



Rizzetta & Company

Talavera Community Development District

**Board of Supervisors' Meeting
January 21, 2019**

**District Office:
5844 Old Pasco Road, Suite 100
Wesley Chapel, FL 33544
813-994-1001**

www.talaveracdd.org

TALAVERA COMMUNITY DEVELOPMENT DISTRICT

Talavera Amenity Center, 18955 Rococo Road, Spring Hill, FL 34610

Board of Supervisors	Betty Valenti David Griffin Brady Lefere Brian Soldano Lee Thompson	Chairman Vice Chairman Assistant Secretary Assistant Secretary Assistant Secretary
District Manager	Angel Montagna	Rizzetta & Company, Inc.
District Counsel	Scott Steady	Burr Forman, PA
District Engineer	Tonja Stewart	Stantec Consulting

All cellular phones must be placed on mute while in the meeting room.

The Audience Comment portion of the agenda is where individuals may make comments on matters that concern the District. Individuals are limited to a total of three (3) minutes to make comments during this time.

Pursuant to provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting/hearing/workshop is asked to advise the District Office at least forty-eight (48) hours before the meeting/hearing/workshop by contacting the District Manager at (813) 933-5571. 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), who can aid you in contacting the District Office.

A person who decides to appeal any decision made at the meeting/hearing/workshop with respect to any matter considered at the meeting/hearing/workshop is advised that person will need a record of the 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 the appeal is to be based.

TALAVERA COMMUNITY DEVELOPMENT DISTRICT
DISTRICT OFFICE • 5844 OLD PASCO ROAD • SUITE 100 • WESLEY CHAPEL, FL
33544
www.TalaveraCDD.org

December 26, 2018

Board of Supervisors
Talavera Community
Development District

Dear Board Members:

The regular meeting of the Board of Supervisors of the Talavera Community Development District will be held on **Monday, January 21, 2019 at 6:00 p.m.**, at the Talavera Amenity Center, located at 18955 Rococo Road, Spring Hill, FL 34610. The following is the advanced agenda for this meeting:

- 1. CALL TO ORDER/ROLL CALL**
- 2. AUDIENCE COMMENTS ON AGENDA ITEMS**
- 3. BUSINESS ADMINISTRATION**
 - A. Presentation of the Minutes of the Landowners' Meeting held on November 7, 2018 Tab 1
 - B. Consideration of Minutes of the Board of Supervisors' Meeting held on November 7, 2018 Tab 2
 - C. Consideration of Operation & Maintenance Expenditures for October and November 2018..... Tab 3
- 4. BUSINESS ITEMS**
 - A. Presentation of Landscape Report..... Tab 4
 - B. Presentation of Aquatics Report..... Tab 5
 - C. Consideration of Seventh Amendment to Acquisition and Construction Funding Agreement..... Tab 6
- 5. STAFF REPORTS**
 - A. District Counsel
 - B. District Engineer
 1. Discussion Regarding Erosion
 - C. Clubhouse Manager
 1. Presentation of Clubhouse Report..... Tab 7
 - D. District Manager
- 6. SUPERVISOR REQUESTS**
- 7. ADJOURNMENT**

We look forward to seeing you at the meeting. In the meantime, if you have any questions, please do not hesitate to call us at (813) 933-5571.

Sincerely,
Angel Montagna
District Manager

Tab 1

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.

TALAVERA COMMUNITY DEVELOPMENT DISTRICT

The landowner meeting of the Board of Supervisors of Talavera Community Development District was held on **Wednesday November 7, 2018 at 9:09 a.m.** at the office of Rizzetta & Company, Inc., located at 5844 Old Pasco Road, Suite 100, Wesley Chapel, FL 33544.

Present were:

Betty Valenti	Board Supervisor, Chairman
Brian Soldano	Board Supervisor, Assistant Secretary
Lee Thompson	Board Supervisor, Assistant Secretary
Brady Lefere	Board Supervisor, Assistant Secretary

Also present were:

Angel Montagna	District Manager; Rizzetta & Company, Inc.
----------------	---

FIRST ORDER OF BUSINESS

Call to Order

Ms. Montagna called the meeting to order and read the roll call.

SECOND ORDER OF BUSINESS

Appointment of Meeting Chairman

Ms. Valenti requested that Ms. Montagna continue the meeting as Chairman.

THIRD ORDER OF BUSINESS

Announcement of Candidate/Call for Nominees

Ms. Montagna announced that the total number of eligible votes for M/I Homes is 137 and the total number of votes for Pulte Homes is 115. She announced the candidates as Betty Valenti, David Griffin and Lee Thompson.

FOURTH ORDER OF BUSINESS

Election of Supervisors

Ms. Montagna tallied the votes as follows:

Lee Thompson – Seat #3 – 136 votes

Betty Valenti – Seat #4 – 137 votes

David Griffin – Seat #5 – 137 votes

48 Ms. Montagna stated that Ms. Valenti and Mr. Griffin would receive four year terms and
49 Mr. Thompson would receive a two year term.

50

51 **FIFTH ORDER OF BUSINESS** **Adjournment**

52

53 Ms. Montagna asked for a motion to adjourn the meeting.

54

On a Motion by Mr. Lefere, seconded by Ms. Valenti, with all in favor, the Board of Supervisors
adjourned the meeting at 9:11 a.m. for the Talavera Community Development District.

55

56

57

58 _____
Assistant Secretary

Chairman / Vice Chairman

DRAFT

Tab 2

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.

TALAVERA COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of Talavera Community Development District was held on **Wednesday November 7, 2018 at 9:11 a.m.** at the Talavera Amenity Center, located at 18955 Rococo Road, Spring Hill, FL 34610.

Present and constituting a quorum:

Betty Valenti	Board Supervisor, Chairman
Brian Soldano	Board Supervisor, Assistant Secretary
Lee Thompson	Board Supervisor, Assistant Secretary
Brady Lefere	Board Supervisor, Assistant Secretary

Also present were:

Angel Montagna	District Manager; Rizzetta & Company, Inc.
Tonja Stewart	District Engineer, Stantec Consulting <i>(via conference call)</i>

FIRST ORDER OF BUSINESS

Call to Order

Ms. Montagna called the meeting to order and read the roll call.

SECOND ORDER OF BUSINESS

Audience Comments

There were no audience members present.

THIRD ORDER OF BUSINESS

Administer Oath of Office to Newly Appointed Supervisors

Ms. Montagna, a notary public in the State of Florida administered the oath of office to the newly elected supervisors. Ms. Valenti and Mr. Thompson swore and affirmed to the oath and executed it. Mr. Griffin was not present at the meeting.

FOURTH ORDER OF BUSINESS

Review of Form 1 and Sunshine Law Requirements

Ms. Montagna briefly reviewed the Form 1 Financial Statement and the Sunshine Law Requirements. She distributed the new supervisor packages Ms. Valenti and Mr. Thompson.

48
49 **FIFTH ORDER OF BUSINESS** **Consideration of Resolution 2019-01,**
50 **Canvassing and Certifying Election Results**
51

52 Ms. Montagna presented and reviewed Resolution 2019-01, Canvassing and Certifying
53 Election Results.
54

On a Motion by Ms. Valenti, seconded by Mr. Lefere, with all in favor, the Board of Supervisors approved Resolution 2019-01, Canvassing and Certifying Election Results as presented for the Talavera Community Development District.

55
56 **SIXTH ORDER OF BUSINESS** **Consideration of Resolution 2019-02,**
57 **Designating Officers of the District**
58

59 Ms. Montagna presented and reviewed Resolution 2019-02, Designating Officers of the
60 District. The Board members stated that they would like to leave everyone in their current positions.
61

On a Motion by Mr. Thompson, seconded by Mr. Lefere, with all in favor, the Board of Supervisors approved Resolution 2019-02, Designating Officers of the District as follows: Betty Valenti – Chairman, David Griffin – Vice Chairman, Brian Soldano, Brady Lefere and Lee Thompson as Assistant Secretaries for the Talavera Community Development District.

62
63 **SEVENTH ORDER OF BUSINESS** **Consideration of Minutes of the Board of**
64 **Supervisors Meeting held on October 3,**
65 **2018**
66

67 Ms. Montagna asked if there were any changes to the meeting minutes. Ms. Valenti stated
68 that on line 130, maintenance person should be clubhouse manager.
69

On a Motion by Ms. Valenti, seconded by Mr. Thompson, with all in favor, the Board of Supervisors approved the minutes of the Board of Supervisors' Meeting held on October 3, 2018 as amended for the Talavera Community Development District.

70
71 **EIGHTH ORDER OF BUSINESS** **Consideration of the Operation &**
72 **Maintenance Expenditures for September**
73 **2018**
74

75 Ms. Montagna presented the Operation and Maintenance Expenditures for September 2018.
76

On a Motion by Mr. Soldano, seconded by Mr. Thompson, with all in favor, the Board of Supervisors ratified the Operation & Maintenance Expenditures for September 2018 (\$24,779.82) as presented for the Talavera Community Development District.

78

79 **NINTH ORDER OF BUSINESS**

Presentation of Landscape Report

80

81 Ms. Montagna presented the September Landscape Report to the Board. A brief
82 discussion ensued regarding a few items on the report.

83

84 **TENTH ORDER OF BUSINESS**

Presentation of Aquatics Report

85

86 Ms. Montagna presented the October Aquatics Maintenance Report to the Board. Ms.
87 Stewart gave the Board an update on the ponds.

88

89 **ELEVENTH ORDER OF BUSINESS**

Consideration of Updated District Services Agreement

90

91

92 Ms. Montagna presented and reviewed the updated District Services agreement.

93

On a Motion by Ms. Valenti, seconded by Mr. Thompson, with all in favor, the Board of Supervisors approved the updated District Services Agreement as presented for the Talavera Community Development District.

94

95 **TWELFTH ORDER OF BUSINESS**

Consideration of Field District Services Agreement

96

97

98 Ms. Montagna presented and reviewed the updated Field Services agreement.

99

On a Motion by Mr. Thompson, seconded by Ms. Valenti, with all in favor, the Board of Supervisors approved the updated Field Services Agreement as presented for the Talavera Community Development District.

100

101 **THIRTEENTH ORDER OF BUSINESS**

Staff Reports

102

103 A. District Counsel
104 Not present.

105

106 B. District Engineer
107 Ms. Valenti spoke regarding the killing of some plants. Ms. Stewart stated that
108 she would contact Jimmy Taylor and then follow-up with the Board.

109

On a Motion by Mr. Lefere, seconded by Mr. Soldano, with all in favor, the Board of Supervisors approved allowing Ms. Valenti to execute the HOA/CDD Cost Share Agreement for the Talavera Community Development District.

110

111

112

113 C. District Manager
114 Ms. Montagna announced that the next regularly scheduled meeting will be held
115 on Wednesday, December 5, 2018 at 9:00 a.m. at the office of Rizzetta &
116 Company, Inc., 5844 Old Pasco Road, Suite 100, Wesley Chapel, FL 33544.
117

118 **FOURTEENTH ORDER OF BUSINESS** **Supervisor Requests**
119

120 Ms. Montagna asked if there any Supervisor requests. Mr. Lefere stated that UPS will be
121 placing a box in the street that dead ends pas the lift station.
122

123 **FIFTEENTH ORDER OF BUSINESS** **Adjournment**
124

125 Ms. Montagna stated that if there was no further business to come before the Board then
126 a motion to adjourn would be in order.
127

On a Motion by Mr. Thompson, seconded by Mr. Soldano, with all in favor, the Board of Supervisors adjourned the meeting at 9:49 a.m. for the Talavera Community Development District.

128
129
130
131

Assistant Secretary

Chairman / Vice Chairman

Tab 6

**SEVENTH AMENDMENT TO THE
ACQUISITION AND CONSTRUCTION FUNDING
AGREEMENT BETWEEN THE TALAVERA COMMUNITY DEVELOPMENT
DISTRICT
AND M/I HOMES OF TAMPA, LLC**

THIS SEVENTH AMENDMENT (the “Seventh Amendment”) is made and entered into this ____ day of _____, 2018 by and between:

Talavera Community Development District, a local unit of special-purpose government established pursuant to Chapter 190, Florida Statutes, and located in Pasco County, Florida (hereinafter "District"), and

M/I Homes of Tampa, LLC, a Florida limited liability company and a landowner in the District (hereinafter "Developer") with an address of 4343 Anchor Plaza Parkway, Suite 200, Tampa, Florida 33634.

RECITALS

WHEREAS, the District and Developer entered into the “Acquisition and Construction Funding Agreement between Talavera Community Development District and M/I Homes of Tampa, LLC” dated July 1, 2014 (the “Original Funding Agreement”); and

WHEREAS, the District entered into a first amendment to the Funding Agreement dated June 24, 2015 (the “First Amendment”) to document certain funds advanced to the District by the Developer pursuant to the Funding Agreement; and

WHEREAS, the District entered into a second amendment to the Funding Agreement dated May 11, 2016 (the “Second Amendment”) to document certain funds advanced to the District by the Developer pursuant to the Funding Agreement; and

WHEREAS, the District entered into a third amendment to the Funding Agreement dated October 17, 2016 (the “Third Amendment”) to document certain funds advanced to the District by the Developer pursuant to the Funding Agreement; and

WHEREAS, the District entered into a fourth amendment to the Funding Agreement dated March 1, 2017 (the “Fourth Amendment”) to document certain funds advanced to the District by the Developer pursuant to the Funding Agreement; and

WHEREAS, the District entered into a fifth amendment to the Funding Agreement dated July 26, 2017 (the “Fifth Amendment” and collectively, as amended from time to time, the “Funding Agreement”) to further address the requirement of the District to acquire District Improvements from the Developer and to document certain funds advanced to the District by the Developer pursuant to the Funding Agreement and monies paid to the Developer from Bond proceeds; and

WHEREAS, the District entered into a sixth amendment to the Funding Agreement dated July 11, 2018 (the “Sixth Amendment”) to document certain funds advanced to the District by the Developer pursuant to the Funding Agreement; and

WHEREAS, this Seventh Amendment updates and/or supplements the Funding Agreement as provided herein; and

WHEREAS, given the District had no funds for the construction of Phase 1B-1 and 1E, Developer entered into a contract with the Kearney Company, LLC for the construction of Phase 1B-1 and 1E and the related District Improvements; and

WHEREAS, the District has acquired the Districts Improvements within Phase 1B-1 and 1E as documented herein; and

WHEREAS, pursuant to Quit Claim Deeds, recorded in Official Records Book 9241, Page 3538, Official Records Book 9535, Page 704, and Official Records Book ____, Page ____, Developer has conveyed all of its interest in the applicable platted tracts and associated property interests to the District for Phases 1A-1, 1A-2, 1A-3, 1B-1 and 1E.

NOW, THEREFORE, in consideration of the recitals, agreements, and mutual covenants contained herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by the parties, the parties agree as follows:

1. Incorporation of Recitals. The recitals stated above are true and correct and by this reference are incorporated herein as a material part of this Agreement.

2. Acquisition of Phase 1B-1. For the Phase 1B-1 Improvements the District accepted a general Bill of Sale for the Improvements dated _____, 2018. Associated with the Bill of Sale, the District also received certification from the District’s Engineer certifying the completion of the Improvements and the actual cost of the Improvements to be \$1,274,167.44. The amount of \$1,274,167.44 is owed to the Developer and will be eligible to be paid solely from the District’s Bond proceeds, if bonds are subsequently issued in the sole discretion of the Board of Supervisors.

3. Acquisition of Phase 1A-3. For the Phase 1E Improvements the District accepted a Bill of Sale dated September 5, 2018 for all water and wastewater facilities and a general Bill of Sale for all Improvements dated _____, 2018. Associated with the Bills of Sale, the District also received certification from the District’s Engineer certifying the completion of the Improvements and the actual cost of the Improvements to be \$624,791.00. The amount of \$624,791.00 is owed to the Developer and will be eligible to be paid solely from the District Bond proceeds, if bonds are subsequently issued in the sole discretion of the Board of Supervisors.

4. Recapitulation of Sums Owed to Developer.

A. Purchase by District of work/infrastructure (First Amendment)	\$682,053.00
--	--------------

B.	Material and Supply Costs associated with Moretrench Agreement (Second Amendment)	\$1,005,998.28
C.	SEG Land Development Agreement (Third Amendment)	\$203,956.58
D.	CRS Development Agreement (Third Amendment)	\$1,058,354.36
E.	Moretrench Agreement (Fourth Amendment)	\$4,503,418.41
F.	Payment to Developer (Fourth Amendment)	(\$5,813,638.48)
G.	Professional Fees and Costs (Fifth Amendment)	\$57,391.62
H.	Kearney Phase 1A-2 (Fifth Amendment)	\$2,660,343.75
I.	Acquisition of Phase 1A-3 (Sixth Amendment)	\$1,597,901.96
J.	Acquisition of Phase 1B-1	\$1,274,167.44
K.	Acquisition of Phase 1E	<u>\$624,791.00</u>
	Total Current Amount Owed:	\$7,854,737.92 ¹

5. General. All terms and provisions of the Funding Agreement, as previously amended, shall remain in effect as hereby amended and are incorporated herein by reference.

¹ Total corrected from Sixth Amendment.

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

Attest:

**TALAVERA COMMUNITY DEVELOPMENT
DISTRICT**

Secretary/Assistant Secretary

Chairperson, Board of Supervisors

Witness:

M/I HOMES OF TAMPA, LLC a Florida limited liability company

Name: _____

Name: _____

Title: _____

Title: _____