

TARA OAKS

**COMMUNITY DEVELOPMENT
DISTRICT**

July 11, 2022

BOARD OF SUPERVISORS

PUBLIC HEARING

AND

REGULAR MEETING AGENDA

Tara Oaks Community Development District
OFFICE OF THE DISTRICT MANAGER
2300 Glades Road, Suite 410W•Boca Raton, Florida 33431
Phone: (561) 571-0010•Toll-free: (877) 276-0889•Fax: (561) 571-0013

July 4, 2022

Board of Supervisors
Tara Oaks Community Development District

<p><u>ATTENDEES:</u> Please identify yourself each time you speak to facilitate accurate transcription of meeting minutes.</p>

Dear Board Members:

The Board of Supervisors of the Tara Oaks Community Development District will hold a Public Hearing and a Regular Meeting on July 11, 2022 at 11:00 A.M., the offices of Springstead Engineering, Inc., 727 South 14th St., Leesburg, Florida 34748. The agenda is as follows:

1. Call to Order/Roll Call
2. Public Comments
3. Consider Appointment to Fill Vacant Seat 5, *Term Expires November 2025*
 - Administration of Oath of Office to Newly Appointed Supervisor (*the following to be provided in separate package*)
 - A. Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees
 - B. Membership, Obligations and Responsibilities
 - C. 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
 - D. Form 8B: Memorandum of Voting Conflict
4. Consideration of Resolution 2022-01, Designating Certain Officers of the District, and Providing for an Effective Date
5. Consideration of Resolution 2022-06, Designating Ernesto Torres as Assistant Secretary of the District, and Providing for an Effective Date
6. Public Hearing on Adoption of Fiscal Year 2022/2023 Budget
 - A. Affidavit of Publication

- B. Consideration of Resolution 2022-07, Relating to the Annual Appropriations and Adopting the Budgets for the Fiscal Year Beginning October 1, 2022, and Ending September 30, 2023; Authorizing Budget Amendments; and Providing an Effective Date
- 7. Consideration of Fiscal Year 2023 Budget Funding Agreement
- 8. Letter to County and State Regarding 20-Year Stormwater Management Needs Analysis
- 9. Acceptance of Unaudited Financial Statements as of May 31, 2022
- 10. Approval of May 9, 2022 Regular Meeting Minutes
- 11. Staff Reports
 - A. District Counsel: *KE Law Group, PLLC*
 - B. District Engineer: *Rory P Causseaux, P.E.*
 - C. District Manager: *Wrathell, Hunt and Associates, LLC*

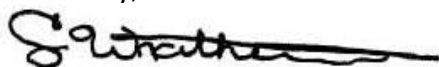
- NEXT MEETING DATE: August 8, 2022 at 11:00 A.M.
 - QUORUM CHECK

SILVIA MOUKHTARA NEMER	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
CHRIS POTTS	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
CLIFTON FISCHER	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
JACOB ESSMAN	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO

- 12. Board Members' Comments/Requests
- 13. Public Comments
- 14. Adjournment

If you should have any questions or concerns, please do not hesitate to contact me directly at (561) 719-8675 or Kristen Suit at (410) 207-1802 or Ernesto Torres at (904) 295-5714.

Sincerely,



Craig Wrathell
 District Manager

FOR BOARD AND STAFF TO ATTEND BY TELEPHONE
CALL-IN NUMBER: 1-888-354-0094
PARTICIPANT PASSCODE: 782 134 6157

TARA OAKS

COMMUNITY DEVELOPMENT DISTRICT

4

RESOLUTION 2022-01

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE TARA OAKS COMMUNITY DEVELOPMENT DISTRICT DESIGNATING CERTAIN OFFICERS OF THE DISTRICT, AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Tara Oaks Community Development District (“District”) is a local unit of special-purpose government created and existing pursuant to Chapter 190, Florida Statutes; and

WHEREAS, the Board of Supervisors of the District desires to designate certain Officers of the District.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE TARA OAKS COMMUNITY DEVELOPMENT DISTRICT:

SECTION 1. _____ is appointed Chair

SECTION 2. _____ is appointed Vice Chair.

SECTION 3. **Craig Wrathell** is appointed Secretary.

_____ is appointed Assistant Secretary.

_____ is appointed Assistant Secretary.

_____ is appointed Assistant Secretary.

Kristen Suit is appointed Assistant Secretary.

SECTION 4. This Resolution supersedes any prior appointments made by the Board for Chair, Vice Chair, Secretary, and Assistant Secretaries; however, prior appointments by the Board for Treasurer and Assistant Treasurer(s) remain unaffected by this Resolution.

SECTION 5. This Resolution shall become effective immediately upon its adoption.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

PASSED AND ADOPTED this 11th day of July, 2022.

ATTEST:

**TARA OAKS COMMUNITY DEVELOPMENT
DISTRICT**

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

TARA OAKS
COMMUNITY DEVELOPMENT DISTRICT

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RESOLUTION 2022-06

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE TARA OAKS COMMUNITY DEVELOPMENT DESIGNATING ERNESTO TORRES AS ASSISTANT SECRETARY OF THE DISTRICT, AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Tara Oaks Community Development District (“District”) is a local unit of special-purpose government created and existing pursuant to Chapter 190, Florida Statutes; and

WHEREAS, the Board of Supervisors of the District desires to designate a certain Officer of the District.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE TARA OAKS COMMUNITY DEVELOPMENT DISTRICT:

SECTION 1. Ernesto Torres is designated as Assistant Secretary.

SECTION 2. This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED this 11th day of July, 2022.

ATTEST:

**TARA OAKS COMMUNITY
DEVELOPMENT DISTRICT**

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

TARA OAKS
COMMUNITY DEVELOPMENT DISTRICT

6A

The Villages®
DAILY SUN

Published Daily
Lady Lake, Florida
State of Florida
County Of Lake

Before the undersigned authority personally appeared
ALLAN LOVELL

who on oath says that he is Legal Ad Coordinator of the DAILY SUN, a daily newspaper published at Lady Lake in Lake County, Florida with circulation in Lake, Sumter and Marion Counties; that the attached copy of advertisement, being a **Legal Ad #1068477** in the matter of **NOTICE OF PUBLIC HEARING** was published in said newspaper in the issue(s) of

June 21st 2022

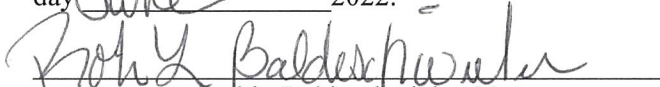
June 28th 2022

Affiant further says that the said Daily Sun is a newspaper published at Lady Lake in said Lake County, Florida, and that the said newspaper has heretofore been continuously published in said Lake County, Florida each week and has been entered as second class mail matter at the post office in Lady Lake, in said Lake County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisements; and affiant further says that he has neither paid nor promised any person, firm, or Corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

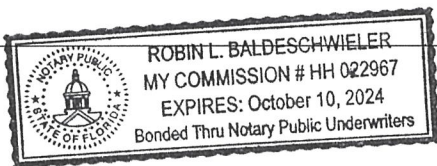


(Signature Of Affiant)

Sworn to and subscribed before me this 29
day June 2022.


Robin Baldeschwieler, Notary

Personally Known _____ or
Production Identification _____
Type of Identification Produced _____



Attach Notice Here

**TARA OAKS COMMUNITY
DEVELOPMENT DISTRICT**

**NOTICE OF PUBLIC
HEARINGS TO CONSIDER
THE ADOPTION OF THE
FISCAL YEAR 2022/2023
BUDGET; AND NOTICE OF
REGULAR BOARD OF
SUPERVISORS' MEETING.**

The Board of Supervisors ("Board") of the Tara Oaks Community Development District ("District") will hold a public hearing on July 11, 2022 at 11:00 a.m., at the offices of Springstead Engineering, Inc., 727 South 14th St., Leesburg, Florida 34748, for the purpose of hearing comments and objections on the adoption of the proposed budget ("Proposed Budget") of the District for the fiscal year beginning October 1, 2022 and ending September 30, 2023 ("Fiscal Year 2022/2023"). A regular board meeting of the District will also be held at that time where the Board may consider any other business that may properly come before it. A copy of the agenda and Proposed Budget may be obtained at the offices of the District Manager, 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431, (877) 276-0889

("District Manager's Office"), during normal business hours.

The public hearing and meeting are open to the public and will be conducted in accordance with the provisions of Florida law. The public hearing and meeting may be continued to a date, time, and place to be specified on the record at the meeting. There may be occasions when Board Supervisors or District Staff may participate by speaker telephone.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the District Manager's Office at least forty-eight (48) hours prior to the meeting. If you are hearing or speech impaired, please contact the Florida Relay Service by dialing 7-1-1, or 1-800-955-8771 (TTY) / 1-800-955-8770 (Voice), for aid in contacting the District Manager's Office.

Each person who decides to appeal any decision made by the Board with respect to any matter considered at the public hearing or meeting is advised that person will need a record of proceedings and that accordingly, the person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which such appeal is to be based.

District Manager

**#01068477 June 21, 2022
 June 28, 2022**

TARA OAKS
COMMUNITY DEVELOPMENT DISTRICT

6B

RESOLUTION 2022-07

THE ANNUAL APPROPRIATION RESOLUTION OF THE TARA OAKS COMMUNITY DEVELOPMENT DISTRICT (“DISTRICT”) RELATING TO THE ANNUAL APPROPRIATIONS AND ADOPTING THE BUDGET(S) FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2022, AND ENDING SEPTEMBER 30, 2023; AUTHORIZING BUDGET AMENDMENTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the District Manager has, prior to the fifteenth (15th) day in June, 2022, submitted to the Board of Supervisors (“**Board**”) of the Tara Oaks Community Development District (“**District**”) proposed budget(s) (“**Proposed Budget**”) for the fiscal year beginning October 1, 2022 and ending September 30, 2023 (“**Fiscal Year 2022/2023**”) along with an explanatory and complete financial plan for each fund of the District, pursuant to the provisions of Section 190.008(2)(a), *Florida Statutes*; and

WHEREAS, at least sixty (60) days prior to the adoption of the Proposed Budget, the District filed a copy of the Proposed Budget with the local governing authorities having jurisdiction over the area included in the District pursuant to the provisions of Section 190.008(2)(b), *Florida Statutes*; and

WHEREAS, the Board set a public hearing thereon and caused notice of such public hearing to be given by publication pursuant to Section 190.008(2)(a), *Florida Statutes*; and

WHEREAS, the District Manager posted the Proposed Budget on the District’s website at least two days before the public hearing; and

WHEREAS, Section 190.008(2)(a), *Florida Statutes*, requires that, prior to October 1st of each year, the Board, by passage of the Annual Appropriation Resolution, shall adopt a budget for the ensuing fiscal year and appropriate such sums of money as the Board deems necessary to defray all expenditures of the District during the ensuing fiscal year; and

WHEREAS, the District Manager has prepared a Proposed Budget, whereby the budget shall project the cash receipts and disbursements anticipated during a given time period, including reserves for contingencies for emergency or other unanticipated expenditures during the fiscal year.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE TARA OAKS COMMUNITY DEVELOPMENT DISTRICT:

SECTION 1. BUDGET

- a. The Board has reviewed the Proposed Budget, a copy of which is on file with the office of the District Manager and at the District’s Local Records Office, and hereby approves certain amendments thereto, as shown in Section 2 below.

- b. The Proposed Budget, attached hereto as **Exhibit "A,"** as amended by the Board, is hereby adopted in accordance with the provisions of Section 190.008(2)(a), *Florida Statutes ("Adopted Budget")*, and incorporated herein by reference; provided, however, that the comparative figures contained in the Adopted Budget may be subsequently revised as deemed necessary by the District Manager to reflect actual revenues and expenditures.
- c. The Adopted Budget, as amended, shall be maintained in the office of the District Manager and at the District's Local Records Office and identified as "The Budget for the Tara Oaks Community Development District for the Fiscal Year Ending September 30, 2023."
- d. The Adopted Budget shall be posted by the District Manager on the District's official website within thirty (30) days after adoption, and shall remain on the website for at least 2 years.

SECTION 2. APPROPRIATIONS

There is hereby appropriated out of the revenues of the District, for Fiscal Year 2022/2023, the sums set forth in **Exhibit A** to be raised by the levy of assessments, a funding agreement and/or otherwise. Such sums are deemed by the Board to be necessary to defray all expenditures of the District during said budget year, and are to be divided and appropriated in the amounts set forth in **Exhibit A**.

SECTION 3. BUDGET AMENDMENTS

Pursuant to Section 189.016, *Florida Statutes*, the District at any time within Fiscal Year 2022/2023 or within 60 days following the end of the Fiscal Year 2022/2023 may amend its Adopted Budget for that fiscal year as follows:

- a. A line-item appropriation for expenditures within a fund may be decreased or increased by motion of the Board recorded in the minutes, and approving the expenditure, if the total appropriations of the fund do not increase.
- b. The District Manager or Treasurer may approve an expenditure that would increase or decrease a line-item appropriation for expenditures within a fund if the total appropriations of the fund do not increase and if either (i) the aggregate change in the original appropriation item does not exceed the greater of \$15,000 or 15% of the original appropriation, or (ii) such expenditure is authorized by separate disbursement or spending resolution.
- c. Any other budget amendments shall be adopted by resolution and consistent with Florida law.

The District Manager or Treasurer must ensure that any amendments to the budget under paragraph c. above are posted on the District's website within 5 days after adoption and remain on the website for at least 2 years.

SECTION 4. EFFECTIVE DATE. This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED THIS 11TH DAY OF JULY, 2022.

ATTEST:

**TARA OAKS COMMUNITY DEVELOPMENT
DISTRICT**

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

Exhibit A: Fiscal Year 2022/2023 Budget(s)

**TARA OAKS
COMMUNITY DEVELOPMENT DISTRICT
PROPOSED BUDGET
FISCAL YEAR 2023**

**TARA OAKS
COMMUNITY DEVELOPMENT DISTRICT
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**TARA OAKS
COMMUNITY DEVELOPMENT DISTRICT
GENERAL FUND BUDGET
FISCAL YEAR 2023**

	Fiscal Year 2022				Proposed Budget FY 2023
	Adopted Budget FY 2022	Actual through 3/31/2022	Projected through 9/30/2022	Total Actual & Projected	
REVENUES					
Landowner contribution	96,290	\$ 19,668	\$ 43,909	\$ 63,577	\$ 105,149
Total revenues	<u>96,290</u>	<u>19,668</u>	<u>43,909</u>	<u>63,577</u>	<u>105,149</u>
EXPENDITURES					
Professional & administrative					
Supervisors	-	646	3,230	3,876	6,459
Management/accounting/recording**	48,000	9,000	6,000	15,000	48,000
Legal	25,000	2,228	22,772	25,000	25,000
Engineering	2,000	-	2,000	2,000	2,000
Audit	5,000	-	-	-	5,000
Arbitrage rebate calculation*	500	-	-	-	500
Dissemination agent*	1,000	-	-	-	1,000
Trustee*	5,000	-	-	-	5,000
Telephone	200	100	100	200	200
Postage	500	-	500	500	500
Printing & binding	500	250	250	500	500
Legal advertising	1,500	-	1,500	1,500	1,500
Annual special district fee	175	175	-	175	175
Insurance	5,500	5,000	-	5,000	5,500
Meeting room rental	-	-	-	-	2,400
Contingencies/bank charges	500	-	500	500	500
Website hosting & maintenance	705	1,680	-	1,680	705
Website ADA compliance	210	-	210	210	210
Total expenditures	<u>96,290</u>	<u>19,079</u>	<u>37,062</u>	<u>56,141</u>	<u>105,149</u>
Excess/(deficiency) of revenues over/(under) expenditures	-	589	6,847	7,436	-
Fund balance - beginning (unaudited)	-	(7,436)	(6,847)	(7,436)	-
Fund balance - ending	<u>\$ -</u>	<u>\$ (6,847)</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>

*These items will be realized when bonds are issued

**WHA will charge a reduced management fee of \$2,000 per month until bonds are issued.

**TARA OAKS
COMMUNITY DEVELOPMENT DISTRICT
DEFINITIONS OF GENERAL FUND EXPENDITURES**

EXPENDITURES	<u>FY 2022</u>
Professional & administrative	
Management/accounting/recording**	\$ 48,000
Wrathell, Hunt and Associates, LLC (WHA), specializes in managing community development districts by combining the knowledge, skills and experience of a team of professionals to ensure compliance with all of the District's governmental requirements. WHA develops financing programs, administers the issuance of tax exempt bond financings, operates and maintains the assets of the community.	
Legal	25,000
General counsel and legal representation, which includes issues relating to public finance, public bidding, rulemaking, open meetings, public records, real property dedications, conveyances and contracts.	
Engineering	2,000
The District's Engineer will provide construction and consulting services, to assist the District in crafting sustainable solutions to address the long term interests of the community while recognizing the needs of government, the environment and maintenance of the District's facilities.	
Audit	5,000
Statutorily required for the District to undertake an independent examination of its books, records and accounting procedures.	
Arbitrage rebate calculation*	500
To ensure the District's compliance with all tax regulations, annual computations are necessary to calculate the arbitrage rebate liability.	
Dissemination agent*	1,000
The District must annually disseminate financial information in order to comply with the requirements of Rule 15c2-12 under the Securities Exchange Act of 1934. Wrathell, Hunt & Associates serves as dissemination agent.	
Telephone	200
Telephone and fax machine.	
Postage	500
Mailing of agenda packages, overnight deliveries, correspondence, etc.	
Printing & binding	500
Letterhead, envelopes, copies, agenda packages	
Legal advertising	1,500
The District advertises for monthly meetings, special meetings, public hearings, public bids, etc.	
Annual special district fee	175
Annual fee paid to the Florida Department of Economic Opportunity.	
Insurance	5,500
The District will obtain public officials and general liability insurance.	
Meeting room rental	2,400
Contingencies/bank charges	500
Bank charges and other miscellaneous expenses incurred during the year and automated AP routing etc.	
Website hosting & maintenance	705
Website ADA compliance	210
Total expenditures	<u><u>\$105,149</u></u>

TARA OAKS

COMMUNITY DEVELOPMENT DISTRICT

7

**TARA OAKS COMMUNITY DEVELOPMENT DISTRICT
FISCAL YEAR 2023 BUDGET FUNDING AGREEMENT**

This Agreement (“**Agreement**”) is made and entered into this 11th day of July, 2022, by and between:

Tara Oaks Community Development District, a local unit of special-purpose government established pursuant to Chapter 190, Florida Statutes, and with an address of c/o Wrathell, Hunt & Associates, LLC, 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431 (“**District**”), and

A.A. Moukhtara Company, Inc., the developer of Phase NW and Phase SW (“**West Developer**”) with a mailing address of 7717 NW 20th Lane, Gainesville, Florida 32605; and

Tara Village, Inc., the developer of Phases SE and NE (“**East Developer**”) with a mailing address of 7717 NW 20th Lane, Gainesville, Florida 32605; and

Abbingtion Oaks, Inc., the developer of Phases SE and NE (“**Mid-East Developer**,” together with the West Developer and the East Developer, “**Developer**”) with a mailing address of 7717 NW 20th Lane, Gainesville, Florida 32605;

RECITALS

WHEREAS, the District was established for the purpose of planning, financing, constructing, operating and/or maintaining certain infrastructure; and

WHEREAS, the District, pursuant to Chapter 190, Florida Statutes, is authorized to levy such taxes, special assessments, fees and other charges as may be necessary in furtherance of the District's activities and services; and

WHEREAS, Developer presently is developing the majority of all real property (“**Property**”) within the District, which Property will benefit from the timely construction and acquisition of the District's facilities, activities and services and from the continued operations of the District; and

WHEREAS, the District is adopting its general fund budget for Fiscal Year 2023, which year concludes on September 30, 2023; and

WHEREAS, this general fund budget, which the parties recognize may be amended from time to time in the sole discretion of the District, is attached hereto and incorporated herein by reference as **Exhibit A**; and

WHEREAS, the District has the option of levying non-ad valorem assessments on all land, including the Property owned by the Developer (each with respect to its particular assessment area), that will benefit from the activities, operations and services set forth in the Fiscal Year 2022 budget, or utilizing such other revenue sources as may be available to it; and

WHEREAS, in lieu of levying assessments on the Property, the Developer is willing to provide such funds as are necessary to allow the District to proceed with its operations as described in **Exhibit A**; and

WHEREAS, the Developer agrees that the activities, operations and services provide a special and peculiar benefit equal to or in excess of the costs reflected on **Exhibit A** to the Property; and

WHEREAS, the Developer has agreed to enter into this Agreement in lieu of having the District levy and collect any non-ad valorem assessments as authorized by law against the Property located within the District for the activities, operations and services set forth in **Exhibit A**;

NOW, THEREFORE, based upon good and valuable consideration and the mutual covenants of the parties, the receipt of which and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. **FUNDING.** The Developer agrees to make available to the District the monies ("**Funding Obligation**") necessary for the operation of the District as called for in the budget attached hereto as **Exhibit A** (and as **Exhibit A** may be amended from time to time pursuant to Florida law, but subject to the Developer's consent to such amendments to incorporate them herein), within thirty (30) days of written request by the District. The funds shall be placed in the District's general checking account. These payments are made by the Developer in lieu of taxes, fees, or assessments which might otherwise be levied or imposed by the District. Nothing contained herein shall constitute or be construed as a waiver of the District's right to levy assessments in the event of a funding deficit.

Cost Sharing – Each of the Developer entities will pay a share of the budget(s) based on a total of 673.50 planned ERUs, broken out as follows:

A.A. Moukhtara Company, Inc.	45.41%
Tara Village, Inc.	37.87%
Abbingtion Oaks, Inc.	16.72%

2. **ENTIRE AGREEMENT.** This instrument shall constitute the final and complete expression of the agreement among the parties relating to the subject matter of this Agreement. Amendments to and waivers of the provisions contained in this Agreement may be made only by an instrument in writing which is executed by both of the parties hereto.

3. **AUTHORIZATION.** The execution of this Agreement has been duly authorized by the appropriate body or official of all parties hereto, each party has complied with all of the requirements of law, and each party has full power and authority to comply with the terms and provisions of this instrument.

4. **ASSIGNMENT.** This Agreement may be assigned, in whole or in part, by either party only upon the written consent of the other. Any purported assignment without such consent shall be void.

5. **DEFAULT.** A default by either party under this Agreement shall entitle the other to all remedies available at law or in equity, which shall include, but not be limited to, the right of damages, injunctive relief and specific performance.

6. **ENFORCEMENT.** In the event that any party is required to enforce this Agreement by court proceedings or otherwise, then the parties agree that the prevailing party shall be entitled to recover from the other all costs incurred, including reasonable attorneys' fees and costs for trial, alternative dispute resolution, or appellate proceedings.

7. **THIRD PARTY BENEFICIARIES.** This Agreement is solely for the benefit of the formal parties herein and no right or cause of action shall accrue upon or by reason hereof, to or for the benefit of any third party not a formal party hereto. Nothing in this Agreement expressed or implied is intended or shall be construed to confer upon any person or corporation other than the parties hereto any right, remedy or claim under or by reason of this Agreement or any provisions or conditions hereof; and all of the provisions, representations, covenants and conditions herein contained shall inure to the sole benefit of and shall be binding upon the parties hereto and their respective representatives, successors and assigns.

8. **CHOICE OF LAW.** This Agreement and the provisions contained herein shall be construed, interpreted and controlled according to the laws of the State of Florida.

9. **ARM'S LENGTH.** This Agreement has been negotiated fully among the parties as an arm's length transaction. The parties participated fully in the preparation of this Agreement with the assistance of their respective counsel. In the case of a dispute concerning the interpretation of any provision of this Agreement, the parties are each deemed to have drafted, chosen and selected the language, and the doubtful language will not be interpreted or construed against any party.

10. **EFFECTIVE DATE.** The Agreement shall be effective after execution by the parties hereto.

[SIGNATURES ON NEXT PAGE]

IN WITNESS WHEREOF, the parties execute this Agreement the day and year first written above.

TARA OAKS COMMUNITY DEVELOPMENT DISTRICT

Chairperson, Board of Supervisors

A.A. MOUKHTARA COMPANY, INC.

By: _____
Its: _____

TARA VILLAGE, INC.

By: _____
Its: _____

ABBINGTON OAKS, INC.

By: _____
Its: _____

Exhibit A: Fiscal Year 2023 General Fund Budget

Exhibit A

Fiscal Year 2022/2023 General Fund Budget

TARA OAKS

COMMUNITY DEVELOPMENT DISTRICT

8

Tara Oaks Community Development District
Office of District Manager
2300 Glades Road, Suite 410W Boca Raton, Florida 33431
Phone: (561) 571-0010 Toll-free: (877) 276-0889 Fax: (561) 571-0013

June 30, 2022

Via U.S. and Electronic Mail

Fred Schneider
Director of Public Works
Lake County Public Works
P.O. Box 7800
Tavares, FL 32788

Re: Stormwater Management Needs Analysis
(Chapter 2021-194, Laws of Florida/HB53)

Dear Mr. Schneider:

I serve as the District Manager of the Tara Oaks Community Development District the District ("District"), a local unit of special-purpose government created and existing pursuant to Chapter 190, Florida Statutes. I am writing regarding the new law requiring special districts that either own or operate stormwater management systems to create a 20-year needs analysis ("Needs Analysis") of such system(s), with the first analysis due to Lake County by June 30, 2022. While the District is authorized to finance, fund, plan, establish, acquire, construct or reconstruct, enlarge or extend, equip, operate, and maintain systems, facilities, and basic infrastructures for stormwater management improvements, pursuant to its establishing ordinance and Section 190.012(1)(f), *Florida Statutes*, the District does not and/or will not own and/or operate a stormwater management system prior to the June 30, 2022, submission deadline. Consequently, the District will be unable to submit its Needs Analysis by the June 2022 deadline.

The District acknowledges and agrees that, upon transfer of a stormwater system from the construction to operation phase, the District will perpetually operate, maintain and fund the stormwater system and intends to fund such operational and maintenance activities through the annual levy of maintenance special assessments as authorized under Section 190.021(3), *Florida Statutes*. Moreover, the District agrees that, upon transfer of a stormwater system, the District will create and submit a Needs Analysis of such system(s).

If you have any questions or concerns, please do not hesitate to contact me at 561-571-0010. Thank you for your patience as we work to improve our community.

Sincerely,

Kristen Suit
District Manager

cc: Chairperson, Board of Supervisors
District Engineer
District Counsel

TARA OAKS

COMMUNITY DEVELOPMENT DISTRICT

9

**TARA OAKS
COMMUNITY DEVELOPMENT DISTRICT
FINANCIAL STATEMENTS
UNAUDITED
MAY 31, 2022**

**TARA OAKS
COMMUNITY DEVELOPMENT DISTRICT
BALANCE SHEET
GOVERNMENTAL FUNDS
MAY 31, 2022**

	General Fund	Debt Service Fund	Capital Projects Fund	Total Governmental Funds
ASSETS				
Cash	\$ 5,815	\$ -	\$ -	\$ 5,815
Undeposited funds	1,704	-	-	1,704
Due from Landowner	12,546	-	-	12,546
Total assets	<u>\$ 20,065</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 20,065</u>
LIABILITIES AND FUND BALANCES				
Liabilities:				
Accounts payable	\$ 7,599	\$ -	\$ -	\$ 7,599
Due to Landowner	-	2,774	6,873	9,647
Accrued wages payable	400	-	-	400
Tax payable	61	-	-	61
Landowner advance	6,000	-	-	6,000
Total liabilities	<u>14,060</u>	<u>2,774</u>	<u>6,873</u>	<u>23,707</u>
DEFERRED INFLOWS OF RESOURCES				
Deferred receipts	12,546	-	-	12,546
Total deferred inflows of resources	<u>12,546</u>	<u>-</u>	<u>-</u>	<u>12,546</u>
Fund balances:				
Restricted for:				
Debt service	-	(2,774)	-	(2,774)
Capital projects	-	-	(6,873)	(6,873)
Unassigned	(6,541)	-	-	(6,541)
Total fund balances	<u>(6,541)</u>	<u>(2,774)</u>	<u>(6,873)</u>	<u>(16,188)</u>
Total liabilities, deferred inflows of resources and fund balances	<u>\$ 20,065</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 20,065</u>

**TARA OAKS
COMMUNITY DEVELOPMENT DISTRICT
GENERAL FUND
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
FOR THE PERIOD ENDED MAY 31, 2022**

	<u>Current Month</u>	<u>Year to Date</u>	<u>Budget</u>	<u>% of Budget</u>
REVENUES				
Landowner contribution	\$ 1,704	\$ 22,431	\$ 96,290	23%
Total revenues	<u>1,704</u>	<u>22,431</u>	<u>96,290</u>	23%
EXPENDITURES				
Professional & administrative				
Supervisor fees	(15)	585	-	N/A
FICA	15	62	-	N/A
Management/accounting/recording**	1,000	11,000	48,000	23%
Legal	100	2,329	25,000	9%
Engineering	-	-	2,000	0%
Engineer's report	-	-	-	N/A
Audit	-	-	5,000	0%
Arbitrage rebate calculation	-	-	500	0%
Dissemination agent	-	-	1,000	0%
Trustee	-	-	5,000	0%
Telephone	16	133	200	67%
Postage	29	29	500	6%
Printing & binding	42	333	500	67%
Legal advertising	-	-	1,500	0%
Annual special district fee	-	175	175	100%
Insurance	-	5,000	5,500	91%
Contingencies/bank charges	-	-	500	0%
Website hosting & maintenance	-	1,680	705	238%
Website ADA compliance	210	210	210	100%
Total professional & administrative	<u>\$1,397</u>	<u>\$21,536</u>	<u>96,290</u>	22%
Excess/(deficiency) of revenues over/(under) expenditures	307	895	-	
Fund balances - beginning	<u>(6,848)</u>	<u>(7,436)</u>	-	
Fund balances - ending	<u>\$ (6,541)</u>	<u>\$ (6,541)</u>	<u>\$ -</u>	

**WHA will charge a reduced management fee of \$2,000 per month until bonds are issued.

**TARA OAKS
COMMUNITY DEVELOPMENT DISTRICT
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
DEBT SERVICE FUND
FOR THE PERIOD ENDED MAY 31, 2022**

	Current Month	Year To Date
REVENUES	\$ -	\$ -
Total revenues	-	-
 EXPENDITURES		
Debt service		
Cost of issuance	-	397
Total debt service	-	397
 Excess/(deficiency) of revenues over/(under) expenditures	-	(397)
 Fund balances - beginning	(2,774)	(2,377)
Fund balances - ending	\$ (2,774)	\$ (2,774)

**TARA OAKS
COMMUNITY DEVELOPMENT DISTRICT
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
CAPITAL PROJECTS FUND
FOR THE PERIOD ENDED MAY 31, 2022**

	<u>Current Month</u>	<u>Year To Date</u>
REVENUES	<u>\$ -</u>	<u>\$ -</u>
Total revenues	<u>-</u>	<u>-</u>
 EXPENDITURES	 <u>-</u>	 <u>-</u>
Total expenditures	 <u>-</u>	 <u>-</u>
 Excess/(deficiency) of revenues over/(under) expenditures	 - -	 - -
Fund balances - beginning	<u>(6,873)</u>	<u>(6,873)</u>
Fund balances - ending	<u><u>\$ (6,873)</u></u>	<u><u>\$ (6,873)</u></u>

TARA OAKS
COMMUNITY DEVELOPMENT DISTRICT

10

DRAFT

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

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The Board of Supervisors of the Tara Oaks Community Development District held a Regular Meeting on May 9, 2022 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
Chris Potts (via telephone)	Vice Chair
Clifton Fischer	Assistant Secretary
Jack Essman	Assistant Secretary

Also present were:

Kristen Suit	District Manager
Jere Earlywine (via telephone)	District Counsel
Sayed Moukhtara	Developer

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Ms. Suit called the meeting to order at 11:04 a.m. Supervisors Moukhtara Nemer, Fischer and Essman were present, in person. Supervisor Potts was attending via telephone. One seat was vacant.

SECOND ORDER OF BUSINESS

Public Comments

There were no public comments.

THIRD ORDER OF BUSINESS

Consider Appointment to Fill Vacant Seat 5, Term Expires November, 2025

- **Administration of Oath of Office to Newly Appointed Supervisor (*the following to be provided in separate package*)**

- 38 A. **Guide to Sunshine Amendment and Code of Ethics for Public Officers and**
- 39 **Employees**
- 40 B. **Membership, Obligations and Responsibilities**
- 41 C. **Financial Disclosure Forms**
- 42 I. **Form 1: Statement of Financial Interests**
- 43 II. **Form 1X: Amendment to Form 1, Statement of Financial Interests**
- 44 III. **Form 1F: Final Statement of Financial Interests**
- 45 D. **Form 8B: Memorandum of Voting Conflict**

46 This item was deferred.

47

48	FOURTH ORDER OF BUSINESS	Consideration of Resolution 2022-01,
49		Designating Certain Officers of the District,
50		and Providing for an Effective Date

51

52 This item was deferred.

53

54	FIFTH ORDER OF BUSINESS	Consideration of Resolution 2022-02,
55		Approving a Proposed Budget for Fiscal
56		Year 2022/2023 and Setting a Public
57		Hearing Thereon Pursuant to Florida Law;
58		Addressing Transmittal, Posting and
59		Publication Requirements; Addressing
60		Severability; and Providing for an Effective
61		Date

62

63 Ms. Suit presented Resolution 2022-02. She reviewed the proposed Fiscal Year 2023

64 budget, highlighting any line item increases, decreases and adjustments, compared to the Fiscal

65 Year 2022 budget, and explained the reasons for any changes.

66 Mr. Moukhtara suggested adding a line item for the cost to rent the meeting space.

67 The following change was made to the proposed Fiscal Year 2023 budget:

68 EXPENDITURES: Add "Meeting room rental (\$200 per meeting)" line item for \$2,400

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On MOTION by Ms. Moukhtara Nemer and seconded by Mr. Fischer, with all in favor, Resolution 2022-02, Approving a Proposed Budget for Fiscal Year 2022/2023, as amended, and Setting a Public Hearing Thereon Pursuant to Florida Law for July 11, 2022 at 11:00 a.m., at the offices of Springstead Engineering, Inc., 727 South 14th Street, Leesburg, Florida 34748; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing for an Effective Date, as amended, was adopted.

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SIXTH ORDER OF BUSINESS

Update: Stormwater Reporting Requirements

83

Ms. Suit reported the following:

84

➤ District Counsel provided the outline of the Stormwater Reporting Requirements.

85

➤ The CDD will not have any stormwater improvements constructed by the June 30, 2022 submittal due date; therefore, it will not be necessary for the District Engineer to prepare a Stormwater Management Needs Analysis Report.

88

➤ Management will send a letter of explanation to the County and State.

89

90

SEVENTH ORDER OF BUSINESS

Consideration of Resolution 2022-03, 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

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Ms. Suit presented Resolution 2022-03 and read the title.

102

Mr. Earlywine stated this is an update to a Resolution that was adopted at the Organizational Meeting. It allows the Chair and Vice Chair to execute plats and permit applications outside of meetings to facilitate already-approved project documents.

105

In response to Mr. Moukhtara’s question, Mr. Earlywine stated that the CDD does not have anything to do with conveying the electrical work being performed within the CDD. He

106

107 would arrange a conference call with Mr. Moukhtara and others to discuss the reclaimed
108 wastewater utility conveyance process.

109

On MOTION by Mr. Fischer and seconded by Ms. Moukhtara Nemer, with all in favor, Resolution 2022-03, 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.

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EIGHTH 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

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125 Ms. Suit presented Resolution 2022-04. Mr. Earlywine stated the Prompt Payment Policy
126 was updated to match the statutory change increasing the late payment interest rates from 1%
127 to 2%.

128

On MOTION by Ms. Moukhtara Nemer and seconded by Mr. Fischer, 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.

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NINTH ORDER OF BUSINESS

Consideration of Resolution 2022-05, Extending the Terms of Office of All Current Supervisors to Coincide With the General Election Pursuant to Section 190.006, Florida Statutes; Providing for Severability; and Providing an Effective Date

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143 Ms. Suit presented Resolution 2022-05 and read the title.

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On MOTION by Ms. Moukhtara Nemer and seconded by Mr. Fischer, with all in favor, 2022-05, Extending the Terms of Office of All Current Supervisors to Coincide With the General Election Pursuant to Section 190.006, Florida Statutes; Providing for Severability; and Providing an Effective Date, was adopted.

TENTH 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 included for informational purposes

C. Respondents

I. Berger, Toombs, Elam, Gaines & Frank

II. Carr, Riggs & Ingram, LLC

III. Grau & Associates

D. Auditor Evaluation Matrix/Ranking

Ms. Suit recapped the rankings and scores, as follows:

#1	Berger, Toombs, Elam, Gaines & Frank	99 points
#2	Grau & Associates	98 points
#3	Carr, Riggs & Ingram, LLC	96 points

E. Award of Contract

Asked if a stipulation can be added to the contract for fee reduction for tardy audits, Mr.

Earlywine stated that a provision could be included in the contract.

On MOTION by Mr. Fischer and seconded by Ms. Moukhtara Nemer, with all in favor, the scores and rankings, with Berger, Toombs, Elam, Gaines & Frank as the #1 ranked respondent with 99 points, Grau & Associates as the #2 ranked respondent with 98 points and Carr, Riggs & Ingram as the #3 ranked respondent with 96 points, was approved.

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214 Mr. Earlywine stated that the assessment hearings were scheduled. The bonds were
215 validated and bonds can be issued in 60 days. Per the Underwriter’s advice, Staff will wait until
216 the projects are nearing completion before issuing bonds.

217 **B. District Engineer: *Rory P. Causseaux, P.E.***

218 There was no report.

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

220 • **NEXT MEETING DATE: June 13, 2022 at 11:00 A.M.**

221 ○ **QUORUM CHECK**

222 The June 13, 2022 meeting was cancelled. The next meeting would be July 11, 2022.

223

224 **FOURTEENTH ORDER OF BUSINESS** **Board Members’ Comments/Requests**

225

226 There were no Board Members’ comments or requests.

227

228 **FIFTEENTH ORDER OF BUSINESS** **Public Comments**

229

230 There were no public comments.

231

232 **SIXTEENTH ORDER OF BUSINESS** **Adjournment**

233

234 There being nothing further to discuss, the meeting adjourned.

235

236 **On MOTION by Mr. Fischer and seconded by Ms. Moukhtara Nemer, with all in**
237 **favor, the meeting adjourned at 11:36 a.m.**

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[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

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Secretary/Assistant Secretary

Chair/Vice Chair

TARA OAKS
COMMUNITY DEVELOPMENT DISTRICT

11C

TARA OAKS COMMUNITY DEVELOPMENT DISTRICT

BOARD OF SUPERVISORS FISCAL YEAR 2021/2022 MEETING SCHEDULE

LOCATION

offices of Springstead Engineering, Inc., 727 South 14th St., Leesburg, Florida 34748

DATE	POTENTIAL DISCUSSION/FOCUS	TIME
October 11, 2021 CANCELED	Regular Meeting	11:00 AM
November 8, 2021 CANCELED	Regular Meeting	11:00 AM
December 13, 2021 CANCELED	Regular Meeting	11:00 AM
January 10, 2022 CANCELED	Regular Meeting	11:00 AM
February 14, 2022 CANCELED	Regular Meeting	11:00 AM
March 14, 2022 CANCELED	Regular Meeting	11:00 AM
April 11, 2022 CANCELED	Regular Meeting	11:00 AM
May 9, 2022	Regular Meeting <i>(presentation of FY2023 proposed budget)</i>	11:00 AM
June 13, 2022 CANCELED	Regular Meeting	11:00 AM
July 11, 2022	Public Hearing and Regular Meeting <i>(adoption of FY2023 proposed budget)</i>	11:00 AM
August 8, 2022	Regular Meeting	11:00 AM
September 12, 2022	Regular Meeting	11:00 AM