

**MINUTES OF MEETING
TARA OAKS
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Tara Oaks Community Development District held Multiple Public Hearings and a Regular Meeting on August 9, 2021, immediately following the adjournment of the Landowners' Meeting, scheduled to commence at 11:00 a.m., at the offices of Springstead Engineering, Inc., 727 South 14th Street, Leesburg, Florida 34748.

Present at the meeting, were:

Silvia Moukhtara Nemer	Chair
Clifton Fischer	Assistant Secretary
Jack Essman	Assistant Secretary

Also present were:

Kristen Suit	District Manager
Jere Earlywine	District Counsel
Sayed Moukhtara	Developer

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Ms. Suit called the meeting to order at 11:23 a.m. She recapped the Landowners' Election results as follows:

Seat 1	Silvia Moukhtara Nemer	195 votes	4-Year Term
Seat 2	Chris Potts	195 votes	4-Year Term
Seat 3	Clifton Fischer	194 votes	2-Year Term
Seat 4	Jack Essman	194 votes	2-Year Term

Ms. Moukhtara Nemer, Mr. Essman and Mr. Fischer were present, in person. Mr. Potts was not present. One seat was vacant.

SECOND ORDER OF BUSINESS

Public Comments

There were no public comments.

GENERAL DISTRICT ITEMS

THIRD ORDER OF BUSINESS

Administration of Oath of Office to Newly Elected Board of Supervisors (*the following will also be provided in a separate package*)

Ms. Suit, a Notary of the State of Florida and duly authorized, administered the Oath of Office to Ms. Moukhtara Nemer, Mr. Essman and Mr. Fischer. Ms. Suit and Mr. Earlywine reviewed guidelines for Supervisor interactions, recordkeeping, emails and public records requests. The following items were provided and explained:

- 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**

FOURTH ORDER OF BUSINESS

Consideration of Resolution 2021-28, Canvassing and Certifying the Results of the Landowners' Election of Supervisors Held Pursuant to Section 190.006(2), Florida Statutes, and Providing for an Effective Date

Ms. Suit presented Resolution 2021-28. She recapped the results of the Landowners' Election, as specified earlier in the meeting.

On MOTION by Mr. Fisher and seconded by Ms. Moukhtara Nemer, with all in favor, Resolution 2021-28, Canvassing and Certifying the Results of the Landowners' Election of Supervisors Held Pursuant to Section 190.006(2), Florida Statutes, and Providing for an Effective Date, was adopted.

FIFTH ORDER OF BUSINESS

Consideration of Resolution 2021-29, Designating Certain Officers of the District, and Providing for an Effective Date

Ms. Suit presented Resolution 2021-29. Mr. Fisher nominated the following slate of officers:

Chair	Silvia Moukhtara Nemer
Vice Chair	Chris Potts
Secretary	Craig Wrathell
Assistant Secretary	Clifton Fisher
Assistant Secretary	Jack Essman
Assistant Secretary	Vacant
Assistant Secretary	Cindy Cerbone
Assistant Secretary	Kristen Suit
Treasurer	Craig Wrathell
Assistant Treasurer	Jeffrey Pinder

No other nominations were made.

On MOTION by Mr. Fisher and seconded by Ms. Moukhtara Nemer, with all in favor, Resolution 2021-29, Designating Certain Officers of the District, as nominated, and Providing for an Effective Date, was adopted.

SIXTH ORDER OF BUSINESS

Public Hearing Confirming the Intent of the District to Use the Uniform Method of Levy, Collection and Enforcement of Non-Ad Valorem Assessments as Authorized and Permitted by Section 197.3632, Florida Statutes; Expressing the Need for the Levy of Non-Ad Valorem Assessments and Setting Forth the Legal Description of the Real Property Within the District's Jurisdictional Boundaries that May or Shall Be Subject to the Levy of District Non-Ad Valorem Assessments; Providing for

Severability; Providing for Conflict and Providing for an Effective Date

A. Affidavit/Proof of Publication

The affidavit of publication was provided for informational purposes.

B. Consideration of Resolution 2021-30, Expressing its Intent to Utilize the Uniform Method of Levying, Collecting, and Enforcing Non-Ad Valorem Assessments Which May Be Levied by the Tara Oaks Community Development District in Accordance with Section 197.3632, Florida Statutes; Providing a Severability Clause; and Providing an Effective Date

On MOTION by Mr. Fisher and seconded by Ms. Moukhtara Nemer, with all in favor, the Public Hearing was opened.

No members of the public spoke.

On MOTION by Mr. Fisher and seconded by Ms. Moukhtara Nemer, with all in favor, the Public Hearing was closed.

Ms. Suit presented Resolution 2021-30.

On MOTION by Mr. Fisher and seconded by Ms. Moukhtara Nemer, with all in favor, Resolution 2021-30, Expressing its Intent to Utilize the Uniform Method of Levying, Collecting, and Enforcing Non-Ad Valorem Assessments Which May Be Levied by the Tara Oaks Community Development District in Accordance with Section 197.3632, Florida Statutes; Providing a Severability Clause; and Providing an Effective Date, was adopted.

SEVENTH ORDER OF BUSINESS

Public Hearing to Consider the Adoption of an Assessment Roll and the Imposition of Special Assessments Relating to the Financing and Securing of Certain Public Improvements

- *Hear testimony from the affected property owners as to the propriety and advisability of making the improvements and funding them with special assessments on the property.*
- *Thereafter, the governing authority shall meet as an equalizing board to hear any and all complaints as to the special assessments on a basis of justice and right.*

These items occurred below.

A. Affidavit/Proof of Publication

The affidavit of publication was included for informational purposes

B. Mailed Notice to Property Owner(s)

The Mailed Notice to property owners was included for informational purposes.

C. Master Engineer's Report (*for informational purposes*)

Mr. Earlywine reviewed the Master Engineer's Report, dated June 7, 2021, and noted the following:

- Capital Improvement Plan (CIP): The CIP was broken into multiple phases, comprised of Southwest, Northwest, Southeast, Mideast and Commercial (NE) Phases.
- Each of the five projects in the CIP include neighborhood costs for stormwater ponds, utilities, roads, hardscape, landscape and irrigation, etc., as well as master costs for the lift station, off-site improvements, recreational facility, etc.
- The estimated total cost of the CIP, shown in Table 2, is \$24,527,843.

Mr. Earlywine stated that the Engineer's Report included the following conclusions:

- The costs stated in the Engineer's Report are reasonable and are in line with market conditions.
- The Improvement Plan is feasible to be constructed.

D. Master Special Assessment Methodology Report (*for informational purposes*)

Mr. Earlywine presented the Master Special Assessment Methodology Report, dated June 7, 2021, and the accompanying Tables and noted the following:

- The Assessment Methodology was broken into multiple phases, comprised of the Southwest, Northwest, Southeast, Mideast and Commercial (NE) Phases.

➤ The CIP costs of approximately \$24.5 million are grossed up to a par value of \$31,475,000, which is the amount for which the bond validation would be sought and that the assessments are based on.

➤ Outlines the assessment allocations per unit type.

Mr. Earlywine stated that the Methodology Report sets forth the following conclusion:

➤ The assessments are fairly and reasonably allocated across the different assessment areas and they are sufficiently supported by the benefit from the Improvement Plan.

On MOTION by Mr. Fisher and seconded by Ms. Moukhtara Nemer, with all in favor, the Public Hearing was opened.

No members of the public spoke.

On MOTION by Mr. Fisher and seconded by Ms. Moukhtara Nemer, with all in favor, the Public Hearing was closed.

No changes were made by the Board, sitting as the Equalizing Board.

E. Consideration of Resolution 2021-31, Authorizing Capital Improvement Plans for the Assessment Areas; Adopting an Engineer’s Report; Providing an Estimated Cost of Improvements; Adopting an Assessment Report; Equalizing, Approving, Confirming and Levying Debt Assessments on the Assessment Areas; Addressing the Finalization of Special Assessments; Addressing the Payment of Debt Assessments and the Method of Collection; Providing for the Allocation of Debt Assessments and True-Up Payments; Addressing Government Property, and Transfers of Property to Units of Local, State and Federal Government; Authorizing an Assessment Notice; and Providing for Severability, Conflicts and an Effective Date

Ms. Suit presented Resolution 2021-31. Mr. Earlywine stated that this Resolution accomplishes the following:

➤ Puts the master lien in place.

- Sets forth that the assessments are fair and reasonable and that the project is necessary for the development of the land.
- Sets forth that the assessments are fairly supported by the project.
- Authorizes the CIP and sets forth the estimated cost of the CIP.
- Adopts the Assessment Methodology Report.
- Addresses finalization of the assessments once the project is finished.
- Sets forth collection method for the on and off-roll assessments.
- Addresses the True-up mechanism.

On MOTION by Mr. Fisher and seconded by Ms. Moukhtara Nemer, with all in favor, Resolution 2021-31, Authorizing Capital Improvement Plans for the Assessment Areas; Adopting an Engineer’s Report; Providing an Estimated Cost of Improvements; Adopting an Assessment Report; Equalizing, Approving, Confirming and Levying Debt Assessments on the Assessment Areas; Addressing the Finalization of Special Assessments; Addressing the Payment of Debt Assessments and the Method of Collection; Providing for the Allocation of Debt Assessments and True-Up Payments; Addressing Government Property, and Transfers of Property to Units of Local, State and Federal Government; Authorizing an Assessment Notice; and Providing for Severability, Conflicts and an Effective Date, was adopted.

EIGHTH ORDER OF BUSINESS

Public Hearing on Adoption of Fiscal Year 2020/2021 Budget

A. Affidavit of Publication

The affidavit of publication was included for informational purposes.

B. Consideration of Resolution 2021-32, Relating to the Annual Appropriations and Adopting the Budgets for the Fiscal Year Ending September 30, 2021; Authorizing Budget Amendments; and Providing an Effective Date

On MOTION by Mr. Fisher and seconded by Ms. Moukhtara Nemer, with all in favor, the Public Hearing was opened.

Ms. Suit reviewed the proposed Fiscal Year 2021 budget. The budget would be Landowner-funded; therefore, expenses would be funded as they are incurred.

No members of the public spoke.

On MOTION by Mr. Fisher and seconded by Mr. Essman, with all in favor, the Public Hearing was closed.

Ms. Suit presented Resolution 2021-32.

On MOTION by Mr. Fisher and seconded by Mr. Essman, with all in favor, Resolution 2021-32, Relating to the Annual Appropriations and Adopting the Budgets for the Fiscal Year Ending September 30, 2021; Authorizing Budget Amendments; and Providing an Effective Date, was adopted.

NINTH ORDER OF BUSINESS

Public Hearing on Adoption of Fiscal Year 2021/2022 Budget

A. Affidavit of Publication

The affidavit of publication was included for informational purposes.

B. Consideration of 2021-33, Relating to the Annual Appropriations and Adopting the Budgets for the Fiscal Year Beginning October 1, 2021, and Ending September 30, 2022; Authorizing Budget Amendments; and Providing an Effective Date

On MOTION by Mr. Fisher and seconded by Ms. Moukhtara Nemer, with all in favor, the Public Hearing was opened.

Ms. Suit reviewed the proposed Fiscal Year 2022 budget. The budget would be Landowner-funded; therefore, expenses would be funded as they are incurred.

No members of the public spoke.

On MOTION by Mr. Fisher and seconded by Mr. Essman, with all in favor, the Public Hearing was closed.

Ms. Suit presented Resolution 2021-33.

On MOTION by Mr. Fisher and seconded by Ms. Moukhtara Nemer, with all in favor, 2021-33, Relating to the Annual Appropriations and Adopting the Budgets for the Fiscal Year Beginning October 1, 2021, and Ending September 30, 2022; Authorizing Budget Amendments; and Providing an Effective Date, was adopted.

TENTH ORDER OF BUSINESS

Consideration of Budget Funding Agreement

Mr. Earlywine presented the Budget Funding Agreement, which would include the Fiscal Years ending September 30, 2021 and September 30, 2022. The Developer agreed to provide funding to the CDD for budget-related items, as the expenses are incurred. Only incurred expenses would be invoiced. To the extent that new homes are sold and closed on, an allocation would be requested in order to collect Operation and Maintenance (O&M) assessments at each closing.

On MOTION by Mr. Fisher and seconded by Ms. Moukhtara Nemer, with all in favor, the Budget Funding Agreement and authorizing the Chair to execute, was approved.

ELEVENTH ORDER OF BUSINESS

Public Hearing to Hear Public Comments and Objections to the Adoption of the Rules of Procedure, Pursuant to Sections 120.54 and 190.035, Florida Statutes

A. Affidavits of Publication

The affidavits of publication were included for informational purposes.

B. Consideration of Resolution 2021-34, Adopting Rules of Procedure; Providing a Severability Clause; and Providing an Effective Date

Mr. Earlywine presented Resolution 2021-34 and discussed the Rules of Procedure.

On MOTION by Mr. Fisher and seconded by Ms. Moukhtara Nemer, with all in favor, the Public Hearing was opened.

No members of the public spoke.

On MOTION by Mr. Fisher and seconded by Ms. Moukhtara Nemer, with all in favor, the Public Hearing was closed.

On MOTION by Mr. Fisher and seconded by Ms. Moukhtara Nemer, with all in favor, Resolution 2021-34, Adopting Rules of Procedure; Providing a Severability Clause; and Providing an Effective Date, was adopted.

TWELFTH ORDER OF BUSINESS

Consideration of Response to Request for Proposals (RFQ) for Annual Engineering Services

A. Affidavit of Publication

The affidavit of publication was included for informational purposes.

B. RFQ Package

The RFQ was included for informational purposes.

C. Respondent

- **Rory P Causseaux, P.E.**

Ms. Suit stated that Rory P. Causseaux, P.E., the Interim District Engineer, was the only respondent.

D. Competitive Selection Criteria/ Ranking

Ms. Suit noted that the statutory requirement for advertising the RFQ was met; therefore, the Board could designate Rory P. Causseaux, P.E., as the #1 ranked respondent.

On MOTION by Mr. Fisher and seconded by Ms. Moukhtara Nemer, with all in favor, designating Rory P. Causseaux, P.E., as the #1 ranked respondent, with 100 points, was approved.

E. Award of Contract

On MOTION by Mr. Fisher and seconded by Ms. Moukhtara Nemer, with all in favor, authorizing Staff to prepare a Continuing Services Agreement and negotiate the terms of the Agreement and authorizing the Chair or Vice Chair to execute the Agreement, was approved.

THIRTEENTH ORDER OF BUSINESS

Consideration of Responses to Request for Proposals (RFP) for Annual Audit Services

A. Affidavit of Publication

The affidavit of publication was included for informational purposes.

B. RFP Package

The RFP was provided for informational purposes.

C. Respondents

- I. Berger, Toombs, Elam, Gaines & Frank**
- II. Carr, Riggs & Ingram, LLC**
- III. Grau & Associates**

Mr. Earlywine stated that Management has worked with the audit firms and all are very well qualified; therefore, cost was the factor that set the firms apart. Discussion ensued regarding the fees, once bonds are issued. The Board directed Staff to ask Grau & Associates to include the fees once bonds are initiated in the proposal.

On MOTION by Mr. Fisher and seconded by Ms. Moukhtara Nemer, with all in favor, tabling discussion pending information from Grau & Associates, was approved.

D. Auditor Evaluation Matrix/Ranking

E. Award of Contract

FOURTEENTH ORDER OF BUSINESS

Ratification of Engagement with KE Law Group, PLLC

- **Consideration of Fee Agreement**

Mr. Earlywine presented the Joint Letter by Hopping Green & Same and KE Law Group, PLLC, and the KE Law Group, PLLC, Fee Agreement.

On MOTION by Mr. Fisher and seconded by Ms. Moukhtara Nemer, with all in favor, engagement of KE Law Group, PLLC, and associated Fee Agreement, were ratified.

FIFTEENTH ORDER OF BUSINESS

Consideration of Resolution 2021-35, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2021/2022 and Providing for an Effective Date

Ms. Suit presented Resolution 2021-35.

On MOTION by Mr. Fisher and seconded by Ms. Moukhtara Nemer, with all in favor, Resolution 2021-35, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2021/2022 and Providing for an Effective Date, was adopted.

SIXTEENTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of June 30, 2021

Ms. Suit presented the Unaudited Financial Statements as of June 30, 2021.

On MOTION by Mr. Fisher and seconded by Ms. Moukhtara Nemer, with all in favor, the Unaudited Financial Statements as of June 30, 2021, were accepted.

SEVENTEENTH ORDER OF BUSINESS

Approval of June 7, 2021 Organizational Meeting Minutes

Ms. Suit presented the June 7, 2021 Organizational Meeting Minutes.

On MOTION by Mr. Fisher and seconded by Ms. Moukhtara Nemer, with all in favor, the June 7, 2021 Organizational Meeting Minutes, as presented, were approved.

EIGHTEENTH ORDER OF BUSINESS

Staff Reports

A. District Counsel: *Hopping Green & Sams, P.A.*

Mr. Earlywine discussed the bond validation hearing, which would be held on September 1, 2021 at 11:00 a.m.

B. District Engineer (Interim): *Rory P. Causseaux, P.E.*

There was no report.

“Interim” would be removed from future agendas.

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

There was no report.

NINETEENTH ORDER OF BUSINESS

Board Members’ Comments/Requests

There being no Board Members’ comments or requests, the next item followed.

TWENTIETH ORDER OF BUSINESS

Public Comments

There were no public comments.

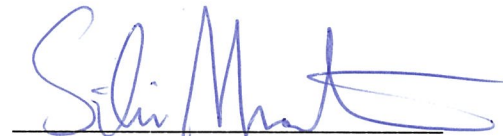
TWENTY-FIRST ORDER OF BUSINESS

Adjournment

There being nothing further to discuss, the meeting adjourned.

On MOTION by Mr. Fisher and seconded by Ms. Moukhtara Nemer, with all in favor, the meeting adjourned at 12:04 p.m.


Secretary/Assistant Secretary


Chair/Vice Chair