

**MINUTES OF MEETING
TAMARINDO
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Tamarindo Community Development District held a Regular Meeting on May 26, 2022 at 1:15 p.m., at the offices of RWA, Inc., 6610 Willow Park Dr., Ste. #200, Naples, FL 34109.

Present were:

Christian Cotter
Mary Moulton
Michael Bone
Matt Hermanson

Chair
Vice Chair
Assistant Secretary
Assistant Secretary (appointed at meeting)

Also present were:

Chuck Adams
Jere Earlywine (via telephone)
Christopher Wright

District Manager
District Counsel
District Engineer

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Adams called the meeting to order at 1:17 p.m. Supervisors Cotter, Moulton and Bone were present. Supervisor Carmack was not present. Supervisor Holsinger, who is resigning, was not present. Supervisor-Appointee Mr. Matt Hermanson was present

SECOND ORDER OF BUSINESS

Public Comments

There were no public comments.

THIRD ORDER OF BUSINESS

Acceptance of Resignation of Jake Holsinger, SEAT 5; *Term Expires November 2022*

Mr. Adams presented Mr. Jake Holsinger's resignation.

On MOTION by Mr. Cotter and seconded by Mr. Bone, with all in favor, the resignation of Mr. Jake Holsinger from Seat 5, term expires November 2022, was accepted.

FOURTH ORDER OF BUSINESS

Consider Appointment of Matt Hermanson to Fill Unexpired Term of Seat 5

Mr. Bone nominated Mr. Matt Hermanson to fill Seat 5. No other nominations were made.

On MOTION by Mr. Bone and seconded by Mr. Cotter, with all in favor, the appointment of Mr. Matt Hermanson to fill Seat 5, was approved.

• **Administration of Oath of Office (*the following will be provided in a separate package*)**

Mr. Adams, a Notary of the State of Florida and duly authorized, administered the Oath of Office to Mr. Hermanson.

As a Supervisor in another CDD, Mr. Hermanson was already familiar with the following items:

- A. Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees**
- B. Membership, Obligations and Responsibilities**
- C. Chapter 190, Florida Statutes**
- D. Financial Disclosure Forms**
 - I. Form 1: Statement of Financial Interests**
 - II. Form 1X: Amendment to Form 1, Statement of Financial Interests**
 - III. Form 1F: Final Statement of Financial Interests**
- E. Form 8B – Memorandum of Voting Conflict**

Mr. Hermanson was advised to file Form 1 with the Supervisors of Elections Office in the County of his residence within 30 days, to prevent being fined.

FIFTH ORDER OF BUSINESS

**Consideration of Resolution 2022-03,
Designating Certain Officers of the District,
and Providing for an Effective Date**

Mr. Adams presented Resolution 2022-03. Mr. Bone nominated the following slate of officers:

Christian Cotter	Chair
Mary Moulton	Vice Chair
Chesley E. Adams, Jr.	Secretary
Michael Bone	Assistant Secretary
Andre Carmack	Assistant Secretary
Matt Hermanson	Assistant Secretary
Craig Wrathell	Assistant Secretary

No other nominations were made.

Prior appointments by the Board for Treasurer and Assistant Treasurer remain unaffected by this Resolution.

On MOTION by Mr. Bone and seconded by Mr. Cotter, with all in favor, Resolution 2022-03, Designating Certain Officers of the District, as nominated, and Providing for an Effective Date, was adopted.

SIXTH ORDER OF BUSINESS

**Consideration of Resolution 2022-04,
Adopting Amended and Restated Prompt
Payment Policies and Procedures
Pursuant to Chapter 218, Florida Statutes;
Providing a Severability Clause; and
Providing an Effective Date**

Mr. Adams presented Resolution 2022-04. The existing policy was updated to comply with the new “Local Government Prompt Payment Act” requirements, pertaining specifically to construction activities, invoicing and payments; whereby, the interest rate on past due invoices increased from 1% to 2%.

On MOTION by Mr. Bone and seconded by Mr. Cotter, with all in favor, Resolution 2022-04, Adopting Amended and Restated Prompt Payment Policies and Procedures Pursuant to Chapter 218, Florida Statutes; Providing a Severability Clause; and Providing an Effective Date, was adopted.

SEVENTH ORDER OF BUSINESS

Consideration of Resolution 2022-05, Granting the Chair and Vice Chair the Authority to Execute Real and Personal Property Conveyance and Dedication Documents, Plats and Other Documents Related to the Development of the District’s Improvements; Approving the Scope and Terms of Such Authorization; Providing a Severability Clause; and Providing an Effective Date

Mr. Adams presented Resolution 2022-05. This grants the Chair and Vice Chair the authority to execute certain documents in between meetings to prevent delays on time sensitive matters.

On MOTION by Mr. Cotter and seconded by Mr. Bone, with all in favor, Resolution 2022-05, Granting the Chair and Vice Chair the Authority to Execute Real and Personal Property Conveyance and Dedication Documents, Plats and Other Documents Related to the Development of the District’s Improvements; Approving the Scope and Terms of Such Authorization; Providing a Severability Clause; and Providing an Effective Date, was adopted.

EIGHTH ORDER OF BUSINESS

Consideration of Resolution 2022-06, Approving a Proposed Budget for Fiscal Year 2022/2023 and Setting a Public Hearing Thereon Pursuant to Florida Law; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing an Effective Date

Mr. Adams presented Resolution 2022-06. He reviewed the proposed Fiscal Year 2023 budget, highlighting line item increases, decreases and adjustments compared to the Fiscal Year 2022 budget.

On MOTION by Mr. Cotter and seconded by Mr. Bone, with all in favor, Resolution 2022-06, Approving a Proposed Budget for Fiscal Year 2022/2023 and Setting a Public Hearing Thereon Pursuant to Florida Law for August 25, 2022 at 1:15 p.m., at the offices of RWA, Inc., 6610 Willow Park Dr., Ste. #200, Naples, FL 34109; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing an Effective Date, was adopted.

NINTH ORDER OF BUSINESS

Consideration of Resolution 2022-07, Designating a Date, Time and Location for Landowners’ Meeting; Providing for Publication, Providing for Severability and an Effective Date [SEATS 3, 4 & 5]

Mr. Adams presented Resolution 2022-07. Seats 3, 4 and 5, currently held by Supervisors Bone, Moulton and Hermanson, respectively, will be up for election at the Landowners’ Meeting.

On MOTION by Mr. Bone and seconded by Mr. Cotter, with all in favor, Resolution 2022-07, Designating a Date, Time and Location of November 1, 2022 at 1:15 p.m., at the offices of RWA, Inc., 6610 Willow Park Dr., Ste. #200, Naples, FL 34109 for a Landowners’ Meeting; Providing for Publication, Providing for Severability and an Effective Date, was adopted.

TENTH ORDER OF BUSINESS

Consideration of CDD/HOA Maintenance Agreement

Mr. Earlywine presented the Maintenance Agreement designating the HOA to maintain the CDD’s assets. Since the project is not yet completed, he will work with the Chair and District Engineer to finalize the scope and services in the Agreement.

Mr. Earlywine stated that the utilities and entry feature landscaping are being turned over to the HOA. He asked for an update on the project.

Discussion ensued regarding the status of each phase and project completion timelines.

Mr. Earlywine discussed the project completion process and noted that, as each phase is completed, deemed completed and the assets are conveyed, the Maintenance Agreement will be presented to the Board. Once the last phase of the project is completed, the Project Completion Resolution will be presented.

Discussion ensued regarding no plans to issue additional bonds, project updates and recent home sales.

On MOTION by Ms. Moulton and seconded by Mr. Cotter, with all in favor, the Maintenance Agreement between the CDD and the HOA, in substantial form, and authorizing Staff to transfer the First Phase of property, upon final review by the Developer and Chair, was approved.

ELEVENTH ORDER OF BUSINESS

Update: Stormwater Management Needs Analysis Report

Mr. Adams stated that he started the 20-Year Stormwater Management Needs Analysis Report, which is a new legislative requirement. It is due to the County by June 30, 2022. He and Mr. Cotter will work on finalizing the Report.

TWELFTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of April 30, 2022

Mr. Adams presented the Unaudited Financial Statements as of April 30, 2022.

On MOTION by Mr. Cotter and seconded by Mr. Bone, with all in favor, the Unaudited Financial Statements as of April 30, 2022, were accepted.

THIRTEENTH ORDER OF BUSINESS

Approval of October 28, 2021 Regular Meeting Minutes

Mr. Adams presented the October 28, 2021 Regular Meeting Minutes.

On MOTION by Mr. Cotter and seconded by Mr. Bone, with all in favor, the October 28, 2021 Regular Meeting Minutes, as presented, were approved.

FOURTEENTH ORDER OF BUSINESS

Staff Reports

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

There was no report.

B. District Engineer: *RWA Inc.*

Mr. Wright stated the Mitchell & Stark requisitions and Cass Systems invoices will be submitted to Management for payment. These are expected to deplete the Construction account.

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

I. 0 Registered Voters in District as of April 15, 2022

II. NEXT MEETING DATE: June 23, 2022 at 1:15 P.M.

o QUORUM CHECK

The next meeting would be held on June 23, 2022, unless cancelled.

FIFTEENTH ORDER OF BUSINESS

Board Members' Comments/Requests

There were no Board Members' comments or requests.

SIXTEENTH ORDER OF BUSINESS

Public Comments


There were no public comments.

SEVENTEENTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Cotter and seconded by Mr. Hermanson, with all in favor, the meeting adjourned at 1:34 p.m.


Secretary/Assistant Secretary


Chair/Vice Chair