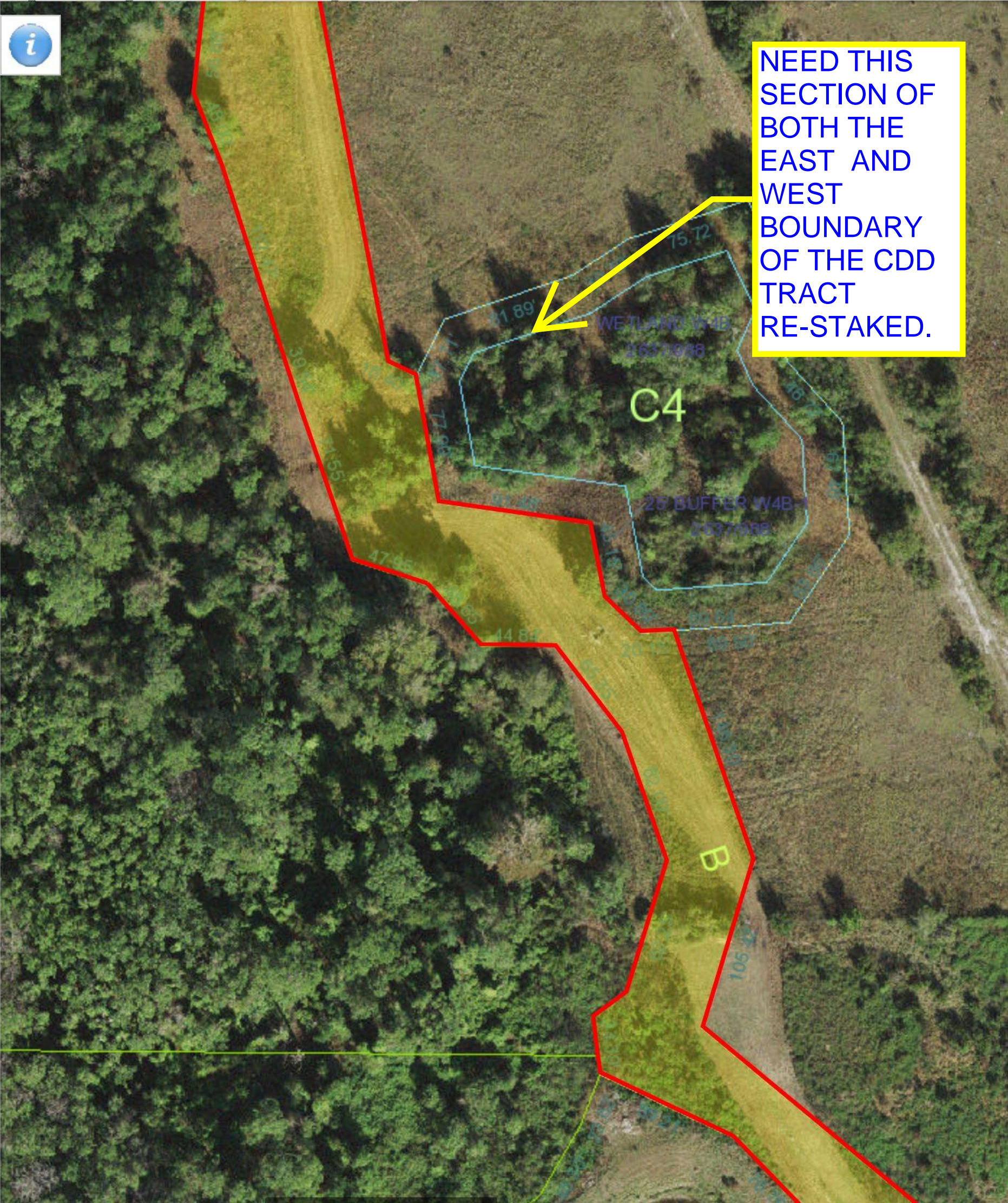


Image Not Found

- TRIM Notice
- Property Record Card
- Tax Collector
- NEW – Bird's Eye View**

- Info
- Values
- Building
- Land
- XFOB
- Sales

Parcel	30-26-32-3117-000P-00B0
Owner Name	HARMONY CDD
Mailing Address	210 N UNIVERSITY DR STE 702 CORAL SPRINGS, FL 33071
Physical Address	FIVE OAKS DR, HARMONY FL 34773
Property Type	RESIDENTIAL COMMON ELEMENTS/AREA VAC
Tax District	300 - OSCEOLA COUNTY
Acres	3.014
Desc.	HARMONY PHASE 3 PB 20 PGS 120- 128 PARK TRACT B LYING IN SEC 20 & 29



JOHNSTON'S
SURVEYING INC.
900 Cross Prairie Pkwy • Kissimmee, FL 34744
Phone: (407) 847-2179
Fax: (407) 847-6140

EMAIL

To: **Mr. Steve N. Boyd, P.E.**

From: **Richard D. Brown**

Email: **steve@boydcivil.com**

Pages: **3**

Phone **407-494-2693**

DATE: **December 7, 2020**

Re **PROPOSAL FOR SURVEYING – Survey support services for Staking**

Portion of Tract B, Harmony, Phase 3 (Billy's Trail)

☐ Urgent ☐ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

● Comments:

Please find attached our proposal for surveying services for the above referenced project.

If you have any questions or comments, please let me know. You can reach me at:
Ofc: 407-847-2179 x-229 or Email: rick@jsurveying.com.

JOHNSTON'S
SURVEYING INC.
900 Shady Lane • Kissimmee, FL 34744
Phone: (407) 847-2179
Fax: (407) 847-6140

December 7, 2020

Harmony CDD
c/o Mr. Steve Boyd
Boyd Civil Engineering
6816 Hanging Moss Rd.
Orlando, FL 32807

RE: PROPOSAL FOR SURVEYING SERVICES
Survey support services for Staking Portion of Tract B, Harmony
Phase 3 (Billy's Trail)

Dear Steve:

Pursuant to your request for surveying services on the above referenced site, the following is an outline of the scope of services.

TASK I: Field stake the Eastern & Western boundary of the Harmony CDD owned Tract B per limits shown on the attached Exhibit.

We propose a lump sum fee for Task I of: \$1,200.00

All work will be completed under the direct supervision of a professional surveyor and mapper licensed to practice in the State of Florida and work will be in accordance with the Standards of Practice set forth by the Florida Administrative Code 5J-17.051 for Surveyors & Mappers, pursuant to Section 472.027 Florida Statutes.

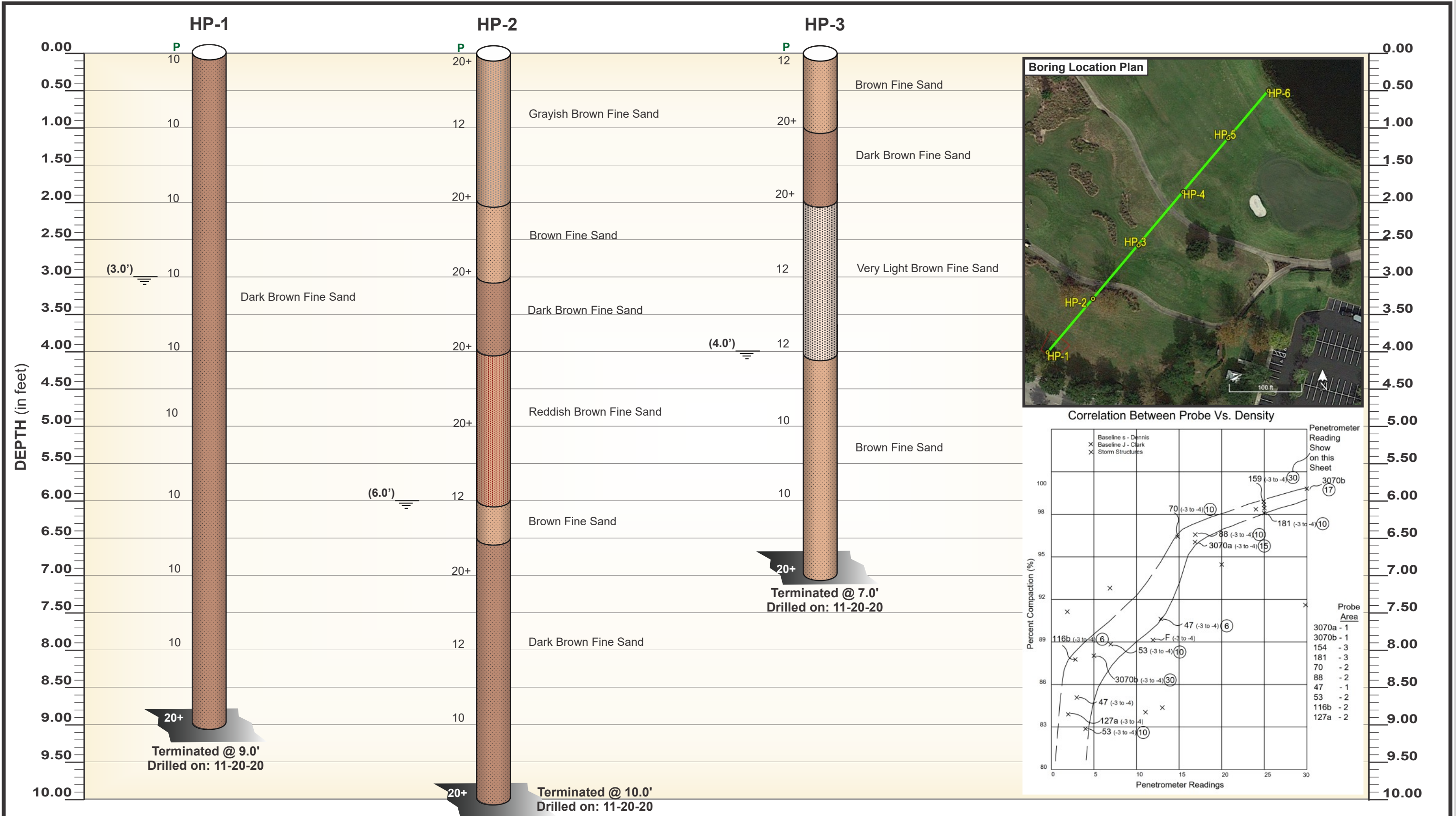
We appreciate the opportunity to present this proposal and look forward to working with you on this project. If you have any questions, please let me know.

Respectfully,



Richard D. Brown
FL, PSM #5700


8A.iii.



NOTES:

- Borings drilled on date indicated
- Water level measured on date of drilling
- P Hand cone penetrometer readings
- Penetrometer Readings (P) less than 15 are not adequately compacted

Correlation Between Hand Cone Penetrometer Readings & Compactness			
FINE SAND		CLAY	
Dial Reading (× 10 ⁻³ inches)	Relative Compactness	Dial Reading (× 10 ⁻³ inches)	Consistency
< 6	Very Loose	0 to 1	Very soft
6 to 11	Loose	1 to 2	Soft
11 to 20	Medium	2 to 4	Medium
20 to 30	Dense	4 to 6	Stiff
> 30	Very Dense	6 to 11	Very Stiff
		> 11	Hard



CONSULTING GEOTECHNICAL ENGINEERS

5500 Alhambra Drive • Orlando, Florida 32808
Phone: (407) 290-2371 • Fax: (407) 298-9011
E-Mail address: devo@devoeng.com
Website: http://www.devoeng.com

Figure Name:

SOIL PROFILES FOR HP-1 to HP-3

Project Name:

HARMONY

Scale: **Noted** Project # **Not Assigned** Figure **3.1**



NOTES:


Borings drilled on date indicated

Water level measured on date of drilling

Hand cone penetrometer readings

Penetrometer Readings (P) less than 15 are not adequately compacted

Correlation Between Hand Cone Penetrometer Readings & Compactness			
FINE SAND		CLAY	
Dial Reading ($\times 10^{-3}$ inches)	Relative Compactness	Dial Reading ($\times 10^{-3}$ inches)	Consistency
< 6	Very Loose	0 to 1	Very soft
6 to 11	Loose	1 to 2	Soft
11 to 20	Medium	2 to 4	Medium
20 to 30	Dense	4 to 6	Stiff
> 30	Very Dense	6 to 11	Very Stiff
		> 11	Hard



DEVO Engineering

CONSULTING GEOTECHNICAL ENGINEERS

5500 Alhambra Drive - Orlando, Florida 32808
Phone: (407) 290-2371 - Fax: (407) 298-9011
E-Mail address: devo@devoeng.com
Website: http://www.devoeng.com

Figure Name:

SOIL PROFILES FOR HP-4 to HP-6

Project Name:

HARMONY

Scale:

Noted

Project #

Not Assigned

Figure 3.2

8B

8Biii

8Biii.a

INTERIM PURCHASING POLICY FOR PURCHASES LESS THAN \$25,000

Purchasing Process

- I. Field Service Manager (Requestor) or District Manager (Requestor) or Board identifies a need for goods or services;
- II. Requestor provides a brief written justification for request to District Manager.
- III. Field Services/District Manager follows the guidelines of these policies and procedures to request a permission to purchase order (PPO) if purchase is in Category 2 or higher;
- IV. District Manager/Board reviews and approves or denies the request for a PPO;
- V. District Manager issues a PPO if approved;
- VI. Vendor selection process completed by District Manager if purchase is in Category 3 or higher;
- VII. Requestor places the order with the selected vendor;
- VIII. Requestor receives goods/services and invoice;
- IX. Field Service Manager verifies invoice, processes and submits invoice to Accounts Payable;
- X. Accounts Payable audits the invoice prior to processing payment;
- XI. Finance Department issues a payment to the vendor for the goods/services provided.

PERMISSION TO PURCHASE REQUESTS

Permission to Purchase Requests (PPRs) are required for all purchases in Category 2 or higher unless the procurement of goods or services is exempt according to the Requisition Exemption List in these policies and procedures. The PPR should be prepared far enough in advance to provide sufficient time for approvals and delivery of goods or services. Threshold Levels, Authorization, Documentation Requirements, and quote amounts will be monitored by District Manager

Levels	Authorized Approvers	Documentation Requirements
Category 1 \$499.99 or less – Credit Card	Field Services Manager or District Manager	Although quotes are not required, they are encouraged
Category 2 \$500 and less than \$4,999.99- PPO required	District Manager	Three written quotes are required (including shipping, handling and any fees); can use online pricing & catalogs
Category 3 \$5,000 and less than \$24,999.99 (within one fiscal year) -Legal Agreement & PPO required	District Manager & Board	Three written quotes required; Specification package must be submitted to District Manager to obtain quotes from vendors on vendor list maintained by District Manager

If there is a foreseen need for products or services of a like or similar nature costing more than \$25,000 in aggregate within a fiscal year, the District Manager may recommend competitive solicitation, even though the products and services individually may be under the \$25,000 bid threshold.

Except as herein provided, it shall be a violation of the Purchasing Policies and Procedures for any officer, employee, or agent of the District to order the purchase of any goods (materials, supplies, or equipment) or professional or contractual services, or to make any agreement within the purview of these policies and procedures other than through the policies and procedures stated herein. Any purchase order or agreement made contrary to the provisions herein shall not be approved, and the District shall not be bound thereby. Purchases, orders, or agreements that are subdivided to circumvent the Purchasing Policies and Procedures shall be considered unauthorized purchases.

Authorization and Documentation Exceptions

Emergency Purchases - This provision shall be used only if there is imminent danger to the health, safety or welfare of the residents of the District or threat of deterioration of a critical service as approved by the District Manager. In an emergency, authorization to contract in excess of \$4,999.99 is granted to the District Manager with the provision that it will be brought to the attention of the Board at their next regularly scheduled meeting for “after-the-fact” approval. This authority will be capped at \$25,000; any requirements above that level will be considered by the Board at a special called meeting or regular meeting.

Quote and Bidding Exemptions - Sole source purchases and purchases of goods for product testing are exempt from the three-quote requirement and competitive bidding requirements, provided the purchases have been pre-approved by the District Manager.

Requisition Exemption List

There are certain expenditures for which the processing of a requisition is unnecessary. The following payments should be made without a requisition:

- I. Pre-approved District employees’ reimbursements;
- II. Monthly recurring utility bills (single source);
- III. Purchases made during the period of a declared emergency;
- IV. Purchases less than \$500;
- V. Legal advertising;
- VI. FedEx and/or UPS invoices;
- VII. Refunds;
- VIII. Reimbursements to residents serving on District boards;
- IX. Recurring monthly intergovernmental disbursements.

Permission to Purchase Request Procedures

The following procedures apply to all PPRs for purchases in Category 2.

To submit a request, the Field Services Manager should:

- I. Obtain quotes (including shipping) within the approved thresholds. Ensure tax is not included in the quoted price.

Due diligence to obtain the best price is required no matter the purchase price. If quotes are not obtainable due to lack of vendor interest/response, please state the reason on the requisition in the Reason for Purchase/Special Instructions Section. Competitive formal solicitation procedures could be

required if the service agreement has the potential to exceed \$24,999.99 over the life of the agreement. Refer to “Authorization and Documentation Requirements” above for requirements for quotes/solicitations.

II. Provide PPR to District Manager for approval or denial. The PPR must include the following:

- A. Quotes and any supporting information for purchase;
- B. The appropriate expense account, ensuring that funds are available for the purchase. If funds are not available state this in the PPR as a Budget Transfer and/or Amendment may be required;
- C. The appropriate vendor, after ensuring the vendor has met all vendor requirements; and
- D. The justification for the purchase and the description, price, and quantity of the item(s).
- E. Attach the following supporting backup documentation (if applicable) to the request to assist in the approval process:
 - a. If Sole Source, explanation as to why;
 - b. If Emergency Purchase, explanation of emergency;
 - c. If Piggy Back Purchase, name of governmental entity that completed the original vendor selection, governmental entity’s authorization on letterhead or via email verifying the integrity of the agreement in which the District is wishing to “piggyback”, and governmental entity’s contact information;
 - d. Letter of explanation (any work done prior to a requisition will be rejected unless it is submitted with written pre-approval by District Manager);
 - e. Desired “Deliver By” date;
 - f. Board approval date and terms of the agreement (if applicable).

8Biii.b

SURPLUS/OBSOLETE PROPERTY POLICY

DISPOSAL PROCESS

Surplus and Obsolete Property Per Florida Statute 274.05-the District has the discretion to classify any property as surplus that is obsolete or the continued use of which is uneconomical or inefficient, or which serves no useful function and is not otherwise lawfully disposed of. Qualifying property may be disposed of for value, without bids, to any governmental unit, or if the property is without commercial value, it may be donated, destroyed or abandoned per Florida Statute 274.06.

Field Services Manager must report all surplus or obsolete property, equipment, or supplies to the District Manager. The District Manager, in conjunction with the Field Services Manager, shall make the determination for method of disposal using one of the following acceptable forms of disposition:

- A. Trade in on new equipment
- B. Offer to the Harmony Community, Middle and High Schools
- C. Offer to other governmental agencies
- D. Donate to a local non-profit organization
- E. Sell to public by publicly noticed auction or sealed bid (value of \$5,000 or more)
- F. Cannibalize for parts
- G. Sell as scrap
- H. Destroy or abandon

The District Manager's approval noted above shall allow staff to dispose of property in one of the above listed methods. The District Manager shall report all dispositions to the Board at the Board meeting following the disposition. The Field Services Manager is responsible for ensuring the inspection of the item(s) to verify serviceability, condition, original item cost, and expenditure account. Once an item has been declared surplus it cannot be traded in, transferred, sold, cannibalized, or placed back into service without the approval of the District Manager and the Field Services Manager. The District Manager shall maintain current listings of all surplus property. The District Manager shall review and approve each listing prior to disposition of surplus item(s).

8C.

8Ci.

November/December 2020

Facility / Park Maintenance Activities

- Routine cleaning activities – Including restrooms, trash and doggie potty removal.
- Inspected facilities for cleanliness and/or damage after each scheduled event
- Routine check on Play areas for safety and wasp nests raking the swing areas.
- RV lot fencing permit is pending.
- Power washing project continued.
- Sidewalk Phase Finalized December 7
- Sidewalk grinding completed.
- Refurbished and painted concrete stage seating area.
- Replaced solar lights at The Estates entrance
- Install new play area Dog park projected to be finalized before Christmas.
- Drain issue at Swing area dog park projected to be implemented with install new play area.
- Quote pending Back alley repairs with Hot asphalt.
- Storm drain project pending finalization.

Ponds

- See Pond report.

Irrigation

- All Clocks inspected & adjusted as needed.
- Maxicomm fully functional.
- Clocks 2 and 3 not accessible at this point.

Pools Operations

- Pools checked, chemically balanced, and cleaned daily.
- Painting Swim club building started.

Boat Maintenance

- All propellers weekly checked, and boats cleaned.
- Paint maintenance continued Dock fencing area.
- Dock bumper installed at Sailboat area.

Buck Lake Activities

- Boat Orientation held 8 attended

Access Cards

- Approximately 15 ID cards have been made this month.

End of Report.

8Cii.

HARMONY CDD

Gerhard van der Snel

Date	Resident	Time	M Th	W S	F S	Total Pass	20' Pont	16' Pont	16' SunTrk	18' Bass	Tracker Bass	Canoe	Kayak	Comments
11/12/2020	Patrick Conley	7:30 - 10:30 AM				5			X					
11/13/2020	Warren Hubbard	1:00 - 4:00 PM				5	X							
11/14/2020	Allison Waldbieser	1:00 - 4:00 PM				5			X					
11/14/2020	Jeniffer Denault	1:00 - 4:00 PM				6	X							
11/15/2020	Allison Waldbieser	7:30 - 10:30 AM			X	4			X					
11/15/2020	Jonathan Bradshaw	7:30 - 10:30 AM			X	4	X							
11/15/2020	Donald Rice	7:30 - 10:30 AM			X	2		X						
11/15/2020	Shanice Cloud	1:00 - 4:00 PM			X	8	X							
11/16/2020	William Gest	1:00 - 4:00 PM	X			2			X					
11/18/2020	William Gest	10:00 - 11:00 AM				1				X				
11/18/2020	Rafael Casallas	1:00 - 4:00 PM				6	X							
11/19/2020	Hannah James	7:30 - 10:30 AM				4	X							
11/19/2020	sarah stevens	1:00 - 4:00 PM				8	X							
11/20/2020	sarah stevens	7:30 - 10:30 AM				4	X							
11/20/2020	sarah stevens	7:30 - 10:30 AM				1							X	
11/20/2020	sarah stevens	7:30 - 10:30 AM				1							X	
11/20/2020	sarah stevens	7:30 - 10:30 AM				1							X	
11/20/2020	sarah stevens	7:30 - 10:30 AM				1							X	
11/21/2020	Jonathan Bradshaw	7:30 - 10:30 AM				5	X							
11/21/2020	jason herrman	8:00 - 11:00 AM				2				X				
11/21/2020	Lori Isaac	1:00 - 4:00 PM				6			X					
11/21/2020	William Garard	1:00 - 4:00 PM				2						X		
11/21/2020	Shanice Cloud	1:00 - 4:00 PM				8	X							
11/22/2020	Allison Waldbieser	7:30 - 10:30 AM			X	6	X							
11/22/2020	Donald Rice	7:30 - 10:30 AM			X	2		X						
11/22/2020	Derek Knappins	7:30 - 10:30 AM			X	4			X					
11/22/2020	Jerome Schletter	8:00 - 11:00 AM			X	2				X				
11/22/2020	Sharon Stakich	11:00 - 12:00 PM			X	1				X				
11/22/2020	Sunnie and Rlck Templeton	12:00 - 3:00 PM			X	2								
11/22/2020	Allison Waldbieser	1:00 - 4:00 PM			X	8	X							
11/23/2020	MARY KAY VANDECARR	1:00 - 4:00 PM	X			4	X							
11/23/2020	William Gest	1:00 - 4:00 PM	X			6			X					
11/25/2020	Mark & Sue Boyter	7:30 - 10:30 AM				6	X							
11/25/2020	Merel Ledbetter	1:00 - 4:00 PM				6			X					
11/25/2020	Aaron Asbra	1:00 - 4:00 PM				11	X							

			4	20	252	28	5	11	6	1	2	6	
					Total Passengers:								
					252								
					Total Trips: 62								

Date	Resident	Time	M Th	W S	F S	Total Pass	20' Pont	16' Pont	16' SunTrk	18' Bass	Tracker Bass	Canoe	Kayak	Comments
11/25/2020	Sunnie and Rick Templeton	1:00 - 3:30 PM				2								
11/25/2020	Sunnie and Rick Templeton	1:00 - 3:30 PM				2	X							
11/25/2020	Adam Newborn	2:00 - 4:00 PM				1							X	
11/25/2020	Adam Newborn	2:00 - 4:00 PM				1							X	
11/27/2020	Jesse Griffin	7:30 - 10:30 AM				6	X							
11/27/2020	MARY KAY VANDECARR	1:00 - 4:00 PM				4	X							
11/28/2020	Derek Knappins	7:30 - 10:00 AM				4				X				
11/28/2020	jason herrman	7:30 - 10:30 AM				3					X			
11/28/2020	Joshua Gutman	7:30 - 10:30 AM				3	X							
11/28/2020	David Bronson	1:00 - 4:00 PM				3	X							
11/28/2020	Lori Isaac	1:00 - 4:00 PM				4			X					
11/28/2020	Cyrene Mills	1:00 - 4:00 PM				4		X						
11/29/2020	Donald Rice	7:30 - 10:30 AM			X	2		X						
11/29/2020	Oscar Hernandez	7:30 - 10:30 AM			X	6	X							
11/29/2020	Ivan Wimbish	1:00 - 4:00 PM			X	8	X							
11/29/2020	William Bokunic	1:00 - 4:00 PM			X	5			X					
11/29/2020	Sunnie and Rick Templeton	1:30 - 4:00 PM			X	2								
11/30/2020	William Garard	9:00 - 1:00 PM	X			2						X		
12/2/2020	Tony Donnelly	7:30 - 10:30 AM				4			X					
12/2/2020	Tony Donnelly	1:00 - 4:00 PM				4	X							
12/3/2020	Jason Baker	1:00 - 4:00 PM				6	X							
12/5/2020	Jason Baker	7:30 - 10:30 AM				6	X							
12/5/2020	Vincent Ang	1:00 - 4:00 PM				8	X							
12/6/2020	Lori Isaac	7:30 - 10:30 AM			X	4	X							
12/6/2020	Donald Rice	7:30 - 10:30 AM			X	2		X						
12/6/2020	Mark Williams	7:30 - 10:30 AM			X	2				X				
12/6/2020	Craig Waldbieser	1:00 - 4:00 PM			X	5	X							
			4	20		252	28	5	11	6	1	2	6	
						Total Passengers:								
						252								
						Total Trips: 62								

8Ciii.

Facebook Report November/December 2020

On an average of 10 times per month new and existing residents contact me for information regarding obtaining Pool ID access cards and boat reservations. This is filtered out of this report.

On November 18th a resident had a question about rescheduling the boat reservation. CDD staff provided rescheduling.

On November 19th a resident had a question why the CDD does not trim the trees on his property area. CDD field manager explained the process and directed resident any further concerns to the CDD board meeting.

On November 24th a resident notified CDD field manager a pothole was located behind Primrose Willow pocket park. CDD staff repaired next day.

On November 27th resident had a concern about residue appearing on vehicles and porches in the front of his house. CDD did not have a clear answer for the resident. Resident stated he would send in the help of Facebook to see if anybody else experience this in his street.

On November 30th a resident inquired if there will be any mosquito spraying at the dark park area. CDD re directed resident to road and bridges.

On December 4th a resident had a concern on Jasmine damage done by the sidewalk contractor. CDD field manager assured the resident damage will be fixed.

End of report.

8Civ.

Harmony District Ponds Report

Pond #	Pond Name	Pond Acres	Duckweed	Algae	Cattail	Pennywort	Grasses	Spatterdock	NOVEMBER 2020 November-December	Treatment Plan
Map Quickview, click here. Internet access not required			SEVERITY: L1=minimal L2=moderate L3=significant L4=extreme Blank = indicates non issue					Current Treatment	* Se Clear G-Algae * Komeen Crystals-Hydrilla * SonarOne-Hydrilla * Diquat-Latorial plants	
Map links below Require Internet										
1	H-1	1.4					L1		No treatment needed	
2	H-1	1.0					L1		No treatment needed	
3	H-1	2.3				L1			No treatment needed	
4	H-2	3.7		L1			L1		No treatment needed	
5	Cherry Hill	2.8		L1					No treatment needed	
6	S. Long Pond	3.1					L1		Littoral Weeds	Round Up
7	N. Long Pond	3.1					L1		Littoral Weeds	Round Up
8	Dog Park Tr.	3.5		L1					No treatment needed	
9	Dog Park Tr.	1.0					L1		Littoral Weeds	Round Up
10	Dog Park	3.0					L1		No treatment needed	
11	Estates N.	1.8		L1						
12	Estates S.	1.7		L1						
13	Golf Course	1.5		L1						
14	Golf Course	1.5		L1						
15	Golf Course	4.0		L1						
16	Golf Course	3.4		L1						
17	Golf Course	1.4		L1						
18	Golf Course	2.0		L2						
19	Golf Course	5.3		L1						
20	Golf Course	3.5								
21	Golf Course	2.3		L1						
22	Golf Course	3.2		L2						
23	Golf Course	2.0		L1						
24	Golf Course	2.0		L1						
25	Golf Course	0.5		L2						
26	Golf Course	0.7								
27	Golf Course	0.7		L2						
28	Golf Course	1.3		L1						
29	Golf Course	1.2		L1						
30	Golf Course	2.3		L1						
31	Golf Course	1.1		L2						
32	Golf Course	2.0		L1						
33	W. Lake	1.3		L1						
34	W. Lake	0.0							Future pond, not active	
35	W. Lake	0.0							Future pond, not active	
36	N. Lake	0.0							Future pond, not active	
37	E. Lake	3.0				L1			No treatment needed	
38	E. Lake	0.5				L1			No treatment needed	
39	S. Lake	3.3				L1			No treatment needed	
40	S. Lake	1.4				L1			No treatment needed	
41	S. Lake	2.3	L1						Littoral Weeds	Round Up
42	S. Lake	5.2	L1						No treatment needed	
43	Waterside	3.0	L2						Littoral Weeds	Round Up
44	DOT	6.0			L1				No treatment needed	
45	DOT	3.6			L1				No treatment needed	
46	DOT	2.0			L2				No treatment needed	
47	Maintenance	0.4			L1				No treatment needed	
48	Feathergrass	0.0			L1				Littoral Weeds	Round Up
TOTAL ACRES			Total size (in acres) of all ponds combined							
AVG. TREATED ACRES		0.8	Average treated pond area is roughly 20%							
Additonal Notes:		This month I have sprayed ponds for excess growth around the banks and for grass growing out from the banks into the water. I have a few left to do as we have been also trying to cut back the high weeds and and overgrowth once we have sprayed them. Also have been getting out a lot of trash and debris left from the wind and rain.								

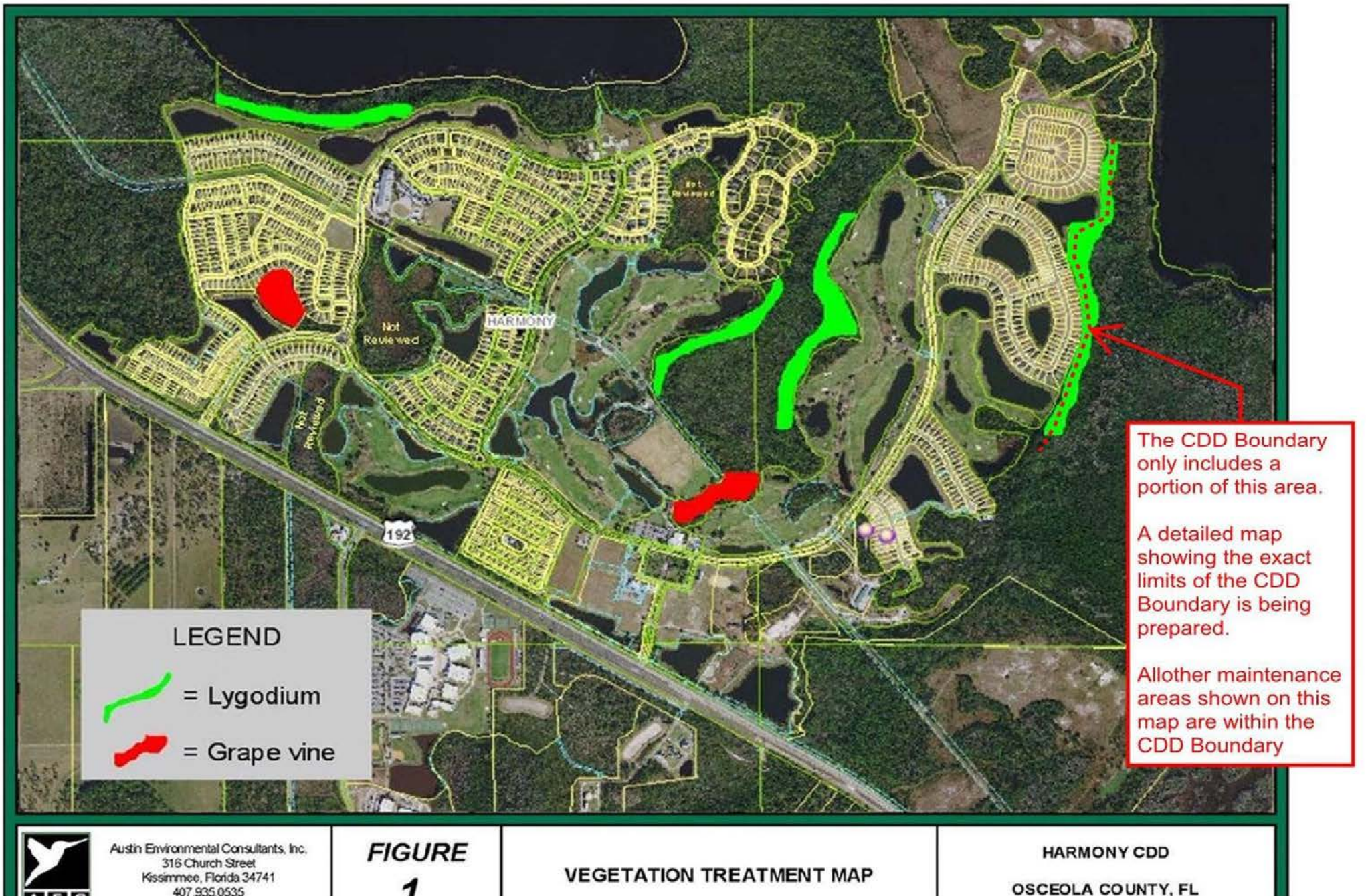
Harmony District Ponds Map



8Cv.

Harmony Community Development District
Field Services Monthly Wetland Report

#	Maintenance Area Name	Acres	Invasive Species	Reporting Date: November-December	Treatment Status
Map Tab Shows Local QuickMap			Vegetation Identification Infestation Severity High, Medium, Low	Prescribed Treatment	Pending Activities Percent Complete
Click Links Below For Internet Maps					
1	Buck Lake - South	1.4 ?	Lygodium High	Spraying only with a mixture of roundup and cutrine.	Sprayed and checked some small areas and working on a few more sections.
2	Green - South	1.0 ?	Grapevine Medium	Sprayed with round up and cut the vines running up the base of the tree.	Retreating some of the main areas for new growth.
3	Golf Course - West	2.3 ?	Lygodium High	Spraying along a lot of the main sections to gain access further into the woods.	Large amounts of fern and grape vine.
4	Golf Course - East	3.7 ?	Lygodium High	Started to treat	large pockets or grapevine and fern.
5	Golf Course - South	2.8 ?	Grapevine Medium	treating with roundup	Spraying mostly fern once treated and further into the interior areas.
6	The Lakes - East	3.1 ?	Lygodium High	treating with round up	starting to spray just on the outside areas
7	{Future}	0.0	----		
8	{Future}	0.0	----		
9	{Future}	0.0	----		
10	{Future}	0.0	----		
11	{Future}	0.0	----		
12	{Future}	0.0	----		
13	{Future}	0.0	----		
14	{Future}	0.0	----		
15	{Future}	0.0	----		
TOTAL ACRES		0.6	Total size (in acres) of all foliage maintenance areas		
AVG. TREATED ACRES			Average infested foliage treated area is roughly 20%		
Additonal Notes: This month we have started back on the golf course east area and continued around the area that backs up to the large dog park. The areas from behind swim club and along the golf course that runs along hole 18 and out towards the lakes are very heavy with fern. Also a lot of the low areas are very wet and under water still so it is very hard to access. So we are forced top jump around a lot to different areas until we are able to get to the areas further back in the woods.					



Austin Environmental Consultants, Inc.
316 Church Street
Kissimmee, Florida 34741
407.935.0535

8Cvi.

8Cvi.a

--Proposal--

14236

FAX
(407) 658-6786



ARROW PAVEMENT SERVICES, INC.

CALL ANYTIME
(407) 851-3141

EMAIL
ArrowPavement@aol.com

3936 Semoran Blvd. #118
Orlando, FL 32822

WEBSITE
www.arrowpavement.com

SUBMITTED TO: Harmony District		PHONE: 301-2235	DATE: 12/7/2020
STREET: 313 Campus St.		EMAIL: gerhardharmony@gmail.com	
CITY: Celebration	STATE:	ZIP:	
JOB NAME: Harmony District	JOB LOCATION: Harmony District		

We are pleased to submit this estimate for material and labor to improve the life and appearance of your asphalt surface and to aid in your business success. Our following recommendations are in accordance with the general practices and standards of the asphalt paving industry. We pride ourselves in being Orlando's oldest sealcoating company, established in 1978.

NEW WORK/OR REPAIR WORK**SEALING** sq. ft.

PATCHING: <input type="text"/>	CARSTOPS: <input type="text"/>	COATS: <input type="text"/>	SPRAY METHOD: <input type="text"/>
CURBING: <input type="text"/>	OVERLAYS: <input type="text"/>	COAT: <input type="text"/>	DRAW METHOD: <input type="text"/>
SAWCUTTING: <input type="text"/>			

PREPARATION**PAVING** sq. yd.

SWEEP AND/OR VACUUM:

ASPHALT SURFACES

OVERLAY:

PAINT CARSTOPS: <input type="text"/>	EA.	SPEED BUMPS: <input type="text"/>
YELLOW LINES: <input type="text"/>	FT.	ARROWS: <input type="text"/>
WHITE LINES: <input type="text"/>	FT.	HANDICAPS: <input type="text"/>
YELLOW CURBS: <input type="text"/>	FT.	STOP BARS: <input type="text"/>
WHITE CURBS: <input type="text"/>	FT.	STENCILLING: <input type="text"/>

SEALING**PAVING****STRIPING****ADDITIONAL WORK TO BE PERFORMED:**

Installation of (4) 6" bollards encased in a 2' x 2' x 2' cube of concrete. \$3200.00 Any additional bollards will be at a charge of \$800.00 per bollard.

**ADDITIONAL
WORK**

\$3,200.00**TOTAL**\$3,200.00

WE PROPOSE to complete the above work in accordance with above specifications for the sum of:

THREE THOUSAND TWO HUNDRED DOLLARS AND NO CENTS

\$3,200.00

Payment due upon receipt-1.5% finance charge added past 30 days.

When signed by customer and/or owner, this becomes a legal contract.
Customer and/or owner acknowledges the checked items, attached exhibits and terms thereof. Proposal price effective for 30 days.

Authorized
Signature

GARY RUMPZA Sales Representative

ACCEPTANCE OF PROPOSAL The above prices, specifications, and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Signature _____

Date of Acceptance _____

8Cvi.b

--Proposal--

14237

FAX
(407) 658-6786



ARROW PAVEMENT SERVICES, INC.

CALL ANYTIME
(407) 851-3141

EMAIL
ArrowPavement@aol.com

3936 Semoran Blvd. #118
Orlando, FL 32822

WEBSITE
www.arrowpavement.com

SUBMITTED TO: Harmony District		PHONE: 301-2235	DATE: 12/7/2020
STREET: 313 Campus St.		EMAIL: gerhardharmony@gmail.com	
CITY: Celebration	STATE: FL	ZIP:	
JOB NAME: Harmony District	JOB LOCATION: Harmony District		

We are pleased to submit this estimate for material and labor to improve the life and appearance of your asphalt surface and to aid in your business success. Our following recommendations are in accordance with the general practices and standards of the asphalt paving industry. We pride ourselves in being Orlando's oldest sealcoating company, established in 1978.

NEW WORK/OR REPAIR WORK

SEALING sq. ft.

PATCHING: <input type="text"/>	CARSTOPS: <input type="text"/>	COATS: <input type="text"/>	SPRAY METHOD: <input type="text"/>
CURBING: <input type="text"/>	OVERLAYS: <input type="text"/>	COAT: <input type="text"/>	DRAW METHOD: <input type="text"/>
SAWCUTTING: <input type="text"/>			

PREPARATION

PAVING sq. yd.

SWEEP AND/OR VACUUM:

ASPHALT SURFACES

OVERLAY:

PAINT CARSTOPS: <input type="text"/>	EA.	SPEED BUMPS: <input type="text"/>
YELLOW LINES: <input type="text"/>	FT.	ARROWS: <input type="text"/>
WHITE LINES: <input type="text"/>	FT.	HANDICAPS: <input type="text"/>
YELLOW CURBS: <input type="text"/>	FT.	STOP BARS: <input type="text"/>
WHITE CURBS: <input type="text"/>	FT.	STENCILLING: <input type="text"/>

SEALING

PAVING

STRIPING

ADDITIONAL WORK

\$800.00

TOTAL

\$800.00

ADDITIONAL WORK TO BE PERFORMED:

Sawcut and remove damaged asphalt in approximately 6 locations and overlay with S-3 hot asphalt, tack and compact. \$800.00

WE PROPOSE to complete the above work in accordance with above specifications for the sum of:

EIGHT HUNDRED DOLLARS AND NO CENTS

\$800.00

Payment due upon receipt-1.5% finance charge added past 30 days.

When signed by customer and/or owner, this becomes a legal contract. Customer and/or owner acknowledges the checked items, attached exhibits and terms thereof. Proposal price effective for 30 days.

Authorized Signature _____
GARY RUMPZA Sales Representative

ACCEPTANCE OF PROPOSAL The above prices, specifications, and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Signature _____
Date of Acceptance _____

NINTH ORDER OF BUSINESS

9A

MEMORANDUM

TO: Board of Supervisors, Harmony CDD
FROM: Helena Randel, Accountant
CC: Kristen Suit, District Manager
DATE: December 7, 2020
SUBJECT: November 2020 Financials

Please find the attached November 2020 financial report. During your review, please keep in mind that the goal is for revenue to meet or exceed the annual budget and for expenditures to be at or below the annual budget. To assist with your review, an overview is provided below. Should you have any questions or require additional information, please contact me at Helena.Randel@Inframark.com.

General Fund

- Total Revenue through November is approximately 6% of the annual budget.
- Total Expenditures through November are at 17% of the annual budget.
 - ▶ Administrative
 - P/R-Board of Supervisors - Includes payroll for two (2) meetings in November.
 - Insurance - Public Risk provides auto, general liability, inland marine and property insurance.
 - ▶ Field
 - ProfServ-Field Management - Florida Resource Mgmt services and health/life insurance.
 - ▶ Utilities
 - Electricity-Streetlighting - Services provided by OUC.
 - ▶ Operation & Maintenance
 - Communication-Telephone - Sprint Solutions.
 - R&M-Parks & Facilities - Various supplies and repairs including repainting of trellis and pressure washing of pool house roof.
 - Capital Outlay-Other - Playground equipment.
- In FY 2019, the general fund loaned the series 2015 debt service fund \$53,231.95 to cover a shortfall. This loan has been repaid.
- In FY 2020, the general fund loaned the series 2015 debt service fund \$4,658.20 to cover a shortfall in October and \$71,193.25 to cover a shortfall in April. These loans have been repaid.

HARMONY

Community Development District

Financial Report

November 30, 2020

Prepared by



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HARMONY

Community Development District

Financial Statements

(Unaudited)

November 30, 2020

HARMONY

Community Development District

Governmental Funds**Balance Sheet**
November 30, 2020

ACCOUNT DESCRIPTION	GENERAL FUND	SERIES 2014 DEBT SERVICE FUND	SERIES 2015 DEBT SERVICE FUND	TOTAL
<u>ASSETS</u>				
Cash - Checking Account	\$ 512,703	\$ -	\$ -	\$ 512,703
Due From Other Funds	-	76,934	54,157	131,091
Investments:				
Certificates of Deposit - 12 Months	106,442	-	-	106,442
Money Market Account	679,268	-	-	679,268
Prepayment Account	-	-	90,871	90,871
Reserve Fund	-	607,313	340,000	947,313
Revenue Fund	-	328,100	62,384	390,484
TOTAL ASSETS	\$ 1,298,413	\$ 1,012,347	\$ 547,412	\$ 2,858,172
<u>LIABILITIES</u>				
Accounts Payable	\$ 17,056	\$ -	\$ -	\$ 17,056
Accrued Expenses	5,582	-	-	5,582
Due To Other Funds	131,091	-	-	131,091
TOTAL LIABILITIES	153,729	-	-	153,729
<u>FUND BALANCES</u>				
Restricted for:				
Debt Service	-	1,012,347	547,412	1,559,759
Assigned to:				
Operating Reserves	401,042	-	-	401,042
Reserves-Renewal & Replacement	40,215	-	-	40,215
Reserves - Sidewalks & Alleyways	213,208	-	-	213,208
Reserves-Uninsured Repairs	50,000	-	-	50,000
Unassigned:	440,219	-	-	440,219
TOTAL FUND BALANCES	\$ 1,144,684	\$ 1,012,347	\$ 547,412	\$ 2,704,443
TOTAL LIABILITIES & FUND BALANCES	\$ 1,298,413	\$ 1,012,347	\$ 547,412	\$ 2,858,172

HARMONY

Community Development District

General Fund

Statement of Revenues, Expenditures and Changes in Fund Balances
For the Period Ending November 30, 2020

ACCOUNT DESCRIPTION	ANNUAL ADOPTED BUDGET	YEAR TO DATE BUDGET	YEAR TO DATE ACTUAL	VARIANCE (\$) FAV(UNFAV)
REVENUES				
Interest - Investments	\$ 9,381	\$ 1,564	\$ 357	\$ (1,207)
Special Assmnts- Tax Collector	1,876,212	375,242	108,672	(266,570)
Special Assessments-Tax Collector-VC1	(22,434)	(4,486)	-	4,486
Special Assmnts- Discounts	(75,048)	(15,010)	(4,428)	10,582
Access Cards	1,500	250	240	(10)
Facility Revenue	500	84	-	(84)
User Facility Revenue	5,000	834	-	(834)
TOTAL REVENUES	1,795,111	358,478	104,841	(253,637)
EXPENDITURES				
Administration				
P/R-Board of Supervisors	12,000	2,000	2,400	(400)
FICA Taxes	918	153	184	(31)
ProfServ-Arbitrage Rebate	1,200	-	-	-
ProfServ-Dissemination Agent	1,500	-	-	-
ProfServ-Engineering	9,500	1,584	975	609
ProfServ-Legal Services	90,000	15,000	10,260	4,740
ProfServ-Mgmt Consulting Serv	67,200	11,200	11,200	-
ProfServ-Property Appraiser	392	-	-	-
ProfServ-Special Assessment	8,822	-	-	-
ProfServ-Trustee Fees	10,160	-	-	-
Auditing Services	4,600	-	-	-
Postage and Freight	1,200	200	41	159
Rental - Meeting Room	3,600	3,600	2,750	850
Insurance - General Liability	25,177	25,177	25,238	(61)
Printing and Binding	1,000	166	24	142
Legal Advertising	1,000	166	69	97
Misc-Records Storage	150	26	-	26
Misc-Assessmnt Collection Cost	37,524	7,505	2,085	5,420
Misc-Contingency	5,000	834	350	484
Office Supplies	50	8	-	8
Annual District Filing Fee	175	175	175	-
Total Administration	281,168	67,794	55,751	12,043
Field				
ProfServ-Field Management	295,000	49,166	55,550	(6,384)
Total Field	295,000	49,166	55,550	(6,384)

HARMONY

Community Development District

General Fund

Statement of Revenues, Expenditures and Changes in Fund Balances
For the Period Ending November 30, 2020

ACCOUNT DESCRIPTION	ANNUAL ADOPTED BUDGET	YEAR TO DATE BUDGET	YEAR TO DATE ACTUAL	VARIANCE (\$) FAV(UNFAV)
<u>Landscape Services</u>				
Contracts-Mulch	61,000	10,166	10,086	80
Contracts - Landscape	267,000	44,500	44,358	142
Cntrs-Shrub/Grnd Cover Annual Svc	158,000	26,334	26,197	137
R&M-Irrigation	15,000	2,500	681	1,819
R&M-Trees and Trimming	40,000	6,666	-	6,666
Miscellaneous Services	32,000	5,334	-	5,334
Total Landscape Services	573,000	95,500	81,322	14,178
<u>Utilities</u>				
Electricity - General	35,000	5,834	5,158	676
Electricity - Streetlighting	90,000	15,000	16,907	(1,907)
Utility - Water & Sewer	140,000	23,334	13,958	9,376
Total Utilities	265,000	44,168	36,023	8,145
<u>Operation & Maintenance</u>				
Communication - Telephone	5,500	916	1,002	(86)
Utility - Refuse Removal	3,000	500	432	68
R&M-Ponds	10,000	1,666	716	950
R&M-Pools	35,000	5,834	1,966	3,868
R&M-Roads & Alleyways	2,000	334	-	334
R&M-Sidewalks	15,000	2,500	40	2,460
R&M-Vehicles	15,000	2,500	1,181	1,319
R&M-User Supported Facility	20,000	3,334	-	3,334
R&M-Equipment Boats	6,000	1,000	168	832
R&M-Parks & Facilities	35,000	5,834	5,928	(94)
Miscellaneous Services	2,000	334	-	334
Misc-Contingency	10,000	1,666	780	886
Misc-Security Enhancements	6,500	1,084	348	736
Op Supplies - Fuel, Oil	5,000	834	175	659
Cap Outlay - Other	-	-	14,400	(14,400)
Cap Outlay - Vehicles	20,000	20,000	11,145	8,855
Reserve - Renewal&Replacement	30,000	30,000	3,786	26,214
Reserve - Sidewalks & Alleyways	60,000	60,000	10,500	49,500
Total Operation & Maintenance	280,000	138,336	52,567	85,769
TOTAL EXPENDITURES	1,694,168	394,964	281,213	113,751
Excess (deficiency) of revenues				
Over (under) expenditures	100,943	(36,486)	(176,372)	(139,886)

HARMONY

Community Development District

General Fund

Statement of Revenues, Expenditures and Changes in Fund Balances
For the Period Ending November 30, 2020

ACCOUNT DESCRIPTION	ANNUAL ADOPTED BUDGET	YEAR TO DATE BUDGET	YEAR TO DATE ACTUAL	VARIANCE (\$) FAV(UNFAV)
<u>OTHER FINANCING SOURCES (USES)</u>				
Operating Transfers-Out	(26,600)	-	-	-
Contribution to (Use of) Fund Balance	74,343	-	-	-
TOTAL FINANCING SOURCES (USES)	47,743	-	-	-
Net change in fund balance	\$ 74,343	\$ (36,486)	\$ (176,372)	\$ (139,886)
FUND BALANCE, BEGINNING (OCT 1, 2020)	1,321,056	1,321,056	1,321,056	
FUND BALANCE, ENDING	\$ 1,395,399	\$ 1,284,570	\$ 1,144,684	

HARMONY

Community Development District

Series 2014 Debt Service Fund

Statement of Revenues, Expenditures and Changes in Fund Balances
For the Period Ending November 30, 2020

ACCOUNT DESCRIPTION	ANNUAL ADOPTED BUDGET	YEAR TO DATE BUDGET	YEAR TO DATE ACTUAL	VARIANCE (\$) FAV(UNFAV)
<u>REVENUES</u>				
Interest - Investments	\$ 3,114	\$ 520	\$ 11	\$ (509)
Special Assmnts- Tax Collector	1,245,641	249,128	72,858	(176,270)
Special Assmnts- Discounts	(49,826)	(9,965)	(2,969)	6,996
TOTAL REVENUES	1,198,929	239,683	69,900	(169,783)
<u>EXPENDITURES</u>				
<u>Administration</u>				
Misc-Assessmnt Collection Cost	24,913	4,983	1,398	3,585
Total Administration	24,913	4,983	1,398	3,585
<u>Debt Service</u>				
Principal Debt Retirement	640,000	-	-	-
Principal Prepayments	-	-	25,000	(25,000)
Interest Expense	535,800	267,900	267,900	-
Total Debt Service	1,175,800	267,900	292,900	(25,000)
TOTAL EXPENDITURES	1,200,713	272,883	294,298	(21,415)
Excess (deficiency) of revenues				
Over (under) expenditures	(1,784)	(33,200)	(224,398)	(191,198)
<u>OTHER FINANCING SOURCES (USES)</u>				
Contribution to (Use of) Fund Balance	(1,784)	-	-	-
TOTAL FINANCING SOURCES (USES)	(1,784)	-	-	-
Net change in fund balance	\$ (1,784)	\$ (33,200)	\$ (224,398)	\$ (191,198)
FUND BALANCE, BEGINNING (OCT 1, 2020)	1,236,745	1,236,745	1,236,745	
FUND BALANCE, ENDING	\$ 1,234,961	\$ 1,203,545	\$ 1,012,347	

HARMONY

Community Development District

Series 2015 Debt Service Fund

Statement of Revenues, Expenditures and Changes in Fund Balances
For the Period Ending November 30, 2020

ACCOUNT DESCRIPTION	ANNUAL ADOPTED BUDGET	YEAR TO DATE BUDGET	YEAR TO DATE ACTUAL	VARIANCE (\$) FAV(UNFAV)
REVENUES				
Interest - Investments	\$ 2,270	\$ 378	\$ 8	\$ (370)
Special Assmnts- Tax Collector	908,123	181,625	50,865	(130,760)
Special Assmnts- Prepayment	-	-	88,824	88,824
Special Assmnts- Discounts	(36,325)	(7,265)	(2,073)	5,192
TOTAL REVENUES	874,068	174,738	137,624	(37,114)
EXPENDITURES				
Administration				
Misc-Assessmnt Collection Cost	18,162	3,632	976	2,656
Total Administration	18,162	3,632	976	2,656
Debt Service				
Principal Debt Retirement	395,000	-	-	-
Principal Prepayments	-	-	335,000	(335,000)
Interest Expense	471,838	235,919	235,919	-
Total Debt Service	866,838	235,919	570,919	(335,000)
TOTAL EXPENDITURES	885,000	239,551	571,895	(332,344)
Excess (deficiency) of revenues				
Over (under) expenditures	(10,932)	(64,813)	(434,271)	(369,458)
OTHER FINANCING SOURCES (USES)				
Interfund Transfer - In	26,600	-	-	-
Contribution to (Use of) Fund Balance	15,668	-	-	-
TOTAL FINANCING SOURCES (USES)	42,268	-	-	-
Net change in fund balance	\$ 15,668	\$ (64,813)	\$ (434,271)	\$ (369,458)
FUND BALANCE, BEGINNING (OCT 1, 2020)	981,683	981,683	981,683	
FUND BALANCE, ENDING	\$ 997,351	\$ 916,870	\$ 547,412	

HARMONY

Community Development District

Supporting Schedules

November 30, 2020

HARMONY

Community Development District

**Non-Ad Valorem Special Assessments
Osceola County Tax Collector - Monthly Collection Report
For the Fiscal Year Ending September 30, 2021**

					Allocation by Fund		
Date Received	Net Amount Received	Discount/ (Penalties) Amount	Collection Cost	Gross Amount Received	General Fund	Series 2014 Debt Service Fund	Series 2015 Debt Service Fund
ASSESSMENTS LEVIED FY 2021				\$ 3,964,294	\$ 1,853,780	\$ 1,242,841	\$ 867,673
Allocation %				100%	46.76%	31.35%	21.89%
11/06/20	15,669	848	320	16,837	7,873	5,279	3,685
11/19/20	202,796	8,622	4,139	215,557	100,799	67,579	47,179
12/07/20	2,112,191	89,804	43,106	2,245,102	1,049,853	703,859	491,390
TOTAL	\$ 2,330,657	\$ 99,275	\$ 47,564	\$ 2,477,497	\$ 1,158,525	\$ 776,717	\$ 542,255

Collected in %

62%

TOTAL OUTSTANDING	\$ 1,486,797	\$ 695,255	\$ 466,124	\$ 325,419
--------------------------	---------------------	-------------------	-------------------	-------------------

Note ⁽¹⁾: Parcel # 30-26-32-2614-TRAC-VC10 has been removed from the tax roll.

Note ⁽²⁾: Debt service prepayments were received during the budget process resulting in variances between assessments budgeted and assessments placed on roll.

HARMONY
Community Development District

Cash and Investment Report
November 30, 2020

General Fund

<u>Account Name</u>	<u>Bank Name</u>	<u>Investment Type</u>	<u>Maturity</u>	<u>Yield</u>	<u>Balance</u>
Checking Account- Operating	Bank United	Checking Account	n/a	0.00%	\$458,588
Checking Account- Operating	CenterState Bank	Interest Bearing Account	n/a	0.05%	\$50,529
Debit Account	CenterState Bank	Debit Account	n/a	0.25%	\$3,586
Subtotal					\$512,703
Certificate of Deposit	BankUnited	12 month CD	2/19/2021	1.60%	\$106,442
Money Market Account	BankUnited	Money Market Account	n/a	0.30%	\$679,268
Subtotal					\$785,710

Debt Service and Capital Projects Funds

<u>Account Name</u>	<u>Bank Name</u>	<u>Investment Type</u>	<u>Maturity</u>	<u>Yield</u>	<u>Balance</u>
Series 2014 Reserve Fund	US Bank	US Bank Governmental Obligation Fund	n/a	0.005%	\$607,313
Series 2014 Revenue Fund	US Bank	US Bank Governmental Obligation Fund	n/a	0.005%	\$328,100
Series 2015 Prepayment Fund	US Bank	US Bank Open-Ended Commercial Paper	n/a	0.005%	\$90,871
Series 2015 Reserve Fund	US Bank	US Bank Open-Ended Commercial Paper	n/a	0.005%	\$340,000
Series 2015 Revenue Fund	US Bank	US Bank Open-Ended Commercial Paper	n/a	0.005%	\$62,384
Subtotal					\$1,428,668
Total					\$2,727,081

9B.

Harmony

Community Development District

General Fund

Invoice Approval Report # 248

December 7, 2020

Payee	Invoice Number	A= Approval R= Ratification	Invoice Amount
AMERITAS LIFE INSURANCE CORP.	111620-0000	R	\$ 127.12
		Vendor Total	\$ 127.12
BOYD CIVIL ENGINEERING	2832	A	\$ 1,756.25
		Vendor Total	\$ 1,756.25
CARDMEMBER SERVICES	111020-0832 ACH	R	\$ 4,392.60
		Vendor Total	\$ 4,392.60
FASTEC PERFORMANCE WAREHOUSE INC.	29722	R	\$ 275.00
dba ALL FLORIDA SEPTIC	29721	R	\$ 975.00
		Vendor Total	\$ 1,250.00
FEDEX	7-169-77022	R	\$ 14.47
		Vendor Total	\$ 14.47
FLORIDA RESOURCE MGT LLC-ACH	83356 ACH	R	\$ 10,699.00
		Vendor Total	\$ 10,699.00
HUMANA MEDICAL PLAN	512980259	R	\$ 1,801.72
		Vendor Total	\$ 1,801.72
INFRAMARK	57898	A	\$ 5,609.20
		Vendor Total	\$ 5,609.20
ORLANDO UTILITIES COMMISSION-ACH	110920-9921 ACH	R	\$ 11,403.02
		Vendor Total	\$ 11,403.02
PATRICK M. WALL	4709	R	\$ 3,540.00
dba WALL BROS CONSTRUCTION		Vendor Total	\$ 3,540.00
PINEY BRANCH MOTORS INC - ACH	RI1045426 ACH	R	\$ 90.00
dba ALLIED TRAILERS	RI1045425 ACH	R	\$ 490.00
		Vendor Total	\$ 580.00
POOLSURE	101295611162	R	\$ 35.00
	101295612542	R	\$ 345.00
	101295612537	R	\$ 421.90
	101295612148	R	\$ 35.00
	101295612147	R	\$ 60.00
		Vendor Total	\$ 896.90

Harmony

Community Development District

General Fund

Invoice Approval Report # 248

December 7, 2020

Payee	Invoice Number	A= Approval R= Ratification	Invoice Amount
PROPET DISTRIBUTORS INC.	132509	R	\$ 1,680.00
		Vendor Total	\$ 1,680.00
SERVELLO	18002	R	\$ 653.42
	17939	R	\$ 39,667.17
		Vendor Total	\$ 40,320.59
SPRINT SOLUTIONS, INC. - ACH	244553043-088 ACH	R	\$ 328.52
		Vendor Total	\$ 328.52
STEPHEN K. GROOMS dba PRESSURE WASH THIS	1668	R	\$ 600.00
		Vendor Total	\$ 600.00
STEVE BERUBE	111720	R	\$ 18.74
		Vendor Total	\$ 18.74
SUN PUBLICATIONS DBA dba OSCEOLA NEWS GAZETTE	260166	R	\$ 69.35
		Vendor Total	\$ 69.35
TOHO WATER AUTHORITY	111720 ACH	R	\$ 5,082.47
		Vendor Total	\$ 5,082.47
WASTE CONNECTIONS OF FL.	1305376	R	\$ 225.00
		Vendor Total	\$ 225.00
Total			\$ 90,394.95
Total Invoices \$			90,394.95

HARMONY

Community Development District

Check Register

November 1 - November 30, 2020

HARMONY COMMUNITY DEVELOPMENT DISTRICT

Payment Register by Bank Account

For the Period from 11/01/2020 to 11/30/2020

(Sorted by Check / ACH No.)

Pymt Type	Check / ACH No.	Date	Payee Type	Payee	Invoice No.	Payment Description	Invoice / GL Description	G/L Account #	Amount Paid
BANK UNITED GF - (ACCT# XXXXX9494)									
Check	250	11/05/20	Vendor	AMERITAS LIFE INSURANCE CORP.	101520-0000	11/01/20-11/30/20 LIFE INSURANCE	ProfServ-Field Management	001-531016-53901	\$127.12
Check	251	11/05/20	Vendor	ARROW PAVEMENT SERVICES INC.	1028201	10/28 SIDEWALK REPLCMNT	R&M-Sidewalks	001-546084-53910	\$10,500.00
Check	252	11/05/20	Vendor	COMPLETE I.T.	5872	10/29 ZOOM MEETING	Misc-Contingency	001-549900-51301	\$50.00
Check	253	11/05/20	Vendor	GRACE COMMUNITY CHURCH, INC.	101920	FY2021 MEETING FACILITY RENTAL	Rental - Meeting Room	001-544004-51301	\$2,750.00
Check	254	11/05/20	Vendor	HUMANA MEDICAL PLAN	512980261	NOV 20 HEALTH INSURANCE	ProfServ-Field Management	001-531016-53901	\$1,801.72
Check	255	11/05/20	Vendor	POOLSURE	101295611365	10/18 Swim Club Bleach & Acid	R&M-Pools	001-546074-53910	\$307.50
Check	255	11/05/20	Vendor	POOLSURE	101295611161	Nov Ashley Park Cntrlr Lease	R&M-Pools	001-546074-53910	\$60.00
Check	255	11/05/20	Vendor	POOLSURE	101295611364	10/18 Ashley Park Bleach & Chemicals	R&M-Pools	001-546074-53910	\$588.80
Check	256	11/05/20	Vendor	SERVELLO & SONS INC	17699	OCT LANDSCAPE MAINT	MULCH	001-534065-53902	\$5,016.77
Check	256	11/05/20	Vendor	SERVELLO & SONS INC	17699	OCT LANDSCAPE MAINT	LANDSCAPE	001-534050-53902	\$21,619.00
Check	256	11/05/20	Vendor	SERVELLO & SONS INC	17699	OCT LANDSCAPE MAINT	Cntrs-Shrub/Grnd Cover Annual Svc	001-534172-53902	\$13,031.40
Check	257	11/12/20	Vendor	SERVELLO & SONS INC	17759	OCT 2020 EAST LAKE BERM	Cntrs-Landscape/Irrigation Maint	001-534171-53902	\$560.00
Check	257	11/12/20	Vendor	SERVELLO & SONS INC	17759	OCT 2020 EAST LAKE BERM	Cntrs-Shrub/Grnd Cover Annual Svc	001-534172-53902	\$67.17
Check	257	11/12/20	Vendor	SERVELLO & SONS INC	17759	OCT 2020 EAST LAKE BERM	Contracts-Mulch	001-534065-53902	\$26.25
Check	258	11/18/20	Vendor	FEDEX	7-169-77022	SRVCS THRU 11/03/20	Postage and Freight	001-541006-51301	\$14.47
Check	259	11/18/20	Vendor	NORTH SOUTH SUPPLY, INC.	3362680	IRRIGATION SUPPLIES	R&M-Irrigation	001-546041-53902	\$62.22
Check	260	11/18/20	Vendor	PATRICK M. WALL	4709	TRELLIS REPAIR/REPAINT	R&M-Parks & Facilities	001-546225-53910	\$3,540.00
Check	261	11/18/20	Vendor	POOLSURE	101295611162	NOV SPLASH PAD CONTRL LEASE	R&M-Pools	001-546074-53910	\$35.00
Check	262	11/18/20	Vendor	STEPHEN K. GROOMS	1668	PRESSURE WASH POOL HOUSE ROOFS	R&M-Parks & Facilities	001-546225-53910	\$600.00
Check	263	11/18/20	Vendor	STEVE BERUBE	111720	BROWNIE'S SEPTIC EXHIBIT	Reserve - Renewal&Replacement	001-568130-53910	\$18.74
Check	264	11/18/20	Vendor	WASTE CONNECTIONS OF FL.	1300569	11/01/20-11/30/20 WASTE REMOVAL	Utility - Refuse Removal	001-543020-53910	\$225.00
Check	265	11/24/20	Vendor	BOYD CIVIL ENGINEERING	02812	ENG SRVCS THRU 10/31/20	ProfServ-Engineering	001-531013-51501	\$975.00
Check	266	11/24/20	Vendor	INFRAMARK, LLC	57292	NOV MNGT SRVCS	ProfServ-Mgmt Consulting Serv	001-531027-51201	\$5,600.00
Check	266	11/24/20	Vendor	INFRAMARK, LLC	57292	NOV MNGT SRVCS	Postage and Freight	001-541006-51301	\$14.50
Check	266	11/24/20	Vendor	INFRAMARK, LLC	57292	NOV MNGT SRVCS	Printing and Binding	001-547001-51301	\$8.45
Check	267	11/24/20	Vendor	SERVELLO & SONS INC	18002	Nov 2020 East Lake Berm	Cntrs-Landscape/Irrigation Maint	001-534171-53902	\$560.00
Check	267	11/24/20	Vendor	SERVELLO & SONS INC	18002	Nov 2020 East Lake Berm	Cntrs-Shrub/Grnd Cover Annual Svc	001-534172-53902	\$67.17
Check	267	11/24/20	Vendor	SERVELLO & SONS INC	18002	Nov 2020 East Lake Berm	Contracts-Mulch	001-534065-53902	\$26.25
Check	267	11/24/20	Vendor	SERVELLO & SONS INC	17939	NOV LANDSCAPE MAINT	MULCH	001-534065-53902	\$5,016.77
Check	267	11/24/20	Vendor	SERVELLO & SONS INC	17939	NOV LANDSCAPE MAINT	LANDSCAPE	001-534171-53902	\$21,619.00
Check	267	11/24/20	Vendor	SERVELLO & SONS INC	17939	NOV LANDSCAPE MAINT	Cntrs-Shrub/Grnd Cover Annual Svc	001-534172-53902	\$13,031.40
Check	268	11/24/20	Vendor	YOUNG QUALLS, P.A.	16108	GEN COUNSEL THRU 10/31/20	ProfServ-Legal Services	001-531023-51401	\$10,259.85
ACH	DD728	11/03/20	Employee	STEVEN P. BERUBE	PAYROLL	November 03, 2020 Payroll Posting			\$184.70
ACH	DD729	11/03/20	Employee	DAVID L. FARNSWORTH	PAYROLL	November 03, 2020 Payroll Posting			\$184.70
ACH	DD730	11/03/20	Employee	WILLIAM BOKUNIC	PAYROLL	November 03, 2020 Payroll Posting			\$184.70

HARMONY COMMUNITY DEVELOPMENT DISTRICT

Payment Register by Bank Account

For the Period from 11/01/2020 to 11/30/2020

(Sorted by Check / ACH No.)

Pymt Type	Check / ACH No.	Date	Payee Type	Payee	Invoice No.	Payment Description	Invoice / GL Description	G/L Account #	Amount Paid
ACH	DD731	11/03/20	Employee	MICHAEL J. SCARBOROUGH	PAYROLL	November 03, 2020 Payroll Posting			\$184.70
ACH	DD734	11/13/20	Vendor	DAVID FARNSWORTH - ACH	20-NOV ACH	NOV WEBSITE MAINTENANCE	Misc-Contingency	001-549900-51301	\$300.00
ACH	DD735	11/13/20	Vendor	PINEY BRANCH MOTORS INC - ACH	RI1039429 ACH	11/02/20-12/01/20 12X60 OFFICE TRAILER	Reserve - Renewal&Replacement	001-568130-53910	\$490.00
ACH	DD736	11/13/20	Vendor	PINEY BRANCH MOTORS INC - ACH	RI1039430 ACH	11/02/20-12/01/20 40' CONTAINER LEASE	Reserve - Renewal&Replacement	001-568130-53910	\$90.00
ACH	DD737	11/24/20	Employee	STEVEN P. BERUBE	PAYROLL	November 24, 2020 Payroll Posting			\$184.70
ACH	DD738	11/24/20	Employee	MICHAEL J. SCARBOROUGH	PAYROLL	November 24, 2020 Payroll Posting			\$184.70
ACH	DD739	11/24/20	Employee	DANIEL LEET	PAYROLL	November 24, 2020 Payroll Posting			\$184.70
ACH	DD740	11/24/20	Employee	TERESA KRAMER	PAYROLL	November 24, 2020 Payroll Posting			\$184.70
ACH	DD741	11/18/20	Vendor	BRIGHT HOUSE NETWORKS - ACH	028483501103020 ACH	10/28-11/27/20 0050284835-01 Internet	Misc-Security Enhancements	001-549911-53910	\$99.98
ACH	DD742	11/18/20	Vendor	BRIGHT HOUSE NETWORKS - ACH	028483401110720 ACH	11/06/20-12/05/20 0050284834-01	Misc-Security Enhancements	001-549911-53910	\$123.98
ACH	DD743	11/18/20	Vendor	SPRINT SOLUTIONS, INC. - ACH	244553043-087 ACH	09/26/20-10/25/20 244553043	Communication - Telephone	001-541003-53910	\$502.22
ACH	DD745	11/05/20	Vendor	FLORIDA RESOURCE MGT LLC-ACH	83127 ACH	PAYROLL PE 11/01/20	ProfServ-Field Management	001-531016-53901	\$10,102.82
ACH	DD746	11/30/20	Vendor	ORLANDO UTILITIES COMMISSION-ACH	100820-9921	09/09/20-10/08/20 ELECTRIC UTILITY	Electricity - General	001-543006-53903	\$2,338.17
ACH	DD746	11/30/20	Vendor	ORLANDO UTILITIES COMMISSION-ACH	100820-9921	09/09/20-10/08/20 ELECTRIC UTILITY	Electricity - Streetlighting	001-543013-53903	\$8,323.90
ACH	DD746	11/30/20	Vendor	ORLANDO UTILITIES COMMISSION-ACH	100820-9921	09/09/20-10/08/20 ELECTRIC UTILITY	CREDIT 9/9 LATE FEE	001-543013-53903	(\$163.96)
ACH	DD746	11/30/20	Vendor	ORLANDO UTILITIES COMMISSION-ACH	100820-9921	09/09/20-10/08/20 ELECTRIC UTILITY	DUPLICATE AUTO DRAFT	155000	(\$10,930.82)
ACH	DD747	11/30/20	Vendor	ORLANDO UTILITIES COMMISSION-ACH	110920-9921 ACH	10/08/20-11/09/20 UTILITY	Electricity - General	001-543006-53903	\$2,819.55
ACH	DD747	11/30/20	Vendor	ORLANDO UTILITIES COMMISSION-ACH	110920-9921 ACH	10/08/20-11/09/20 UTILITY	Electricity - Streetlighting	001-543013-53903	\$8,583.47
ACH	DD748	11/18/20	Vendor	TOHO WATER AUTHORITY - ACH	101720 ACH	09/17/20-10/17/20 WATER UTILITY	Utility - Water & Sewer	001-543021-53903	\$8,684.64
ACH	DD748	11/18/20	Vendor	TOHO WATER AUTHORITY - ACH	101720 ACH	09/17/20-10/17/20 WATER UTILITY-CORR	Utility - Water & Sewer	001-543021-53903	(\$549.95)
Account Total									\$150,471.15

HARMONY
Community Development District

Debit and Credit Card Invoices

November 1 - November 30, 2020

**Monthly Debit and Credit Card Purchases
Nov-20**

Date	Vendor	Description	Amount
11/2/2020	Apple.com	iCloud 200 GB Storage Plan (Apple) DEBIT PURCHASE	2.99
10/22/2020	7-Eleven	Fuel	40.00
10/23/2020	Sunoco	Fuel	46.92
10/28/2020	Amazon	Hard Hat Forestry Safety Helmet	27.30
10/29/2020	Amazon	Carbide Brush Cutter	37.50
10/29/2020	Amazon	Precise Drilling for Light Masonry & Concrete	74.93
10/30/2020	Amazon	Oil	18.99
10/30/2000	Amazon	Brake Cleaner	34.99
11/2/2020	Amazon	LEDs Solar Landscape Spotlights	47.99
11/2/2020	Amera Trail, Inc.	Utility Trailer	2,606.93
11/2/2020	Amazon	Husqvarna Brush Cutter	594.29
11/3/2020	Sunoco	Fuel	61.61
11/3/2020	Amazon	Spark Plugs	13.56
11/3/2020	Amazon	Spark Plugs	11.03
11/4/2020	Amazon	iPhone Glass Screen Protector	13.95
11/6/2020	Wawa	Fuel	54.58
11/6/2020	Amazon	Recoil Starter	39.94
11/9/2020	Amazon	Lenovo Laptop	483.74
11/9/2020	Amazon	Rugcel Winch	112.99
11/9/2020	Amera Trail, Inc.	Coupler Lock	41.36
11/10/2020	7-Eleven	Fuel	30.00
		TOTAL	4,395.59

TENTH ORDER OF BUSINESS

10A

Relocating West Entrance Crosswalk

Request from Osceola County Traffic Division

During the late summer/early fall of 2020 Osceola County milled and paved Five Oaks Drive from the west entrance to the traffic circle with Schoolhouse Drive. During this paving project Osceola County Traffic Operations noted that the current placement of the crosswalk traversing Five Oaks Drive near US 192 presents a potential hazard to pedestrians by vehicles rapidly exiting US 192 onto Five Oaks Drive. This issue was brought to the attention of Harmony's District Manager on November 3, 2020 who then brought it to the Board during the November 2020 meeting. After discussion, the Board requested a cost estimate for sidewalk and curb changes required to relocate this crosswalk and whether the County would be able to provide a pedestrian activated flashing light for the new crosswalk location.

11/20/2020 @ 4:30 pm – Spoke with Gary Yeager, Osceola County Traffic Operations Director concerning relocation of crosswalk from Five Oaks and US 192 to Five Oaks and Dark Sky/Milkweed. I asked about the possibility of the County placing a sign with pedestrian activated flashing lights on the crosswalk in place of the proposed crossing signs. He indicated that the County just received funding in October for 3 sets of flashing warning signs; one has already been allocated and two still available. He will put our request before the committee at its next meeting, which has not yet been scheduled (next 4-8 weeks). He indicated, however, that they usually allocate these signs for crosswalks that traverse roadways with speed limits of 40+ mph or heavily trafficked. He will let us know the committee's decision. I also inquired about the cost of these signs and he said the parts for these signs would cost \$5000/sign, so \$10,000 for the crossing and an additional \$1200 per sign for installation by a private vendor. The unlighted signs the County has proposed for the crossing cost the County \$20/pole and \$40/sign with County installation.

I inquired about the current controversy concerning the flashing yellow causing drivers to speed up. He indicated that studies have shown that in Florida, approximately 30% of drivers stop for pedestrians in a crosswalk without a stop sign, while 90% of drivers stop for pedestrians in a crosswalk with the flashing yellow light signaling that a pedestrian is present. The current controversy being addressed in Tallahassee is based on a child fatality that occurred at a crosswalk in Brevard on A-1-A while she was heading to the beach.

Harmony currently has four crosswalks located mid-street that do not have stop signs associated with them. The first crosses Cupseed from the rear of the Community School to Beargrass. The second crosses Schoolhouse from Primrose Willow to the Lakefront recreational area. The third crosses Five Oaks southeast of Cordgrass, near the start of housing on Five Oaks. The fourth crosses Schoolhouse near Butterfly to the front of the Community School.

Arrow Paving has estimated the cost of adding sidewalk extensions, ADA compliant ramps and curb cuts to Dark Sky and Milkweed at \$5,300.

Option 1—No change. County replaces striping for crosswalk at west entrance near U.S. 192 on Five Oaks Drive. Not recommended as Osceola County Traffic Operations has notified Harmony that this placement is unsafe. (No cost to HCDD)

Option 2—Remove crosswalk and no replacement. Remove crosswalk at the west entrance near U.S. 192 on Five Oaks Drive. This would entail removing the portion of the sidewalks on either side of Five

Oaks Drive that turn toward the street and resodding those areas. Would not be necessary to remove concrete pad in median. Do not replace crosswalk, so first crosswalk would be at stop sign on traffic circle at Schoolhouse and Five Oaks. (**Cost** to HCDD estimated to be **\$3300** to remove turning portions of sidewalk and repair curb cuts)

Option 3—Remove and Relocate crosswalk. Remove crosswalk at the west entrance near U.S. 192 on Five Oaks Drive. This would entail removing the portion of the sidewalks on either side of Five Oaks Drive that turn toward the street and resodding those areas. Would not be necessary to remove concrete pad in median. Relocate crosswalk to Five Oaks where Dark Sky and Milkweed intersect, with signage and stripping provided by County (with or without flashing lights). HCDD will be responsible for providing ADA compliant ramps and curb cuts. (**Cost** to HCDD estimated to be **\$8600**=\$5300 for new ramps + \$3300 for removal and curb cut repair)

Option 4—Remove and Relocate crosswalk with flashing light signage. Remove crosswalk at the west entrance near U.S. 192 on Five Oaks Drive. This would entail removing the portion of the sidewalks on either side of Five Oaks Drive that turn toward the street and resodding those areas. Would not be necessary to remove concrete pad in median. Relocate crosswalk at Five Oaks where Dark Sky and Milkweed intersect, with flashing light signage. HCDD will be responsible for providing ADA compliant ramps and curb cuts at Dark Sky and Milkweed. (**Cost** to HCDD if County provides flashing lights estimated to be **\$8600**; **Cost** to HCDD if HCDD provides flashing lights estimated to be **\$21,800**)

10Ai

--Proposal--

14232

FAX
(407) 658-6786



ARROW PAVEMENT SERVICES, INC.

CALL ANYTIME
(407) 851-3141

EMAIL
ArrowPavement@aol.com

3936 Semoran Blvd. #118
Orlando, FL 32822

WEBSITE
www.arrowpavement.com

SUBMITTED TO: Harmony Community Development District		PHONE: 301-2235	DATE: 12/1/2020
STREET: 313 Campus St.		EMAIL: gerhardharmony@gmail.com	
CITY: Celebration	STATE: FL	ZIP:	
JOB NAME: Harmony District	JOB LOCATION: Harmony District		

We are pleased to submit this estimate for material and labor to improve the life and appearance of your asphalt surface and to aid in your business success. Our following recommendations are in accordance with the general practices and standards of the asphalt paving industry. We pride ourselves in being Orlando's oldest sealcoating company, established in 1978.

NEW WORK/OR REPAIR WORK

PATCHING: <input type="checkbox"/>	CARSTOPS: <input type="checkbox"/>
CURBING: <input type="checkbox"/>	OVERLAYS: <input type="checkbox"/>
SAWCUTTING: <input type="checkbox"/>	

SEALING sq. ft.

COATS: <input type="checkbox"/>	SPRAY METHOD: <input type="checkbox"/>
COAT: <input type="checkbox"/>	DRAW METHOD: <input type="checkbox"/>

PREPARATION

SWEEP AND/OR VACUUM: ☐

ASPHALT SURFACES

PAVING sq. yd.

OVERLAY:

PAINT CARSTOPS: <input type="text"/>	EA.	SPEED BUMPS: <input type="text"/>
YELLOW LINES: <input type="text"/>	FT.	ARROWS: <input type="text"/>
WHITE LINES: <input type="text"/>	FT.	HANDICAPS: <input type="text"/>
YELLOW CURBS: <input type="text"/>	FT.	STOP BARS: <input type="text"/>
WHITE CURBS: <input type="text"/>	FT.	STENCILLING: <input type="text"/>

SEALING

PAVING

STRIPING

ADDITIONAL WORK TO BE PERFORMED:

Demo approximately 169 sf of dirt and grass to proper grade. Demo 20 lf of F Curb, form and pour 169 sf of 4" sidewalk. Install 20 lf of drop down F Curb for ramp. Install (2) 6' x 8' ramps with truncated dome in concrete when poured.

ADDITIONAL

WORK \$5,304.00

TOTAL \$5,304.00

WE PROPOSE to complete the above work in accordance with above specifications for the sum of:

FIVE THOUSAND THREE HUNDRED FOUR DOLLARS AND NO CENTS

\$5,304.00

Payment due upon receipt-1.5% finance charge added past 30 days.

When signed by customer and/or owner, this becomes a legal contract. Customer and/or owner acknowledges the checked items, attached exhibits and terms thereof. Proposal price effective for 30 days.

Authorized Signature _____
GARY RUMPZA Sales Representative

ACCEPTANCE OF PROPOSAL The above prices, specifications, and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Signature _____
Date of Acceptance _____

10Aii

--Proposal--

14238

FAX
(407) 658-6786



ARROW PAVEMENT SERVICES, INC.

CALL ANYTIME
(407) 851-3141

EMAIL
ArrowPavement@aol.com

3936 Semoran Blvd. #118
Orlando, FL 32822

WEBSITE
www.arrowpavement.com

SUBMITTED TO: Harmony District		PHONE: 301-2235	DATE: 12/7/2020
STREET: 313 Campus St.		EMAIL: gerhardharmony@gmail.com	
CITY: Celebration	STATE: FL	ZIP:	
JOB NAME: Harmony District	JOB LOCATION: Harmony District		

We are pleased to submit this estimate for material and labor to improve the life and appearance of your asphalt surface and to aid in your business success. Our following recommendations are in accordance with the general practices and standards of the asphalt paving industry. We pride ourselves in being Orlando's oldest sealcoating company, established in 1978.

NEW WORK/OR REPAIR WORK

PATCHING: <input type="checkbox"/>	CARSTOPS: <input type="checkbox"/>
CURBING: <input type="checkbox"/>	OVERLAYS: <input type="checkbox"/>
SAWCUTTING: <input type="checkbox"/>	

SEALING sq. ft.

COATS: <input type="checkbox"/>	SPRAY METHOD: <input type="checkbox"/>
COAT: <input type="checkbox"/>	DRAG METHOD: <input type="checkbox"/>

PREPARATION

SWEEP AND/OR VACUUM: ☐

ASPHALT SURFACES

PAVING sq. yd.

OVERLAY:

PAINT CARSTOPS: <input type="checkbox"/>	EA.	SPEED BUMPS: <input type="checkbox"/>
YELLOW LINES: <input type="checkbox"/>	FT.	ARROWS: <input type="checkbox"/>
WHITE LINES: <input type="checkbox"/>	FT.	HANDICAPS: <input type="checkbox"/>
YELLOW CURBS: <input type="checkbox"/>	FT.	STOP BARS: <input type="checkbox"/>
WHITE CURBS: <input type="checkbox"/>	FT.	STENCILLING: <input type="checkbox"/>

SEALING

PAVING

STRIPING

ADDITIONAL WORK TO BE PERFORMED:

Demo approximately 200 sf of 4" sidewalk and 20 lf of Valley curb. Form and pour 20 lf of type "F" curb. \$3300.00
Option 1- Demo 100 sf of 4" sidewalk and 20 lf of Valley curb. Form and pour 20 lf of type "F" curb. \$3000.00 (Option is not included in bid total but may be added).

ADDITIONAL

WORK \$3,300.00

TOTAL \$3,300.00

WE PROPOSE to complete the above work in accordance with above specifications for the sum of:

THREE THOUSAND THREE HUNDRED DOLLARS AND NO CENTS

\$3,300.00

Payment due upon receipt-1.5% finance charge added past 30 days.

When signed by customer and/or owner, this becomes a legal contract. Customer and/or owner acknowledges the checked items, attached exhibits and terms thereof. Proposal price effective for 30 days.

Authorized
Signature

GARY RUMPZA Sales Representative

ACCEPTANCE OF PROPOSAL The above prices, specifications, and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Signature _____

Date of Acceptance _____

Eleventh Order of Business

11A.

11Ai

Harmony CDD Videography Proposal

Dan Leet

Osceola County Board of County Commissioners

Public Information Office: 407-742-2000 (Mark Pino)

BCC: Meeting

[Click here to watch the video in full screen.](#)



Documents

Click on one of the documents below to view.

- [Online Agenda](#)
- [ADA Accessible Agenda Outline](#)
- [Action Minutes \(Formerly referred to as Meeting Actions\)](#)

Osceola County Board of County Commissioners

Public Information Office: 407-742-2000 (Mark Pino)

- ▶ Main meetings utilize expensive equipment in a control room to mix board member microphones, lectern, video sources, etc. for boardroom speakers as well as recording and streaming use
 - ▶ TriCaster video production equipment, cameras, microphones, etc. total many tens of thousands of dollars
- ▶ County uses a Mevo camera to record smaller events, such as the State of the County speech
- ▶ County PIO is happy with and recommends Mevo cameras

Osceola County Board of County Commissioners

Public Information Office: 407-742-2000 (Mark Pino)

- ▶ Vimeo Premium service used for live streaming and archival
- ▶ Rev captioning service is used for meeting transcription
 - ▶ \$1 per minute, 24 hour turn time
 - ▶ Video is linked directly from YouTube, Vimeo, etc. for captioning

Legal Analysis

District Counsel – Tim Qualls

- ▶ Recording and broadcast (streaming) of CDD meetings is allowable, but ADA guidelines must be adhered to.
- ▶ Physical copies of the meeting recordings should be kept, in addition to any storage provided by video hosting services
- ▶ Comments should be disabled during broadcasts
- ▶ Data storage guidelines (1B-26.003) require consistent file names, offsite storage, and periodic checking of data.
 - Subsection 11: “If an agency cannot practicably maintain backups and preservation duplicates as required in this section, the agency shall document the reasons why it cannot do so”

Mevo Start



- ▶ Built-in SD card for recordings
- ▶ Streaming-capable (Vimeo, YouTube, Facebook, etc) with simultaneous recording
- ▶ Control via iPhone or Android app
- ▶ Built-in Wi-Fi, or can use LTE via phone's hotspot
- ▶ 6-hour battery life
- ▶ 83° field of view captures entire meeting
- ▶ "Auto pilot" mode can automatically zoom in/out

Mevo Start

(Prices updated December 2020)



- ▶ \$399 - Mevo Start live event camera
- ▶ \$430 - Mevo Start + heavy duty tripod
- ▶ \$30 - Mevo Start Case
- ▶ Includes 16GB microSD card, which holds about 100 minutes of HD video
 - ▶ \$39 - 64GB microSD
 - ▶ \$80 - 128GB microSD
- ▶ Audio connector options
 - ▶ \$11 - 50' audio cable
 - ▶ \$159 - USB audio mixer
- ▶ \$90 - External Hard Drive

Vimeo Hosting Plans



- ▶ Pro - \$240 per year
 - 20 GB / week weekly upload limit
 - About 2 hours, longer meetings may need to be uploaded across 2 weeks
 - Compression or reduced resolution may be another option
- ▶ Business - \$600 per year
 - No upload limits
 - Additional features
- ▶ Unlimited viewer bandwidth
- ▶ Video overlay support
- ▶ NO ADS for viewers

Harmony CDD Recommendation

- ▶ Purchase Mevo Start
 - ▶ \$650 (one-time) including case, tripod, memory card, audio cable, hard drive
- ▶ Purchase Vimeo Pro subscription
 - ▶ \$240 per year
 - ▶ 20 GB weekly upload limit should be enough for most meetings
- ▶ Purchase Dropbox account to satisfy electronic data backup requirements
 - ▶ \$199 per year for 3 TB plan (more than enough for 10 years of retention)
- ▶ Budget for Rev video captioning service
 - ▶ \$90 - \$180 per month, \$1080 - \$2160 per year depending on meeting length
- ▶ Stream meetings to YouTube (free), upload meeting videos to Vimeo for archival use and ADA compliance
- ▶ Store files on external hard drive, use Dropbox as remote backup service

Thank you!

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MEMORANDUM

To: Harmony CDD
From: Young Qualls, PA
Date: September 20, 2019
Re: Current State of the Americans with Disabilities Act Applied to the
Harmony CDD Website

Questions Presented

What is the current state of website accessibility under the Americans with Disabilities Act and the requirements for local governments, including some practical options for a CDD to consider in order to make a good faith effort to comply with the ADA?

Answer

A public entity that provides services or communicates with constituents via the internet must ensure equal access except when doing so would result in an undue financial burden. 28 CFR Pt. 3, App. A. Case law is still unsettled in the area of government websites and ADA compliance. Therefore, while following practical steps show good faith by the District, we cannot guarantee that the District will not be subject to ADA litigation. At a bare minimum, language should be added to the website directing the hearing and visually impaired to a phone number where the individual can request the documents in another format.ⁱ Practically, the Board should consider implementing one or more of the following.

1. Remove all documents from the website that are not required statutorily and then ensure remaining documents are in a format that is readable by screen readers. This means that the removed documents can only be retrieved via a public records request.ⁱⁱ

2. Leave everything on the website but convert what is statutorily required into a readable format.
3. A full conversion to WCAG 2.0 standards. *See* <https://www.w3.org/TR/WCAG20/>

Discussion

The Americans with Disabilities Act (“ADA”) has three subchapters covering discrimination. Title I prohibits discrimination in private employment; Title II prohibits discrimination by public entities; and Title III prohibits discrimination by a place of public accommodation. *See* 42 U.S.C. §§ 12112(a), 12131, 12182(a). Recently, “tester” lawsuits have increased for both vision impaired and deaf individuals. When the tester lawsuit involves a vision impaired individual, the individual alleges a company website is inaccessible using a screen reader. When the tester lawsuit involves a deaf individual, the lawsuit alleges that closed captioning is unavailable when on videos archived or livestreamed on the website. Currently, these “tester” lawsuits are transitioning to local governments across the state, alleging that documents located on the websites are incompatible with screen readers or that videos archived for streaming do not have closed captioning. The individual sends a letter to the local governmental entity requesting accommodation. After the letter is sent, then the individual can initiate legal action.

Title II of the ADA states that no person “shall be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any such entity. 42 U.S.C. § 12312. To bring a Title II claim, a plaintiff must show that (1) he is a qualified individual with a disability; (2) that he was excluded from participation or denied the benefits of the services, programs, or activities of a public entity; (3) by reason of the disability. *Shotz v. Cates*, 256 F.3d 1007, 1079 (11th Cir. 2001). However, the

Eleventh Circuit of Florida case law regarding Title II cases involves only violations at specific government facilities. For example, in *Shotz*, the plaintiff sued Levy County because he was told he could not bring his service dog into the courthouse. *Id.* In *McCollum v. Orlando Regional Healthcare System, Inc.*, the plaintiff sued the public hospital due to lack of a sign language interpreter. 768 F.3d 1135, 1138 (11th Cir. 2014). There is no specific Title II case law dealing with government entity websites. Thus, there is no precedent in the public arena to guide a CDD. However, there are cases in the private arena which are informative.

Title III prohibits discrimination by private entities at “places of public accommodation.” 42 U.S.C. § 121812. This section of the ADA applies to both tangible barriers and intangible barriers to access at a place of public accommodation. *Rendon v. Valleycrest Prods., Ltd.* 294 F.3d 1279, 1283 (11th Cir. 2002). However, to successfully allege a Title III violation, there must be a nexus between the violation and a physical place of public accommodation. *Id.* at 1284. Thus, the main difference between Title II and Title III claims is that there must be a place of public accommodation for Title III claims, while there is nothing like this in the Title II realm.

Website accessibility case law centers around Title III violations. The case law involves the court making a determination of whether a website constitutes a place of public accommodation. *See Robles v. Domino’s Pizza, LLC*, 913 F.3d 898, 903 (9th Cir. 2019). The courts do this by determining whether a sufficient nexus between the physical location and website exists, while recognizing a distinction between “an inability to use a website to gain information about a physical location and an inability to use a website that impedes access to enjoy a physical location.” *Price v. Everglades College, Inc.* No. 6:18-CV-492-ORL-31GJK, 2018 WL 3428156, at *2 (M.D. Fla. July 16, 2018). The court held that it is only when the inability to use a website impedes enjoyment of the physical location does sufficient nexus exist.

Id. An example for CDD purposes would be a disabled citizen trying to access the CDD board meeting online and being unable too.

For damages to be awarded under the ADA, the plaintiff must show that the defendant acted with “discriminatory intent.” *McCullum v. Orlando Reg’l Healthcare Sys., Inc.*, 768 F.3d 1135, 1146-47 (11th Cir. 2014). Discriminatory intent requires showing that the defendant was deliberately indifferent to statutory rights, which requires more than gross negligence. *Id.* The plaintiff can establish this by showing the defendant knew that harm to a federally protected right was substantially likely and failed to act on that likelihood. *Id.*

Courts throughout the Eleventh Circuit are struggling with how to apply Title II to website accessibility cases. Title II applies to websites – the DOJ explained that although the ADA does not explicitly cover website access, public entities that provide services online or communicate with constituents through the internet must ensure equal access for individuals with disabilities, unless doing so would be an undue financial burden. 28 C.F.R. § Pt. 35, App. A. Additionally, the legal obligations can be met by providing alternative access, “such as a staffed telephone information line.” *Id.* However, there is a lack of guidance from the DOJ on how to apply Title II to meet these requirements for websites, leaving District Courts split on how to address website accessibility cases.

The Southern District of Florida has dismissed Title II cases by applying the Title III website case law. See *Gil v. Broward Cty., Fla.*, No. 18-60282-CIV, 2018 U.S. Dist. LEXIS 225828 (S.D. Fla. May 7, 2018). The court agreed with the plaintiff that the ADA extended to non-physical spaces. *Id.* at *6. However, the plaintiff did not allege the inability to use the website impeded access to defendant’s physical buildings and only alleged that he was denied access to information that exists on the website. *Id.* at *7. The court pointed out that the ADA

does not require websites to be full-service for disabled persons and to require that all websites must interface with screen readers is too much of a leap for the court. *Id.*

However, recent rulings from the Middle District of Florida addressed the issue and found that the above analysis is incorrect in Title II cases. In *Price v. City of Ocala, Fl.*, the Court found that Title III case law was inapplicable to Title II cases and dismissed the case for lack of standing. 375 F.Supp. 3d. 1264 (M.D. Fla. 2019). The court stated that reliance on Title III case law would require a nexus between the physical location of the government and the website, which makes no sense given that Title II has no requirement that a violation be connected to a physical location. *Id.* at 1273. Additionally, the court found that the plaintiff did not state how the inaccessible information hindered his ability to be involved with the government. *Id.* at 1277. The court dismissed the case because the plaintiff's allegation is "akin to an allegation that he was harmed by the inaccessibility of the information itself." *Id.* See also *Gomez v. Marion Cty., Fla.*, 2019 U.S. Dist. LEXIS 89917 (M.D. Fla. May 10, 2019) (alleging inability to "learn about" the county is equivalent to alleging inaccessibility of the information is the harm).

Likewise, no standing was found in another case by the same plaintiff in the Middle District, following the reasoning of *Price v. Ocala*. See *Price v. Town of Longboat Key*, 2019 U.S. Dist. LEXIS 84086 (M.D. Fla. May 20, 2019). Additionally, the court reasoned that once aware of the plaintiff's need, the defendant acted to send the requested material to the plaintiff and because it did so, the plaintiff did not have a claim. *Id.* at *16.

CDD Website Best Practices

To avoid discriminating against individuals with disabilities, public entities must make reasonable modifications to procedures, unless it can be demonstrated that the modification

would “fundamentally alter” the nature of the service. 28 CFR § 35.130(b)(7)(i). Public entities are required to furnish appropriate aids and services when needed to give disabled individuals an equal opportunity to participate in the public entity’s services. 28 CFR § 35.160(b)(1). Additionally, the aid or service varies with the context in which the communication is taking place and must be given in an accessible format in a timely manner. 28 CFR § 35.160(b)(2).

As mentioned above, DOJ believes that these accommodations apply to websites. A public entity that provides services or communicates with constituents via the internet must ensure equal access except when doing so would result in an undue financial burden. 28 CFR Pt. 3, App. A. Thus, the ADA only requires “reasonable modifications” and does not require a public entity to use any and all means to make the information accessible, only to provide reasonable modifications that do not fundamentally change the nature of the service or impose undue burden. *Bircoll v. Miami-Dade Co.*, 480 F.3d 1072, 1081 (11th Cir. 2007). However, the Eleventh Circuit also noted in *Bircoll* that what is “reasonable” is a highly fact specific determination relative to the specifics of the case. *Id.* at 1085-86.

An example of an application of the “reasonable modification” principle comes from the Middle District’s decision in *Price v. City of Longboat Key*. There, the city mailed the plaintiff a thumb drive with the documents that were requested in the accommodation letter. 2019 U.S. Dist. LEXIS 84086 (M.D. Fla. May 20, 2019). The court found that although this may not have been the plaintiff’s preferred method of delivery, the city met its legal obligations to provide an alternative accessible means to the information. *Id.* at *13. Thus, the determination of a reasonable modification must be made on a case-by-case basis.

In Title III cases, plaintiffs ask for, and some courts have required, public accommodations to meet the Web Content Accessibility Guidelines (WCAG) 2.0 criteria. *See*

Gil v. Winn-Dixie Stores, Inc. 257 F.Supp. 3d 1340 (S.D. Fla. 2017); *Andrews v. Blick Art Materials, LLC*, 286 F.Supp. 365, 370 (E.D.N.Y. 2017); *Robles v. Domino's Pizza, LLC*, 913 F.3d 898 (9th Cir. 2019). Winn-Dixie appealed the Southern District of Florida's decision to the Eleventh Circuit, and is awaiting decision. These guidelines are developed by a private group, the World Wide Web Consortium (W3C), and are considered the industry standard for web content.

The WCAG 2.0 standards require alternatives that allow the information to be perceivable, operable, readable, and robust enough to be interpreted reliably by a wide variety of assistive technologies. The guidelines are grouped under the above principles. The guidelines under the "Perceivable" principle are as follows: provide text alternatives for non-text content; provide alternatives for time-based media; create adaptable content; and distinguish foreground from background. Under the "Operable" principle, the guidelines are: make all functionality accessible from the keyboard; provide users enough time to read; do not design content in a way that is known to cause seizures; and provide ways to help users navigate. Under the "Understandable" principle: make text content readable; make web pages appear in predictable ways; and help users avoid mistakes. Finally, the "Robust" principle includes maximizing compatibility with current and future technologies. However, while WCAG has been recognized as industry standards as applied in Title III cases, and a public entity may receive the benefit of converting to these standards, this does not guarantee ADA compliance in the Title II context.

Conclusion

Under Title II of the ADA, what must be accessible online is the "services, programs, or activities" of the Harmony CDD, including any services offered through the website. Arguably, there are no services offered on the Harmony CDD website. However, in order to make a good

faith effort to comply with the ADA, the CDD should ensure that those items required under Chapter 189, Florida Statutes, be on the website. In addition, on the website's homepage citizens should be directed to a phone number where they are able to request access to any statutorily required CDD information.

ⁱ The Northern District of Florida recently found that the City of Pensacola showed a willingness to work with the visually impaired individual when it included the following language: "If for some reason, your reader does not work in helping to view the information on our website, please let the Human Resources team know (850-435-1720) and we will work with you to ensure you receive/review the documents of interest." *Gil v. City of Pensacola*, 2019 U.S. Dist. LEXIS 145843 (N.D. Fla. Aug. 22, 2019) (Order Granting Motion to Dismiss, n. 1.)

ⁱⁱ A CDD website must include all the items set forth in section 189.016, Florida Statutes as follows: (1) The full legal name of the special district; (2) The public purpose of the special district; (3) The name, official address, official e-mail address, and, if applicable, term and appointing authority for each member of the governing body of the special district; (4) The fiscal year of the special district; (5) The full text of the special district's charter, the date of establishment, the establishing entity, and the statute or statutes under which the special district operates, if different from the statute or statutes under which the special district was established. Community development districts may reference chapter 190 as the uniform charter but must include information relating to any grant of special powers; (6) The mailing address, e-mail address, telephone number, and website uniform resource locator of the special district; (7) A description of the boundaries or service area of, and the services provided by, the special district; (8) A listing of all taxes, fees, assessments, or charges imposed and collected by the special district, including the rates or amounts for the fiscal year and the statutory authority for the levy of the tax, fee, assessment, or charge. For purposes of this subparagraph, charges do not include patient charges by a hospital or other health care provider; (9) The primary contact information for the special district for purposes of communication from the department; (10) A code of ethics adopted by the special district, if applicable, and a hyperlink to generally applicable ethics provisions; (11) The budget of the special district and any amendments thereto in accordance with s. 189.016; (12) The final, complete audit report for the most recent completed fiscal year and audit reports required by law or authorized by the governing body of the special district; (13) A listing of its regularly scheduled public meetings as required by s. 189.015(1); (14) The public facilities report, if applicable; (15) The link to the Department of Financial Services' website as set forth in s. 218.32(1)(g); (16) At least 7 days before each meeting or workshop, the agenda of the event, along with any meeting materials available in an electronic format, excluding confidential and exempt information. The information must remain on the website for at least 1 year after the event.

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MEMORANDUM

To: Harmony CDD Board of Supervisors
From: Young Qualls, P.A.
Date: 09/19/2019 (Cites updated 11/20/2020)
Re: Recording Meetings and Public Record Storage Medium

Questions Presented

1. May Harmony CDD record and broadcast the Board of Supervisors' monthly meetings and if so, what are the legal considerations?
2. May a government use social media, such as Facebook, as a means of storing public records?

Answer

1. Yes, the CDD may record and broadcast public meetings (including broadcasting on Facebook), so long as the recording is maintained as a public record, the two-year retention schedule is kept, and the recording is in compliance with the Americans with Disabilities Act (ADA), namely providing closed captioning.
2. No, using social media as a means of storing public records does not adhere to Rule 1B-26.003, F.A.C. nor does it meet the Department of State, Division of Library and Information Services best practices.

Discussion

Public Purpose

Any expenditure for recording must be for a purpose that primarily benefits the public, with any private interest being incidental and secondary to the public purpose. *See O'Neill v. Burns*, 1998 So. 2d 1 (Fla. 1967). Here, the purpose is to provide residents within the CDD a means to watch the public meetings of the CDD Board of Supervisors. This serves a primarily public purpose and any private interest is incidental to such. Therefore, the CDD may record its public meetings, but it is not legally obligated to do so.

Sunshine Law

Florida's Sunshine Law does not require public meetings to be filmed but, if they are, then the recordings become public records. Rule 1B-24.003(1) of the Florida Administrative Code lists the retention schedule for items subject to public record laws. Under the schedule #424, video recordings of official meetings, as defined in § 286.011(1), Florida Statutes, require retention of ten anniversary years from the date of the official meeting. Additionally, as a public record, it must be readily available for inspection and copying if requested by a member of the public. § 119.07, Florida Statutes. Thus, filming the meetings is not required but doing so entails additional CDD statutory requirements and expenses to maintain the recordings as public records and retain them for the requisite number of 10 anniversary years.

ADA

The ADA requires public entities to ensure that a qualified individual with a disability is not excluded from participation in the public entity's activities. 42 U.S.C. § 12112. Additionally, public entities are required to furnish appropriate aids and services when needed to give disabled individuals an equal opportunity to participate in the public entity's services. 28 CFR § 35.160(b)(1). The definition given in the ADA regarding "auxiliary aids and services" includes interpreters or "other effective methods of making aurally delivered materials available to individuals with hearing impairments." 42 U.S.C. § 12103. Thus, any recording of the meetings must provide a means for a disabled individual to be able to watch the meeting with equal opportunity as a non-disabled individual. This means including closed captioning. *See Nat'l Ass'n of the Deaf v. Florida*, 318 F.Supp. 3d 1338 (S.D. Fla. 2018). This is a particularly important consideration given the increasing number of ADA-related lawsuits being brought against local governments for this exact issue. Furthermore, it is important to note that often, providing subtitles comes at considerable expense to the local government. Please refer to attached legal memorandum on ADA website compliance for further information.

Retention of Recordings

Public records storage and maintenance is governed by Rule 1B-26.003, F.A.C. First, subsection 6 outlines the duties of the government for public records. The government must ensure that the system used meets state requirements for public access under Chapter 119, F.S. Rule 1B-26.003(6)(g), F.A.C.

Another relevant portion, subsection 10, deals with the selection of electronic records storage media. When selecting a medium for public records storage, the medium should "permit easy and accurate retrieval in a timely fashion" and "retain records in a usable format until their authorized disposition and, when appropriate, meet the requirements necessary for transfer to the Florida State Archives." Rule 1B-26.003(10)(a)-(b), F.A.C.

Additionally, the rule lists factors that should be considered before a medium is selected. The factors include: "the authorized retention of the records, the maintenance necessary to retain the records, the costs of storing and retrieving the records, the access time to retrieve stored records, the portability of the medium. . . , and the ability to transfer the information from one medium to

another.” Rule 1B-26.003(10)(f), F.A.C. Additional standards apply for long-term records, which are kept for more than 10 years. *Id.*

The Attorney General has determined that placing material on a government Facebook page in connection with official business is subject to Chapter 119, Florida Statutes. Op. Att’y Gen. Fla. 09-19 (2009). When information on the government’s Facebook page is a public record, it must be maintained following the public records retention schedules. *Id.*

The Department of State, Division of Library and Information Services is statutorily tasked with creating rules and procedures for public records management. *See* §§ 257.14; 257.36, Fla. Stat. The Department issued a guide, which touches on posting public records on social media. The guide advises that if an agency posts a copy of a public record on a social media site, it is not necessary to maintain that web copy indefinitely. *Electronic Records and Records Management Practices*, Div. Lib. & Inf. Svcs., Dep’t of State. However, for this to apply, the government’s record custodian must retain a copy in accordance with any applicable retention schedules. *Id.* The guide also suggests disallowing comments on any Facebook posts, as the comments may become part of the public record and must subsequently be retained. *Id.*

Conclusion

Recording and broadcasting the Board of Supervisors’ monthly meetings is allowable. However, the legal considerations of public records retentions and ADA compliance must be weighed in making the decision to purchase a camera for the purpose of filming these meetings.

Additionally, while Facebook can be used as a medium for broadcasting public records, best practice for your District is to retain a physical copy in order to meet public records requirements. The Facebook posts should not allow commenting to ensure that the public does not comment and create more public records that must be retained. Finally, the storage medium must meet the requirements of Rule 1B-26.003, F.A.C.