

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

The Board of Supervisors of the Terra Lago Community Development District held a Regular Meeting and Audit Committee Meeting on December 11, 2023 at 1:00 p.m., at Indiantown Realty, 16654 S.W. Warfield Boulevard, Indiantown, Florida 34955.

Present at the meeting were:

Thomas Kenny	Vice Chair
Kevin Powers	Assistant Secretary
David Powers	Assistant Secretary
Jason Dugan	Assistant Secretary

Also present:

Cindy Cerbone	District Manager
Andrew Kantarzhi	Wrathell, Hunt and Associates, LLC
Tucker Mackie	District Counsel
Taryn Kryzda	Village Manager, Village of Indiantown
Patrick Nolan	Public Works & Utilities Director, Village of Indiantown

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Ms. Cerbone called the meeting to order at 1:01 p.m. Supervisors Kenny, Dugan, David Powers and Kevin Powers were present. Supervisor Kellam was not present.

SECOND ORDER OF BUSINESS

Public Comments

No members of the public spoke.

THIRD ORDER OF BUSINESS

Consideration of Standard Form of Agreement Between Owner and Design-Builder [Wastewater Treatment Plant]

Ms. Cerbone distributed additional Exhibits that were emailed to the Board this morning but not included in the agenda package. Ms. Mackie stated, at the last Board meeting, the respondents were ranked and Florida Drilling was selected as the top ranked respondent. She presented the Standard Form of Agreement between Terra Lago CDD and Florida Design Drilling, LLC, and the draft form Exhibits. She noted the following:

- Florida Design Drilling, LLC (FDD) engaged Holtz Consulting Engineers, Inc., to design the wastewater treatment plant. The proposal is similar to a prior proposal submitted to the Village one year ago. The total cost, to be based on an hourly rate, is estimated at \$852,650.
- The Exhibit that was circulated requires a change, as it includes the cost of a Payment and Performance bond, and the design build fee was added to the cost for the soft services, which is not appropriate under the contract.
- A Construction Cost Estimate will be provided for the work; at that time, a Design Build Amendment would be considered by the Board in the future.
- Upon execution, it will likely take until late spring or early summer 2024 to finalize the design. Further construction cost estimates will be provided throughout the process.
- The wastewater treatment plant redesign and reconstruction project is the subject of a grant agreement; the goal is to stay within grant-eligible funds for the project.
- Finalized Exhibits will be sent to the Village for review.
- The Exhibits included redline edits that were accepted by FDD; a revised version was not received in time for the meeting.
- The CDD anticipates terminating its Interim District Engineer, Haley Ward, Inc., going forward; the modification will be made prior to execution.

On MOTION by Mr. Kenny and seconded by Mr. Kevin Powers, with all in favor, the Standard Form of Agreement Between Owner and Design-Builder of the Wastewater Treatment Plant and authorizing the Chair to execute upon receipt of the signoff from the Village of Indiantown, was approved.

FOURTH ORDER OF BUSINESS

District Engineering Services

A. Consideration of Termination of Engineering Services with Haley Ward, Inc.

Ms. Cerbone stated a District Engineering Agreement with Haley Ward, Inc., the CDD's Interim Engineer, was never finalized.

On MOTION by Mr. Kenny and seconded by Mr. Kevin Powers, with all in favor, terminating Engineering Services with Haley Ward, Inc., was approved.

B. Consideration of Resolution 2024-01, Appointing an Interim District Engineer for the Terra Lago Community Development District, Authorizing its Compensation and Providing an Effective Date

Meridian Consulting Engineers, LLC, was suggested.

On MOTION by Mr. Kenny and seconded by Mr. Kevin Powers, with all in favor, Resolution 2024-01, Appointing Meridian Consulting Engineers, LLC, as Interim District Engineer for the Terra Lago Community Development District, Authorizing its Compensation and Providing an Effective Date, was adopted.

C. Consideration of Interim Engineering Services Agreement

On MOTION by Mr. Kenny and seconded by Mr. Kevin Powers, with all in favor, the Interim Engineering Services Agreement with Meridian Consulting Engineers, LLC, was approved.

D. Authorization of Request for Qualifications (RFQ) for Engineering Services

On MOTION by Mr. Kenny and seconded by Mr. Kevin Powers, with all in favor, authorizing Staff to advertise the Request for Qualifications (RFQ) for Engineering Services, was approved.

FIFTH ORDER OF BUSINESS

Recess Regular Meeting/Commencement of Audit Selection Committee Meeting

On MOTION by Mr. David Powers and seconded by Mr. Kevin Powers, with all in favor, the Regular Meeting recessed at 1:09 p.m., and the Audit Selection Committee Meeting convened.

SIXTH ORDER OF BUSINESS

Review of Response to Request for Proposals (RFP) for Annual Audit Services

A. Affidavit of Publication

B. RFP Package

The above items were included for informational purposes.

C. Respondents

I. Berger, Toombs, Elam, Gaines & Frank

II. Grau & Associates

Ms. Cerbone stated that her firm works with both respondents and, in Management’s opinion, both are qualified to perform the audit. Given that both firms are well qualified, cost is typically the factor that sets the firms apart.

D. Auditor Evaluation Matrix/Ranking

Ms. Cerbone discussed and presented her scores and rankings based on the Auditor Selection Evaluation Criteria. Berger, Toombs, Elam, Gaines & Frank (BTEGF) bid \$3,115 without bonds and \$3,725 with bonds. Grau & Associates (Grau) bid \$3,200 for the first year with annual increases of \$100 plus \$1,500 with bonds. The total points awarded and rankings were:

- 1. Berger, Toombs, Elam, Gaines & Frank 100
- 2. Grau & Associates 99

On MOTION by Mr. Kenny and seconded by Mr. Kevin Powers, with all in favor, accepting the District Manager’s joint ranking designating Berger, Toombs, Elam, Gaines & Frank as the highest-ranked respondent, was approved.

SEVENTH ORDER OF BUSINESS

Termination of Audit Selection Committee Meeting/Reconvene Regular Meeting

On MOTION by Mr. Kevin Powers and seconded by Mr. Dugan, with all in favor, the Audit Selection Committee Meeting adjourned at 1:14 p.m., and the Regular Meeting reconvened.

EIGHTH ORDER OF BUSINESS

Consider Recommendation of Audit Selection Committee

- **Award of Contract**

On MOTION by Mr. David Powers and seconded by Mr. Dugan, with all in favor, accepting the Audit Committee’s scoring, ranking and recommendation ranking with Berger, Toombs, Elam, Gaines & Frank as #1 ranked respondent to the RFP for Annual Audit Services and authorizing District Staff to negotiate an agreement, was approved.

NINTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of October 31, 2023

Ms. Cerbone discussed the funding request process and the “Due from Landowner,” “Due to Landowner” and “Landowner advance” line items. She will also provide the documents to Ms. Andrea Kilmer.

On MOTION by Mr. Kenny and seconded by Mr. Kevin Powers, with all in favor, the Unaudited Financial Statements as of October 31, 2023, were accepted.

TENTH ORDER OF BUSINESS

Approval of August 14, 2023 Public Hearing and Regular Meeting Minutes

On MOTION by Mr. Kenny and seconded by Mr. Dugan, with all in favor, the August 14, 2023 Public Hearing and Regular Meeting Minutes, as presented, were approved.

ELEVENTH ORDER OF BUSINESS

Staff Reports

- A. District Counsel: Kutak Rock LLP**
- B. District Engineer:**

There were no District Counsel or District Engineer reports.

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

- **NEXT MEETING DATE: January 8, 2024 at 1:00 PM**
 - **QUORUM CHECK**

The next meeting will be held on January 8, 2024, unless canceled.

TWELFTH ORDER OF BUSINESS

Board Members’ Comments/Requests

There were no Board Members’ comments or requests.

THIRTEENTH ORDER OF BUSINESS

Public Comments

No members of the public spoke.

FOURTEENTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Kenny and seconded by Mr. Kevin Powers, with all in favor, the meeting adjourned at 1:19 p.m.



Secretary/Assistant Secretary



Chair/Vice Chair