

TERRA LAGO

**COMMUNITY DEVELOPMENT
DISTRICT**

June 10, 2024

**BOARD OF SUPERVISORS
PUBLIC HEARING
AND REGULAR
MEETING AGENDA**

TERRA LAGO

COMMUNITY DEVELOPMENT DISTRICT

AGENDA

LETTER

Terra Lago 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

June 3, 2024

Board of Supervisors
Terra Lago Community Development District

Dear Board Members:

The Board of Supervisors of the Terra Lago Community Development District will hold a Public Hearing and Regular Meeting on June 10, 2024 at 1:00 p.m., at Indiantown Realty, 16654 S.W. Warfield Boulevard, Indiantown, Florida 34956. The agenda is as follows:

1. Call to Order/Roll Call
2. Public Comments
3. Consideration of Response(s) to Request for Proposal (RFP) for Wastewater System Improvements (*under separate cover*)
 - A. Affidavit of Publication
 - B. Project Manual
 - C. Respondent(s): MJC Land Development, LLC
 - D. Selection Criteria/Ranking
 - E. Authorization to Enter into Competitive Negotiations
4. Public Hearing on Adoption of Fiscal Year 2024/2025 Budget
 - A. Affidavit of Publication
 - B. Consideration of Resolution 2024-07, 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
5. Consideration of Fiscal Year 2024/2025 Budget Funding Agreement
6. Ratification of Florida Design Drilling, LLC Change Order Number 1 [Project Number GMP-A]
7. Acceptance of Unaudited Financial Statements as of April 30, 2024
8. Approval of April 8, 2024 Regular Meeting Minutes

ATTENDEES:

Please identify yourself each time you speak to facilitate accurate transcription of meeting minutes.

9. Staff Reports

- A. District Counsel: *Kutak Rock LLP*
- B. District Engineer: *Meridian Consulting Engineers, LLC*
- C. District Manager: *Wrathell, Hunt and Associates, LLC*
 - 0 Registered Voters in District as of April 15, 2024
 - NEXT MEETING DATE: July 8, 2024 at 1:00 PM
 - QUORUM CHECK

SEAT 1	JOSH KELLAM	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
SEAT 2	TOM KENNY	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
SEAT 3	JASON DUGAN	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
SEAT 4	DAVID POWERS	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
SEAT 5	KEVIN POWERS	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO

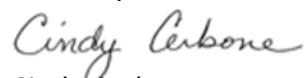
10. Board Members' Comments/Requests

11. Public Comments

12. Adjournment

Should you have any questions or concerns, please do not hesitate to contact me directly at (561) 346-5294 or Andrew Kantarzhi at (415) 516-2161.

Sincerely,



Cindy Cerbone
District Manager

FOR BOARD MEMBERS AND STAFF TO ATTEND BY TELEPHONE

CALL-IN NUMBER: 1-888-354-0094

PARTICIPANT PASSCODE: 867 327 4756

TERRA LAGO

COMMUNITY DEVELOPMENT DISTRICT

4A



Florida

PO Box 631244 Cincinnati, OH 45263-1244

GANNETT

AFFIDAVIT OF PUBLICATION

_ DAPHNE GILLYARD
Terra Lago CD
2300 Glades RD # 410W
Boca Raton FL 33431-8556

STATE OF WISCONSIN, COUNTY OF BROWN

Before the undersigned authority personally appeared, who on oath says that he or she is the Legal Advertising Representative of the Indian River Press Journal/St Lucie News Tribune/Stuart News, newspapers published in Indian River/St Lucie/Martin Counties, Florida; that the attached copy of advertisement, being a Legal Ad in the matter of Public Notices, was published on the publicly accessible websites of Indian River/St Lucie/Martin Counties, Florida, or in a newspaper by print in the issues of, on:

05/23/2024, 05/30/2024

Affiant further says that the website or newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.

Subscribed and sworn to before me, by the legal clerk, who is personally known to me, on 05/30/2024

Legal Clerk

Notary, State of WI, County of Brown

My commission expires

Publication Cost: \$288.16

Order No: 10198979

Customer No: 1126466

PO #:

of Copies:

1

THIS IS NOT AN INVOICE!

Please do not use this form for payment remittance.

TERRA LAGO COMMUNITY
DEVELOPMENT DISTRICT
NOTICE OF PUBLIC HEARING
TO CONSIDER THE ADOPTION
OF THE FISCAL YEAR 2024/2025
BUDGET; AND NOTICE OF
REGULAR BOARD OF SUPERVI-
SORS' MEETING.

The Board of Supervisors ("Board") of the Terra Lago Community Development District ("District") will hold a Public Hearing on June 10, 2024 at 1:00 p.m., at IndianTown Realty, 16654 S.W. Warfield Boulevard, IndianTown, Florida 34956, for the purpose of hearing comments and objections on the adoption of the proposed budget(s) ("Proposed Budget") of the District for the fiscal year beginning October 1, 2024 and ending September 30, 2025 ("Fiscal Year 2024/2025"). 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, Wrathell, Hunt and Associates, LLC, 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431 ("District Manager's Office"), during normal business hours, or by visiting the District's website <https://terralagocdd.net/>.

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
Pub: May 23 & 30, 2024.
TCN10198979

KAITLYN FELTY
Notary Public
State of Wisconsin

TERRA LAGO

COMMUNITY DEVELOPMENT DISTRICT

4B

RESOLUTION 2024-07

[FY 2025 APPROPRIATION RESOLUTION]

THE ANNUAL APPROPRIATION RESOLUTION OF THE TERRA LAGO COMMUNITY DEVELOPMENT DISTRICT (“DISTRICT”) 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.

WHEREAS, for the fiscal year beginning October 1, 2024, and ending September 30, 2025 (“**FY 2025**”), the District Manager prepared and submitted to the Board of Supervisors (“**Board**”) of the Terra Lago Community Development District (“**District**”) prior to June 15, 2024, proposed budget(s) (“**Proposed Budget**”) 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 general-purpose government(s) 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 on the Proposed Budget 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 in accordance with Section 189.016, *Florida Statutes*; 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.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE TERRA LAGO COMMUNITY DEVELOPMENT DISTRICT:

SECTION 1. BUDGET

- a. 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.

- b. 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 Terra Lago Community Development District for the Fiscal Year Ending September 30, 2025."
- c. The Adopted Budget shall be posted by the District Manager on the District's official website in accordance with Section 189.016, *Florida Statutes* and shall remain on the website for at least two (2) years.

SECTION 2. APPROPRIATIONS

There is hereby appropriated out of the revenues of the District, for FY 2025, the sum(s) set forth in **Exhibit A** to be raised by the levy of assessments and/or otherwise, which sum is deemed by the Board to be necessary to defray all expenditures of the District during said budget year, to be divided and appropriated as set forth in **Exhibit A**.

SECTION 3. BUDGET AMENDMENTS

Pursuant to Section 189.016, *Florida Statutes*, the District at any time within FY 2025 or within 60 days following the end of the FY 2025 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 this paragraph c. are posted on the District's website in accordance with Section 189.016, *Florida Statutes*, and remain on the website for at least two (2) years.

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

PASSED AND ADOPTED THIS 10TH DAY OF JUNE, 2024.

ATTEST:

**TERRA LAGO COMMUNITY DEVELOPMENT
DISTRICT**

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

Exhibit A: FY 2025 Budget

Exhibit A: FY 2025 Budget

**TERRA LAGO
COMMUNITY DEVELOPMENT DISTRICT
PROPOSED BUDGET
FISCAL YEAR 2025**

**TERRA LAGO
COMMUNITY DEVELOPMENT DISTRICT
TABLE OF CONTENTS**

Description	Page Number(s)
General Fund Budget	1
Definitions of General Fund Expenditures	2

**TERRA LAGO
COMMUNITY DEVELOPMENT DISTRICT
GENERAL FUND BUDGET
FISCAL YEAR 2025**

	Fiscal Year 2024				Proposed
	Adopted Budget FY 2024	Actual through 2/29/2024	Projected through 9/30/2024	Total Actual & Estimated	Budget FY 2025
REVENUES					
Landowner contribution	\$ 108,040	\$ 12,190	\$ 53,251	\$ 65,441	\$ 505,515
Total revenues	108,040	12,190	53,251	65,441	505,515
EXPENDITURES					
Professional & administrative					
Management/accounting/recording**	48,000	10,000	14,000	24,000	48,000
Legal	25,000	3,115	21,885	25,000	25,000
Engineering	2,000	-	2,000	2,000	2,000
Audit	5,000	-	-	-	3,725
Arbitrage rebate calculation*	750	-	-	-	500
Debt service fund accounting***	5,500	-	-	-	5,500
Dissemination agent*	2,000	-	-	-	1,000
Trustee*	5,000	-	-	-	5,000
Telephone	200	83	117	200	200
Postage	250	-	250	250	250
Printing & binding	500	208	292	500	500
Legal advertising	6,500	141	6,359	6,500	6,500
Annual special district fee	175	175	-	175	175
Insurance	5,500	5,000	-	5,000	5,500
Contingencies/bank charges	750	4	746	750	750
Website hosting & maintenance	705	-	705	705	705
Website ADA compliance	210	-	210	210	210
Total professional & administrative	108,040	18,726	46,564	65,290	105,515
Field operations					
Landscape maintenance	-	-	-	-	300,000
Misc, field operations	-	-	-	-	100,000
Total field operations	-	-	-	-	400,000
Total expenditures	108,040	18,726	46,564	65,290	505,515
Excess/(deficiency) of revenues over/(under) expenditures	-	(6,536)	6,687	151	-
Fund balance - beginning (unaudited)	-	(151)	(6,687)	(151)	-
Fund balance - ending (projected)	-	(6,687)	-	-	-
Unassigned	-	(6,687)	-	-	-
Fund balance - ending	\$ -	\$ (6,687)	\$ -	\$ -	\$ -

* 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.

*** For 2nd bond issuance and for each subsequent bond issuance

**TERRA LAGO
COMMUNITY DEVELOPMENT DISTRICT
DEFINITIONS OF GENERAL FUND EXPENDITURES**

EXPENDITURES

Professional & administrative

Management/accounting/recording**	\$ 48,000
<p>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.</p>	
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	3,725
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.	
Debt service fund accounting***	5,500
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.	
Trustee	5,000
Annual fee for the service provided by trustee, paying agent and registrar.	
Telephone	200
Telephone and fax machine.	
Postage	250
Mailing of agenda packages, overnight deliveries, correspondence, etc.	
Printing & binding	500
Letterhead, envelopes, copies, agenda packages	
Legal advertising	6,500
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.	
Contingencies/bank charges	750
Bank charges and other miscellaneous expenses incurred during the year and automated AP routing etc.	
Website hosting & maintenance	705
Website ADA compliance	210
Landscape maintenance	300,000
Misc, field operations	100,000
Total expenditures	<u><u>\$505,515</u></u>

TERRA LAGO

COMMUNITY DEVELOPMENT DISTRICT

5

**TERRA LAGO COMMUNITY DEVELOPMENT DISTRICT
FISCAL YEAR 2025 BUDGET FUNDING AGREEMENT**

This Agreement (the “Agreement”) is made and entered into effective as of October 1, 2024, by and between:

Terra Lago Community Development District, a local unit of special-purpose government established pursuant to Chapter 190, Florida Statutes, and located in the Village of Indiantown, Florida, with a mailing address of 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431 ("**District**"), and

Terra Lago, LLC, a Delaware limited liability corporation and the developer of the lands in the District ("**Developer**" and, together with the District, the "**Parties**") with a mailing address of 3333-24 Virginia Beach Blvd., Virginia Beach, Virginia 23452. For purposes of this Agreement, the term "**Property**" shall refer to that certain property within the District owned by the Developer on the Effective Date of this Agreement.

Recitals

WHEREAS, pursuant to Chapter 190, *Florida Statutes*, the District was established by an ordinance adopted by the Village of Indiantown, Florida, located in Martin County, Florida ("**County**") for the purpose of planning, financing, constructing, operating and/or maintaining certain infrastructure and 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 is presently developing the 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, for the fiscal year beginning October 1, 2024, and ending September 30, 2025 ("**FY 2025**"), the Board of Supervisors ("**Board**") of the District adopted its general fund budget ("**Budget**") attached hereto as **Exhibit A** and incorporated herein by this reference; and

WHEREAS, the Parties recognize the Budget may be amended from time to time in the sole discretion of the District; and

WHEREAS, the District has the option of levying non-ad valorem assessments on all lands within the District benefitting from the activities, operations and services set forth in the Budget, including the Property, 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 the Budget; and

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

WHEREAS, the Developer 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 lands located within the District, including the Property, for the activities, operations and services set forth in the Budget; and

WHEREAS, Developer and District agree such Budget funding obligation by the Developer may be secured and collection enforced pursuant to the methods provided herein.

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, within thirty (30) days of written request by the District. Exhibit A may be amended from time to time pursuant to Florida law, subject to the Developer's consent to such amendments to incorporate them herein; provided however, that amendments adopted by the Board at a duly noticed meeting shall have the effect of amending this Agreement without further action of the Parties. As a point of clarification, the District shall only request as part of the Funding Obligation that the Developer fund the actual expenses of the District, and the Developer is not required to fund the total general fund Budget in the event that actual expenses are less than the projected total general fund Budget, as may be amended as provided herein. The funds shall be placed in the District's general checking account. In the event the Developer sells any of the Property during the term of this Agreement, the Developer's rights and obligations under this Agreement shall remain the same.
2. **ACKNOWLEDGMENT.** The District hereby finds, and the Developer acknowledges and agrees, that the activities, operations and services set forth in the Budget provide a special and peculiar benefit to the Property, which benefit is initially allocated on an equal developable acreage basis. 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, including on the Property, in the event of a funding deficit.
3. **Collection Methods.** The District may enforce the collection of funds due under this Agreement using one or more of the following collection methods:

- a. [Contractual Lien]. The District shall have the right to file a continuing lien (“**Lien**”) upon all or a portion of the Property, which Lien shall be effective as of the date and time of the recording of a “Notice of Lien” in the public records of the County.
- b. [Enforcement Action] The District shall have the right to file an action against the Developer in the appropriate judicial forum in and for the County.
- c. [Uniform Method; Direct] The District may certify amounts due hereunder as a non-ad valorem assessment on all or any part of the Property for collection, either through the Uniform Method of Collection set forth in Chapter 197, Florida Statutes, or under any method of direct bill and collection authorized by Florida law.

The enforcement of the collection of funds in any of the above manners, including which method(s) to utilize, shall be in the sole discretion of the District Manager on behalf of the District, without the need of further Board action authorizing or directing such.

- 4. **ENTIRE AGREEMENT; AMENDMENTS.** 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.
- 5. **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.
- 6. **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.
- 7. **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/or specific performance.
- 8. **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 interest accrued on an unsatisfied Funding Obligation, reasonable fees and costs incurred by the District incident to the collection of the Funding Obligation or for enforcement of the Lien, or reasonable attorneys' fees and costs for trial, alternative dispute resolution, or appellate proceedings.
- 9. **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.

10. **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.
11. **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.

[Signature Page(s) Follow]

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

ATTEST:

**TERRA LAGO COMMUNITY
DEVELOPMENT DISTRICT**

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

**TERRA LAGO, LLC, A DELAWARE
LIMITED LIABILITY COMPANY**

Witness

By: _____
Its: _____

Exhibit A: Fiscal Year 2025 Budget

TERRA LAGO

COMMUNITY DEVELOPMENT DISTRICT

6

AIA[®] Document G741[™] – 2015

Change Order for a Design-Build Project

PROJECT <i>(Name and address):</i> The development of a new wastewater treatment plant ("WWTP") and associated buildings and related site work to replace the existing plant of the Village of Indiantown, Florida (the "Village"), as set forth in more detail in the Contract	CHANGE ORDER NUMBER: 1 DATE: _____, 2024	OWNER: <input type="checkbox"/> DESIGN-BUILDER: <input checked="" type="checkbox"/> ARCHITECT: <input type="checkbox"/> FIELD: <input type="checkbox"/> OTHER: <input type="checkbox"/>
TO DESIGN-BUILDER <i>(Name and address):</i> Florida Design Drilling, LLC, a Florida limited liability company, 7733 Hooper Road, West Palm Beach, Florida 33411	OWNER'S PROJECT NUMBER: GMP-A DESIGN-BUILD CONTRACT DATE: January 2, 2024 DESIGN-BUILD CONTRACT FOR: The Terra Lago Community Development District, as owner of the Project and Owner for purposes of the Contract, and the Village of Indiantown, Florida, as owner of Project site.	

THE DESIGN-BUILD CONTRACT IS CHANGED AS FOLLOWS:

(Include, where applicable, any undisputed amount attributable to previously executed Change Directives)

- Asbestos survey (invoice attached) in the amount of \$2,045.00.
- Asbestos abatement (EE&G quote attached) in the amount of \$27,877.00.
- Electrical 200A disconnect (Cyber quote attached along with email from electrical engineer explaining the changes) in the amount of \$20,554.00.
- Fence changes in the amount of NEGATIVE \$12,477.50.
- Unused Gopher Tortoise Allowance in the amount of NEGATIVE \$15,000.
- Unused Fill Allowance in the amount of NEGATIVE \$43,700.

Less \$24,775 in allowance/contingency accounted for in the original Contract Sum
Net change of NEGATIVE \$45,476.50 not accounted for in the original Contract Sum.

The original Contract Sum was	\$	665,741.23
The net change by previously authorized Change Orders	\$	0.00
The Contract Sum prior to this Change Order was	\$	665,741.23
The Contract Sum will be decreased by this Change Order in the amount of	\$	(45,476.50)
The new Contract Sum including this Change Order will be	\$	620,264.73

The Contract Time will be increased by Forty-five (45) days.

The date of Substantial Completion as of the date of this Change Order therefore is August 14, 2024

NOTE: This Change Order does not include changes in the Design-Builder's compensation, Contract Sum, Contract Time or Guaranteed Maximum Price which have been authorized by Change Directive until the cost and time have been agreed upon by both the Owner and Design-Builder, in which case a Change Order is executed to supersede the Change Directive.

When executing this Change Order, the Design-Builder represents that all changes to Project design implemented by this Change Order have been reviewed and approved in writing by the Architect or other licensed design professional(s) of record for the Project.

NOT VALID UNTIL SIGNED BY THE DESIGN-BUILDER AND OWNER.

Florida Design Drilling LLC

DESIGN-BUILDER (Firm name)

7733 Hooper Road, West Palm Beach, FL 33411

ADDRESS

Jeffrey Holst

BY (Signature)

Jeffrey Holst, Senior Vice President

(Typed name)

5/28/24

DATE

Terra Lago Community Development District

OWNER (Firm name)

2300 Glades Road, Suite 410W, Boca Raton, FL 33431

ADDRESS

Joshua Kellam

BY (Signature)

Joshua Kellam - Chairman

(Typed name)

5/23/24

DATE

TERRA LAGO

COMMUNITY DEVELOPMENT DISTRICT

UNAUDITED FINANCIAL STATEMENTS

**TERRA LAGO
COMMUNITY DEVELOPMENT DISTRICT
FINANCIAL STATEMENTS
UNAUDITED
APRIL 30, 2024**

**TERRA LAGO
COMMUNITY DEVELOPMENT DISTRICT
BALANCE SHEET
GOVERNMENTAL FUNDS
APRIL 30, 2024**

	General Fund	Debt Service Fund	Capital Projects Fund	Total Governmental Funds
ASSETS				
Cash	\$ 5,203	\$ -	\$ 100,350	\$ 105,553
Undeposited funds	10,236	-	-	10,236
Due from Landowner	6,684	-	-	6,684
Total assets	<u>22,123</u>	<u>-</u>	<u>100,350</u>	<u>122,473</u>
LIABILITIES AND FUND BALANCES				
Liabilities:				
Accounts payable	16,920	-	100,350	117,270
Due to Landowner	-	7,393	38,697	46,090
Landowner advance	6,000	-	-	6,000
Total liabilities	<u>22,920</u>	<u>7,393</u>	<u>139,047</u>	<u>169,360</u>
DEFERRED INFLOWS OF RESOURCES				
Deferred receipts	6,684	-	-	6,684
Total deferred inflows of resources	<u>6,684</u>	<u>-</u>	<u>-</u>	<u>6,684</u>
Fund balances:				
Restricted for:				
Debt service	-	(7,393)	-	(7,393)
Capital projects	-	-	(38,697)	(38,697)
Unassigned	(7,481)	-	-	(7,481)
Total fund balances	<u>(7,481)</u>	<u>(7,393)</u>	<u>(38,697)</u>	<u>(53,571)</u>
Total liabilities and fund balances	<u>\$ 22,123</u>	<u>\$ -</u>	<u>\$ 100,350</u>	<u>\$ 122,473</u>

**TERRA LAGO
COMMUNITY DEVELOPMENT DISTRICT
GENERAL FUND
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
FOR THE PERIOD ENDED APRIL 30, 2024**

	Current Month	Year to Date	Budget	% of Budget
REVENUES				
Landowner contribution	\$ 10,236	\$ 22,426	\$ 108,040	21%
Total revenues	<u>10,236</u>	<u>22,426</u>	<u>108,040</u>	21%
EXPENDITURES				
Professional & administrative				
Management/accounting/recording**	2,000	14,000	48,000	29%
Legal	3,364	7,677	25,000	31%
Engineering	-	-	2,000	0%
Audit	-	-	5,000	0%
Arbitrage rebate calculation*	-	-	750	0%
Debt service fund accounting***	-	-	5,500	0%
Dissemination agent*	-	-	2,000	0%
Trustee*	-	-	5,000	0%
Telephone	17	117	200	59%
Postage	-	10	250	4%
Printing & binding	42	292	500	58%
Legal advertising	-	2,044	6,500	31%
Annual special district fee	-	175	175	100%
Insurance	-	5,000	5,500	91%
Contingencies	89	231	750	31%
Website hosting & maintenance	-	-	705	0%
Website ADA compliance	-	210	210	100%
Total professional & administrative	<u>5,512</u>	<u>29,756</u>	<u>108,040</u>	28%
Excess/(deficiency) of revenues over/(under) expenditures	4,724	(7,330)	-	
Fund balances - beginning	(12,205)	(151)	-	
Fund balances - ending	<u>\$ (7,481)</u>	<u>\$ (7,481)</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.

***For 2nd bond issuance and for each subsequent bond issuance.

**TERRA LAGO
COMMUNITY DEVELOPMENT DISTRICT
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
DEBT SERVICE FUND
FOR THE PERIOD ENDED APRIL 30, 2024**

	Current Month	Year To Date
REVENUES	<u>\$ -</u>	<u>\$ -</u>
Total revenues	<u>-</u>	<u>-</u>
EXPENDITURES		
Debt service	<u>-</u>	<u>-</u>
Total debt service	<u>-</u>	<u>-</u>
Excess/(deficiency) of revenues over/(under) expenditures	-	-
Fund balances - beginning	<u>(7,393)</u>	<u>(7,393)</u>
Fund balances - ending	<u><u>\$ (7,393)</u></u>	<u><u>\$ (7,393)</u></u>

**TERRA LAGO
COMMUNITY DEVELOPMENT DISTRICT
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
CAPITAL PROJECTS FUND
FOR THE PERIOD ENDED APRIL 30, 2024**

	<u>Current Month</u>	<u>Year To Date</u>
REVENUES		
Village of Indiantown - interlocal agreement	<u>\$ 100,350</u>	<u>\$ 488,821</u>
Total revenues	<u>100,350</u>	<u>488,821</u>
EXPENDITURES		
Construction costs	<u>100,350</u>	<u>492,685</u>
Total expenditures	<u>100,350</u>	<u>492,685</u>
Excess/(deficiency) of revenues over/(under) expenditures	-	(3,864)
Fund balances - beginning	<u>(38,697)</u>	<u>(34,833)</u>
Fund balances - ending	<u><u>\$ (38,697)</u></u>	<u><u>\$ (38,697)</u></u>

TERRA LAGO

COMMUNITY DEVELOPMENT DISTRICT

MINUTES

DRAFT

**MINUTES OF MEETING
TERRA LAGO COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Terra Lago Community Development District held a Regular Meeting on April 8, 2024 at 1:00 p.m., at Indiantown Realty, 16654 S.W. Warfield Boulevard, Indiantown, Florida 34955.

Present at the meeting were:

Josh Kellam	Chair
Kevin Powers	Assistant Secretary
David Powers	Assistant Secretary
Jason Dugan	Assistant Secretary

Also present:

Cindy Cerbone	District Manager
Andrew Kantarzhi (via telephone)	Wrathell, Hunt and Associates, LLC
Tucker Mackie (via telephone)	District Counsel
Ryan Dugan (via telephone)	Kutak Rock LLP
Darin Lockwood	Interim District Engineer
Taryn Kryzda	Village Manager, Village of Indiantown
Adam Carroll (via telephone)	The Garcia Companies

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Ms. Cerbone called the meeting to order at 1:04 p.m.

Supervisors Kellam, Dugan, David Powers and Kevin Powers were present. Supervisor Kenny was absent.

SECOND ORDER OF BUSINESS

Public Comments

No members of the public spoke.

THIRD ORDER OF BUSINESS

Consideration of Resolution 2024-04, Approving a Proposed Budget(s) and Setting a Public Hearing Thereon Pursuant to Florida Law; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing an Effective Date

Ms. Cerbone reviewed the proposed Fiscal Year 2025 budget. The budget only consists of “Professional & administrative” costs but she will work with the District Engineer to add field operations costs.

On MOTION by Mr. Kellam and seconded by Mr. Kevin Powers, with all in favor, Resolution 2024-04, Approving a Proposed Budget(s) and Setting a Public Hearing Thereon Pursuant to Florida Law for June 10, 2024 at 1:00 p.m., at Indiantown Realty, 16654 S.W. Warfield Boulevard, Indiantown, Florida 34955; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing an Effective Date, was adopted.

FOURTH ORDER OF BUSINESS

Consideration of Resolution 2024-05, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2024/2025 and Providing for an Effective Date

Ms. Cerbone presented Resolution 2024-05. The following will be inserted into the Fiscal Year 2024/2025 Meeting Schedule:

DATES: October 14, 2024 and November 11, 2024

Ms. Cerbone stated that the Landowner or a designated proxyholder needs to attend the November 5, 2024 Landowners’ Meeting.

On MOTION by Mr. Kevin Powers and seconded by Mr. Dugan with all in favor, Resolution 2024-05, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2024/2025, as amended, and Providing for an Effective Date, was adopted.

FIFTH ORDER OF BUSINESS

Consideration of Resolution 2024-06, Authorizing an Individual Designated by the Board of Supervisors to Act as the District’s Purchasing Agent for the Purpose of Procuring, Accepting, and Maintaining Any and All Construction Materials Necessary for the Construction, Installation, Maintenance or Completion of Certain Infrastructure Improvements; Providing for the Approval of a Work Authorization; Providing for Procedural

Requirements for the Purchase of Materials; Approving the Form of a Purchase Requisition Request; Approving the Form of a Purchase Order; Approving the Form of a Certificate of Entitlement; Authorizing the Purchase of Insurance; Providing a Severability Clause; and Providing an Effective Date

Ms. Cerbone presented Resolution 2024-06.

Discussion ensued about processing purchase orders and obtaining a Builders Risk policy via the CDD insurance provider, Egis, versus contractors and others having the ability to add the CDD as additional insured.

Mr. Lockwood and Ms. Mackie will discuss this after the meeting and provide direction.

On MOTION by Mr. Kevin Powers and seconded by Mr. Kellam with all in favor, Resolution 2024-06, Authorizing an Individual Designated by the Board of Supervisors to Act as the District's Purchasing Agent for the Purpose of Procuring, Accepting, and Maintaining Any and All Construction Materials Necessary for the Construction, Installation, Maintenance or Completion of Certain Infrastructure Improvements; Providing for the Approval of a Work Authorization; Providing for Procedural Requirements for the Purchase of Materials; Approving the Form of a Purchase Requisition Request; Approving the Form of a Purchase Order; Approving the Form of a Certificate of Entitlement; Authorizing the Purchase of Insurance; Providing a Severability Clause; and Providing an Effective Date, was adopted.

SIXTH ORDER OF BUSINESS

Consideration of Meridian Consulting Engineers, LLC Work Authorization Number 2 Under District Engineering Services Agreement for Purchasing Agent Services

On MOTION by Mr. Kellam and seconded by Mr. Kevin Powers, with all in favor, Meridian Consulting Engineers, LLC Work Authorization Number 2 to provide Purchasing Agent Services, Under the District Engineering Services Agreement, was approved.

SEVENTH ORDER OF BUSINESS

Consideration of Personnel Leasing Agreement between Garcia Development Company, LLC, and the District

Mr. Dugan presented the Personnel Leasing Agreement that allows for the lease of an employee to help/assist with various CDD projects.

On MOTION by Mr. David Powers and seconded by Mr. Kellam, with all in favor, the Personnel Leasing Agreement between Garcia Development Company, LLC, and the District, was approved.

EIGHTH ORDER OF BUSINESS

**Ratification of Work Authorization No. 1
Dated February 12, 2024, Under District
Engineering Services Agreement**

On MOTION by Mr. Kevin Powers and seconded by Mr. Kellam, with all in favor, Work Authorization No. 1 Dated February 12, 2024, applicable retroactively to work performed Under the Interim District Engineering Services Agreement, was ratified.

NINTH ORDER OF BUSINESS

**Authorization of Request for Proposals for
Construction Services for Village of
Indiantown Water and Wastewater
Systems Improvements**

Discussion ensued about revising the documents to only reference wastewater systems improvements that will be constructed with grant or State budget funds, preparing documents specific to future water improvements and the CDD improvements consisting of three funding sources.

Ms. Cerbone reviewed items in the Request for Proposals (RFP) package.

The Board agreed with the suggestion to change the submittal location to the Indiantown Realty office and to District Staff finalizing the RFP submittal dates and times.

On MOTION by Mr. Kellam and seconded by Mr. Dugan, with all in favor, the Request for Proposals for Construction Services for the Village of Indiantown Wastewater Systems Improvements Project, as amended, was approved.

TENTH ORDER OF BUSINESS

**Ratification of Design-Build Amendment
for Clearing, Demolition, Site Fencing
Services Under A1A Document A141-2014
Standard Form of Agreement between**

Owner and Design-Builder dated January 2, 2024

Mr. Lockwood stated that this is the revised Amendment that reflects the negotiated reduced amount.

On MOTION by Mr. Kellam and seconded by Mr. Kevin Powers, with all in favor, the Design-Build Amendment for Clearing, Demolition, Site Fencing Services Under A1A Document A141-2014 Standard Form of Agreement between the Owner and the Design-Builder dated January 2, 2024, was ratified.

ELEVENTH ORDER OF BUSINESS

Consideration of Demand Note Agreement between Florida Design-Drilling, LLC, Terra Lago, LLC, and the District

On MOTION by Mr. Kellam and seconded by Mr. Dugan, with all in favor, the Demand Note Agreement between Florida Design-Drilling, LLC; Terra Lago, LLC; and the District, was approved.

TWELFTH ORDER OF BUSINESS

Consideration of Amendment to AIA Document A141-2014 Standard Form of Agreement between Owner and Design-Builder dated January 2, 2024, Regarding Change in District Engineer

Mr. Dugan stated that this is a technical amendment to clarify the contact information of the District Engineer and the Design Builder.

On MOTION by Mr. Kellam and seconded by Mr. David Powers, with all in favor, the Amendment to the AIA Document A141-2014 Standard Form of Agreement between Owner and Design-Builder dated January 2, 2024, Regarding Change in District Engineer, was approved.

- Work Authorization No. 3 Dated April 8, 2024, to Provide General Services Related to Construction of any District Projects, Under the District Engineering Services Agreement

This item was an addition to the agenda.

Ms. Cerbone distributed Work Authorization No. 3, which was incorrectly identified as No. 2 on the documents; the number will be corrected.

Mr. Dugan stated that additional CEI related services were included in the scope of services that were not covered in Work Authorization No. 1, which was just ratified.

Mr. Lockwood was directed to submit backup documents first to Mr. Kellam for approval and then forward them to District Management to process for payment.

On MOTION by Mr. Kellam and seconded by Mr. Kevin Powers, with all in favor, Work Authorization No. 3 Dated April 8, 2024, to Provide General Services Related to Construction of any District Projects Under the District Engineering Services Agreement, was approved.

THIRTEENTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of February 29, 2024

On MOTION by Mr. Kevin Powers and seconded by Mr. Kellam, with all in favor, the Unaudited Financial Statements as of February 29, 2024, were accepted.

FOURTEENTH ORDER OF BUSINESS

Approval of February 12, 2024 Regular Meeting Minutes

On MOTION by Mr. Kellam and seconded by Mr. Dugan, with all in favor, the February 12, 2024 Regular Meeting Minutes, as presented, were approved.

FIFTEENTH ORDER OF BUSINESS

Staff Reports

A. District Counsel: Kutak Rock LLP

Mr. Dugan asked for clarification on when to present the final version of the RFP. Mr. Kellam replied sometime in May 2024.

B. District Engineer: Meridian Consulting Engineers, LLC

There was no report.

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

Ms. Cerbone reminded the Board Members to register with the Commission on Ethics in order to electronically file Form 1 by the July 1, 2024 deadline and to complete the required

four-hour ethics training by December 31, 2024. The Memorandum presented at the last meeting includes this information.

Ms. Cerbone will email links for ethics training courses and Form 1 filing.

Ms. Cerbone stated that Mr. Jason Dugan and Mr. Josh Kellam each submitted their executed Form 8B Memorandum of Voting Conflict for County, Municipal and Other Local Public Officers.

For the record, Ms. Cerbone stated that, via Form 8B, Mr. Dugan and Mr. Kellam are acknowledging that they are a member of the Board of Supervisors of the CDD and they are an employee or business associate of an owner or Developer of a property in the CDD and, because decisions potentially affecting the owner or Developer may come before the Board from time to time, they are filing this disclosure of voting conflict in an abundance of caution and for the duration of their term; however, as an officer of independent special tax District elected on a one acre one vote basis, they are not prohibited from discussion or voting despite this disclosure.

Ms. Cerbone stated that the executed Form 8B documents will be retained by District Management.

- **NEXT MEETING DATE: May 13, 2024 at 1:00 PM**
 - **QUORUM CHECK**

The May 13, 2024 meeting will likely be rescheduled to a later date in May to approve the RFP for advertising.

SIXTEENTH ORDER OF BUSINESS

Board Members' Comments/Requests

There were no Board Members' comments or requests.

SEVENTEENTH ORDER OF BUSINESS

Public Comments

No members of the public spoke.

EIGHTEENTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Kevin Powers and seconded by Mr. David Powers, with all in favor, the meeting adjourned at 1:46 p.m.
--

280
281
282
283
284
285
286
287

Secretary/Assistant Secretary

Chair/Vice Chair

TERRA LAGO

COMMUNITY DEVELOPMENT DISTRICT

STAFF REPORTS



VICKI DAVIS

MARTIN COUNTY SUPERVISOR OF ELECTIONS

Supervisora de Elecciones del Condado de Martin

May 14, 2024

Daphne Gillyard
Director of Administrative Services
Wrathell, Hunt and Associates, LLC
2300 Glades Road, Suite 410W
Boca Raton, FL 33431
gillyardd@whhassociates.com

Dear Ms. Gillyard:

In response to your request regarding the number of registered voters within the boundaries of certain special districts located in Martin County as of April 15, 2024, please see the following:

- **Terra Lago Community Development District -- zero registered voters**
- **Waterside Community Development District – zero registered voters**

Should you need further information, please do not hesitate to contact the elections office at any time.

Sincerely,

A handwritten signature in blue ink, which appears to read "Vicki Davis".

Vicki Davis

TERRA LAGO COMMUNITY DEVELOPMENT DISTRICT		
BOARD OF SUPERVISORS FISCAL YEAR 2023/2024 MEETING SCHEDULE		
LOCATION		
<i>Indiantown Realty, 16654 S.W. Warfield Boulevard, Indiantown, Florida 34956</i>		
DATE	POTENTIAL DISCUSSION/FOCUS	TIME
October 9, 2023 CANCELED	Regular Meeting	1:00 PM
November 13, 2023 CANCELED	Regular Meeting	1:00 PM
December 11, 2023	Regular Meeting	1:00 PM
January 8, 2024 CANCELED	Regular Meeting	1:00 PM
February 12, 2024	Regular Meeting	1:00 PM
March 11, 2024 CANCELED	Regular Meeting	1:00 PM
April 8, 2024	Regular Meeting	1:00 PM
May 13, 2024 CANCELED	Regular Meeting	1:00 PM
June 10, 2024	Regular Meeting	1:00 PM
July 8, 2024	Regular Meeting	1:00 PM
August 12, 2024	Regular Meeting	1:00 PM
September 9, 2024	Regular Meeting	1:00 PM