

Heritage Oak Park Community Development District
Minutes of Lodge Use Policy Committee Meeting on April 27, 2009

Present:

Betty Keller, Supervisor HOP CDD, and committee member
Julia McIntyre, Supervisor HOP CDD, and committee member
Mary Christmas, Activities Director HOP CDD, and committee member
Several residents of Heritage Oak Park present in the audience

The Lodge Use Policy Committee meeting was opened at 11:00 AM. Julia McIntyre nominated Betty Keller as Chairwoman and Mary Christmas voiced support for the nomination. Betty accepted this responsibility, and Julia volunteered to record minutes for the meeting. Betty opened the meeting to audience comments.

Several audience members commented on their desire to allow various existing activities to continue in the same manner as before, without requiring use of the concierges or the Activities Director to collect fees and hire program presenters. Residents Elizabeth Francois, Alan Hodgson, Mary Helen Atcheson, and Thea Trumm expressed these sentiments. Elizabeth Francois presented a petition signed by 12 participants in a swimming class who did not want any change from current practices. Alan Hodgson spoke of his wish to offer a program and dinner exclusively for members of the Night Watch patrol. Thea Trumm stated that resident volunteers who work as the concierges do not want any additional work load. Resident Earl Bell spoke about the need to offer desired activities, yet have sufficient control over events to allow effective management of activities and CDD facilities.

Several documents were received by Committee members for consideration prior to the meeting. Debbie LaPierre wrote concerning the Easy Entertaining Cooking Classes that were offered in 2008 and 2009, asking that they be allowed to continue. Alan Hodgson wrote to the Committee concerning his desire to use CDD facilities for a twice-yearly Night Watch meeting and dinner. Kim Ueding, Property Manager, asked the CDD Board to provide her with direction on how the facility policies should be implemented. Karol Padrucco wrote to express concerns about the times set aside for use of the pool for aerobic classes, and residents who were told they could not use the pool during the classes.

After audience comments were completed, the committee members reviewed the current Lodge Complex Use and Rental Policy, last revised and approved on April 17, 2008. The policy states in Section 1.1, paragraph 3, *Sign-up Required*, that “Any activity which requires registration or prepayment must be registered and paid through the Concierge service.” Many of the activities mentioned by audience members have been operating in violation of this policy, by allowing the activity presenter to collect fees directly from participants. The Committee discussed how the CDD Board is legally obligated to follow the written policies as approved by the Board.

Mary Christmas reviewed Section 1.2, *Rental Policy*, paragraph 5 of the same policy, which states that “Any event that is intended for the benefit of the residents and that appears on the Calendar or list of Regularly Scheduled Events published by the HOP Office will NOT be considered Private Hire.” The committee discussed the meaning of this statement, and how it related to the statement in Section 1.1 quoted above.

After further discussion, the Committee members agreed to recommend the changes to the Lodge Use Policy shown in Attachment A to the CDD Board for their approval. These changes will allow residents to continue to participate in programs that are not planned and coordinated by the Activities Director, and where fees are not collected by the Concierge service. However, all facility use must still be coordinated and approved by the Activities Director in accordance with the written policy.

The Committee reviewed a number of other issues related to use of the CDD facilities, and made further recommendations, as follows.

1. Mary Christmas will contact the pool aerobics instructor to see if the classes can be moved to an earlier start time: 9 AM in the summer, and 10 AM in the winter season. The instructor will be advised that residents must be allowed access to the pool during classes, and that both class members and non-class members must continue to extend courtesy and consideration to each other.
2. Activities at which nonresidents sell items to residents are not in keeping with the intentions of the Lodge use policy; this includes vendors who are nonresidents selling craft items, clothing, and other goods in the facilities. Activities at which residents sell items at a nominal cost to other residents, such as craft sales, are in keeping with permitted uses. Mary Christmas will contact the coordinator for the annual Holiday Craft Sale to communicate this position.
3. Recently, several bulletin boards have been attached to the walls in the Lodge and Library with nails and other fasteners that cause permanent damage to walls. Only the Property Manager can give permission to attach anything to walls of CDD facilities. Since these boards were not approved by the Property Manager, they must be removed. The CDD expects the Property Manager to use careful judgment before allowing anything to be attached to the walls in the future, and to consult the Board with any questions on what will be permitted. Easels and other nondestructive display methods may be permitted as appropriate in the buildings.
4. Some resident groups are requesting permission to place permanent plaques on walls of CDD facilities. The CDD needs a policy on whether such plaques will be allowed, and if allowed, what criteria will be used to give permission. This policy must be communicated to the Property Manager for implementation. Currently, the Property Manager must be contacted for permission as noted in item 3 above.
- 5. An organization is currently using the concierge service to sell a product to residents and then is collecting the money received back from the concierges. To ensure good fiscal controls, the Committee strongly recommends that all funds collected by the Concierges shall be deposited into the Activities Fund or the Operating Fund, as appropriate. In addition, the same group is using the Heritage Oak Park name and logo without written permission, and is selling commercial advertising in a booklet using the HOP name and logo. The Committee strongly recommends that the CDD advise this group in writing to discontinue such activities. The Committee also recommends that the HOP Office use the**

recently purchased management software to generate an official resident phone book, and provide one copy to each residence annually at no charge. Additional copies can be provided at cost.

- 6. Mary Christmas asked for guidance from the CDD on when and by whom facility inspections should be carried out after each rental. The current policy and rental contract state that an inspection will occur prior to return of rental damage deposits, but does not specify details. The options discussed included having the Activities Manager inspect the facility during normal work hours, either on the day of or the day after the rental, and having members of the CDD Board volunteer to inspect the facility to avoid incurring overtime or holiday pay.**

The Lodge Use Policy Committee adjourned at approximately 1:00 PM.

Minutes prepared by Julia McIntyre

Section 1

Heritage Oak Park Lodge Complex Use and Rental Policy

The Lodge Complex is your facility and it is for all Residents use. Residents are encouraged to use the Lodge Complex for meetings, group events or group activities from 7:00 a.m. to 10:00 p.m. (The hours the lodge complex is open; the pool hours are from Dawn to Dusk).

The Manager with assistance of the Activities Director has the authority and responsibility for administering the use policy of the Lodge Complex, under the guidance of the Heritage Oak Park Community Development District Board of Supervisors.

1.1 General Information:

Residents Use

Residents are encouraged to use the Lodge Complex for meetings, group events, games, dances, dinners, social events, etc. Any activity held in the Lodge Complex must be scheduled by the Activities Director and must be open to all residents of Heritage Oak Park. A certified instructor ~~or vendor or a resident group~~ may schedule an activity for a minimal fee at the discretion of the Activities Director. This activity must be deemed as a benefit for the community ~~and open to all residents~~. The only exception to the community-wide use would be when a condo or neighborhood-sanctioned group schedules meetings with their Owners, Boards or Committees. Management may at their discretion limit the maximum number of residents who can attend any lodge function. This limit will be put into effect when necessary due to available resources. These activities will be open to all residents at Heritage Oak Park on a first-come first-served basis, and will be coordinated through the concierge service.

Private Hire

Any meeting, function or activity that restricts or limits resident participation is by definition Private Hire. Any Private Hire use of the Lodge Complex will be for a fee set from time to time by the Board of Supervisors and subject to Lodge Complex housekeeping requirements and restrictions. All Private Hires must be scheduled and contracted through the Activities Director. All scheduled resident events will take precedent over Private Hires. Private hire of the Lodge Complex for weddings or receptions will not be permitted.

Sign-up Required

Any resident use or private hire must be scheduled no more than three months but at least one month in advance with the Activities Director, who is to manage and schedule Lodge Complex Activities for the Community. Any activity ***planned and coordinated by the Activities Director*** which requires registration or prepayment must be registered and paid through the Concierge service ***or Activities Director. All funds collected by the Concierges or Activity Director must be deposited in the Activities Fund or the CDD Operating Fund.*** A Sign up deadline must be posted on each activity and no refunds will be granted after deadline has passed.

There will be no group use (meetings, activities or functions) unless they are scheduled with the Activities Director.
