

**MINUTES OF MEETING
TAMARINDO
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Tamarindo Community Development District held Multiple Public Hearings and a Regular Meeting on August 26, 2021 at 2:00 p.m., at the offices of RWA, Inc., 6610 Willow Park Dr., Ste. # 200, Naples, FL 34109.

Present were:

Christian Cotter	Chair
Mary Moulton	Vice Chair
Ashley Koza	Assistant Secretary
Ty Vincent	Assistant Secretary
Wayne Everett (via telephone)	Assistant Secretary

Also present were:

Chuck Adams	District Manager
Shane Willis	Wrathell, Hunt and Associates, LLC (WHA)
Jere Earlywine (via telephone)	District Counsel
Christopher Wright	District Engineer
Michael Bone	DR Horton
Mark Roscoe	Forestar Group, Inc.

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Adams called the meeting to order at 2:00 p.m. Supervisors Koza, Moulton, Vincent and Cotter were present, in person. Supervisor Everett was attending via telephone.

SECOND ORDER OF BUSINESS

Public Comments

No members of the public spoke.

- **Acceptance of Resignations of Supervisors Ashley Koza, Seat 3, and J. Wayne Everett, Seat 1 and Consideration of Appointments to the Board**
These items were an addition to the agenda.

Mr. Adams presented Ms. Koza’s resignation letter.

On MOTION by Mr. Cotter and seconded by Ms. Moulton, with all in favor, the resignation of Ms. Ashley Koza, effective immediately, was accepted.

Ms. Moulton nominated Mr. Michael Bone to fill Seat 3. No other nominations were made.

On MOTION by Ms. Moulton and seconded by Mr. Cotter, with all in favor, the appointment of Mr. Michael Bone to fill Seat 3, term expires November, 2022, was approved.

Mr. Adams presented Mr. Everett’s resignation letter.

On MOTION by Mr. Cotter and seconded by Mr. Vincent, with all in favor, the resignation of Mr. J. Wayne Everett, effective immediately, was accepted

Ms. Moulton nominated Mr. Mark Roscoe to fill Seat 1. No other nominations were made.

On MOTION by Ms. Moulton and seconded by Mr. Cotter, with all in favor, the appointment of Mr. Mark Roscoe to fill Seat 1, term expires November, 2024, was approved.

Mr. Adams, a Notary of the State of Florida and duly authorized, administered the Oath of Office to Mr. Bone. Mr. Bone was already familiar with the items in the new Supervisor package. As Mr. Roscoe was not present, the Oath of Office would be administered to him before or at the next meeting.

Ms. Moulton nominated the following slate of officers.

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|------------|------------------|
| Chair | Christian Cotter |
| Vice Chair | Mary Moulton |

Secretary	Chuck Adams
Assistant Secretary	Ty Vincent
Assistant Secretary	Michael Bone
Assistant Secretary	Mark Roscoe
Assistant Secretary	Craig Wrathell
Treasurer	Craig Wrathell
Assistant Treasurer	Jeff Pinder

No other nominations were made.

Resolution 2021-12 would be prepared to reflect the designated slate of officers.

On MOTION by Ms. Moulton and seconded by Mr. Cotter, with all in favor, Resolution 2021-12, Designating the Slate of Officers of the Tamarindo Community Development District, as nominated, was adopted.

THIRD ORDER OF BUSINESS

Presentation of Audited Financial Report for the Fiscal Year Ended September 30, 2020, Prepared by Grau & Associates

Mr. Adams presented the Audited Financial Report for the Fiscal Year Ending September 30, 2020 and noted the pertinent information throughout the Audit. There were no findings, recommendations, deficiencies on internal control or instances of noncompliance; it was a clean audit.

FOURTH ORDER OF BUSINESS

Consideration of Resolution 2021-09, Hereby Accepting the Audited Financial Report for the Fiscal Year Ended September 30, 2020

Mr. Adams presented Resolution 2021-09.

On MOTION by Ms. Moulton and seconded by Mr. Vincent, with all in favor, Resolution 2021-09, Hereby Accepting the Audited Financial Report for the Fiscal Year Ended September 30, 2020, was adopted.

FIFTH ORDER OF BUSINESS

Public Hearing on Adoption of Fiscal Year 2021/2022 Budget

A. Proof/Affidavit of Publication

The affidavit of publication was provided for informational purposes.

B. Consideration of Resolution 2021-10, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2021, and Ending September 30, 2022; Authorizing Budget Amendments; and Providing an Effective Date

Mr. Adams presented Resolution 2021-10. He reviewed the proposed Fiscal Year 2022 budget and noted that it was a full-year, Developer-funded budget. Revenues would be collected off-roll as Landowners would be billed directly.

Mr. Adams opened the Public Hearing.

No members of the public spoke.

Mr. Adams closed the Public Hearing.

On MOTION by Mr. Cotter and seconded by Mr. Vincent, with all in favor, Resolution 2021-10, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2021, and Ending September 30, 2022; Authorizing Budget Amendments; and Providing an Effective Date, was adopted.

SIXTH ORDER OF BUSINESS

Public Hearing to Hear Comments and Objections on the Imposition of Maintenance and Operation Assessments to Fund the Budget for Fiscal Year 2021/2022, Pursuant to Florida Law

A. Proof/Affidavit of Publication

The affidavit of publication was included for informational purposes.

B. Mailed Notice(s) to Property Owners

A copy of the Mail Notice was included for informational purposes.

- C. **Consideration of Resolution 2021-11, Making a Determination of Benefit and Imposing Special Assessments for Fiscal Year 2021/2022; Proving for the Collection and Enforcement of Special Assessments; Including but Not Limited to Penalties and Interest Thereon; Certifying an Assessment Roll; Providing for Amendments to the Assessment Roll; Providing a Severability Clause; and Providing an Effective Date**

Mr. Adams presented Resolution 2021-11.

Mr. Adams opened the Public Hearing.

No members of the public spoke.

Mr. Adams closed the Public Hearing.

On MOTION by Mr. Cotter and seconded by Mr. Vincent, with all in favor, Resolution 2021-11, Making a Determination of Benefit and Imposing Special Assessments for Fiscal Year 2021/2022; Proving for the Collection and Enforcement of Special Assessments; Including but Not Limited to Penalties and Interest Thereon; Certifying an Assessment Roll; Providing for Amendments to the Assessment Roll; Providing a Severability Clause; and Providing an Effective Date, was adopted.

SEVENTH ORDER OF BUSINESS

Ratification of Engagement with KE Law Group, PLLC

- **Consideration of Fee Agreement**

Mr. Earlywine presented the KE Law Group, PLLC, Engagement Letter and Fee Agreement, which included at 10% courtesy discount.

On MOTION by Mr. Cotter and seconded by Mr. Vincent, engagement of KE Law Group, PLLC, to serve as District Counsel, the Fee Agreement and the Chair’s execution of the Agreement, were ratified.

EIGHTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of July 31, 2021

Mr. Adams presented the Unaudited Financial Statements as of July 31, 2021. The financials were accepted.

NINTH ORDER OF BUSINESS

Approval of May 27, 2021 Regular Meeting Minutes

This item was presented following the Eleventh Order of Business.

TENTH ORDER OF BUSINESS

Staff Reports

A. District Counsel: *KE Law Group, PLLC*

There was no report.

B. District Engineer: *RWA Inc.*

Mr. Wright reported the following:

- Construction was ongoing.
- The sewers in Phases I and III were completed.
- The water systems in Phases I and III were completed. Work was underway in the northern half of Phase II.
- Processed approximately \$2.5 million in requisitions to Mitchell & Stark and the material supplies firm.

C. District Manager: *Wrathell, Hunt and Associates, LLC*

- **NEXT MEETING DATE: September 23, 2021 at 2:00 P.M.**

- **QUORUM CHECK**

The Board agreed with the recommendation to change the start time of the remaining Fiscal Year 2022 Meeting Schedule from 2:00 p.m. to 1:15 p.m.

The next meeting will be held on September 23, 2021 at 1:15 p.m., instead of 2:00 p.m.

On MOTION by Mr. Cotter and seconded by Mr. Vincent, with all in favor, authorizing Staff to change the September 23, 2021 meeting start time from 2:00 p.m., to 1:15 p.m., and revise the Fiscal Year 2022 Meeting Schedule to reflect the same start time change and advertise accordingly, was approved.

ELEVENTH ORDER OF BUSINESS

Board Members' Comments/Requests

Ms. Moulton asked why the “Legal advertising” and “Engineering’ costs in the Unaudited Financial Statements as of July 31, 2021 exceeded budget. Mr. Adams stated that some of the costs were expected to be incurred in the prior year but they were not; therefore, the Developers agreed to pay the expenses. The overage was just a timing issue. As to Engineering, work occurred outside of those directly related to construction, such as the maps.

Mr. Earlywine asked when they expected to proceed with the project completion activities. He was asked to follow up in March or April 2022. Regarding utility turnover, an estimated schedule would be provided.

▪ **Approval of May 27, 2021 Regular Meeting Minutes**

This item, previously the Ninth Order of Business, was presented out of order.

Mr. Adams presented the May 27, 2021 Regular Meeting Minutes.

On MOTION by Mr. Cotter and seconded by Mr. Vincent, with all in favor, the May 27, 2021 Regular Meeting Minutes, as presented, were approved.

TWELFTH ORDER OF BUSINESS

Public Comments

There were no public comments.

THIRTEENTH ORDER OF BUSINESS


Adjournment

There being nothing further to discuss, the meeting adjourned.

On MOTION by Mr. Vincent and seconded by Mr. Cotter, with all in favor, the meeting adjourned at 2:20 p.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]


Secretary/~~Assistant Secretary~~


Chair/Vice Chair