

HOLIDAY PARK, PARK AND RECREATION DISTRICT

Board Resolution 2021-02

Deed Restrictions, Rules and Regulations Enforcement

PROCEDURE

Should the Park Manager determine that an owner, authorized licensee or invitee of the owner has failed to comply with any provision of a deed restriction, rule or regulation of Holiday Park, he shall notify the offending party by telephone and/or by regular mail and give the party(s) a reasonable time, not to exceed thirty (30) days, to correct the offense. In the event of construction without a proper approval of the Architectural Control Committee ("ACC"), or construction not in accordance with the permit issued by the ACC, a "Stop Work" order may be issued by the Park Manager or designee in addition to the notice of offense.

Should the offense not be corrected within the allotted time, the Board of Trustees ("Board") will be notified. The Board will consider the violation and, if found to be valid, may impose a fine. When the alleged violation is placed on the agenda for a Board meeting, the offending party will be notified in writing a minimum of seven (7) days prior to the meeting of the date and time of the meeting.

For offenses such as mold or uncontrolled weeds, the Park Manager may have the condition remedied per Board of Trustee Resolutions to that effect, rather than refer the offense to the Board.

The Board may consider the alleged violation, including any evidence that the offending party has mitigated or has agreed to cease the violation. Should the Board, by majority vote, determine that a violation has occurred, it may levy a fine. A fine may be levied by the Board, pursuant to the fine schedule (attached herewith), for each day of continuing violation, not to exceed \$1000. Such fine shall not be due until the offending property owner, and if applicable, any authorized licensee or invitee of the owner to any party has been provided a minimum of 14 days' notice in writing by certified post of the date and time of a hearing before a Committee of no less than three (3) homeowners appointed by the Chairman and approved by the Board for the purpose. Such Committee members may not be officers, trustees or employees of the District or the spouse, parent, child, brother or sister of an officer, trustee, or employee.

The Committee shall consider any exhibits or testimony given by the charged party and Park Management, and by majority vote, either confirm or reject the decision of the Board of Trustees. The Committee has no authority to modify any fine imposed by the Board. Should the Committee uphold the decision of the Board, the fine is deemed levied against the charged party.

Fines levied by the Board shall be due five (5) days after the notice of the approved fine is given to the property owner and if applicable, any authorized licensee or invitee of the owner. If a property owner and, if applicable, any occupant, licensee, or invitee of the property owner ("offending party") to is more than ninety (90) days delinquent in paying the fine, the Board may suspend the rights of the offending party to use common areas and facilities, including compounds used for storage of recreation vehicles and/or trailers, until the fine is paid in full. Any recreation vehicles and/or trailers parked in the name of the offending party must be removed from Park property during any period of suspension. The Park may cause any such vehicle not removed by the owner to be towed at the owner's expense. This sub-paragraph does not apply to that portion of common areas used to provide access or utility services to the property. A suspension may not prohibit an owner or occupant of a property from having vehicular

and pedestrian ingress to and egress from the property, including, but not limited to, the right to park a vehicle.

Should the offending party from whom the Board has suspended rights to use common areas and facilities fail to comply with such suspension, the Park Manager may file a trespass order with the City of North Port.

This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED this 14th day of October, 2021.

ATTEST:

**HOLIDAY PARK PARK AND
RECREATION DISTRICT**

Secretary/Assistant Secretary

Chairman / Vice Chairman

RESOLUTION 2021-04

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE HOLIDAY PARK AND RECREATION DISTRICT RELATING TO SPECIAL ASSESSMENTS IMPOSED BY THE DISTRICT TO FUND ITS ANNUAL BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2021 AND ENDING SEPTEMBER 30, 2022; RATIFYING AND CONFIRMING APPROVAL OF DISTRICT ASSESSMENTS FOR SUCH FISCAL YEAR; MAKING A DETERMINATION THAT REAL PROPERTY IN THE DISTRICT IS BENEFITTED BY THE SERVICES AND IMPROVEMENTS FUNDED BY THE ASSESSMENTS; RATIFYING AND CONFIRMING IMPOSITION OF THE ASSESSMENTS AND CERTIFICATION OF THE ASSESSMENT ROLL; PROVIDING FOR COLLECTION AND ENFORCEMENT OF THE ASSESSMENTS; PROVIDING FOR AMENDMENTS TO THE ASSESSMENT ROLL; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Holiday Park and Recreation District (the "District") is a Park and Recreation District established and governed pursuant to Chapters 189 and 418, *Florida Statutes* and the District's enabling legislation set forth in Chapter 2001-342, *Laws of Florida* (collectively, and as may be amended from time to time, the "Act") for the purpose of among other items providing, operating and maintaining infrastructure improvements, facilities and services to the lands within the District; and

WHEREAS, the District imposes special assessments on the real property comprising the District to fund its annual budget and the provision of such services, facilities, and operations each fiscal year; and

WHEREAS, such special assessments are authorized by the Act and are rereferred to therein as "recreation district taxes"; and

WHEREAS, the Board of Trustees of the District (the "Board") previously approved the imposition, collection and rate of the recreation district tax for the fiscal year beginning October 1, 2021 and ending September 30, 2022 ("Fiscal Year 2021-2022"), by oral vote at its public meeting held on May 6, 2021, during which public comment was received and considered; and

WHEREAS, the District is required by the Act to fix the amount of the recreation district tax by resolution; and

WHEREAS, the Board held a public hearing on October 14, 2021 to consider adoption of this Resolution ratifying and confirming its prior approval of the imposition, collection and rate of the recreation district tax for Fiscal Year 2021-2022; and

WHEREAS, notice of such public hearing was advertised by publication at least twenty-one (21) days prior to such hearing as required by the Act.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE HOLIDAY PARK AND RECREATION DISTRICT:

SECTION 1. BENEFIT. The services, facilities, and operations provided by the District and funded through the special assessments confers a special and peculiar benefit to the lands within the District, which benefit equals or exceeds the costs of the assessments.

SECTION 2. ASSESSMENT IMPOSITION. The Board hereby ratifies and confirms its prior approval for the imposition and collection of the recreation district tax for Fiscal Year 2021-2022 based upon the assessment rate of \$121.68 per month per parcel. Recreation district taxes in such rate are hereby imposed on all assessable parcels in the District. This Resolution is adopted after duly noticed public hearing conducted by the Board on October 14, 2021, during which hearing any comments or objections of all interested persons were heard and considered.

SECTION 3. ASSESSMENT ROLL. Approval and certification of the District's Assessment Roll for the Fiscal Year 2021-2022 recreation district tax is hereby ratified and confirmed. The Assessment Roll, which is on file in the office of the District Manager and incorporated herein by reference, shall be retained by the District and shall be available for public inspection. The foregoing shall not be construed to require that the Assessment Roll be in printed form if the amount of the Assessment for each parcel can be determined by use of a computer terminal or internet access available to the public

SECTION 4. COLLECTION.

A. Fiscal Year 2021-2022 Collection. The Act provides that the District's annual special assessment may be collected pursuant to Chapter 197, Florida Statutes, which provides a mechanism whereby assessments may be placed on the property tax roll and collected by the local tax collector (the "Uniform Method"), such that the assessments are collected and enforced in the manner and form as provided for collection of municipal or county taxes. Special assessments collected pursuant to the Uniform Method, including the District's recreation district tax, are payable at the same time as, and secured by a lien on taxable property the same as, municipal or county taxes and are subject to the same penalties, charges, fees, and remedies for enforcement and collection as provided by the laws of the State of Florida for the collection of such taxes. Enforcement of the lien for unpaid recreation district taxes shall be in the same manner and by the same officials as enforcement of liens for municipal or county taxes. The District Manager is authorized and directed to facilitate collection of the recreation district tax for Fiscal Year 2021-2022 and take such actions as may be necessary or desirable in furtherance

thereof. Such actions may include but are not limited to certifying or recertifying the Assessment Roll to the Sarasota County Tax Collector for inclusion of the assessments on the property tax bill mailed in November 2021 for those assessments collected pursuant to the Uniform Method, and direct billing of the assessment to the owners of property, if any, for which the assessment is not collected pursuant to the Uniform Method.

B. Future Collection Methods. The decision to collect special assessments by any particular method – e.g., on the tax roll or by direct bill – does not mean that such method will be used to collect special assessments in future years, and the District reserves the right in its sole discretion to select collection methods in any given year, regardless of past practices.

SECTION 5. ASSESSMENT ROLL AMENDMENT. The District Manager shall keep apprised of all updates made to the County property roll by the Property Appraiser after the date of this Resolution, and shall amend the District's Assessment Roll in accordance with any such updates, for such time as authorized by Florida law, to the County property roll. After any amendment of the Assessment Roll, the District Manager shall file the updates in the District records.

SECTION 6. SEVERABILITY. The invalidity or unenforceability of any one or more provisions of this Resolution shall not affect the validity or enforceability of the remaining portions of this Resolution, or any part thereof.

SECTION 7. EFFECTIVE DATE. This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED this 14th day of October, 2021.

ATTEST:

**HOLIDAY PARK PARK AND
RECREATION DISTRICT**

Secretary / Assistant Secretary

By: _____
Chairman / Vice Chairman

RESOLUTION 2021-05

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE HOLIDAY PARK AND RECREATION DISTRICT RELATING TO ANNUAL APPROPRIATIONS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2021 AND ENDING SEPTEMBER 30, 2022; RATIFYING AND CONFIRMING APPROVAL OF THE DISTRICT BUDGET FOR SUCH FISCAL YEAR; AUTHORIZING BUDGET AMENDMENTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Holiday Park and Recreation District (the "District") is a Park and Recreation District established and governed pursuant to Chapters 189 and 418, *Florida Statutes* and the District's enabling legislation set forth in Chapter 2001-342, *Laws of Florida* (collectively, and as may be amended from time to time, the "Act") for the purpose of among other items providing, operating and maintaining infrastructure improvements, facilities and services to the lands within the District; and

WHEREAS, the District Manager previously prepared and submitted to the Board of Trustees ("Board") of the District a proposed budget ("Proposed Budget") for the fiscal year beginning October 1, 2021 and ending September 30, 2022 ("Fiscal Year 2021/2022") along with a financial statement, pursuant to the provisions of the Act; and

WHEREAS, the Proposed Budget was previously approved by the Board of Trustees by oral vote at its public meeting held on May 6, 2021, during which public comment was received and considered; and

WHEREAS, the financial statement was prepared and then published; and

WHEREAS, the financial statement and Proposed Budget were previously mailed to property owners and also made available for public inspection at the District's offices; and

WHEREAS, the District is required by the Act to adopt its annual budget by resolution; and

WHEREAS, the Board held a public hearing on October 14, 2021 to consider adoption of this Resolution ratifying and confirming approval of the Proposed Budget, and caused notice of such public hearing to be given pursuant to the Act; and

WHEREAS, the District posted the Proposed Budget on the District's website at least two days before the public hearing as required by the Act.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE HOLIDAY PARK AND RECREATION DISTRICT:

SECTION 1. BUDGET

- a. The Board has reviewed the Proposed Budget, which was previously approved by the Board at its May 6, 2021 public meeting and was re-presented without change at the public hearing of the Board conducted on October 14, 2021, during which hearing any comments or objections of interested persons were heard and considered.
- b. The Board's approval of the Proposed Budget, a copy of which attached hereto as **Exhibit "A,"** is hereby ratified and confirmed. Such budget is adopted in accordance with the District's enabling legislation and applicable statutory law ("**Adopted Budget**"), and incorporated herein by reference; provided, however, that the comparative figures contained in the Adopted Budget may be subsequently revised as deemed necessary by the District to reflect actual revenues and expenditures.
- c. The Adopted Budget, as amended, shall be maintained at the District's local records office, and identified as "The Budget for the Holiday Park Park and Recreation District for the Fiscal Year Ending September 30, 2022."
- d. The Adopted Budget shall be posted by the District on the District's official website within thirty (30) days after adoption and shall remain on the website for at least 2 years.

SECTION 2. APPROPRIATIONS

There is hereby appropriated out of the revenues of the District, for Fiscal Year 2021/2022, the sum of \$ 1,263,021.90, to be raised by the levy of assessments and/or otherwise, which sum is deemed by the Board to be necessary to defray all expenditures of the District during said budget year, to be divided and appropriated in the following fashion:

| | |
|--------------------|-----------------|
| TOTAL GENERAL FUND | \$ 1,097,821.77 |
| TOTAL RESERVE FUND | \$ 165,200.13 |
| TOTAL ALL FUNDS | \$ 1,263,021.90 |

SECTION 3. BUDGET AMENDMENTS

Pursuant to Section 189.016, *Florida Statutes*, the District at any time within Fiscal Year 2021/2022 or within 60 days following the end of the Fiscal Year 2021/2022 may amend its Adopted Budget for that fiscal year as follows:

- a. The Board may authorize an increase or decrease in line-item appropriations within a fund by motion recorded in the minutes if the total appropriations of the fund do not increase.
- b. By resolution, the Board may increase any appropriation item and/or fund to reflect receipt of any additional unbudgeted monies and make the corresponding change to appropriations or the unappropriated balance.
- c. Any other budget amendments shall be adopted by resolution and consistent with Florida law.

The District Manager or Treasurer must establish administrative procedures to ensure that any budget amendments are in compliance with this Section 3 and Section 189.016, *Florida Statutes*, among other applicable laws. Among other procedures, the District Manager or Treasurer must ensure that any amendments to budget under subparagraphs c. and d. above are posted on the District's website within 5 days after adoption and remain on the website for at least 2 years.

SECTION 4. EFFECTIVE DATE. This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED this 14th day of October, 2021.

ATTEST:

**HOLIDAY PARK PARK AND
RECREATION DISTRICT**

Secretary/Assistant Secretary

Chairman / Vice Chairman

Exhibit A
Fiscal Year 2021-2022 Budget
"See Attached"

Holiday Park Park Recreation District
Adoped Budget 2021-2022

| | Budget 2020-2021 | Adopted Budget 2021-2022 |
|---|---------------------|--------------------------|
| Assessments | 1,163,546.90 | 1,263,021.90 |
| Interest and s/c on Restricted Funds | 8,500.00 | 3,000.00 |
| Sarasota Cty Interest | 2,000.00 | 500.00 |
| Other Interest -Banks oper | 4,000.00 | 1,500.00 |
| Other Income- coffee /badges/ hoa | 42,000.00 | 42,000.00 |
| Application Income /Estoppel | 6,000.00 | 7,000.00 |
| Barcode/Proximity cards Income | 2,800.00 | 4,400.00 |
| Comm/Fees Disc taken assets 2.5% (25,000.00) and Sarasota cty Int 1.5%(15,000.00) | (45,000.00) | (35,000.00) |
| Income to Reimb expenses | | |
| Total Income | 1,183,846.90 | 1,286,421.90 |
| Payroll Salaries | | |
| Administration Salaries | 166,463.00 | 165,595.45 |
| Maintenance Salaries | 177,800.00 | 162,794.00 |
| Security Salaries | 42,000.00 | 44,000.00 |
| Casual Labor Extra Help | 0.00 | 0.00 |
| Total Payroll | 386,263.00 | 372,389.45 |
| Insurance | | |
| Group Health | 91,967.66 | 77,131.32 |
| Gasb 74/75 | 10,600.00 | 0.00 |
| Workers Comp | 8,000.00 | 8,200.00 |
| Package Property Policy | 13,000.00 | 16,000.00 |
| General Liability | 15,000.00 | 11,100.00 |
| Truck Insurance | 1,641.00 | 1,800.00 |
| Total Insurance | 140,208.66 | 114,231.32 |
| Administrative Expenses | | |
| Stationary Supplies/Newspaper/Dues&Sub | 5,100.00 | 10,000.00 |
| Office Equipment | 1,200.00 | 1,200.00 |
| Postage/Printing | 2,500.00 | 7,000.00 |
| Travel | 500.00 | 500.00 |
| Office Expenses/MiscExp/Web/comp eq/Bank | 5,900.00 | 4,500.00 |
| Line of Credit for Capital Improvements | | 145,440.00 |
| Meals and Bottled Water | 1,500.00 | 1,500.00 |
| Barcode/prox/gate exp/security | 2,200.00 | 4,000.00 |
| Education | 2,500.00 | 2,500.00 |
| Administrative Expenses | 21,400.00 | 176,640.00 |
| Utilities | | |
| Telephone -TV-Internet | 12,000.00 | 12,800.00 |
| Gas | 4,200.00 | 2,200.00 |
| Electric | 34,000.00 | 32,000.00 |
| Sewer | 12,000.00 | 9,400.00 |
| Water | 9,000.00 | 9,000.00 |
| Total Utilities | 71,200.00 | 65,400.00 |

Holiday Park Park Recreation District
Adoped Budget 2021-2022

| | Budget 2020-2021 | Adopted Budget 2021-2022 |
|--|---------------------|--------------------------|
| Legal and Audit Fees | | |
| Professional fees(Appraisals/Gasb Calc/Cpr | 1,000.00 | 1,000.00 |
| Legal | 20,000.00 | 25,000.00 |
| Audit | 10,000.00 | 10,000.00 |
| Electoral Process | 2,500.00 | 2,700.00 |
| Quarterly Fees Misc Tax PR Tax | 1,100.00 | 1,100.00 |
| Total Legal and Audit | 34,600.00 | 39,800.00 |
| Landscaping Expenses | | |
| Lawn Contracts | 242,000.00 | 242,000.00 |
| Trees | 8,000.00 | 8,000.00 |
| Total Landscaping | 250,000.00 | 250,000.00 |
| Repairs and Maintenance | | |
| Grounds Maintenance /cart fuel | 9,000.00 | 11,250.00 |
| Janitorial Cleaning | 8,000.00 | 9,000.00 |
| Pool Maintenance | 11,000.00 | 10,000.00 |
| Pond | 1,500.00 | 1,500.00 |
| Pool Patio Furniture | 1,000.00 | 1,000.00 |
| General Maint compounds maint & supp | 28,000.00 | 23,311.00 |
| Equipment and Tools rental | 1,700.00 | 1,700.00 |
| Vehicle Fuel/Repairs | 6,000.00 | 4,500.00 |
| Contract Labor - weeding | 1,000.00 | 1,000.00 |
| HOA EXP (mens, first aid, sports, jugs,coffee | 38,000.00 | 30,000.00 |
| Reimbursed Expenses | | |
| Total Repairs/Maintenance | 105,200.00 | 93,261.00 |
| Capital Improvements | | |
| Furniture/Equipment (8901) | 1,500.00 | 1,500.00 |
| Contingency (8910) | 8,000.00 | 8,000.00 |
| Total Capital Improvements | 9,500.00 | 9,500.00 |
| Total Expenses | 1,018,371.66 | 1,121,221.77 |
| Other Expenses (Reserves) | | |
| Replacement Reserves | 114,633.19 | 114,358.08 |
| Reserve Contingency | 0.00 | 0.00 |
| Roads Repair | 50,842.05 | 50,842.05 |
| Total Reserves | 165,475.24 | 165,200.13 |
| Total All Expenses | 1,183,846.90 | 1,286,421.90 |
| Total All Expenses | | 1,286,421.90 |
| Discount taken and Sarasota Cty Interest | | 35,000.00 |
| Total Other Revenue | | (58,400.00) |
| Total Assesments | | 1,263,021.90 |
| Per Unit Monthly | | 121.68 |