

**MINUTES OF MEETING  
HARMONY COMMUNITY DEVELOPMENT DISTRICT**

The emergency meeting of the Board of Supervisors of the Harmony Community Development District was held Thursday, April 23, 2020, at 6:00 p.m. via virtual teleconferencing using WebX.

Present and constituting a quorum **via phone** were:

Steve Berube	Chairman
Bill Bokunic	Vice Chairman
Kerul Kassel	Assistant Secretary
David Farnsworth	Assistant Secretary
Mike Scarborough	Assistant Secretary

Also present **via phone** were:

Kristen Suit	District Manager: Inframark
Tim Qualls	District Attorney: Young Qualls, P.A.
Tristan LaNasa	Young Qualls, P.A.
Residents and Members of the Public	

*The following is a summary of the discussions and actions taken at the April 23, 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.

Supv Berube noted the purpose of this meeting is to address moving funds from one budget account to another.

Mr. Qualls addressed the audience noting this is the first emergency meeting the Board has had. When there is an emergency you have to decide whether to pay and avoid a default or not. The second factor is they are all on the phone which is unique and due to COVID-19. The Governor has issued an Executive Order waving the physical quorum requirement. Those who participated in the call last month will recall the uniqueness of the situation. Typically, under Florida law a physical quorum is required to conduct business, meaning you have to have three or more Board members together in a room. Under the Executive Order that requirement has been waived so that this does, in fact, constitute a meeting of the Board where regular business may be conducted. As practical points – all are a conference call and it is very important that the audience wait until the end to make comments and that they try not to speak over each other. The second thing is given the uniqueness of the situation and while he does believe they are on very solid legal footing, as far as having this meeting and conducting official business, when they

do meet in a physical capacity after the COVID-19 threat has passed we will ask that you ratify these actions taken at this meeting and the next meeting, as well.

Supv Berube called the roll and stated the record will reflect we have a quorum.

**THIRD ORDER OF BUSINESS**

**Discussion and Consideration of  
Paying May 1 Debt Service  
Shortfall**

Supv Berube noted the last he saw the shortfall was \$71,193.25. He inquired if they have received any significant review or is the shortfall the same.

Ms. Suit noted that is the shortfall as of April 20<sup>th</sup> for the Debt Service payment. They will not receive another payment from the Tax Collectors office until after May 1<sup>st</sup>.

Supv Berube noted they have been following this since December and month after month the revenue shortfalls have been showing compared to prior years. As of April 20<sup>th</sup> unpaid assessments were \$1,574,010. In looking at the budget accounts and why this meeting is taking place, the funds are divvied up as they come in on a percentage basis into the 2014 Debt Service, the 2015 Debt Service and the Operations and Maintenance. There are adequate funds to move the needed \$71,193.25 to the Debt Service Fund so Inframark can prepare the check and get it to US Bank, the Trustee, in time for the May 1 due date.

Is there any discussion from the Board regarding this?

Supv Farnsworth inquired if the shortfall is specifically to the 2015 Bond.

Ms. Suit noted this is correct. The District would be paying a shortfall in anticipation that the tax certificate is sold, but there is no guarantee the tax certificate will sell. If the May 1 payment is not made the bonds go into default.

Supv Kassel noted there is a possibility it was paid. There was an April 1 due date that was extended to April 15 due to the pandemic.

Ms. Suit noted they confirmed with the County it had not been paid.

Supv Kassel noted so the funds owed will be paid within 60 days and if not it will go into tax certificate sale.

Ms. Suit noted she believes it is less than 60 days.

Mr. Qualls outlined the tax certificate process noting within 60 days of the delinquency the Tax Collector must advertise the sale and hold the sale. Mr. Bruce

Vickers could hold the sale anytime between one week after delinquency to 60 days after which would be roughly June 16<sup>th</sup>.

On MOTION by Supv Berube seconded by Supv Bokunic, with all in favor, to approve the transfer of \$71,193.25 from the operation budget to the debt service budget to fund the debt service payment due May 1 as scheduled was approved.

**SECOND ORDER OF BUSINESS                      Audience Comments**

Hearing none, the next item of business followed.

**FOURTH ORDER OF BUSINESS                      Adjournment**

There being no further business,

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

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Kristen Suit  
Secretary

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Steven Berube  
Chairman