MINUTES OF MEETING

Each person who decides to appeal any decision made by the Board with respect to any matter considered at the meeting is advised that 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.

TARA

COMMUNITY DEVELOPMENT DISTRICT 1

PLEDGE OF PUBLIC CONDUCT
WE MAY DISAGREE, BUT WE WILL BE RESPECTFUL OF ONE ANOTHER
WE WILL DIRECT ALL COMMENTS TO ISSUES
WE WILL AVOID PERSONAL ATTACKS

The regular meeting of the Board of Supervisors of the Tara Community Development District was held on Tuesday, May 28, 2019 at 9:00 a.m. at the Tara Community Center, located at 7340 Tara Preserve Lane, Bradenton, Florida 34203.

Present and constituting a quorum:

Darby Connor  Board Supervisor, Vice Chairman
Joe Mojica  Board Supervisor, Assistant Secretary
Barbara Linden  Board Supervisor, Assistant Secretary
Joe DiBartolomeo  Board Supervisor, Assistant Secretary

Also present were:

Angel Montagna  District Manager, Rizzetta & Company, Inc.
John Vericker  District Counsel, Straley & Robin
Rick Schappacher  District Engineer, Schappacher Engineering
Scott Green  Field Services Manager, Rizzetta & Company, Inc.
Duane Smith  Field Manager
Sarah Bowen  Representative, Aquatic Systems, Inc.

Audience:  Audience Present

FIRST ORDER OF BUSINESS  Call to Order

Ms. Montagna called the meeting to order and conducted roll call.
SECOND ORDER OF BUSINESS

Pledge of Allegiance

Ms. Montagna led all those present in the Pledge of Allegiance.

THIRD ORDER OF BUSINESS

Adoption of Agenda

On a Motion by Mr. DiBartolomeo, seconded by Mr. Connor, with all in favor, the Board of Supervisors approved the meeting agenda as presented for Tara Community Development District 1.

FOURTH ORDER OF BUSINESS

Audience Comments

Ms. Montagna opened the floor for audience comments.

Ellen Linton stated that there is a problem with the pond pump.

Ms. Barbara Pfaff stated there are pool issues and she suggests getting a portable defibrillator.

Mr. Nelson Maynard asked that TMA have access to place equipment in Field Office.

On a Motion by Mr. Mojica, seconded by Mr. Connor, with all in favor, the Board approved Nelson Maynard’s request to allow TMA to place equipment in the storage room for the Tara Community Development District 1.

Mr. John Schmidt and Nelson Maynard asked to discuss Channel 196.

Ada Mojica commented that the Emergency telephone number needs to be on the Bulletin Board.

Patty Williams commented regarding adding two benches on pickle ball court and asked if insurance will allow benches by the courts.

FIFTH ORDER OF BUSINESS

Staff Reports

A. Aquatics & Landscape Report

Ms. Bowen presented and reviewed the Aquatics Report dated April 4, 2019. She stated that Brazilian Peppers are $150.00 per lot. A discussion ensued.


A discussion ensued regarding a Fountain Electric Outlet License Agreement with the homeowners to provide electric to the fountain on Pond 42. Attached as (Exhibit “A”). A discussion ensued.
On a Motion by Ms. Linden, seconded by Mr. Connor, with all in favor, the Board approved, the Electric Outlet License Agreement with the homeowners to provide electric to the fountain on Pond 42 of the Tara Community Development District 1.

Mr. Green presented and reviewed the Landscape Report for May 2019. Mr. Leroy Van is the new Account Manager for Sunrise Landscape. It was asked if there will be annuals planted and, if so, when. It was stated that new irrigation heads are needed and when mowing on Tara Blvd. it was noticed that there are brown spots.

Mr. Schappacher presented a quote for an underdrain system. Attached as (Exhibit “B”).

On a Motion by Mr. DiBartolomeo, seconded by Ms. Linden, with all in favor, the Board approved the proposal for the underdrain system at $28.00/LF = $3,220.00 and 6 Boxes at $110.00 each = $600.00 for the Tara Community Development District 1.

Mr. Green presented Sunrise Landscape’s proposal to install plant material at the pool and sod at the community center building.

On a Motion by Mr. DiBartolomeo, seconded by Mr. Connor, with all in favor, the Board approved a proposal to install plant material at the pool (Arbicola) at a not-to-exceed cost $2,182.00 for the Tara Community Development District 1.

B. Field Manager Report
The Board reviewed the Field Manager Report. Mr. Connor gave an update Mr. Smith’s progress.

C. District Counsel
Mr. Vericker gave the Board an update on contracts.

D. District Engineer
Mr. Schappacher gave the Board an update on the underdrain system and the SWFWMD recertification.

E. District Manager
Ms. Montagna announced that the next meeting will be held on June 25, 2019 at 9:00 a.m. and the Board will hold their public hearing on the final budget at their August 27th meeting. The Board would like to cancel their July meeting.

Ms. Montagna announced that there were 1,401 registered voters in the District as of April 15, 2019.
SIXTH ORDER OF BUSINESS

Ms. Montagna presented the two resumes that she had received from Peyton Phillips and Richard Lurk. Attached as (Exhibit “C”). Mr. Turk gave the Board a summary of his background. Mr. Phillips did the same.

SEVENTH ORDER OF BUSINESS

Ms. Montagna asked for a nomination for the vacant seat on the Board. Mr. Mojica nominated Richard Lurk. The motion was not seconded and died on the floor. Mr. DiBartolomeo nominated Peyton Phillips to the vacant Board seat.

On a Motion by Mr. DiBartolomeo, seconded Mr. Connor, with all in favor, the Board appointed Peyton Phillips to vacant seat #2 on the Board of Supervisors for the Tara Community Development District 1.

EIGHTH ORDER OF BUSINESS

Ms. Montagna, a Notary Public in the State of Florida administered the Oath of Office to Peyton Phillips. Mr. Phillips swore and confirmed the oath and executed the oath of office. Mr. Phillips chose to receive compensation for meeting attendance.

NINTH ORDER OF BUSINESS

Mr. Vericker briefly reviewed the Form 1 and Sunshine Amendment. Ms. Montagna gave Mr. Phillips the new Supervisor package.

TENTH ORDER OF BUSINESS


On a Motion by Mr. DiBartolomeo, seconded Mr. Linden, with all in favor, the Board nominated Darby Connor as Chairman of the Board of Supervisors for the Tara Community Development District 1.

On a Motion by Mr. Connor, seconded Mr. Linden, with all in favor, the Board nominated Joe DiBartolomeo as Vice Chairman and Joseph Mojica, Barbara Linden, and Peyton Phillips as Assistant Secretaries for the Tara Community Development District 1.
ELEVENTH ORDER OF BUSINESS  Consideration of ADA Website Proposal
Ms. Montagna stated that she would have proposals for the ADA Website Compliance at the Board’s next meeting.

TWELFTH ORDER OF BUSINESS  Consideration of Welch Tennis Courts’ Proposal
Ms. Montagna presented the proposal from Welch Tennis Courts for the tennis court resurfacing. She stated that the proposal had options for professional nets and professional net posts at an additional cost. Mr. Connor made a motion to approve the proposal and Ms. Linden seconded the motion but the remaining Board members were against it and the motion failed.

The Board took a recess at 10:52 a.m. and reconvened a minute later with all who were originally in attendance still present.

A discussion ensued regarding Resolution 2019-02, Adopting Purchasing Policy. They would like District Counsel to revise this resolution and bring it back to their next meeting.

THIRTEENTH ORDER OF BUSINESS  Presentation of Fiscal Year 2019/2020 Proposed Budget
Ms. Montagna presented the fiscal year 2019/2020 proposed budget. A discussion ensued regarding the various line items. The Board decided to add the cost of new cameras to the proposed budget.

On a Motion by Mr. Connor, seconded Ms. Linden, with four in favor and one opposed (Joe Mojica), the Board approved the additional cost for new cameras to be added to the proposed budget for the Tara Community Development District 1.

FOURTEENTH ORDER OF BUSINESS  Consideration of Resolution 2019-03, Approving Fiscal Year 2019/2020 Proposed Budget and Setting the Public Hearing on the Final Budget
Ms. Montagna presented and reviewed Resolution 2019-03, Approving Fiscal Year 2019/2020 Proposed Budget and Setting the Public Hearing on the Final Budget

On a Motion by Mr. DiBartolomeo, seconded Mr. Connor, with all in favor, the Board approved Resolution 2019-03, Approving Fiscal Year 2019/2020 Proposed Budget ($659,062) and Setting the Public Hearing on the Final Budget (August 27, 2019 at 9:00 a.m. at the Tara Community Center, 7340 Tara Preserve Lane, Bradenton, FL 34203) the Tara Community Development District 1.
FIFTEENTH ORDER OF BUSINESS

Consideration of the Minutes of the Board of Supervisors’ Meeting held on April 23, 2019

Ms. Montagna presented the minutes of the Board of Supervisors’ meeting held on April 23, 2019. There were no revisions.

On a Motion by Mr. DiBartolomeo, seconded Ms. Linden, with all in favor, the Board approved the minutes of the Board of Supervisors’ meeting held on April 23, 2019 as presented for the Tara Community Development District 1.

SIXTEENTH ORDER OF BUSINESS

Consideration of Operation and Maintenance Expenditures for March 2019

Ms. Montagna presented the Operations and Maintenance Expenditures for March 2019.

On a Motion by Mr. DiBartolomeo, seconded by Ms. Linden, with all in favor, the Board approved the Operation and Maintenance Expenditures for March 2019 ($43,890.26) as presented for the Tara Community Development District 1.

SEVENTEENTH ORDER OF BUSINESS

Supervisor Requests

Ms. Montagna asked if there were any Supervisor requests. Mr. Mojica requested a key to the Field Manager’s office. The Board decided to hold their policy and procedures workshop at their September meeting.

Mr. DiBartolomeo stated that the realtors are not doing their job. He would also like a newsletter.

Mr. Connor wants “No Fishing” signage.

On a Motion by Mr. Connor, seconded Mr. DiBartolomeo, with all favor, the Board approved the purchase of six “No Fishing” signs for the Tara Community Development District 1.

EIGHTEENTH ORDER OF BUSINESS

Adjournment

Ms. Montagna stated that if there was no further business to come before the Board then a motion to adjourn would be in order.

On a Motion by Mr. Mojica, seconded by Mr. Connor, with all in favor, the Board adjourned the meeting at 11:33 a.m. for the Tara Community Development District 1.
Secretary / Assistant Secretary

Chairman / Vice Chairman
Exhibit A
Fountain Electric Outlet License Agreement

_________________________________________ (collectively, the “Property Owners”) hereby grant to the Tara Community Development District (the “District”) a revocable, non-exclusive license to allow the District to connect into the electrical system servicing their property located at ________________________________ (the “Property”) for the purpose of providing electricity for the District’s fountain located in the pond adjacent to the Property. This Fountain Electric Outlet License Agreement is subject to the following conditions:

1. The Fountain Electric Outlet License Agreement is to be used solely for the purpose of providing electricity to operate the District’s fountain in the pond adjacent to the Property.

2. The District shall pay the Property Owners on a quarterly basis the electrical charges incurred by the Property Owners for the cost of electricity to run the District’s fountain.

3. Either party may terminate this Electric Outlet License Agreement without cause with thirty (30) days written notice to the other party. In the event that this Electric Outlet License Agreement is terminated, neither party is required to remove the electrical line running from the District’s property to the electrical outlet on the Property.

4. Neither party may alter, modify or change the Fountain Electric Outlet License Agreement without the prior written approval of both parties.

5. Only licensed contractors may install, operate and maintain the electrical connection.

6. This Fountain Electric Outlet License Agreement is effective as of May 28, 2019.

_________________________________________  Tara Community Development District

By: _____________________________________

Angel Montagna, District Manager

_________________________________________  Name:

Name: ________________________________
Exhibit B
Rick Schappacher

From: Armando Fuentes <mondoandjacob@gmail.com>
Sent: Monday, May 20, 2019 10:57 PM
To: Rick Schappacher
Subject: Re: FW: TARA CDD French Drain at Pool

Rick,

We can install the underdrain system the way the plans show with the 57 stone along the pool area and add the 6 drainage boxes as shown in your email. The east and the west boxes will be lower and will act as a bubbler box at each end. We will install either a pebble rock surrounding or a concrete collar around the east and west box so that it causes no erosion.

115LF of 6inch Underdrain system @ $28.00/LF = $3,220.00

6 Boxes @ $110.00/each = $660.00

Thank You

On Thu, May 16, 2019 at 10:01 AM Rick Schappacher <rick@schappachereng.com> wrote:

Mondo,

TARA CDD has a drainage problem at their pool. Over the years the landscaper has continued to build up mulch and add vegetation around the pool which prevented the water to drain. They removed the three row of hedges on the east side and the outer two rows of hedges on the west side. The will be adding a center row of hedges on the east side after we install a French drain system. My thoughts were to have the four drains adjacent to the pool to be catch basins and the ones at the east and west ends being bubbler boxes for the discharge. I found a typical underdrain system on the internet and thought we could install something like this. Can you give a price to furnish and install the following:

6 each – NDS 12 x 12 inlets

115’ of 6” underdrain pipe

Not sure if we need a concrete collar around the inlets. I don’t believe so, but no sure how much mulch they may be adding as it will tend to wash to the inlets in every rainfall event. I understand they will be removing more of the mulch on the east side but since they left the row of hedges on the west side, then this area may be a concern. So we may eliminate the inlets and just have the flow go into the French drain as the inlets may clog fairly quickly with mulch.
Exhibit C
Poyton Paul Phillips  
5836 Covey Court  
Bradenton, Florida  

Resume

Born May 5, 1939 in Wheeler, Texas and raised in Baltimore, Maryland.

Education

Baltimore City College (high school) and the University of Baltimore (A.A. 1962 and J.D. 1963). Employed by Maryland State Highway Commission drafting plates while attending night law school.

Military Service


Court Admissions

Admitted to practice law before the Court of Appeals of Maryland, 1963; U.S. District Court for the District of Maryland, 1967.

Bar Associations and Law Organizations

Member of the Maryland Bar Association for 50 years. Served on the Board of Governors, two terms and the Character Committee of the Maryland Board of Law Examiners. Granted Honorable Membership upon retirement.

Member of the Bar Association of Frederick County, Md. Serve as President, one term and as a member of several Judicial Nominating Committees.

Maryland Bar Foundation and The Association of Trial Lawyers.

Civil and Political Organizations

Member of the Historic District Commission of the City of Frederick, Maryland, 9 years.

Member of the Kiwanis Club of Frederick, 43 years.

Young Democratic Club of Frederick.

Law Practice

Private practice of law for 50 years. Corporate and litigation. I tried jury and non-jury cases in Montgomery County (next to D.C.) and 5 Western Maryland counties. I also briefed and argued a fair number of cases before the Maryland appellate courts.
RICHARD J. LURK II
6443 Wingspan Way, Bradenton, FL 34203
Phone: 352-501-9942
E-Mail: richardlurk2@gmail.com

Education:
University of Nebraska College of Law, Juris Doctor – December 2012
University of Nebraska – Lincoln, Masters of Professional Accountancy – December 2012
University of Nebraska – Lincoln, BSBA with emphasis in Finance – August 2009

Certifications & Professional Designations:
Certified Public Accountant – Florida Candidate

Experience:
Tax Manager @ Scarpello Consulting, Inc.: March 2015 to present
- Tax research specifically focusing on real property & capital improvements; specifically, the Tangible Property regulations, asset depreciation, energy efficiency tax credits, SALT, & related issues
- Work with CPAs, attorneys, & financial planning professionals to maximize tax benefits of real estate for clients through capitalization analysis, depreciation timing, disposition analysis, & capital improvement planning for investor- & operator-owned real estate held in a variety of ownership structures
- Review of purchase contracts, closing statements, appraisals/valuations, & construction documents related to the acquisition/sale/improvement of real estate
- Review & revise cost segregation reports for compliance with IRS guidance & case law
- Create & update standard reports & white papers to reflect changes in tax law or planning opportunities

Tax Accountant @ McDermott & Miller, P.C.: March 2013 - February 2015
- Prepared forms 1040, 1065, 1120-S, 1120, 706, 709, 1041, 990, & 5500, & quarterly/annual employment tax returns 940, 941, 943, & 944
- Research/analysis of complex tax issues & provided guidance to staff & senior management
- Financial analysis for tax, estate, & business transaction planning including installment sale agreements & other seller-financed strategies
- Served as office representative on firm-wide tax committee

Legal Clerk @ Jeffrey, Hahn, Himmerling, & Zimmerman, P.C.: 2010-2011
- Performed legal research & analysis for attorneys, prepared written legal memoranda & documents, & preliminary drafts of pleadings
- Reviewed leases, listing agreements, and purchase/sale contracts for residential & commercial properties
- Performed financial analysis for divorce & bankruptcy cases, gift & estate planning, & business formation/planning transactions


Knowledge, Skills, & Abilities
Tax research & preparation, legal research & compliance, financial analysis, Checkpoint, BNA Income Tax Planner, ProSystems fx Tax & Planning, Asset Keeper, QuickBooks, & proficient with Microsoft Office
Strong attention to detail, organizational skills, & the ability to meet time-sensitive deadlines
Ability to multi-task & adjust priorities in a rapidly evolving environment
Staff attorney for the Department of Legislative Reference, 1967 Legislative Session, Annapolis, Md.
1966 appointed Assistant Attorney General (Special Counsel), assigned to the Maryland State Roads Commission, to handle Eminent Domain cases for the acquisition of rights of way for highway projects in Montgomery County and the five Western Maryland counties. The position permitted the continuation of the private practice of law.
Retired from private practice of law in 2004 and in 2013, from the Office of the Attorney General of Maryland.

Sports

Coached the Giants, Frederick Baseball Association (8-12 year olds) for 5 years. Tennis and skiing.

Personal

Married to Arlene for 51 years, two children Scott and Mark.

Florida

We owned a home in Palma Sola since 2006. I retired in 2013 and then bought a home in Tara. I served on the Tara ARC and the Long Range Planning Committee. I am a registered voter in Florida.