

**MINUTES OF MEETING  
TUCKERS POINTE  
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Tuckers Pointe Community Development District held Multiple Hearings and a Regular Meeting on October 13, 2021, immediately following the adjournment of the Landowners' Meeting, scheduled to commence at 10:00 A.M., at the Centennial Park Recreation Center, 1120 Centennial Boulevard, Port Charlotte, Florida 33953.

**Present at the meeting were:**

Joel Bobrow	Chair
Tim Boff	Vice Chair
Karen Bishop	Assistant Secretary
Randy BAYARD	Assistant Secretary

**Also present were:**

Chuck Adams	District Manager
Greg Urbancic	District Counsel
Carl Barraco (via telephone)	District Engineer

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Mr. Adams called the meeting to order at 10:20 a.m. Supervisors Bobrow, Tim Boff and Bishop were present, in person. Supervisor-Elect Randy BAYARD was present. Supervisor Bloom was not present.

**SECOND ORDER OF BUSINESS**

**Public Comments**

There were no public comments.

**THIRD ORDER OF BUSINESS**

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

Mr. Adams, a Notary of the State of Florida and duly authorized, administered the Oath of Office to Mr. BAYARD. He provided and briefly explained the following items:

- A. Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees
- B. Membership, Obligations and Responsibilities
- C. Chapter 190, Florida Statutes
- D. Financial Disclosure Forms
  - I. Form 1: Statement of Financial Interests
  - II. Form 1X: Amendment to Form 1, Statement of Financial Interests
  - III. Form 1F: Final Statement of Financial Interests
- E. Form 8B: Memorandum of Voting Conflict

**FOURTH ORDER OF BUSINESS**

**Consideration of Resolution 2022-01, Amending Resolution 2021-02 Redesignating a Date, Time and Location for Landowners’ Meeting of the District, and for an Effective Date**

Mr. Adams presented Resolution 2021-01.

**On MOTION by Mr. Bobrow and seconded by Mr. Boff, with all in favor, Resolution 2022-01, Amending Resolution 2021-02 Redesignating a Date, Time and Location for Landowners’ Meeting of the District, and for an Effective Date, was adopted.**

**FIFTH ORDER OF BUSINESS**

**Consideration of Resolution 2022-02, Canvassing and Certifying the Results of the Landowners’ Election of Supervisors Held Pursuant to Section 190.006(2), Florida Statutes, and Providing for an Effective Date**

Mr. Adams presented Resolution 2022-02. He recapped the results of the Landowners’ meeting as follows:

Seat 1	Tim Boff	508 Votes	4-year Term
Seat 2	Joel Bobrow	508 Votes	4-year Term
Seat 3	Randy BAYARD	500 Votes	2-year Term
Seat 4	Karen Bishop	500 Votes	2-year Term

Seat 5            Ashley Bloom            500 Votes            2-year Term

**On MOTION by Mr. Bobrow and seconded by Mr. Boff, with all in favor, Resolution 2022-02, Canvassing and Certifying the Results of the Landowners' Election of Supervisors Held Pursuant to Section 190.006(2), Florida Statutes, and Providing for an Effective Date, was adopted.**

**SIXTH ORDER OF BUSINESS**

**Consideration of Resolution 2022-03, Designating Certain Officers of the District, and Providing for an Effective Date**

Mr. Adams presented Resolution 2022-03. The following slate of officers was nominated:

- |                            |                     |
|----------------------------|---------------------|
| Joel Bobrow                | Chair               |
| Tim Boff                   | Vice Chair          |
| Chesley (Chuck) Adams, Jr. | Secretary           |
| Karen Bishop               | Assistant Secretary |
| Randy BAYARD               | Assistant Secretary |
| Ashley Barrett Bloom       | Assistant Secretary |
| Craig Wrathell             | Assistant Secretary |
| Craig Wrathell             | Treasurer           |
| Jeff Pinder                | Assistant Treasurer |

No other nominations were made.

**On MOTION by Mr. Bobrow and seconded by Ms. Bishop, with all in favor, Resolution 2022-03, Designating Certain Officers of the District, and Providing for an Effective Date, as nominated, was adopted.**

**SEVENTH ORDER OF BUSINESS**

**Public Hearing Confirming the Intent of the District to Use the Uniform Method of Levy, Collection and Enforcement of Non-Ad Valorem Assessments as Authorized and Permitted by Section 197.3632, Florida Statutes; Expressing the Need for the Levy**

**of Non-Ad Valorem Assessments and Setting Forth the Legal Description of the Real Property Within the District's Jurisdictional Boundaries that May or Shall Be Subject to the Levy of District Non-Ad Valorem Assessments; Providing for Severability; Providing for Conflict and Providing for an Effective Date**

**A. Affidavit/Proof of Publication**

The affidavit of publication was included for informational purposes.

**B. Consideration of Resolution 2022-04, Expressing its Intent to Utilize the Uniform Method of Levying, Collecting, and Enforcing Non-Ad Valorem Assessments Which May Be Levied by the Tuckers Pointe Community Development District in Accordance with Section 197.3632, Florida Statutes; Providing a Severability Clause; and Providing an Effective Date**

Mr. Adams presented Resolution 2022-04 and stated that this action would facilitate the placement of assessments on the property tax bills going forward.

**Mr. Adams opened the Public Hearing.**

No members of the public spoke.

**Mr. Adams closed the Public Hearing.**

**On MOTION by Mr. Bobrow and seconded by Ms. Bishop, with all in favor, Resolution 2022-04, Expressing its Intent to Utilize the Uniform Method of Levying, Collecting, and Enforcing Non-Ad Valorem Assessments Which May Be Levied by the Tuckers Pointe Community Development District in Accordance with Section 197.3632, Florida Statutes; Providing a Severability Clause; and Providing an Effective Date, was adopted.**

**EIGHTH ORDER OF BUSINESS**

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

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

These items were addressed below.

**A. Affidavit/Proof of Publication**

The affidavit of publication was included for informational purposes.

**B. Mailed Notice to Property Owner(s)**

These items were included for informational purposes.

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

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

Mr. Adams discussed the Engineer's Report and the Master Special Assessment Methodology Report.

**E. Consideration of Resolution 2022-05, Making Certain Findings; Authorizing a Capital Improvement Plan; Adopting an Engineer's Report; Providing an Estimated Cost of Improvements; Adopting an Assessment Report; Equalizing, Approving, Confirming and Levying Special Assessments; Addressing the Finalization of Special Assessments; Addressing the Payment of Special Assessments and the Method of Collection; Providing for the Allocation of Special Assessments and True-Up Payments; Addressing Government Property, and Making Provisions Relating to the Transfer of Real Property to Units of Local, State and Federal Government; Authorizing the Recording of an Assessment Notice; and Providing for Severability, Conflicts and an Effective Date**

Mr. Urbancic presented Resolution 2022-05. He explained that today the Board would sit as an Equalization Board during the Public Hearing with respect to the levying of assessments. The Resolution is essentially ratifying and adopting the Engineer's Report and the Assessment Methodology Report and confirming and equalizing the assessments. The data in both Reports, project costs and estimated assessments remain unchanged. The Resolution

directs Staff to update the books and contemplate the uniform method of collection of assessments, once lots are platted.

In response to a question regarding if the Resolution allows the CDD to increase the per unit assessment, Mr. Urbancic stated, in order to increase the assessment on a per unit basis, the Board would have to undergo a new Public Hearing process. If the number of units contemplated are not constructed, a True-up payment would be made by the Landowner/Developer and Staff would monitor the per acre assessment versus how many units are platted. A Board Member pointed out that Exhibit A is just the legal description with no sketch attached and, although he could check the document against the original, he would feel more comfortable if a sketch is attached.

- ***Hear Testimony from the affected property owners as to the propriety and advisability of making the improvements and funding them with special assessments on the property.***

**Mr. Adams opened the Public Hearing.**

No members of the public spoke.

**Mr. Adams closed the Public Hearing.**

- ***Thereafter, the governing authority shall meet as an equalizing board to hear any and all complaints as to the special assessments on a basis of justice and right.***

The Board, sitting as the Equalizing Board, made no changes.

<p><b>On MOTION by Mr. Bobrow and seconded by Mr. BAYARD, with all in favor, Resolution 2022-05, Making Certain Findings; Authorizing a Capital Improvement Plan; Adopting an Engineer's Report; Providing an Estimated Cost of Improvements; Adopting an Assessment Report; Equalizing, Approving, Confirming and Levying Special Assessments; Addressing the Finalization of Special Assessments; Addressing the Payment of Special Assessments and the Method of Collection; Providing for the Allocation of Special Assessments and True-Up Payments; Addressing Government Property, and Making Provisions Relating to the Transfer of Real Property to Units of Local, State and Federal Government; Authorizing the Recording of an Assessment Notice; and Providing for Severability, Conflicts and an Effective Date, was adopted.</b></p>
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**NINTH ORDER OF BUSINESS**

**Public Hearing on Adoption of Fiscal Year 2020/2021 Budget**

**A. Affidavit of Publication**

The affidavit of publication was included for informational purposes.

**B. Consideration of Resolution 2022-06, Relating to the Annual Appropriations and Adopting the Budgets for the Fiscal Year Ending September 30, 2021; Authorizing Budget Amendments; and Providing an Effective Date**

Mr. Adams stated the CDD must have an adopted Fiscal Year 2020/2021 budget even though the new budget year commenced as of October 1, 2021. No changes were made to the proposed Fiscal Year 2021 budget since the last meeting. This was a Developer-contribution budget.

**Mr. Adams opened the Public Hearing.**

No members of the public spoke.

**Mr. Adams closed the Public Hearing.**

Mr. Adams presented Resolution 2022-06.

**On MOTION by Mr. Boff and seconded by Ms. Bloom, with all in favor, Resolution 2022-06, Relating to the Annual Appropriations and Adopting the Budgets for the Fiscal Year Ending September 30, 2021; Authorizing Budget Amendments; and Providing an Effective Date, was adopted.**

**TENTH ORDER OF BUSINESS**

**Public Hearing on Adoption of Fiscal Year 2021/2022 Budget**

**A. Affidavit of Publication**

The affidavit of publication was included for informational purposes.

**B. Consideration of Resolution 2022-07, Relating to the Annual Appropriations and Adopting the Budgets for the Fiscal Year Beginning October 1, 2021, and Ending September 30, 2022; Authorizing Budget Amendments; and Providing an Effective Date**

Mr. Adams reviewed the proposed Fiscal Year 2022 budget and stated it was a full-year Developer-contribution budget.

**Mr. Adams opened the Public Hearing.**

No members of the public spoke.

**Mr. Adams closed the Public Hearing.**

Mr. Adams presented Resolution 2022-07.

**On MOTION by Mr. Bobrow and seconded by Mr. BAYARD, with all in favor, Resolution 2022-07, Relating to the Annual Appropriations and Adopting the Budgets for the Fiscal Year Beginning October 1, 2021, and Ending September 30, 2022; Authorizing Budget Amendments; and Providing an Effective Date, was adopted.**

**ELEVENTH ORDER OF BUSINESS**

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

**A. Affidavits of Publication**

The affidavits of publication were included for informational purposes.

**B. Consideration of Resolution 2022-08, Adopting Rules of Procedure; Providing a Severability Clause; and Providing an Effective Date**

Mr. Adams presented Resolution 2022-08 and the Rules of Procedure.

**Mr. Adams opened the Public Hearing.**

No members of the public spoke.

**Mr. Adams closed the Public Hearing.**

**On MOTION by Mr. Boff and seconded by Ms. Bloom, with all in favor, Resolution 2022-08, Adopting Rules of Procedure; Providing a Severability Clause; and Providing an Effective Date, was adopted.**



**TWELFTH ORDER OF BUSINESS**

**Consideration of Response to Request for Qualifications (RFQ) for Engineering Services**

**A. Affidavit of Publication**

The affidavit of publication was included for informational purposes.

**B. RFQ Package**

A copy of the RFQ Package was included for informational purposes.

**C. Respondent**

- **Barraco and Associates, Inc.**

Barraco and Associates, Inc. (Barraco), was the sole respondent.

**D. Competitive Selection Criteria/Ranking**

The Board Members completed the Selection Criteria form.

**E. Award of Contract**

As the sole respondent and based on the Selection Criteria, Barraco and Associates, Inc. would be ranked as the #1 ranked respondent.

**On MOTION by Ms. Bloom and seconded by Mr. Bobrow, with all in favor, ranking Barraco and Associates, Inc. as the #1 ranked and most qualified and responsive respondent and awarding the Engineering Services contract to Barraco and Associates, Inc., was approved.**

**THIRTEENTH ORDER OF BUSINESS**

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

**A. Affidavit of Publication**

The affidavit of publication was included for informational purposes.

**B. RFP Package**

A copy of the RFP Package was included for informational purposes.

**C. Respondents**

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

**IV. McDirmit Davis, LLC**

Mr. Adams stated all respondents were equally well-qualified. He summarized the proposed fee schedules. Berger, Toombs, Elam, Gaines & Frank (BTEGF) was the most affordable, at \$3,015 for the first year and increasing to \$3,285 by year five. Discussion ensued regarding pricing and the impact of bond issuances on audit costs.

**D. Auditor Evaluation Matrix/Ranking**

The Board Members completed the Auditor Evaluation Matrix.

**E. Award of Contract**

Mr. Adams stated that, based on the scores, BTEGF was the #1 ranked firm, with a total score of 392 points out of 400, Carr, Riggs & Ingram, LLC (CRI) ranked #2, McDirmit Davis, LLC ranked #3 and Grau & Associates ranked #4.

**On MOTION by Mr. BAYARD and seconded by Mr. Bobrow, with all in favor, ranking Berger, Toombs, Elam, Gaines & Frank as the #1 ranked and most qualified and responsive respondent and awarding the Annual Audit Services contract to Berger, Toombs, Elam, Gaines & Frank, was approved.**

**FOURTEENTH ORDER OF BUSINESS**

**Approval of August 13, 2021  
Organizational Meeting Minutes**

Mr. Adams presented the August 13, 2021 Organizational Meeting Minutes.

**On MOTION by Mr. Bobrow and seconded by Mr. Boff, with all in favor, the August 13, 2021 Organizational Meeting Minutes, as presented, were approved.**

**FIFTEENTH ORDER OF BUSINESS**

**Staff Reports**

**A. District Counsel: *Coleman, Yovanovich & Koester, P.A.***

Mr. Urbancic stated the Bond Validation Hearing is scheduled for November 29, 2021. Staff would forward the information to the Board.

**B. District Engineer (Interim): *Barraco and Associates, Inc.***

There was no report.

As Barraco was officially appointed District Engineer, "Interim" would be removed going forward.

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

- **NEXT MEETING DATE: November 10, 2021 at 10:00 A.M.**

Mr. Adams stated the November 10, 2021 meeting would be cancelled and the next meeting would be held on December 8, 2021, unless cancelled.

**SIXTEENTH ORDER OF BUSINESS**

**Board Members' Comments/Requests**

There were no Board Members' comments or requests.

**SEVENTEENTH ORDER OF BUSINESS**

**Public Comments**

There were no public comments.

**EIGHTEENTH ORDER OF BUSINESS**


**Adjournment**

There being nothing further to discuss, the meeting adjourned.

**On MOTION by Mr. Bobrow and Seconded by Mr. Boff, with all in favor, the meeting adjourned at 11:00 a.m.**

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

  
Secretary/Assistant Secretary

  
Chair/Vice Chair