

**MINUTES OF MEETING
TAMARINDO
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Tamarindo Community Development District held Public Hearings and a Regular Meeting on August 22, 2024 at 1:15 p.m., at the offices of RWA, Inc., 6610 Willow Park Drive, Suite #200, Naples, Florida 34109.

Present were:

Christian Cotter	Chair
Mary Moulton	Vice Chair
Michael Bone	Assistant Secretary
Charles Marsala	Assistant Secretary

Also present:

Chuck Adams	District Manager
Shane Willis	Operations Manager
Ashely Ligas (via telephone)	District Counsel
Ben Steets (via telephone)	Grau & Associates
Roger Rourke	Resident
Maureen McFarland	Resident

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Adams called the meeting to order at 1:16 p.m.

Supervisors Cotter, Moulton, Marsala and Bone were present. One seat was vacant.

SECOND ORDER OF BUSINESS

Public Comments

Resident Roger Rourke asked if residents can be considered for appointment to Seat 1. Mr. Adams stated that the Board can appoint a candidate of the Board's choosing. Appointees to a Landowner-elected seat must be a citizen of the United States and a Florida resident.

THIRD ORDER OF BUSINESS

Consider Appointment to Fill Unexpired Term of Seat 1; Term Expires November 2024

This item was deferred.

FOURTH ORDER OF BUSINESS

Administration of Oath of Office to Appointed Supervisor (the following will also be provided in a separate package)

- A. Required Ethics Training and Disclosure Filing**
 - **Sample Form 1 2023/Instructions**
- B. Membership, Obligation and Responsibilities**
- C. Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees**
- D. Form 8B: Memorandum of Voting Conflict for County, Municipal and other Local Public Officers**

This item was deferred.

FIFTH ORDER OF BUSINESS

Consideration of Resolution 2024-08, Electing and Removing Officers of the District and Providing for an Effective Date

This item was deferred.

SIXTH ORDER OF BUSINESS

Presentation of Audited Annual Financial Report for the Fiscal Year Ended September 30, 2023, Prepared by Grau & Associates

Mr. Steets presented the Audited Financial Report for the Fiscal Year Ended September 30, 2023 and noted the pertinent information. There were no findings, recommendations, deficiencies on internal control or instances of non-compliance; it was a clean audit.

- A. Consideration of Resolution 2024-09, Hereby Accepting the Audited Financial Report for the Fiscal Year Ended September 30, 2023**

On MOTION by Mr. Cotter and seconded by Mr. Bone, with all in favor, Resolution 2024-09, Hereby Accepting the Audited Financial Report for the Fiscal Year Ended September 30, 2023, was adopted.

SEVENTH ORDER OF BUSINESS**Public Hearing to Consider the Adoption of the Fiscal Year 2024/2025 Budget****A. Proof/Affidavit of Publication**

The affidavit of publication was included for informational purposes.

B. Consideration of Resolution 2024-10, Relating to the Annual Appropriations and Adopting the Budget(s) for the Fiscal Year Beginning October 1, 2024, and Ending September 30, 2025; Authorizing Budget Amendments; and Providing an Effective Date

Mr. Adams presented Resolution 2024-10. He reviewed the proposed Fiscal Year 2025 budget. He noted that expenditures increased by approximately \$9,000 compared to the Fiscal Year 2024 budget and, as a result, the Operation & Maintenance (O&M) portion of the assessment is projected to increase approximately \$27 compared to Fiscal Year 2024.

Mr. Adams opened the Public Hearing.

Resident Maureen McFarland asked if the Debt Service Fund Budget - Series 2021 is the only Debt Service Fund.

Mr. Adams replied affirmatively and stated the Board considered issuing a second series but recently decided not to do so.

Ms. McFarland asked if DR Horton pays assessments on the units it still holds.

Mr. Adams replied affirmatively and stated that DR Horton pays the Debt Service and O&M Assessments for any units it owns.

Ms. McFarland asked if DR Horton owns roughly 20% of the units, meaning about 50 out of 251.

A Board Member stated that sounds close; he thinks about 40 homes remain to be sold and about 20 remain to close.

Mr. Adams closed the Public Hearing.

On MOTION by Ms. Moulton and seconded by Mr. Cotter, with all in favor, 2024-10, Relating to the Annual Appropriations and Adopting the Budget(s) for the Fiscal Year Beginning October 1, 2024, and Ending September 30, 2025; Authorizing Budget Amendments; and Providing an Effective Date, was adopted.

EIGHTH 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 2024/2025, Pursuant to Florida Law

A. Proof/Affidavit of Publication**B. Mailed Notice(s) to Property Owners**

These items were included for informational purposes.

C. Consideration of Resolution 2024-11, Making a Determination of Benefit and Imposing Special Assessments for Fiscal Year 2024/2025; Providing 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 2024-11, which allows the CDD to impose and collect the assessments utilizing the services of the Property Appraiser and Tax Collector.

Mr. Adams opened the Public Hearing.

An attendee noted that she did not receive a Mailed Notice and stated she took possession on June 28, 2024.

Mr. Adams stated that she would not have received a Mailed Notice because the CDD relies on the Property Appraiser's information as of June 1, 2024. The Mailed Notice would have gone to who owned the property at that time.

Ms. McFarland expressed concerns about flooding and communications. Mr. Adams stated that updates will be provided later in the meeting.

Mr. Adams closed the Public Hearing.

On MOTION by Mr. Cotter and seconded by Ms. Moulton, with all in favor, Resolution 2024-11, Making a Determination of Benefit and Imposing Special Assessments for Fiscal Year 2024/2025; Providing 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.

NINTH ORDER OF BUSINESS**Consideration of Goals and Objectives Reporting [HB7013 - Special Districts Performance Measures and Standards Reporting]**

Mr. Adams presented the Memorandum explaining the new requirement for special districts to develop goals and objectives annually and develop performance measures and standards to assess the achievement of the goals and objectives. Community Communication and Engagement, Infrastructure and Facilities Maintenance, and Financial Transparency and Accountability will be the key categories to focus on for Fiscal Year 2025. He presented the Performance Measures/Standards & Annual Reporting Form developed for the CDD, which explains how the CDD will meet the goals.

On MOTION by Mr. Cotter and seconded by Ms. Moulton, with all in favor, the Goals and Objectives and the Performance Measures/Standards & Annual Reporting Form, were approved.

TENTH ORDER OF BUSINESS**Acceptance of Unaudited Financial Statements as of July 31, 2024**

On MOTION by Mr. Cotter and seconded by Mr. Bone, with all in favor, the Unaudited Financial Statements as of July 31, 2024, were accepted.

ELEVENTH ORDER OF BUSINESS**Approval of May 23, 2024 Regular Meeting Minutes**

On MOTION by Mr. Cotter and seconded by Mr. Bone, with all in favor, the May 23, 2024 Regular Meeting Minutes, as presented, were approved.

TWELFTH ORDER OF BUSINESS

Staff Reports

A. District Counsel: Kutak Rock LLP

B. District Engineer: RWA Inc.

There were no District Counsel or District Engineer reports.

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

- **NEXT MEETING DATE: September 26, 2024 at 1:15 PM**

- **QUORUM CHECK**

The next meeting will be held on September 26, 2024, unless cancelled.

- **Update: Effects of Hurricane Debby**

This item was an addition to the agenda.

Regarding Hurricane Debby, Mr. Adams stated Staff is trying to determine what occurred on site. He believes it exacerbated an issue that has been ongoing for a while. His understanding is that a group, including Developer and Builder representatives, the District Engineer and other Engineers are engaging in a peer review of the modeling and design to ensure nothing is missing. They keep returning to something affecting the water table within the CDD. Adjacent projects are built at a much higher design control elevation of approximately 3' higher or more than the elevation design in the CDD. There is thought that a possible breach to the capstone or the rock layer separating the water tables is causing more hydrostatic pressure that does not allow water to be shed as quickly. There were some discussions with the water district that controls the canal that runs parallel to 951, Collier Boulevard, in terms of the elevation at which they control the canal and how that impacts and lessens the ability for adjacent properties to discharge the water from their site quicker, especially this time of year.

Mr. Adams stated a lot of unique, fairly complicated work is ongoing in this regard; he has never seen anything quite like it in his 30 years in southwest Florida. This project was designed and permitted in 2004 and reopened and modified a few years ago when DR Horton purchased the property. The project is obviously permitted. Now, all the stakeholders and permit entities need to come together and identify what is going on. Many experts are working on the issue and they expect a long-term solution to be forthcoming. Permission is being sought

from the water management district, which permitted the project, to continue allowing water to be pumped off site to safeguard personal property while they work through the issue trying to find a long-term solution.

A resident stated that the pumps were removed. Mr. Adams stated the pumps will be staged and brought back if they are needed again; permission is being sought now and he does not believe that will be an issue, as the water management district approved the permitting.

Ms. McFarland asked who pays to fix the problem. Mr. Adams believes it would be the Developer or the Builder; Forestar and DR Horton are working diligently to find a solution.

Ms. McFarland stated that residents received an email from the HOA regarding the Access system and asked if an update can be emailed to the community, as there is a lot of concern about the water. Mr. Adams replied affirmatively; an update will be provided soon.

Ms. McFarland expressed concern about the repeated roadway flooding. Mr. Adams stated that the team is working on a long-term fix. He noted that the problems occurred before Hurricane Debby.

Ms. McFarland asked if the County is withholding DR Horton Certificates of Occupancy and permits until the County believes DR Horton has done the right thing. Mr. Adams stated that is his understanding.

THIRTEENTH ORDER OF BUSINESS**Board Members' Comments/Requests**

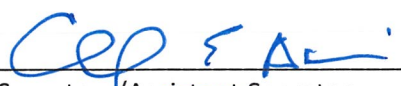
There were no Board Members' comments or requests.

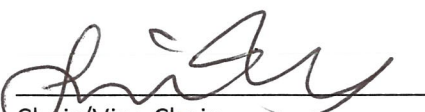
FOURTEENTH ORDER OF BUSINESS**Public Comments**

Ms. McFarland stated that Mr. Adams' telephone number and additional information on the CDD website needs to be updated.

FIFTEENTH ORDER OF BUSINESS**Adjournment**

On MOTION by Mr. Cotter and seconded by Mr. Bone, with all in favor, the meeting adjourned at 1:40 p.m.


Secretary/Assistant Secretary


Chair/Vice Chair