

**TAMPA PALMS
COMMUNITY DEVELOPMENT DISTRICT**

*Agenda Package
Board of Supervisors Meeting*



Wednesday, August 10, 2022

6:00 P.M.

Compton Park Recreation Building

16101 Compton Drive,

Tampa, Florida



DEVELOPMENT PLANNING & FINANCING GROUP, INC.

TAMPA PALMS COMMUNITY DEVELOPMENT DISTRICT

CDD Meeting Advanced Package August 8, 2022

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Tampa Palms Community Development District

**Development Planning and Financing Group
250 International Parkway, Suite 280
Lake Mary , FL 32746**

August 5, 2022

Board of Supervisors
**Tampa Palms Community
Development District**

Dear Board Members:

The Board of Supervisors of the Tampa Palms Community Development District Board Meeting is scheduled for Wednesday, August 10, 2022 at **6:00 p.m.** at the Compton Park Recreation Building, 16101 Compton Drive, Tampa, Florida. The advanced copy of the agenda for this meeting is attached.

Enclosed for your review are the minutes of the July 13th, 2022 CDD Board Meeting and the documents outlined in the table of contents.

Any additional support material will be distributed prior to the meeting, and staff will present their reports at the meeting.

If you have any questions, please do not hesitate to contact me.

Sincerely,

Ray

Raymond Lotito
DPFG

RL;mmw

cc: Maggie Wilson
DPFG (Record Copy)

Tampa Palms CDD Meeting Agenda

**August 10, 2022, 6:00 p.m.
Compton Park Recreation Building
16101 Compton Drive, Tampa, FL 33647
Join Zoom Meeting**

1. Welcome & Roll Call
2. Strategic Planning
3. Board Member Discussion Items
4. Public Comments
5. Approval of the July, 2022 Minutes
6. Approval of District Disbursements
7. Consultant Reports
 - Around the Neighborhoods
 - Sterling Manor Tract
 - Tampa Palms Newsletter
 - Auditor Engagement 2022
 - Meeting Dates 2022-23
8. Other Matters
9. Public Comments
10. Supervisor comments
11. Adjourn

Executive Summary

As of June 30, the District has cash plus investments of \$ 4.8 M, net of liabilities.

The district reserves for future expenses and project-driven contingencies are detailed below, totaling \$ 3.2 M, with \$ 1.6 M in remaining funds unallocated, a four-month safety factor.

Revenue

The District will realize a little more than budgeted assessments before December collections.

Our principal revenues are secure. Going forward, we are taking action to improve the interest income from the district cash management program. These actions will provide some offsetting revenues in the FY 2022-23-time frame.

Expenses

As usual, the District expense variances are distorted by delays in vendor invoicing. A review of the projected fiscal year ending positions highlight both current and future problems, as explained in the FAQ discussion attached on page 2. We are experiencing above plan inflation with utilities, park services and expensive mainline repairs of our irrigation systems. Staff feels we can come in at budget after a planned \$ 115 K Carry Forward from our bank account. If the inflation increases continue in the 4th Qtr, we might exceed budget by +/- \$ 25 K.

Cash Flow Projections for Calendar 2022

(Shown in \$ 000)

Sources of Funds

Cash, Investment & Collections Balance 9/30/22	\$ 4,790
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Uses of Funds

Balance FY 21-22 expenses	(\$ 840)	
Weather Related Reserves	(400)	
Community Wall & Monuments _____	(100)	
Pond Improvement Reserves	(700)	
Ist Qtr FY 22-23 expenses _____	(730)	
Infrastructure Replacement	(135)	
Signature Unspent balance _____	(329)	
Total uses Of Funds		(\$ 3,234)
 Projected Funds prior to December 2022 receipts		 (\$ 1,556)

Frequently Asked Questions

FAQ Several lines items which have always performed at budgeted levels in past years that are displaying continuing negative budget variances in 2022. Can and should this be managed in some manner?

Material negative budget performance is displayed in two sectors of the District’s expenses, utilities and personnel associated with park support.

Utility	Over Budget YTD	Percent Over Budget
Water utility	\$7,317	35%
Electricity	\$13,067	14%

By far the least possible to control is the expense for power. As previously reported, the electric utility provider has requested and received a number of rate increases. Further the utility has received authority to pass along increasing fuel costs (primarily gas) and does so. There is little the district can do to manage power costs.

Similarly water rate increases have affected budget performance but water use is also a factor. As has been a factor in irrigation repair costs, intrusion by cable companies and waste collection companies have impacted potable water use by damaging facilities, resulting in water loss, especially on cul de sacs where damage is not immediately obvious. An inspection process had for a time allowed faster response to breaks and seeming reduced usage; June use increased and that is under investigation.



The other sector where expenses are out of line with the adopted budget relates to the personnel costs to support the three CDD-owned parks. The updraft in personnel costs reflects the nationwide inflationary factors and is both the most material and outside the control of the CDD.

Action has been taken to streamline the support retained by eliminating on-going park attendants in Amberly Park. Today the annual cost to support the three CDD parks for guards via the roving option is only slightly more a year (\$6,000) than park attendants cost for a single park.

The upward movement in personnel costs for hourly workers is neither reducing nor likely to “go away” in the near term, even if inflationary control measures are successful.

	Over Budget YTD	Percent Over Budget
Park Attendants	\$10,578.85	13.8%
Park Guards	\$13,458.26	16.2%

**Tampa Palms CDD
Balance Sheet
June 30, 2022**

GENERAL

ASSETS:

CASH - Operating Account	\$	92,619
PETTY CASH		500
INVESTMENTS:		
Excess Fund Account- South State Bank		3,020,579
Investment Account- South State Bank		1,708,000
ACCTS. RECEIVABLE		344
RECEIVABLE FROM TAMPA PALMS HOA		4,341
PREPAID ITEMS		750
TOTAL ASSETS		<u><u>\$ 4,827,135</u></u>

LIABILITIES:

ACCOUNTS PAYABLE	\$	13,275
ACCRUED EXPENSES		25,229

FUND BALANCE:

NON-SPENDABLE		750
RESTRICTED		-
UNASSIGNED:		4,787,881
TOTAL LIABILITIES & FUND BALANCE		<u><u>\$ 4,827,135</u></u>

Tampa Palms CDD
General Fund
Statement of Revenue, Expenditures and Change in Fund Balance
For the period from October 1, 2021 through June 30, 2022

	BUDGET	BUDGET YEAR-TO-DATE	ACTUAL YEAR-TO-DATE	FAVORABLE (UNFAVORABLE) YTD VARIANCE
REVENUES				
ASSESSMENTS NON-ADVALOREM	\$ 2,737,595	2,737,595	\$ 2,733,068	\$ (4,527)
EARLY PAYMENT DISCOUNT	(109,504)	(107,314)	(102,446)	4,868
INTEREST INCOME	20,000	15,000	18,176	3,176
EXCESS FEES	15,000	11,250	-	(11,250)
MISC. REVENUE	1,200	900	1,996	1,096
CARRY FORWARD	115,000	86,250	-	(86,250)
TOTAL REVENUES	2,779,291	2,743,681	2,650,794	(92,887)
EXPENDITURES				
ADMINISTRATIVE EXPENDITURES:				
PERSONNEL SERVICES				
BOARD OF SUPERVISORS	11,000	8,250	8,000	250
FICA	5,368	4,026	1,648	2,378
FUTA/SUTA/PAYROLL FEES	5,148	3,861	1,050	2,811
<i>S/T PERSONNEL SERVICES</i>	21,516	16,137	10,698	5,439
PROFESSIONAL SERVICES				
ATTORNEY'S FEES	3,000	2,250	5,593	(3,343)
ANNUAL AUDIT	6,983	5,237	1,500	3,737
MANAGEMENT FEES	69,053	51,790	51,790	(0)
TAX COLLECTOR	54,752	53,657	49,487	4,170
ASSESSMENT ROLL	10,050	7,538	-	7,538
<i>S/T PROFESSIONAL SERVICES</i>	143,838	120,471	108,370	12,101
ADMINISTRATIVE SERVICES				
DIRECTORS & OFFICERS INSURANCE	3,700	3,700	3,121	579
MISC. ADMINISTRATIVE SERVICES	12,000	9,000	14,278	(5,278)
<i>S/T ADMINISTRATIVE SERVICES</i>	15,700	12,700	17,399	(4,699)
TOTAL ADMINISTRATIVE	181,054	149,308	136,467	12,842
FIELD / OPERATIONS SERVICES				
FIELD MANAGEMENT SERVICES				
DISTRICT OPERATING STAFF	179,839	134,879	133,386	1,494
PARK ATTENDANTS	76,875	58,656	68,235	(10,579)
PARK PATROLS (Security Co)	83,000	62,250	75,708	(13,458)
FIELD MANAGEMENT CONTINGENCY	20,800	15,600	-	15,600
<i>S/T FIELD MANAGEMENT SVCS</i>	360,514	270,386	277,329	(6,944)
GENERAL OVERHEAD:				
INSURANCE	13,342	13,342	15,577	(2,235)
IT (TEL / SECURITY)	25,335	19,001	10,107	8,894
WATER	28,000	21,000	28,317	(7,317)
REFUSE REMOVAL	19,000	14,250	14,422	(172)
ELECTRICITY	125,000	93,750	106,817	(13,067)
STORMWATER FEE	4,198	3,149	3,041	107
MISC. FIELD SERVICES	13,000	9,750	4,057	5,693
<i>S/T GENERAL OVERHEAD</i>	227,875	174,242	182,339	(8,097)
LANDSCAPE MAINTENANCE:				
LANDSCAPE & POND MAINTENANCE	1,055,779	791,834	709,653	82,182
LANDSCAPE MONITORING FEE	18,900	14,175	14,175	-
LANDSCAPE & REPLACEMENT	96,432	72,324	58,389	13,935
<i>S/T LANDSCAPE MAINTENANCE</i>	1,171,111	878,333	782,216	96,117
LANDSCAPE MAINTENANCE NEW & ENHANCED:				
PROPERTY MOWING	93,000	69,750	50,265	19,485
COUNTY POND	9,000	6,750	5,309	1,441
NPDES POND PROGRAM	47,970	35,978	36,861	(884)
<i>S/T LANDSCAPE NEW & ENHANCED</i>	149,970	112,478	92,435	20,042

Tampa Palms CDD
General Fund
Statement of Revenue, Expenditures and Change in Fund Balance
For the period from October 1, 2021 through June 30, 2022

	<u>BUDGET</u>	<u>BUDGET YEAR-TO-DATE</u>	<u>ACTUAL YEAR-TO-DATE</u>	<u>FAVORABLE (UNFAVORABLE) YTD VARIANCE</u>
<i>FACILITY MAINTENANCE:</i>				
IRRIGATION SYSTEM	107,824	80,868	95,857	(14,989)
FOUNTAIN	27,354	20,516	6,957	13,558
FACILITY MAINTENANCE	91,136	68,352	51,451	16,901
JANITORIAL/SUPPLIES	2,772	2,079	1,451	628
<i>S/T FACILITY MAINTENANCE</i>	<u>229,086</u>	<u>171,815</u>	<u>155,716</u>	<u>16,098</u>
<i>PROJECT DRIVEN EXPENSES:</i>				
SIGNATURE TP 2017	-	-	-	-
RENEWAL AND REPLACEMENT & DEFERRED MTC	210,000	157,500	148,096	9,404
CAPITAL PROJECTS	190,000	142,500	123,683	18,817
NPDES/CLEAN WATER	59,681	44,761	32,345	12,416
<i>S/T TOTAL PROJECT DRIVEN EXPENSES</i>	<u>459,681</u>	<u>344,761</u>	<u>304,124</u>	<u>40,637</u>
TOTAL EXPENDITURES	<u>2,779,291</u>	<u>2,101,322</u>	<u>1,930,626</u>	<u>170,696</u>
EXCESS OF REVENUE OVER (UNDER) EXPENDITURES	-	642,359	720,168	77,809
FUND BALANCE - BEGINNING	-	-	4,068,461	
FUND BALANCE - ENDING	<u>\$ -</u>	<u>\$ 642,359</u>	<u>\$ 4,788,629</u>	<u>\$ 77,809</u>

**TAMPA PALMS CDD
FINANCIAL SUMMARY THRU JUNE 30, 2022
GENERAL FUND**

(Shown in \$)	<u>Normal Operations</u>	<u>Non-Operating Project Driven</u>	<u>Total As Reported</u>
<u>Revenues</u>			
Operating	\$2,171,238		\$2,171,238
<u>Non Operating</u>			
Capital Projects		\$190,000	\$190,000
Renewal & Rel		\$210,000	\$210,000
Signature 2017		\$0	\$0
NPDES		\$59,684	\$59,684
Excess Fees			-
Interest	18,176		18,176
Misc Rev	\$1,996		1,696
Carry Forward Bal *			
Total	\$ 2,191,410	\$ 459,684	\$2,650,794
<u>Expenses</u>			
Operations	\$ 1,626,503		1,626,503
<u>Non Operating</u>			
Renewal & Rel		148,096	148,096
NPDES/EPA		32,345	32,345
Capital Projects		119,816	119,816
TP Signature 2017		<u>0</u>	<u>0</u>
Total	\$1,626,503	\$300,257	\$300,257
Total Expenditures			\$1,926,760
Excess Revenue Vs Expenses			\$724,034

**TAMPA PALMS CDD
FINANCIAL SUMMARY THRU JUNE 30, 2022
GENERAL FUND**

<u>General Fund</u>	6/30/2022	(\$000)
Cash		93
Cash Equivalent (Excess Cash ICS)		3,021
Insured Investment Account		1,708
Due From TPOA		4
Receivable		0
Prepaid Items		1
Total		\$ 4,827
Less:		
Payables		42
Accrued Expenses		17
Non Spendable A/C Prepaid		
	Net Cash 6/30/2022	\$ 4,770
Allocation for:		
Weather Damage		400
Community-Wide Wall & Monument		100
Pond Improvements		700
1st Qtr Expenses		679
Infrastructure Replacement Contingency		135
TP Signature Projects (unspent)		329
	Adjusted Net Cash	\$ 2,427

Forecast

(\$ 000)	2021 - 22 Fiscal Year		
	<u>Receipts</u>	<u>Expenses</u>	<u>Monthly Bal</u>
July			
CDD Operations	0	245	
R&R	0	19	
NPDES	0	9	
Signature Projects	0	0	
Capital Projects	0	11	
Total	0	284	\$ 2,143
Aug			
CDD Operations	1	254	
R & R	0	12	
NPDES	0	8	
Signature Projects	0	0	
Capital Projects	0	25	
Total	1	299	\$ 1,845
Sept			
CDD Operations	2	265	
R & R	0	1225	
NPDES	0	16	
Signature Projects	0	0	
Capital Projects	0	10	
Total	2	1516	\$ 331

* Palm Treatment and Replacement of Both Palms and Trees Identified as Future Liability

TAMPA PALMS CDD
June 30, 2022
GENERAL FUND

(\$000)	Prioie Year Collected \$	Prior Year Collected %	Current Year Collected \$	Current Year Collected %	Variance % Fav (Unfav)
October					
November	887	34%	\$596	23%	-11%
December	2,343	89%	\$2,410	92%	3%
January	2,476	94%	\$2,474	94%	0.0%
February	2,477	94%	\$2,518	96%	2%
March	2,537	97%	\$2,573	98%	2%
April	2,591	99%	\$2,602	99%	0%
May	2,606	99%	\$2,612	99%	0.0%
June	2,633	100.2%	\$2,733	104%	3.8%
July	2,633	100.2%			
August	2,633	100.2%			
September	2,633	100.2%			
Year End					
Total Assessed (Net Discount)		\$2,628			

Summary- Project Driven Expenses

Eight Months Ending June 30, 2022

Operating Capital Projects	(\$000)
<u>Sources of Funds</u>	
FY 2021-22 Budget	\$190
<u>Uses of Funds</u>	
Spent Thru 5/31/2022	124
Total Funds Under Consideration	\$0
Budget Available as of 5/31/2022	\$66
Renewal & Replacement	
<u>Sources of Funds</u>	
FY 2021-22 Budget	210
<u>Uses of Funds</u>	
Spent Thru 5/31/2022	148
Total Funds Under Consideration	\$0
Budget Available as of 5/31/2022	\$62
TP Signature Projects	
<u>Sources of Funds*</u>	
FY 2021-22 Budget	\$0
<u>Uses of Funds</u>	
Spent Thru 5/31/2022	\$0
Total Funds / Projects Under Consideration	\$0
Budget Available as of 5/31/2022	\$0

SUMMARY
FY 2021-22 RENEWAL REPLACEMENT PROJECTS

	Original Project	June 30, 2022	Committed To Spend
Infrastructure			
Amberly Parking Lot Repairs (Accident)			
Park Pavilion Amberly		\$4,150	
Park Pavilion Repairs - Hampton		\$4,475	
Traffic / Street Sign Replacements			
Wall Repairs/Clean/Paint/ Pressure Wash [Multi]		\$11,700	
Table Restoration (Amberly & Hampton)			
Prepressure Wash Granite Signs		\$8,685	
CDD Lift Station Repairs/Motor Replacement		\$6,865	
Landscape			
Main Entry Plants (Winter poinsettias, Summer Caladiums, Fall mums)		\$28,616	
Plant Replacements Medians & Entries		\$12,500	
Tree Work - Blvds		\$31,409	
Palma Vista w/ Medians			
Wellington & Medians			
Cul de Sac			
Demo Cleanup Wyndham Entry & 500 ft TPB Wall		\$20,467	
Irrigation			
Pressure transducers & HMI replacment		\$2,049	
Pump Station Maintenance Items		\$13,223	
Faulty couplings - suction Area 2 station		\$2,157	
Lighting (Park & Landscape)			
Court & Seasonal Lighting		\$1,800	
Other			
TPOA Newsletter (50%)			
Total R&R Projects		\$148,096	\$0

**Capital Projects 2021-22
Budget Monitor**

30-Jun-22			
(\$000)	Current Projects	Spent 2021-22	Pending Commitments
Tampa Palms Signature Projects (BB Downs)			
Consulting Services	10	0	-
Irrigation	20	0	
Main Entry Restorations	21	0	
Area 2 Pond		0	
Bruce B Downs Improvements	172	0	
Sub-Total TP Signature Projects	\$329	\$0	\$0
Capital Projects			
Consulting Services			
Irrigation Systems		67	
Parks & Cameras		11	
Landscape & Lighting		25	
Signs, Infrastructure & Lighting		21	
Sub-Total Capital Projects	\$0	124	\$0
Total TP Signature & Standard Capital Projects		\$124	\$0

**Capital Projects Signature Projects
2021-22 Through June 30, 2022**

Tampa Palms Signature Projects (BB Downs)	Current Projects	Spent A/O 6/30/2022	Pending Commitments
Consulting Services			
Restoration Designs	9,850		
Survey & Staking & MOT	400		
<i>Sub Total</i>	<u>10,250</u>		
Irrigation			
Area 1 & 2 Irrigation (Incl BB Downs)	20,000		
<i>Sub Total</i>	<u>20,000</u>		
Main Entry Restorations			
Area 1 Entry Landscape (Phase II)	77,513		
Area 2 Phase II	0		
Area 2 Landscape (TP Blvd & Amberly Phase II)	0		
Area 2 Pond Landscape & Wayfinding	50,000		
<i>Sub Total</i>	<u>127,513</u>		
Area 2 Pond			
Littoral Plantings & Noxious Removal			
Area 2 Pond Landscape -Bank Repairs			
<i>Sub Total</i>			
Bruce B Downs Improvements			
Wall restorations 4 villages + drainage & additional landscape bufferbuffer	171,577		
<i>Sub Total</i>	<u>171,577</u>		
Sub-Total Tampa Palms Signature	329,340	\$0	
Normal Capital Projects			
	Current		Pending
Irrigation Systems			
New Installation Incl Mainline		7,660	
Butterfly vales and check valves Area 2 station		10,458	
Pump Station Upgrades		49,086	
<i>Sub Total</i>	0	<u>67,203</u>	
Parks & Cameras			
Bike Stand - Hampton Park		683	-
Benches - Oak Park			
Backboards,Windscreens, Rims & Swing Replacements			
Hand Dryers - Parks & CDD Office		9,975	
<i>Sub Total</i>		<u>10,658</u>	-
Landscape & Lighting			
Bricks & Construction for Sanctuary Wall Bed			
Major Landscape (> 5 Years)		19,432	
New LED Lighting- Entrance Fountains		4,200	
Illumination Rear Hampton (Dumpster Area)		1,559	
<i>Sub Total</i>	-	<u>25,191</u>	-
Signs, Infrastructure & Lighting			
Drainage Easement Reconsruction		8,757	
Cambridge Fountain Replacement			
Speed Limits Sign(s) & Park Signs		7,655	
Walls - Reserve & Sanctuary		4,220	
<i>Sub Total</i>		<u>20,633</u>	
Sub-Total Normal Capital Projects	\$0	\$123,683	
Total TP Signature & Standard Capital Projects		\$123,683	

**TAMPA PALMS CDD
CASH REGISTER
FY 2022**

Date	Num	Name	Memo	Receipts	Disbursements	Balance
05/31/2022			EOM BALANCE	220,183.72	198,313.78	79,652.30
06/02/2022	9524	A & A DEVELOPMENT, INC	Removed silt from manchester pond- 6 loads		7,660.00	71,992.30
06/02/2022	9523	CINTAS			289.36	71,702.94
06/02/2022	9522	CLEAN SWEEP SUPPLY COMPANY	Toilet tissue		93.05	71,609.89
06/02/2022	9521	DIXIE SAFE AND LOCK, INC	keys		219.00	71,390.89
06/02/2022	9520	FEDEX	Shipping		29.92	71,360.97
06/02/2022	9519	FR LLC Mulch & Soil			5,862.00	65,498.97
06/02/2022	9518	FRONTIER COMMUNICATIONS	Act # 81397739330707895		529.14	64,969.83
06/02/2022	9517	HOOVER PUMPING SYSTEMS	repairs		1,161.18	63,808.65
06/02/2022	9516	REDI - ROOTER PLUMBING	plumbing		821.00	62,987.65
06/02/2022	9515	REPUBLIC SERVICES 696	Solid Waste		1,588.79	61,398.86
06/02/2022	9514	Staples Account	Office Supplies		212.04	61,186.82
06/02/2022	9513	Straley Robin Vericker	Legal Services thru 5/15/22		3,984.00	57,202.82
06/02/2022	9512	XEROX FINANCIAL SERVICES	Copier Lease - 5/4-6/3		138.93	57,063.89
06/03/2022	060322ACH1	DOROTHY COLLINS	PR 05/16/22 to 05/22/22		1,192.28	55,871.61
06/03/2022	060322ACH2	Innovative Employer Solutions	PR 05/16/22 to 05/22/22		494.22	55,377.39
06/06/2022	9525	DPFG	CDD Mgmt - June 22		5,754.42	49,622.97
06/08/2022	060822ACH1	DOROTHY COLLINS	PR 05/16/22 to 05/22/22		1,192.29	48,430.68
06/08/2022	060822ACH2	Innovative Employer Solutions	PR 05/16/22 to 05/22/22		494.20	47,936.48
06/14/2022	9526	ABM Landscape & Turf Services			124,383.80	-76,447.32
06/14/2022	9527	AT&T	Long Distance -		148.04	-76,595.36
06/14/2022	9528	CINTAS	urnial mat, logo mat, safety mat		75.77	-76,671.13
06/14/2022	9529	CORE & MAIN LP	Irrigation Repair Supplies		1,291.36	-77,962.49
06/14/2022	9530	FRONTIER COMMUNICATIONS			612.04	-78,574.53
06/14/2022	9531	SECURITAS SECURITY SERVICES USA, INC.	Security 5/08-5/21		2,626.64	-81,201.17
06/14/2022	9532	TERMINIX			254.90	-81,456.07
06/14/2022	9533	Zeno Office Solutions, Inc.	Copier Lease -		54.38	-81,510.45
06/15/2022			Funds Transfer	160,000.00		78,489.55
06/16/2022	9534	FR LLC Mulch & Soil	pine brk mini		3,002.00	75,487.55
06/16/2022	9535	A & A DEVELOPMENT, INC	Silt Removal - Area 1 Main entry pond		7,296.00	68,191.55
06/16/2022	9536	ADB Landscaping Materials, Inc.	Juniper parson, Lavender Bougainvilla on trellis		1,097.50	67,094.05
06/16/2022	9537	CINTAS	urnial mat, logo mat, safety mat		75.77	67,018.28
06/16/2022	9538	CLEAN SWEEP SUPPLY COMPANY	can liner, wipes, klenex, Bacterial hand soap		302.80	66,715.48
06/16/2022	9539	DIXIE SAFE AND LOCK, INC	Repair door locks - CDD bldg		220.00	66,495.48
06/16/2022	9540	EEL SECURITY, INC.	Monitoring - 7/1/22-9/30/22		89.85	66,405.63
06/16/2022	9541	FIS Outdoor	Irrigation valves		106.59	66,299.04
06/16/2022	9542	FLORIDA FOUNTAIN MAINTENANCE, INC.	Reserve & Turnbury fountains		1,185.13	65,113.91
06/16/2022	9543	Lowes Business Acct/ SYNCH	Office Supplies		112.03	65,001.88
06/16/2022	9544	OLM, INC.	Landscape Insp- June		1,575.00	63,426.88
06/16/2022	9545	SECURITAS SECURITY SERVICES USA, INC.	Security 5/1-5/31		4,353.89	59,072.99
06/16/2022	9546	SOLITUDE LAKE MANAGEMENT	lake and pond svc 6/1-6/30		169.74	58,903.25
06/16/2022	9547	TECO	Summary power bill		12,859.32	46,043.93
06/16/2022	9548	ZEE MEDICAL SERVICE	Supplies		82.20	45,961.73
06/17/2022	061722ACH1	Andrea A Braboy	PR 05/30/22 to 06/12/22		1,616.12	44,345.61
06/17/2022	061722ACH2	DOROTHY COLLINS	PR 05/30/22 to 06/12/22		2,413.76	41,931.85
06/17/2022	061722ACH3	Innovative Employer Solutions	PR 05/30/22 to 06/12/22		1,234.73	40,697.12
06/20/2022	9549	TAMPA PRINT SERVICES	Mass Mailing for notice		2,356.40	38,340.72
06/20/2022	9550	HOOVER PUMPING SYSTEMS	Are 2 Replace butterfly valves, installecheck valves pumps 1 & 2		10,506.59	27,834.13
06/20/2022	9551	Business Observer	Notice of Meetings:Qualifying period 6/13-6/17		52.50	27,781.63
06/20/2022	631	CITY OF TAMPA UTILITIES	Water Utilities - June		3,404.66	24,376.97
06/21/2022	9552	A. Michael Gibson	BOS MTG 6/08/22		200.00	24,176.97
06/21/2022	9553	Donald O'Neal	BOS MTG 6/08/22		200.00	23,976.97
06/21/2022	9554	Eugene R. Field	BOS MTG 6/08/22		200.00	23,776.97
06/21/2022	9555	Tracey Falkowitz	BOS MTG 6/08/22		200.00	23,576.97
06/22/2022			Funds Transfer	100,000.00		123,576.97
06/22/2022	9556	MARY-MARGARET WILSON	Consultant Compensation July, 2022		9,344.00	114,232.97
06/22/2022	62222ACH2	Andrea A Braboy	PR 6/22/22		515.00	113,717.97
06/22/2022	62222ACH1	Innovative Employer Solutions	PR 6/22/22		153.71	113,564.26
06/24/2022	9557	DOUGLAS CLEANING SERVICE	June CDD Cleaning CDD/Amberly Park/Guard shack		1,520.00	112,044.26
06/30/2022	9558	ADVANCED ENERGY SOLUTIONS			666.40	111,377.86
06/30/2022	9559	ESD WASTEWATER, INC.	clean cartidge filter, check hoses & connections		300.00	111,077.86
06/30/2022	9560	FRONTIER COMMUNICATIONS	Act # 81397739330707895		318.84	110,759.02
06/30/2022	9561	Pinwheel Nursery	Coleus plants		12,361.80	98,397.22
06/30/2022	9562	REPUBLIC SERVICES 696	Solid Waste pick up		750.00	97,647.22
06/30/2022	9563	SECURITAS SECURITY SERVICES USA, INC.	Security 5/5-6/4		2,716.26	94,930.96
06/30/2022	9564	Staples Account	Office Supplies		2,455.61	92,475.35
06/30/2022	9565	XEROX FINANCIAL SERVICES	Copier Lease -6/4-7/3		138.93	92,336.42
06/30/2022			Deposit	300.00		92,636.42
06/30/2022			Service Charge		18.00	92,618.42
06/30/2022			Interest	1.04		92,619.46
06/30/2022			EOM Balance	260,301.04	247,333.88	92,619.46

Next Step Date Responsible

I. Signature Projects

Deffered Until Further Notice

II Capital Projects & Restoration Projects

1) Wayfinding, Walls & Misc. Signs

- a) Reserve/ Kensington Wall

Report Aug Staff

2) Lake Fountains Review

- a) Board update

Report to board Aug Staff

3) Infrastructure

- a) ADA Park Review

Discuss w/ Board Nov Staff

III Landscape Assets

1) Assessment YTD Weather Impacts

Report To Board On Going Staff

2) Restoration Projects

- a) Plans / Direction
- b) Pond Improvements
- c) Huntington Fountain

Update Aug Staff
 Update Oct
 Review Aug

3) LED Landscape Lighting

Future Consideration TBD Staff

IV Park Reviews

- a) Inspections & ADA
- b) Safety Surface Restrore

V. Misc and Local Government

- a) Tampa Palms Blvd
- b) Multi-Modal Path Repaving [COT]
- c) Hart Advertising
- d) Illegal Construction

<u>Next Step</u>	<u>Date</u>	<u>Responsible</u>
Update Process	Nov	Staff
	Aug	
Report To Board	Aug	Staff
Report To Board	Aug	Staff
Report To Board	Aug	Staff
Report To Board	Aug	Staff

Focus For 2022

Re-Presented August, 2022

The Tampa Palms CDD is a unit of State of Florida special-purpose government with limited boundaries and is distinct in both form and function from general purpose government entities including but not limited to the City of Tampa, Hillsborough County etc.



The TP CDD authority is laser-focused and limited in attention to the properties owned by the CDD or shared with the City of Tampa. (Example TP Blvd medians)

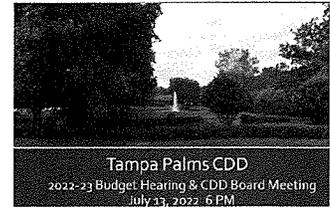
- The CDD has no enforcement powers
- The CDD's public funds cannot be spent on private property
- CDD attention and activity is limited to that which occurs within its boundaries.

The majority of the CDD budget addresses community aesthetics - making residents proud of their homes. Tampa Palms defines the standard of care as that which is observed from a vehicle at 35 mph

Specific considerations for 2021-22

	Next Steps	Timing
Tampa Palms Blvd Restoration		
(1) Help Community Communicate Needs	Virtual Public Meeting	Held July 12
(2) Hold Balance of Signature	Repaving Impact on Entries	On-Going
Monitor Projects in Tampa Palms		
(1) Wetland Destruction	EPC Order To Restore	Monitor
(2) Possible DRI Changes	Engage City and CDD Counsel	On-going
(3) Bike Path Improvements	Deferred Until TPB Project Designed	Review After TPB Designs
Monitor Issues Impacting Tampa Palms		
(1) Inflation & Personnel Impacts	Review Cash Management w/ Board	Monthly
(2) Hart Advertising	TPOA Managing	On-going
Monitor County Commission Races Impacting Tampa Palms		
(1) Tampa Palms' County Commissioner		
(2) Hillsborough County At Large Commissioners (2)		
(3) Numerous State Offices		

**MINUTES OF MEETING
TAMPA PALMS
COMMUNITY DEVELOPMENT DISTRICT**



The Regular Meeting of the Board of Supervisors and 2022-23 Budget & Assessment Hearings for the Tampa Palms Community Development District were held on Wednesday, July 13, 2022 at 6:00 p.m. at Compton Park, 16101 Compton Drive, Tampa, Florida.

FIRST ORDER OF BUSINESS – Roll Call

Mr. Field called the meeting to order.

Present and constituting a quorum were:

Gene Fields	Board Supervisor, Chairman
Tracy Falkowitz	Board Supervisor, Assistant Secretary
Mike Gibson	Board Supervisor, Vice Chairman
Don Oneal	Board Supervisor, Assistant Secretary
Richard Diaz	Board Supervisor, Assistant Secretary

Also present were:

Raymond Lotito	DPFG Manager
Maggie Wilson	Consultant / Resident
Warren Dixon	TPOA Business Manager
Brian Koerber	TPOA Property Manager
James Ferguson	Resident
Brandy Tomer	Resident
Jody Clayton	Resident

**SECOND ORDER OF BUSINESS – FY 2022-2023 Budget & Assessment Hearing
Budget & Assessment Hearings Open**

On a MOTION by Ms. Falkowitz, SECONDED by Mr. FGibson, WITH ALL IN FAVOR, the Board convened the **FY 2022-23 Public Budget and Assessments Hearings** for the Tampa Palms Community Development District.

Proposed Budget Review

Mr. Field presented an overview of the Budget Hearing process, explaining how the budget would be presented including how it was developed, how it would be reviewed and that public input would be both solicited and incorporated in to the process and finally, how the budget would be approved.



Budget Hearing Process

1. Convene Public Budget Hearing
2. FY 2022-23 Budget
3. Public Input
4. Board Review & Approval
5. Adjourn Public Budget Hearing



Florida Statutes

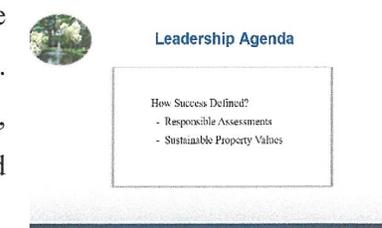
- CDD Mission
- Special Purpose Government
 - Laser-Focused Authority
 - CDD Owned Assets
 - City of Tampa Shared Assets
 - No \$ Spent on Private Property

Mr. Field reviewed the mission of the CDD, the CDD’s position as a special purpose government and how the Tampa Palms mission dovetails with the Florida statutes which govern the actions of all CDD’s in the State of Florida.

1 Next Mr. Field reviewed the essentials driving the leadership
2 agenda, specifically competent and respected leadership to maintain the
3 in excess of \$20 Million in community-owned assets.



4
5
6 Mr. Field noted that in every effective organization there must be
7 metrics that define the manner in which the organization defines success.
8 Mr Field he reviewed the manner in which Tampa Palms defines success,
9 eg responsible assessments and sustainable property value as measured
10 against other similar communities.



11
12 Mr. Field noted as a measure of the multi-year stewardship the
13 assessments reflect a conservative approach that has been in place for
14 many years.



15
16 Further Mr. Field displayed a chart that demonstrated the increase
17 in Tampa Palms values as reported by the Hillsborough County Property
18 Appraiser. He noted that the 24% increase was as of 12/31/2021 and did
19 not include the substantial increases in property values that have occurred
20 in 2022.



21
22 Mr. Field noted that the current economic situation is
23 unprecedented and many of the signposts for future action are less than
24 clear paths ahead at all levels with 40-year high inflation and everyone
25 agreed that these are uncharted waters.



26
27 Mr. Field displayed a chart that depicted quarterly inflation since
28 2019, ranging from a 2.1 in 2019 to the 8.6 CPI announced for quarter 3
29 of 2022.



30
31 Mr. Field noted that the Fed is doing its job to try and manage
32 inflation and the CDD is participating to the degree that it can. The Tampa
33 inflation rate is 11.8%, the nation 8.6% but the CDD proposed increases
34 remain at 5%.



1 A chart was presented that overviewed the Tampa Palms CDD
 2 Budget for FY 2022-23 showing that the revenues were increasing by 5%,
 3 augmented by carryforward monies and the expenses were increasing by
 4 5%.

	FY 2021-22	FY 2022-23	\$ INCR (DEC)	% INCR (DEC)
RD 18-111 (889)				
Assessments	2,737	2,874	137	5%
Early Payment Discount	-98	-114	-15	-5%
Interest Income	38	32	-6	-8%
Excise Fees	15	0	-15	-100%
Carry Forward & MISC	117	141	24	21%
Total Revenue	\$2,791	\$2,923	132	5%
EXPENSES				
Normal Operations	2,319	2,412	93	4%
Project Expenses	478	478	0	0%
Total Expenses	\$2,797	\$2,890	93	4%

6 The normal operation expenses are favorably impacted, even with rising
 7 inflation, by the structure of the landscape agreement, which moderates
 8 grounds maintenance increases and for FY 2022-23 they will increase only
 9 5%. These services includes the landscape, lighting, irrigation and park
 10 support for Tampa Palms.

	FY 2021-22	FY 2022-23	\$ INCR (DEC)	% INCR (DEC)
(5000)	Adopted	Proposed	VS	VS
TOTAL EXPENSE	\$2,319	\$2,412	\$102	4%

12 Project driven expenses were also reviewed. The project driven
 13 expenses form a small portion of the budget than normal operations and are
 14 also budgeted to increase 4% for FY 2022-23.

	FY 2021-22	FY 2022-23	\$ INCR (DEC)	% INCR (DEC)
Renewal & Replacement	510	536	26	4%
Capital Projects	190	176	-14	-7%
MISC	59	82	23	37%
Total Project Driven Expenses	\$859	\$894	35	4%

16 Next followed a discussion of the types of projects that are included in the project driven expenses.
 17 Mr. Field advised that project driven expenses reflect the funding of the various renewal and replacement
 18 and capital projects.

Project Driven Expenses

Capital Improvements 4%

- Programmed Improvements
- Building Improvements
- Pond Controls
- Park Amenities
- Replacement Trees

Project Driven Expenses

Renewal & Replacement 4%

- Ongoing Revitalization
- Tree Removals & Trimming
- City-Owned Cal de Sac
- Entry Displays

26 Mr. Field noted that the budget is available for public review and
 27 suggestions and to facilitate that a letter had gone to each owner of property
 28 with the full budget and soliciting questions or suggestions.

Public Review & Input

- Ideas
- Suggestions
- Questions

30 Next Mr. Field reviewed the Board's responsibilities in the matter of
 31 budget approval, that of evaluating ideas, questions and suggestion and asked
 32 for public input on both the specifics of the budget and the general means of
 33 funding and operating the CDD before formally approving the budget. No
 34 public input was received.

Board Responsibilities

-Evaluate..... Ideas, Questions, Suggestions
-Decision..... Ok as is or what to change
-Resolution..... Formally approve decision

1 Mr. Fields presented **Resolution 2022 - 6** Proposed Budget Resolution and asked if there was any
2 comments, questions or changes to the Budget from the Board.

3 There being none,

4 On a MOTION by Mr. Oneal, SECONDED by Mr. Gibson, WITH ALL IN FAVOR, the Board adopted
5 **Resolution 2022-6** Proposed Budget for FY 2022-2023 for the Tampa Palms Community Development
6 District.

7
8 Mr. Fields presented **Resolution 2022 - 7** approving the levy of assessments asked the Board
9 members if there were any comments, questions or changes to the Budget.

10 There being none,

11 On a MOTION by Ms. Falkowitz, SECONDED by Mr. Gibson, WITH ALL IN FAVOR, the Board adopted
12 **Resolution 2022 - 7** approving the levy of Assessments for FY 2022-2023 for the Tampa Palms Community
13 Development District.

14
15 **Budget Hearing Closed**

16 On a MOTION by Ms. Falkowitz, SECONDED by Mr. Diaz, WITH ALL IN FAVOR, the Board adjourned
17 the Budget & Assessment Hearings For FY 2022-2023 for the Tampa Palms Community Development
18 District.

19
20 **THIRD ORDER OF BUSINESS – Board Member Discussion Items**

21 Mr. Diaz had a question about the cybercrime legislation that was recently enacted by the
22 legislature. Ms. Wilson said that while it appeared to apply to special districts, the impacts would most
23 likely be minimal due to the fact that CDDs do not provide critical services.

24 She mentioned that she had inquired of corporate counsel and as the impacts are not yet fleshed
25 out, there is no news.

26 Ms. Falkowitz spoke about the new offerings that will be coming to the City parks in the area with
27 the new budget and noted how important this will be to the youth of the area.

28
29 **FOURTH ORDER OF BUSINESS – Public Comments**

30 There being none, the next item followed.

31
32 **FIFTH ORDER OF BUSINESS – Approval of June Minutes**

33 **Approval of Minutes of June 8, 2022 Meeting**

34 Mr. Field presented the minutes of June 2022 meeting, and asked for comments and questions.

35
36 On a MOTION by Mr. Gibson, SECONDED by Mr. Oneal WITH ALL IN FAVOR, the Board approved
37 the minutes of the Board of Supervisors' meeting held on June 8, 2022 for the Tampa Palms Community
38 Development District.

1
2
3 **SIXTH ORDER OF BUSINESS – Approval of May District Disbursements**
4

5 Mr. Field presented the May 31, 2021 District Disbursements in the amount of \$228,168.47 and
6 asked for any comments and questions.

7 Mr. Field noted that he had examined the checks including the order and all was correct.
8

9
10 On a MOTION by Ms. Falkowitz, SECONDED by Mr. Diaz, WITH ALL IN FAVOR, the Board approved
11 May 31, 2022 District Disbursements in the amount of \$198,313.78.
12

13
14 **SEVENTH ORDER OF BUSINESS – Consultant Reports**
15

16 **Neighborhood Updates**
17

18 Ms. Wilson reported on the landscape appeal of the community and
19 noting that the high heat and humidity which make difficult to keep up with
20 weed management and shrub growth, also make the landscape very
21 appealing to the eye. The OLM inspection was acceptable but noted the weed
22 growth.



23 Ms. Wilson noted that the retention ponds had been very low,
24 exposing banks and encroaching vegetation and making it difficult to treat the
25 water, but with the commencing of rains, the ponds were filling. Some
26 residents were concerned about “global warming tuning the ponds” and this
27 will alleviate their fears.



28 Ms. Wilson discussed the fountains which are an exception amenity
29 for the community. She noted that two are scheduled for pump and motor
30 replacement soon [Stonington and Asbury] and that they have served Tampa
31 Palms well since installed in 2003.



32
33 Ms. Wilson suggested upgrading the fountain at the Huntington pond to a
34 larger fountain with the tiara nozzles as it is in a very visible spot and appears
35 small for the large pond that it is serving.
36



37
38
39 On MOTION by Ms. Falkowitz, SECONDED by Mr. Oneal WITH ALL IN FAVOR, the Board approved
40 the \$15,000 expenditure from Capital Projects to upgrade the Huntington fountain.

1 Ms. Wilson reported on the guard and park attendant services
2 including the hours of coverage per week. She noted that the coverages appear
3 adequate and that the “community-based roving guard” was working well.
4 She also noted that the parks are well used.



**Neighborhood Updates
Park Reports**

- Parks Are Well-Used
- Coverages Appear Adequate
 - Hampton Park
 - Park Attendant (102 hrs / wk)
 - Guard Service (56 hrs/wk)
 - Amberly & Oak Parks
 - Guard Services (41 hr/wk)

5 Ms. Wilson reported that some of the safety tiles had begun to lift and
6 that she had contacted the manufacturer. The manufacturer, SofTiles, will
7 have a team on site the second week of July to review and repair any lifting
8 tiles at Hampton and Amberly parks and Compton Park/



**Neighborhood Updates
Park Reports**

- Safety Tile Repairs
- Some Tiles Lifting
- Mgr. Advised
- Repairs Scheduled

9
10 **2020-21 Audit Approval**

11 Ms. Wilson presented the final audit report for 2020 noting that it
12 was a no comment, no recommendation audit. Chairman Field spoke on the
13 number of years (20) that the District had received no comment audits and
14 all this entails on the part of the district’s financial partners.



FY2020-21 Audit Report

- Tampa Palms Complies W/ All Seven Requirements of Audubon Council
- Gov & Co. Favored: 1 month Reports
- Financial Health of District
- Procedure and Controls in Place
- FY 2020-21 Audit is “Clean” (No Comments/No Recommendations)
- Accepted By Chairman

Requires Final Board Approval
By Motion

15 Ms. Wilson noted that the audit should be approved by motion of the Board.

16 On MOTION by Ms. Falkowitz, SECONDED by Mr. Diaz, WITH ALL IN FAVOR, the Board approved
17 the Audit of the FY 2020 Financial Statements.

18
19 **Sterling Manor Tract**

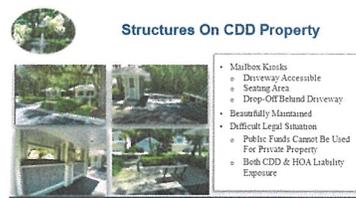
20 Ms. Wilson disclosed that it had been discovered that there were
21 private structures belonging to the Sterling Manor HOA located on a CDD-
22 owned land tract. The HOA was unaware that they did not own the property.



CDD Tract In Sterling Manor

- Private Gated Village
 - Private HOA HOA
 - Fenced Area Owned By CDD
- Some CDD Land Used To HOA Structures
 - Developer Built
 - Sterling HOA Unaware

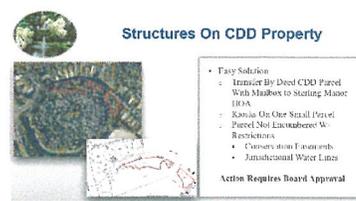
23
24 The property was the site of two building used for drive around mailbox
25 access, a sitting area and a community bulletin board. The driving area has
26 recently been paved and the whole area is in pristine condition.



Structures On CDD Property

- Mailbox Kiosks
 - Driveway Accessible
 - Seating Area
 - Drop-Off/Behind Driveway
- Beautifully Maintained
- Difficult Legal Situation
 - Public Funds Cannot Be Used For Private Property
 - Both CDD & HOA Liability Exposure

27
28 Fortunately there appears to be a simple and inexpensive solution: the CDD
29 can deed the tract to Sterling Manor. Staff suggested that district counsel be
30 engaged to evaluate the proposed option and if it is found to be viable,
31 produce a deed which can be signed and recorded.



Structures On CDD Property

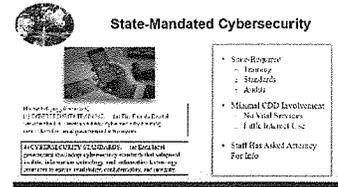
- Easy Solution
 - Initiated By Deed CDD Parcel With Mailbox to Sterling Manor HOA
 - Kiosks On One Street Parcel
 - Parcel Not Encumbered w/ Restrictions
 - Owners share Expenses
 - Amishcannon Water Lines

Action Requires Board Approval

32 On MOTION by Mr. Diaz, SECONDED by Ms. Falkowitz, WITH ALL IN FAVOR, the Board approved
33 the referring the Sterling Manor land tract to counsel with the intent to deed it to Sterling Manor.

1 **Cybersecurity Legislation.**

2 Ms Wilson reviewed the new cybercrime legislation that requires to
3 requiring training, cyber audit and reporting of all state agencies in Florida.
4 It also disallows the payment of any ransom should facilities be hacked and
5 taken over. Corporate counsel is reviewing.



6
7
8
9 **EIGHTH ORDER OF BUSINESS – Other Matters**

10 There being none, the next item followed

11
12 **NINTH ORDER OF BUSINESS – Public Comments**

13
14 Mr. Dixon reviewed with the members the work of EPC regarding the illegal construction.

15
16 Jody Clayton from the Estates at River Park discussed the difficulties experienced at their
17 community from being at the end of Yardley and as one approaches the community there is no identifying
18 markings, monuments as are present in Tampa Palms. He wondered if one could be built for the Estates in
19 their area.

20 Brandy Tomer, also from the Estates, echoed Jody's remarks noting that they wanted to avoid being
21 considered "mosquito alley".

22 Ms. Wilson noted that the monuments were not the product of the CDD but of the developers of
23 each separate village. She questioned if there was any space in the area of the Estates to construct a
24 monument, noting the only land owned by the CDD is a 25 ft strip across the street with a berm separating
25 the area from the power corridor.

26 Ms. Wilson thanked Brandy, noting that it was her information the previous year that led to the
27 bottlebrush trees planted along the corridor edge, with the permission of the power company.

28 Ms. Wilson agree that the Tampa Palms team would look for possible improvement solutions.

29
30 **TENTH ORDER OF BUSINESS – Supervisor Comments**

31 Mr. O Neal reported dead plants at the Area 2 entry, noting that the presence of barriers thrown on
32 them by the cable contractors probably doesn't help.

33
34 **ELEVENTH ORDER OF BUSINESS – Adjournment**

1 On a MOTION by Ms. Falkowitz, SECONDED by Mr. Oneal WITH ALL IN FAVOR, the Board
2 adjourned the meeting for the Tampa Palms Community Development District.

3
4
5 **Each person who decides to appeal any decision made by the Board with respect to any matter considered*
6 *at the meeting is advised that person may need to ensure that a verbatim record of the proceedings is made,*
7 *including the testimony and evidence upon which such appeal is to be based.*

8
9
10 **Meeting minutes were approved at a meeting by vote of the Board of Supervisors at a publicly noticed**
11 **meeting held on August 10, 2022.**

12
13
14
15 _____
16 **Signature**

17 **Raymond Lotito**

18 **Printed Name**

19 **Title: X Assistant Secretary**

Signature

Gene Field

Printed Name

Title: X Chairman Vice Chairman

Around the Community in August

General

Notwithstanding the extreme heat and minimal rains experienced for the last four weeks, the community in general continues to hold its own and even shine a bit. (Tampa Palms passed the OLM inspection with a 90%.)

The near 100% humidity, combined with the heat, has encouraged both the weeds and weedy vines. These weeds and vines are everywhere and they are difficult to manage because control must be done manually with no use of chemical herbicides so as not to damage the surrounding plants.

This situation is most evident near the power corridor (as seen to the right where vines are intruding) and any conservation areas. The vines grow quickly, sometimes as much as a foot or more in 24 hours.



The extraordinary heat also hampers the weed and vine control from the perspective of the landscape teams as with heat indexes in the 100-110 range there is a requirement for frequent water and cooling breaks.

ABM management is very conscientious about this, sending “runners” to check on the workers periodically to make certain that no one is in trouble due to the heat.

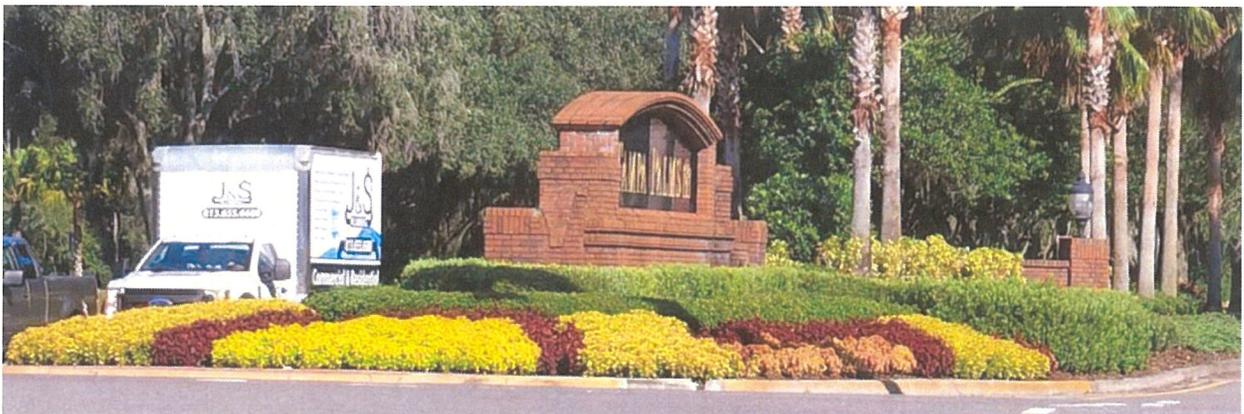
On the positive side, the plant materials are all thriving: the new plants in particular are having no problem establishing, as seen to the right with the median tips along Tampa Palms Blvd or below at the main entries.



The caladiums were actually planted late, but are well established, and providing very attractive color leading into Tampa Palms on both sides of BB Downs.



The entry coleus continue to make a respectful presentation.



Fall Annuals

The annual plantings are relied on to make an upscale statement on both sides of BB Downs and along the boulevards despite the traffic, heat, rain or even cold. The Fall plantings and Winter plantings are the most problematic as it is difficult to be certain how the weather will behave, melting heat or brisk chill.

The changeout to the Fall annuals this year will begin the second week of September with a combination of Rustic Orange coleus, orange marigolds and green leaf begonias. Together these plants will present with a enjoyable rich color-burst for Fall.

The coleus should flourish if the temperatures remain hot and the begonia and marigolds will sparkle even if the temperatures drop more into the cooler Fall ranges.



Irrigation Updates

July was a busy month for the Tampa Palms irrigation:

- The hot sun and critical demands on the system required repeated checks of the more than 830 irrigation zones (some with almost 100 heads) with a total of 10, 300+ irrigation heads.
- There have been a series of irrigation mainline breaks which require (1) excavation, (2) immediate repair (3) leaving the excavation open while pressure is added to the site and (4) restoration of the turf. Many / most of the locations are along the boulevards where the mainlines suffer damage from vehicles pulling off the road or parking off the road.



Complicating the repairs is the fact that often these lines run on top of the City's potable water system, and are adjacent to communications cables.

While no break has been individually excessive in cost to repair, because no road intrusion has resulted, as an aggregate they are expensive and placing a strain on the irrigation budget.

There are no reasonable options to relocate these mainline away from danger; they remain located primarily within the utility easements for the boulevard ROWs.

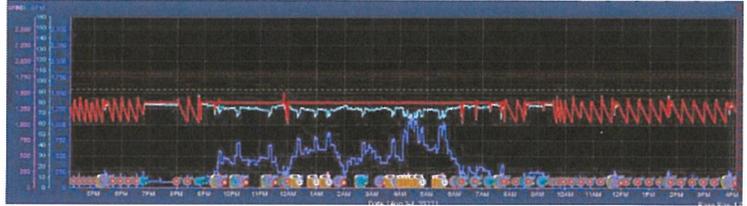
- The industrial panel air conditioner for the Area 1 pump station was found to be old and only recirculating air, not cooling. This was discovered as the HMI for the system began to fault. A stainless steel high efficiency industrial NEMA4 panel A/C was installed with a rotary compressor, thermal expansion valve and condensate evaporative system (eliminates requirement for condensation drain).



The panel was almost 10 years old and had served us well.

- Finally the transducer supporting the well fill operation for the Area 1 pump station failed. (It was fully warrantied and was replaced.) This caused a shut-down of the pond fill operation and placed the pump station itself at risk.

Water use and flow rates for all systems, along with the pond levels, are both recorded and reported real time.



There appeared no unusual pumping but suddenly the pond level for the Area 1 went from the normal 1.3 - 1.5 ft to 30 ft. (The exit outflow is set for 4.2 ft so this couldn't happen, Fla Executive would have floated away.)

Unfortunately, this erratic and incorrect reading caused the refill to shut down and the pond level dropped dangerously.

A work-around allowing for automatic disconnect of the transducers is being implemented to make certain that does not happen again.

Fountain Update

July was a fun time for the lake fountains:

- The Stomington fountain failed (old pump and motor)
- The Amberly Park fountain failed (timer was shut down, possibly power surge)
- The main Area 1 fountain shut down (Bad breaker, again possible power surge)
- The Asbury fountain shut down (possible power surge)
- The Huntington fountain was placed in the wrong pond.

The new Huntington fountain was scheduled for installation on the same day the Asbury fountain shut down. The installation team arrived and assumed that Asbury was the location of the new fountain and installed. John Stack, owner of Architectural Fountains arrived to inspect the work and was shock.



John called and said that he would have it relocated ASAP. Staff visited the site and found that the new fountain looked good.

Staff consulted with three supervisors individually and made the decision to leave the new fountain in Asbury and order one for Huntington.

The Asbury fountain was installed in 2003 and due for an upgrade and the funds are available in Capotal Funds.

The other fountains have all been restored to service and the "old" Huntington fountain will be pressure washed, disassembled and stored for parts.

Mezzo Apartments & BB Downs

The new owners of Mezzo are substantially improving the property, about this there is no question. There have been a few missteps, including their agents tore down and removed dense native vegetation on a 40 ft strip of CDD-owned land along BB Downs without permission or a workable plan.

July 2019



This is a strip of land that prior owners left in place to buffer the units in this area of the complex, this was particularly important during the construction of BB Downs.

July 2022



Staff is working with the Mezzo owners; they submitted a plan as seen below that:

- Does not delineate CDD versus Mezzo property
- Does not request permission to come onto CDD land and possibly County land, which must be board approved for the CDD.
- Places shrubs outside a proposed news fence that are **TOTALLY** unworkable in this area.
- Does not provide for or address irrigation.

Staff and the TPOA are working with the owners to get a more workable plan, for them, the CDD and the County.



Sterling Manor / CDD Property

As reviewed during the July, 2022 CDD Board Meeting, it was discovered that a landscape tract inside the village of the Sterling Manor which has been improved by the Sterling Manor HOA and home to structures belonging to the Sterling Manor residents for thirty-four years was dedicated and deeded to the CDD.

The area had been meticulously maintained by the Sterling Manor HOA none the less there were concerns regarding the monies spent for construction and maintenance of non-owned property and insurance impacts.



The CDD cannot maintain private property so the simplest solution seemed to be to transfer the small and useless (to the CDD) tract to the Sterling Manor HOA.

Staff consulted District counsel and it was agreed that given the property was remaining in the District, it could be declared "surplus property" by Resolution and transferred to the Sterling Manor HOA. This solves the problem of what might be an uninsured contingent liability for the Sterling Manor HOA and has no effect on the CDD.

Counsel provided the Resolution, which is attached, and the deed which is attached, for approval at the meeting.

RESOLUTION 2022-8

A RESOLUTION BY THE BOARD OF SUPERVISORS OF THE TAMPA PALMS COMMUNITY DEVELOPMENT DISTRICT DECLARING CERTAIN REAL PROPERTY AS SURPLUS PROPERTY AND AUTHORIZING THE CONVEYANCE OF SUCH SURPLUS PROPERTY TO THE STERLING MANOR OWNERS ASSOCIATION.

WHEREAS, the Board of Supervisors of the Tampa Palms Community Development District (the “**District**”) owns certain real property described in as Tract L2-22, Tampa Palms Area 2, Unit 5B, according to the Plat thereof recorded at Plat Book 67, Page 51, public records of Hillsborough County, Florida (“**Property**”); and

WHEREAS, the Property currently serves no District purpose, contains no District infrastructure, and is being used and maintained as common area by the Sterling Manor Owners Association (“**HOA**”); and

WHEREAS, in accordance with Section 190.011 (1), Florida Statutes, the District may dispose of real property; and

WHEREAS, the District has determined that it is in the best interests of the District to declare the Property as surplus property and to convey the Property to the HOA; and

WHEREAS, the HOA desires to accept ownership of Property.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE TAMPA PALMS COMMUNITY DEVELOPMENT DISTRICT:

Section 1. The above recitals are true and correct and incorporated herein as if set forth in full herein.

Section 2. The District hereby declares the Property as surplus property and that it is in the best interests of the District to convey Property to the HOA.

Section 3. The District hereby authorizes and directs the Chairman of the Board of Supervisors or the Vice-Chairman of the Board of Supervisors to execute a Quit Claim deed conveying Property to the HOA and reserving any and all easements and ingress/egress to the District.

Section 4. All sections or parts thereof which conflict herewith are, to the extent of such conflict, superseded and repealed. In the event any portion of this Resolution is found to be unconstitutional or improper, it shall be severed herein and shall not affect the validity of the remaining portions of this Resolution.

Section 5. This Resolution shall take effect upon its adoption.

PASSED AND ADOPTED this 10th day of August, 2022, by the Board of Supervisors of the Tampa Palms Community Development District.

Attest:

**Tampa Palms
Community Development District**

Assistant Secretary/ Board of Supervisors

Chair/Vice Chair of the Board of Supervisors

**Prepared by and
when recorded return to:**

Dana Crosby Collier
Straley Robin Vericker
1510 W. Cleveland Street
Tampa, Florida 33606
Folio: 033979-0714

(Reserved for Recording office)

QUIT CLAIM DEED

THIS QUIT CLAIM DEED is made as of the 10th day of August, 2022, by the **Tampa Palms Community Development District**, a unit of special purpose local government organized and existing under Chapter 190, Florida Statutes ("**Grantor**"), whose address is 16311 Tampa Palms Blvd., West, Tampa, Florida 33647, in favor of **Sterling Manors Owners Association, Inc.**, a Florida not for profit corporation ("**Grantee**"), whose address is 4131 Gunn Highway, Tampa, Florida 33618.

WITNESSETH, that Grantor, for and in consideration of the sum of Ten and 00/100 Dollars (\$10.00), and other valuable consideration, lawful money of the United States of America, to it in hand paid by Grantee, the receipt whereof is hereby acknowledged, has granted, bargained, sold and conveyed to Grantee, its successors and assigns forever, all of the following described land in Hillsborough County, Florida ("**Property**"):

Tract "L2-22" of TAMPA PALMS AREA 2, UNIT 5B, according to the Plat thereof, as recorded in Plat Book 67, Pages 51, of the Public Records of Hillsborough County, Florida.

TO HAVE AND TO HOLD, the same in fee simple forever.

SUBJECT TO and except for (a) governmental requirements and restrictions, (b) easements, covenants, conditions, restrictions, and other matters of record, and (c) a reservation in favor of the Grantor, its successors, and assigns, of a perpetual easement for ingress and egress over and above the above-referenced Property. By accepting delivery hereof, the Grantee acknowledges and agrees that: (a) it shall take no action that would prevent or unreasonably impede the Grantor's use of the Property for ingress and egress, and (b) it shall not use or permit others to use the Property in violation of any applicable law, governmental regulation, or permit requirement or condition.

This Deed was prepared without the benefit of a title search.

IN WITNESS WHEREOF, Grantor has executed this Deed as of the date first above written.

Signed, Sealed and Delivered in the Presence of:

**Tampa Palms
Community Development District**

(Witness 1 – Signature)

Chair/Vice Chair of the Board of Supervisors

(Witness 1 – Printed Name)

(Witness 2 – Signature)

(Witness 2 – Printed Name)

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this ___ day of _____, 2022, by _____ as _____ of Tampa Palms Community Development District, on behalf of the district. He/She [check one box] is personally known to me or has produced the following identification: _____.

Florida Notary Signature

Notary Stamp

Tampa Palms Newsletter Funding

The CDD has co-funded the TPOA newsletter for a number of years.

The newsletter supports the CDD's ability to reach the Tampa Palms citizens with information about the plans and projects of the CDD. In short:

- It serves the NPDES requirement for notifying/updating/educating citizens as re storm water ponds and other NPDES requirements
- It provides notices to the Tampa Palms citizens of upcoming meetings
- It is the principle method by which the CDD informs the residents of Tampa Palms about plans/projects/issues

The newsletter is mailed to single family owners, businesses and delivered to apartment complexes for distribution.

The newsletter is also available online at www.TPOA.net and is emailed to approximately 600 people who have signed up to receive the newsletter by email.

The TPOA produces the newsletter and pays the costs of the mailing and printing. Traditionally the District bears a little less than half the cost of the newsletter, usually paid at the end of the fiscal year.

For the FY 2022-23 50% of these costs is \$11K; that is the same amount as in prior years. Staff asks that this amount be approved for FY 2022-23

This action should be approved by motion.

TAMPA PALMS NEWSLETTER
August 2022

Tampa Palms Blvd Restoration Almost Here

Plans Reviewed Ahead of Construction
The City of Tampa Mobility Dept hosted a virtual community meeting to provide an update of the plans for Tampa Palms Blvd, Phase 1. The purpose of the meeting was to share current information on the restoration schedule, planned restoration activities, and answer questions.
This will be a substantial makeover for Tampa Palms Blvd., with improvements including on-road drainage, pavement integrity and the addition of a plethora of safety improvements.

Improvements Designed For Safety
Tapping into the adopted Vision Zero program, the City plan for Tampa Palms Blvd employs a systematic approach to implementing safety countermeasures and policies make the boulevard safer.
First the actual geometry of the boulevard will be slightly modified to improve safety by encouraging less speed. (Description of changes beside diagram from presentation at bottom of page)
Next the City will add enhanced crosswalks at 5 locations in Tampa Palms and one in TPOST 3. They are also placing pedestrian activated lighting at two critical locations. TP Elementary shows below.

Phase 1 begins at Hill Downes, runs east through Area 1 and into TPOST 3 circles back to Hill Downes.
No date for Phase 2 (Tampa Palms Area 2) has been confirmed.
Picture left from City presentation

Proposed Typical Section
MOVABLE SPEED 35
Movable "traffic cushions" are under consideration as traffic calming devices placed before high-traffic crosswalks. This graphic is from the presentation.
To the left is a depiction of the roadway layout. The drive lanes are reduced one foot from the current design and two-foot paved shoulders, separated from the lanes by a white line, are on the inside and outside edges.

Audit Engagement Letter

In a prior year the District issued an RFI for a multi-year audit contract. After a rating and selection process, Grau & Associates was selected as the District's auditor.

Each year the Board must engage an auditor to review the District's financial operations. Florida statutes provide that the Board may at its options renew its contract with its selected provider.

218.391 Auditor selection procedures

(7) Every procurement of audit services shall be evidenced by a written contract embodying all provisions and conditions of the procurement of such services. For purposes of this section, an engagement letter signed and executed by both parties shall constitute a written contract. The written contract shall, at a minimum, include the following:

(a) A provision specifying the services to be provided and fees or other compensation for such services.

(b) A provision requiring that invoices for fees or other compensation be submitted in sufficient detail to demonstrate compliance with the terms of the contract.

(c) A provision specifying the contract period, including renewals, and conditions under which the contract may be terminated or renewed.

(8) Written contracts entered into pursuant to subsection (7) may be renewed. Such renewals may be done without the use of the auditor selection procedures provided in this section. Renewal of a contract shall be in writing.

After consultation with CDD Chairman, Gene Field, staff requested an engagement letter from Grau for the FY 2020-21 audit, as required by the State of Florida. The engagement letter is attached.

The audit fee is not exceed \$6,800: which is slightly the FY 2022-22 budget for the audit. Additional fee might be charged were some unusual and unforeseen circumstance emerge during the audit process: there were no known unusual activities during FY 2021-22.

If this meets with Board approval, the renewal of the Grau agreement should be approved by motion.

As re reported last year, Florida law now requires that (a) all audits be available to the public online and (b) that CDD's publish a link to those audits on their own web pages.

A link to the State's website information for Tampa Palms is:

https://flauditor.gov/pages/specialdistricts_efile%20pages/tampa%20palms%20community%20development%20district.htm

The Tampa Palms web page provides that link on the following page:

<http://www.tpoa.net/Financials.html>



Grau & Associates
CERTIFIED PUBLIC ACCOUNTANTS

951 Yamato Road • Suite 280
Boca Raton, Florida 33431
(561) 994-9299 • (800) 299-4728
Fax (561) 994-5823
www.graucpa.com

August 5, 2022

To Board of Supervisors
Tampa Palms Community Development District
16311 Tampa Palms Blvd W
Tampa, FL 33647

We are pleased to confirm our understanding of the services we are to provide Tampa Palms Community Development District, Hillsborough County, Florida ("the District") for the fiscal year ended September 30, 2022. We will audit the financial statements of the governmental activities and each major fund, including the related notes to the financial statements, which collectively comprise the basic financial statements of Tampa Palms Community Development District as of and for the fiscal year ended September 30, 2022. In addition, we will examine the District's compliance with the requirements of Section 218.415 Florida Statutes. This letter serves to renew our agreement and establish the terms and fee for the 2022 audit.

Accounting standards generally accepted in the United States of America provide for certain required supplementary information (RSI), such as management's discussion and analysis (MD&A), to supplement the District's basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. As part of our engagement, we will apply certain limited procedures to the District's RSI in accordance with auditing standards generally accepted in the United States of America. These limited procedures will consist of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We will not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

The following RSI is required by generally accepted accounting principles and will be subjected to certain limited procedures, but will not be audited:

- 1) Management's Discussion and Analysis.
- 2) Budgetary comparison schedule

The following other information accompanying the financial statements will not be subjected to the auditing procedures applied in our audit of the financial statements, and our auditor's report will not provide an opinion or any assurance on that information:

- 1) Compliance with FL Statute 218.39 (3) (c)

Audit Objectives

The objective of our audit is the expression of opinions as to whether your financial statements are fairly presented, in all material respects, in conformity with U.S. generally accepted accounting principles and to report on the fairness of the supplementary information referred to in the second paragraph when considered in relation to the financial statements as a whole. Our audit will be conducted in accordance with auditing standards generally accepted in the United States of America and the standards for financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States, and will include tests of the accounting records of the District and other procedures we consider necessary to enable us to express such opinions. We will issue a written report upon completion of our audit of the District's financial statements. We cannot provide assurance that an unmodified opinion will be expressed. Circumstances may arise in which it is necessary for us to modify our opinion or add emphasis-of-matter or other-matter paragraphs. If our opinion on the financial statements is other than unmodified, we will discuss the reasons with you in advance. If, for any reason, we are unable to complete the audit or are unable to form or have not formed an opinion, we may decline to express an opinion or issue a report, or may withdraw from this engagement.

We will also provide a report (that does not include an opinion) on internal control related to the financial statements and compliance with the provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a material effect on the financial statements as required by *Government Auditing Standards*. The report on internal control and on compliance and other matters will include a paragraph that states (1) that the purpose of the report is solely to describe the scope of testing of internal control and compliance, and the results of that testing, and not to provide an opinion on the effectiveness of the District's internal control on compliance, and (2) that the report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the District's internal control and compliance. The paragraph will also state that the report is not suitable for any other purpose. If during our audit we become aware that the District is subject to an audit requirement that is not encompassed in the terms of this engagement, we will communicate to management and those charged with governance that an audit in accordance with U.S. generally accepted auditing standards and the standards for financial audits contained in *Government Auditing Standards* may not satisfy the relevant legal, regulatory, or contractual requirements.

Examination Objective

The objective of our examination is the expression of an opinion as to whether the District is in compliance with Florida Statute 218.415 in accordance with Rule 10.556(10) of the Auditor General of the State of Florida. Our examination will be conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants and will include tests of your records and other procedures we consider necessary to enable us to express such an opinion. We will issue a written report upon completion of our examination of the District's compliance. The report will include a statement that the report is intended solely for the information and use of management, those charged with governance, and the Florida Auditor General, and is not intended to be and should not be used by anyone other than these specified parties. We cannot provide assurance that an unmodified opinion will be expressed. Circumstances may arise in which it is necessary for us to modify our opinion or add emphasis-of-matter or other-matter paragraphs. If our opinion on the District's compliance is other than unmodified, we will discuss the reasons with you in advance. If, for any reason, we are unable to complete the examination or are unable to form or have not formed an opinion, we may decline to express an opinion or issue a report, or may withdraw from this engagement.

Other Services

We will assist in preparing the financial statements and related notes of the District in conformity with U.S. generally accepted accounting principles based on information provided by you. These non-audit services do not constitute an audit under Government Auditing Standards and such services will not be conducted in accordance with Government Auditing Standards. The other services are limited to the financial statement services previously defined. We, in our sole professional judgment, reserve the right to refuse to perform any procedure or take any action that could be construed as assuming management responsibilities.

Management Responsibilities

Management is responsible for the financial statements and all accompanying information as well as all representations contained therein. Further, management is responsible for compliance with Florida Statute 218.415 and will provide us with the information required for the examination. The accuracy and completeness of such information is also management's responsibility. As part of the audit, we will assist with preparation of your financial statements and related notes in conformity with U.S. generally accepted accounting principles based on information provided by you. These nonaudit services do not constitute an audit under *Government Auditing Standards* and such services will not be conducted in accordance with *Government Auditing Standards*. You agree to assume all management responsibilities relating to the financial statements and related notes and any other nonaudit services we provide. You will be required to acknowledge in the management representation letter our assistance with preparation of the financial statements and related notes and that you have reviewed and approved the financial statements and related notes prior to their issuance and have accepted responsibility for them. In addition, you will be required to make certain representations regarding compliance with Florida Statute 218.415 in the management representation letter. Further, you agree to oversee the nonaudit services by designating an individual, preferably from senior management, who possesses suitable skill, knowledge, or experience; evaluate the adequacy and results of those services; and accept responsibility for them.

Management is responsible for establishing and maintaining effective internal controls, including evaluating and monitoring ongoing activities, to help ensure that appropriate goals and objectives are met; following laws and regulations; and ensuring that management is reliable and financial information is reliable and properly reported. Management is also responsible for implementing systems designed to achieve compliance with applicable laws, regulations, contracts, and grant agreements. You are also responsible for the selection and application of accounting principles, for the preparation and fair presentation of the financial statements and all accompanying information in conformity with U.S. generally accepted accounting principles, and for compliance with applicable laws and regulations and the provisions of contracts and grant agreements.

Management is also responsible for making all financial records and related information available to us and for the accuracy and completeness of that information. You are also responsible for providing us with (1) access to all information of which you are aware that is relevant to the preparation and fair presentation of the financial statements, (2) additional information that we may request for the purpose of the audit, and (3) unrestricted access to persons within the government from whom we determine it necessary to obtain audit evidence.

Your responsibilities include adjusting the financial statements to correct material misstatements and for confirming to us in the written representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the latest period presented are immaterial, both individually and in the aggregate, to the financial statements taken as a whole. As part of our engagement, we may propose standard adjusting, or correcting journal entries to your financial statements. You are responsible for reviewing the entries and understanding the nature of the proposed entries and the impact they have on the financial statements.

You are responsible for the design and implementation of programs and controls to prevent and detect fraud, and for informing us about all known or suspected fraud affecting the government involving (1) management, (2) employees who have significant roles in internal control, and (3) others where the fraud could have a material effect on the financial statements. Your responsibilities include informing us of your knowledge of any allegations of fraud or suspected fraud affecting the government received in communications from employees, former employees, grantors, regulators, or others. In addition, you are responsible for identifying and ensuring that the government complies with applicable laws, regulations, contracts, agreements, and grants and for taking timely and appropriate steps to remedy fraud and noncompliance with provisions of laws, regulations, contracts or grant agreements, or abuse that we report.

Management is responsible for establishing and maintaining a process for tracking the status of audit findings and recommendations. Management is also responsible for identifying and providing report copies of previous financial audits, attestation engagements, performance audits or other studies related to the objectives discussed in the Audit Objectives section of this letter. This responsibility includes relaying to us corrective actions taken to address significant findings and recommendations resulting from those audits, attestation engagements, performance audits, or other studies. You are also responsible for providing management's views on our current findings, conclusions, and recommendations, as well as your planned corrective actions, for the report, and for the timing and format for providing that information.

With regard to using the audit's report, you understand that you must obtain our prior written consent to reproduce or use our report in bond offering official statements or other documents.

With regard to the electronic dissemination of audited financial statements, including financial statements published electronically on your website, you understand that electronic sites are a means to distribute information and, therefore, we are not required to read the information contained in these sites or to consider the consistency of other information in the electronic site with the original document.

Audit Procedures—General

An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements; therefore, our audit will involve judgment about the number of transactions to be examined and the areas to be tested. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements. We will plan and perform the audit to obtain reasonable rather than absolute assurance about whether the financial statements are free of material misstatement, whether from (1) errors, (2) fraudulent financial reporting, (3) misappropriation of assets, or (4) violations of laws or governmental regulations that are attributable to the government or to acts by management or employees acting on behalf of the government. Because the determination of abuse is subjective, *Government Auditing Standards* do not expect auditors to provide reasonable assurance of detecting abuse.

Because of the inherent limitations of an audit, combined with the inherent limitations of internal control, and because we will not perform a detailed examination of all transactions, there is a risk that material misstatements may exist and not be detected by us, even though the audit is properly planned and performed in accordance with U.S. generally accepted auditing standards and *Government Auditing Standards*. In addition, an audit is not designed to detect immaterial misstatements or violations of laws or governmental regulations that do not have a direct and material effect on the financial statements. Our responsibility as auditors is limited to the period covered by our audit and does not extend to later periods for which we are not engaged as auditors.

Our procedures will include tests of documentary evidence supporting the transactions recorded in the accounts, and may include tests of the physical existence of inventories, and direct confirmation of receivables and certain other assets and liabilities by correspondence with selected individuals, funding sources, creditors, and financial institutions. We will request written representations from your attorneys as part of the engagement, and they may bill you for responding to this inquiry. At the conclusion of our audit, we will require certain written representations from you about your responsibilities for the financial statements; compliance with laws, regulations, contracts, and grant agreements; and other responsibilities required by generally accepted auditing standards.

Audit Procedures—Internal Control

Our audit will include obtaining an understanding of the government and its environment, including internal control, sufficient to assess the risks of material misstatement of the financial statements and to design the nature, timing, and extent of further audit procedures. Tests of controls may be performed to test the effectiveness of certain controls that we consider relevant to preventing and detecting errors and fraud that are material to the financial statements and to preventing and detecting misstatements resulting from illegal acts and other noncompliance matters that have a direct and material effect on the financial statements. Our tests, if performed, will be less in scope than would be necessary to render an opinion on internal control and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to *Government Auditing Standards*.

An audit is not designed to provide assurance on internal control or to identify significant deficiencies or material weaknesses. However, during the audit, we will communicate to management and those charged with governance internal control related matters that are required to be communicated under AICPA professional standards and *Government Auditing Standards*.

Audit Procedures—Compliance

As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we will perform tests of the District's compliance with the provisions of applicable laws, regulations, contracts, agreements, and grants. However, the objective of our audit will not be to provide an opinion on overall compliance and we will not express such an opinion in our report on compliance issued pursuant to *Government Auditing Standards*.

Engagement Administration, Fees, and Other

We understand that your employees will prepare all cash or other confirmations we request and will locate any documents selected by us for testing.

The audit documentation for this engagement is the property of Grau & Associates and constitutes confidential information. However, subject to applicable laws and regulations, audit documentation and appropriate individuals will be made available upon request and in a timely manner to a cognizant or oversight agency or its designee, a federal agency providing direct or

indirect funding, or the U.S. Government Accountability Office for purposes of a quality review of the audit, to resolve audit findings, or to carry out oversight responsibilities. We will notify you of any such request. If requested, access to such audit documentation will be provided under the supervision of Grau & Associates personnel. Furthermore, upon request, we may provide copies of selected audit documentation to the aforementioned parties. These parties may intend, or decide, to distribute the copies or information contained therein to others, including other governmental agencies. Notwithstanding the foregoing, the parties acknowledge that various documents reviewed or produced during the conduct of the audit may be public records under Florida law. The District agrees to notify Grau & Associates of any public record request it receives that involves audit documentation.

Our fee for these services will not exceed \$6,800 for the September 30, 2022 audit, unless there is a change in activity by the District which results in additional audit work or if Bonds are issued.

The audit documentation for this engagement will be retained for a minimum of five years after the report release date. If we are aware that a federal awarding agency or auditee is contesting an audit finding, we will contact the party(ies) contesting the audit finding for guidance prior to destroying the audit documentation.

Our invoices for these fees will be rendered each month as work progresses and are payable on presentation. Invoices will be submitted in sufficient detail to demonstrate compliance with the terms of this agreement. In accordance with our firm policies, work may be suspended if your account becomes 60 days or more overdue and may not be resumed until your account is paid in full. If we elect to terminate our services for nonpayment, our engagement will be deemed to have been completed upon written notification of termination, even if we have not completed our report. You will be obligated to compensate us for all time expended and to reimburse us for all out-of-pocket costs through the date of termination. The above fee is based on anticipated cooperation from your personnel and the assumption that unexpected circumstances will not be encountered during the audit. If significant additional time is necessary, we will discuss it with you and arrive at a new fee estimate.

This agreement may be renewed each year thereafter subject to the mutual agreement by both parties to all terms and fees. The fee for each annual renewal will be agreed upon separately.

We will provide you with a copy of our most recent external peer review report and any letter of comment, and any subsequent peer review reports and letters of comment received during the period of the contract. Our 2019 peer review report accompanies this letter.

We appreciate the opportunity to be of service to Tampa Palms Community Development District and believe this letter accurately summarizes the significant terms of our engagement. If you have any questions, please let us know. If you agree with the terms of our engagement as described in this letter, please sign the enclosed copy and return it to us.

Very truly yours,

Grau & Associates



Racquel McIntosh

RESPONSE:

This letter correctly sets forth the understanding of Tampa Palms Community Development District.

By: _____

Title: _____

Date: _____



FICPA Peer Review Program
Administered in Florida
by The Florida Institute of CPAs



Peer Review
Program

AICPA Peer Review Program
Administered in Florida
by the Florida Institute of CPAs

February 20, 2020

Antonio Grau
Grau & Associates
951 Yamato Rd Ste 280
Boca Raton, FL 33431-1809

Dear Antonio Grau:

It is my pleasure to notify you that on February 20, 2020, the Florida Peer Review Committee accepted the report on the most recent System Review of your firm. The due date for your next review is December 31, 2022. This is the date by which all review documents should be completed and submitted to the administering entity.

As you know, the report had a peer review rating of pass. The Committee asked me to convey its congratulations to the firm.

Thank you for your cooperation.

Sincerely,
FICPA Peer Review Committee

Peer Review Team
FICPA Peer Review Committee
paul@ficpa.org
800-342-3197 ext. 251

Florida Institute of CPAs

cc: Daniel Hevia, Racquel McIntosh

Firm Number: 900004390114

Review Number: 571202

MEETINGS
TAMPA PALMS – FY 2022-2023

Each year the Board is required to approve a proposed notice containing the annual schedule of meeting dates for following fiscal year, in this case the FY 2022-2023 calendar.

Staff has reviewed the proposed dates and they are consistent with the long-standing *second Wednesday of each month* scheduled used by the CDD: there exists no apparent conflicts with State or Federal holidays.

The proposed dates may be changed by the Board, by notice, should conflicts arise. This will almost certainly happen should the Board decide not to hold a December meeting as is the usual protocol.

A copy of the proposed notice is attached. It has been reviewed by counsel for the structure of the notice: DPMG will properly do the public notice.

If these dates are acceptable, the dates and notice should be approved by motion.

NOTICE OF MEETINGS
TAMPA PALMS
COMMUNITY DEVELOPMENT DISTRICT

As required by Chapters 189 and 190 of Florida Statutes, notice is hereby given that the Fiscal Year 2022-2023 regular meetings of the Board of Supervisors of the Tampa Palms Community Development District are scheduled to be held on the second Wednesday of every month at 6:00 p.m. at the Compton Park Recreation Building, 16101 Compton Drive, Tampa, Florida. The meeting dates are as follows (exceptions noted below):

October 12, 2022
November 9, 2022
December 14, 2022
January 11, 2023
February 8, 2023
March 8, 2023
April 12, 2023
May 10, 2023
June 14, 2023
July 12, 2023
August 9, 2023
September 13, 2023

The meetings will be open to the public and will be conducted in accordance with the provisions of Florida Law for Community Development Districts. Any meeting may be continued with no additional notice to a date, time and place to be specified on the record at a meeting. A copy of the agenda for the meetings listed above, may be obtained from the District Offices, 16311 Tampa Palms Boulevard, Tampa, Florida 33647 at (813) 977-3933, one week prior to the meeting.

There may be occasions when one or more supervisors will participate by telephone.

In accordance with the provisions of the Americans with Disabilities Act, any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the District Office at (813) 977-3933. If you are hearing or speech impaired, please contact the Florida Relay Service at (800) 955-8770 for aid in contacting the District Office at least two (2) business days prior to the date of the hearing and meeting.

Each person who decides to appeal any action taken at the meetings is advised that the 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.

DPFG, District Management

Report on Investment Account

The following is an August 2022 report, of the CD investments by type and maturity date. In addition, we have confirmed sufficient cash flows to support additional short-term investments to add more interest income.

There has been a compression in the yield curve for brokered CDs providing 2.7 % interest for shorter duration (6-month) investments vs 3.0 % for 1-year CDs. This represents a competitive rate for a reduced duration risk.

The treasury department (both of us) are working with SouthState Wealth Services to take advantage of this opportunity.

The primary objective of the deployment of brokered CDs is that of maximizing the earning potential of CDD fund balances to reduce, to the degree possible, owner assessments through investment options that provide:

- Competitive yields
- Structure diversity to remain FDIC insured
- Preservation of capital

Please find following the August report on the CD investment accounts.

Tampa Palms CDD Cash Management

August 2022

(\$000)				
Transactions	Operating Account	Mid-Term Invrstmnts	Long Term Invrstmnts	CDD Total
FY 2021-22				
Balance 6/30/2022	3,079	0	1,708	4,787
Aug 2022 6 Mth CD 2.9% Mature Feb 2023	-1,000	1,000		
Expenses: 6/30/2022 FWD	-840			
Budgeted Carry Forward	-115			
Balance Fiscal Year End 9/30/2022	1,124	1,000	1,708	3,832
FY 2022-23				
Fisrt Qtr Expenses	-730			
November Receipts	600			
December Receipts	1,800			
Balance 12/31/2022	2,794	1,000	1,708	5,502
Jan Mar Expenses	-730			
Feb Aug CD Matrures (Interest (14)	14	1,000		
Reinvest 6 Mo CD		-1,000		
Jan-Mar Receipts	163			
Balance 3/31.2022	2,241	1,000	1,708	4,949
Apl-Aug Expenses	-1,460			
Budgeted Carry Forward	-140			
Long Term CDs Mature June 6 Int	30			
Reinvest ?	1,464		-1464	
Mid-Term CDs Maturen (Aug) Interest	14			
	1000			

Tampa Palms CDD

Long-Term Investments

July 30, 2022

Brokered CDs Maturing

Cash Flow returning June and September

In Fiscal Year 2022-2023

Issued By	Cusip Number	Maturity Date	Principal (\$)	Interest Rate	Interest (\$)	Total Proceeds (\$)	Proceeds Due
One Year CDs	Maturing in June 2023						
Discover Bank	254673F84	6/7/23	244,000	2.000	4,880	248,880	6/7/23
BMO Harris Bank	05600XFT2	6/9/23	244,000	2.050	5,002	249,002	6/9/23
Signature Bank	82669GCP7	6/9/23	244,000	1.950	4,758	248,758	6/9/23
Beal Bank Plano	07371A3A9	6/14/23	244,000	2.050	5,002	249,002	6/14/23
Beal Bank Las Vegas	07371C6J3	6/14/23	244,000	2.150	5,246	249,246	6/14/23
Berkshire Bank	084601XS7	6/16/23	244,000	2.000	4,880	248,880	6/16/23
Sub-Total June 2023			\$ 1,464,000		\$ 29,768	\$ 1,493,768	
✓ 15 Month CDs	Maturing in Sept 2023	*Callable 12/8/22					
Goldman Sachs	38150VBW8	9/08/23	244,000	2.250	15 Month \$ 6,862	\$ 250,862	9/8/23
Grand Total Cash Flow At Maturity			\$ 1,708,000		\$ 36,630	\$ 1,744,630	

Illegal Construction Update

There are two issues relative to the illegal construction that CDD Supervisors need to be aware of for questions and comments that they may receive from residents.

The “confidential informant” about whom Warren Dixon has spoken several times, has gone to the press [Tampa Bay Times, C T Bowen] and discussed the illegal construction.

The press has contacted Warren and they engaged in a substantial conversation “off the record” and on the record Warren provided the HCEPC’s recently issued “Citation”.

The second issue is the Citation, which is attached. This document essentially orders restoration of all that was done during the illegal and unpermitted construction.

A copy of the Citation follows.



ENVIRONMENTAL PROTECTION COMMISSION
OF HILLSBOROUGH COUNTY

ENVIRONMENTAL PROTECTION
COMMISSION OF HILLSBOROUGH COUNTY,

Complainant,

vs.

Case No.: #2020-0111E

SUNSHINE STATE CONSERVATION, LLC,

Respondent.

CITATION OF VIOLATION
AND
ORDER TO CORRECT

SERVICE TO: SUNSHINE STATE CONSERVATION, LLC

Delaware Registered Agent: **NATIONAL REGISTERED AGENTS, INC.**
1209 Orange Street
Wilmington, DE 19801
Certified Mail Number #

Florida Address of Delaware Registered Agent:
NATIONAL REGISTERED AGENTS, INC.
240 Crandon Blvd.
Suite 250
Key Biscayne, FL 33149
Certified Mail Number #

Address identified in Deed: **SUNSHINE STATE CONSERVATION, LLC**
P.O. Box 486
Dunedin, FL 34697

POSTING: **Physical address: Folio #034758-0000**
Near Amberly Drive, Tampa, FL 33456
Sign posted on gate at approximately:
Latitude 28°5'10"N Longitude 82°23'35"W

Pursuant to Sections 14 and 18(2) of the Environmental Protection Act of Hillsborough County, Chapter 84-446, Laws of Florida, as amended, (EPC Act), Chapters 376 and 403, Florida Statutes, and a General Agreement between the Environmental Protection Commission of Hillsborough County (EPC) and the Florida Department of Environmental Protection (DEP), the Executive

Director of the EPC makes the following determinations concerning Sunshine State Conservation, LLC (Respondent):

Findings of Fact

1. The EPC has jurisdiction over the matters addressed in this Citation of Violation and Order to Correct (Citation).
2. The EPC is the regulatory agency authorized to enforce the EPC Act, and the rules promulgated thereunder, specifically the EPC Wetland Rule Chapter 1-11.
3. Respondent is a foreign limited liability company registered in the State of Delaware and is a person as defined in the EPC Act and Chapter 403, F.S. Respondent appears to have no listed registered agent in Florida Department of State records, however, Respondent's registered agent in Delaware is registered in the State of Florida as National Registered Agents, Inc. and identifies its address as 240 Crandon Blvd., Suite 250, Key Biscayne, FL 33149.
4. Respondent owns property located near 15549 Amberly Drive, at Bruce B Downs Blvd, Unit Site, Folio No. 034758.0000, Section 35 Township 27S Range 19E, Tampa, in Hillsborough County, Florida (Property). Respondent has owned and exercised control over the Property since at least September 19, 2018 when Respondent acquired the Property by means of a quit claim deed which was recorded in the public records of Hillsborough County on October 9, 2018 in Instrument #2018409648. See Deed attached hereto as Exhibit 1.
5. Respondent's address in the deed is identified as P.O. Box 486, Dunedin, Florida 34697 but no other address is listed for the Respondent in public records in Florida that could be found. The Property and all of the subject activities are subject to the prohibitions of the EPC Act and Rules promulgated thereunder.
6. The Property is an estimated 937 acres in north Hillsborough County and is comprised of significant jurisdictional wetland areas with minimal upland areas scattered throughout the site. The Property "Use as identified in the Hillsborough County Property Appraiser records is "Wetlands/Lowlands." The Property did not include any buildings/structures or permanent improvements before it was acquired in 2018 other than some minor at grade off-road vehicle trails and old historic drainage ditches.
7. After receiving a complaint about potential violations, EPC staff, on May 26, 2020, inspected the Property with the property owners and City of Tampa representatives for unauthorized wetland impacts including a fill access trail through a wetland area. The EPC staff documented significant fill brought into the wetland area for the purpose of constructing access trails within the wetlands. These unauthorized activities are a violation of Section 1-11.05, Rules of the EPC.
8. In addition, the May 26, 2020 inspection revealed the property owner cleared a large upland area and excavated a pond as illustrated on the Impact and Restoration Area Maps

attached hereto and incorporated herein as Exhibit One and Exhibit Two. These unauthorized activities are a violation of Section 1-11.05, Rules of the EPC.

9. On August 13, 2020, EPC staff inspected the site with representatives of Respondent and further documented unauthorized development activities within the wetland areas of the Property. Staff confirmed the following wetland impacts totaling approximately 3.7 acres as illustrated on the Impact and Restoration Area Maps of Exhibit One and Exhibit Two:
 - i. Western access trail with approximately 0.505 acres of impact fill, with associated culverts.
 - ii. Eastern access trail with approximately 0.338 acres of impact fill, with associated culverts.
 - iii. Western dredge area of approximately 1.244 acres impacted with associated spoil mound.
 - iv. Eastern dredge area with spoil mounds were assessed by the northern portion of approximately 0.331 acres impacted and the southern portion of approximately 0.891 acres impacted.
 - v. Trail crossing through the eastern dredge area approximately 952 square feet with associated culverts.
 - vi. Approximately one-third (1/3) of pond in the western impact area dredged of approximately 0.11 acres with an associated spoil mound of approximately 0.136 acres.
 - vii. Three (3) debris piles from tree removal impacting approximately 2,300 square feet total.
10. The unauthorized wetland impacts described in paragraph 9 constitute a “manmade change to real property, including but not limited to dredging, filling, grading, excavating, clearing, timbering, ditching or draining.”
11. The unauthorized impacts described in Paragraph 9 serve to destroy, reduce or impair the wetlands and other waters and which contributes to the present or potential future destruction, reduction or impairment of the environmental benefits provided by the wetland and / or other surface waters or a portion thereof.
12. The unauthorized impacts described in Paragraph 9 constitutes pollution as defined by Chapter 84-446, Laws of Florida, as amended.
13. The Respondent submitted an after-the-fact application (Wetland/other surface waters [OSW] Impact & Mitigation Review 72469 application) on May 12, 2021 for wetland impact approvals. The application submitted by Respondent identified 1.89 acres of permanent wetland/OSW impacts for the development of an undisclosed type of development.
14. Wetlands Division staff of the EPC has conducted a review of the application. No current wetland boundary /delineation has been performed for the entire property so there is no exact identification of the total acreage of wetlands and uplands on the Property.

15. After initial review of the application, the EPC responded with the first Request for Additional Information (RAI) on July 22, 2021 and the response was received on February 21, 2022. The second RAI was issued on March 31, 2022. To date, there has been no response to the second RAI. The subject wetland/OSW impacts are not authorized and the application remains outstanding based on the failure to respond to the EPC second RAI.
16. No EPC authorization, current or past, has been provided for the wetland impacts described above.
17. To date, EPC staff have expended approximately 23 hours to address the above-describe pollution/violation.

Conclusions

The above facts demonstrate violations of the following laws and rules:

18. **Section 17(1)(a) of the EPC Act** - by causing or taking such action as may reasonably be expected to cause water pollution in Hillsborough County, or to otherwise violate any other provision of the EPC Act, or any rules adopted by the EPC pursuant to this act. Section 3 of the EPC Act defines *water pollution* as “any contamination, destruction, or other alteration, or any activity which contributes to such contamination, destruction, or other alteration, of any physical, chemical or biological feature or property of any waters of the county”. Section 8 of the EPC Act specifies that “the duties, functions, powers, and responsibilities of the environmental director, or his (her) agents, shall include...(2) The enforcement of the provisions of this act and the rules and regulations.”
19. **Section 17(1)(b) of the EPC Act** - by failing to comply with the rules and standards adopted by the EPC as described below.
20. **Section 1-11.02(2)(b), Rules of the EPC** - Development is defined as “any manmade change to real property, including but not limited to dredging, filling, grading, paving, excavating, clearing, timbering, ditching or draining.”
21. **Section 1-11.05(1), Rules of the EPC** - Development within wetlands and other surface waters of Hillsborough County which destroys, reduces or impairs the wetland and / or other waters or which contributes to the present or potential future destruction, reduction or impairment of the environmental benefits provided by the wetland and / or other surface waters or a portion thereof constitutes pollution as defined by Chapter 84-446, Laws of Florida, as amended, and is prohibited except to the extent as may be specifically authorized in writing by the Executive Director or authorized agent.

Order to Correct

22. Pursuant to the EPC Act, including but not limited to Sections 14 and 18(2)(a), you are hereby ordered to complete the following:
- a. Within 90 days after execution of the Citation, Respondent shall complete the following restoration actions:
 - i. Restore *Restoration Areas*, depicted on Exhibit One and Exhibit Two, to natural wetland grade. Including, but not limited to:
 - ii. Access trails/crossing fill and culvert removal to return trails to pre-fill grades. To maintain access to uplands, a ten-foot total width area of soil stabilization, such as geogrid, may be installed in the former access trail footprint after acquiring appropriate EPC Miscellaneous Activities in Wetlands authorization under Section 1-11.10, Rules of the EPC and future compliance with all conditions of any authorization.
 - iii. Removal of spoil mounds in wetlands from the *Restoration Areas* by filling in the dredged wetland areas with this associated spoil material and returning to pre-dredged grade.
 - iv. Fill in the approximate one third (1/3) of the dredged western pond shown on Exhibit Two to natural grade from the associated spoil mound(s).
 - v. Removal of tree debris piles from within the wetlands as shown in Exhibit One.
 - vi. Plant a mixture of 1,181 wetland trees; species of cypress (*Taxodium* spp.), laurel oak (*Quercus laurifolia*), and red maple (*Acer rubrum*). The wetland trees shall be seven-gallon (7-gal) size pots and flagged prior to planting for monitoring purposes. Planting shall be within the *Planting Areas* as shown on Figures One and Two, with ten-foot (10-ft) centers.
 - vii. All re-grading and planting shall be conducted so as not to negatively affect wetland areas outside the *Restoration Areas*.
 - viii. All fill removed from the *Restoration Areas* shall be placed in a contained upland location which will not discharge to wetlands and/or other surface waters. During re-grading, turbidity and erosion control measures shall be used to ensure water quality standards, Chapter 62-302 Florida Administrative Code.
 - b. Within 45 days after execution of the Citation or halfway through the fill removal process, whichever is the earliest, Respondent shall request an inspection from EPC to ensure fill removal is down to the appropriate pre-fill elevation. At that halfway point of fill removal, the inspector should get a fill removal completion date from the Respondent.
 - c. Within 120 days after execution of the Citation and upon conclusion of the actions identified in paragraph 1 and 2, Respondent shall submit a "Time Zero" Monitoring Reporting in writing to the EPC. The Time Zero Monitoring Report shall include the following information:

- i. Written notification submitted to EPC that the Corrective Actions have been completed.
 - ii. Multiple color photographs from different locations to show the entire completed *Restoration Areas*.
 - iii. Nursery receipts for all plants used in the *Restoration Areas*.
 - iv. Number of each species and size planted in the *Restoration Areas*.
 - v. Description of any nuisance vegetation removed within the *Restoration Areas*.
- d. For three (3) years following completion of the Restoration Actions, Respondent shall monitor the *Restoration Areas* semiannually following the submittal of the Time Zero Monitoring Report. The purpose of the monitoring shall be to determine the success of the restoration.
- e. "Success of the Restoration" means that at the end of the monitoring schedule the following success criteria are met in the *Restoration Areas*:
 - i. The planted trees shall have 100 to 80 percent survival rate. Natural recruitment of wetland tree species may contribute to the 100 to 80 percent survival rate of the Planting Area as depicted in Exhibit One and Exhibit Two. At each inspection in the Monitoring Schedule, Respondent shall replace enough deceased plants to ensure that 100 to 80 percent of the original number planted is alive.
 - ii. The *Restoration Areas* have been inspected by the EPC and the EPC has informed the Respondent in writing that the *Restoration Areas* comply with the success criteria.
- f. Within 30 days after the completion of each inspection in the monitoring schedule, Respondent shall complete a written monitoring report and submit it to the EPC. The monitoring reports shall include the following information:
 - i. Date of the inspection.
 - ii. Color photographs taken from the same locations as the pictures taken in the Time Zero Monitoring Report of the *Restoration Areas*.
 - iii. The number of each species replanted to reach the respective 100 and 80 percent survival rate.
 - iv. Description of any nuisance or exotic species removal.
- g. In the event the site has not achieved "Success of the Restoration," replanting and additional monitoring may be required each year until the restoration is deemed successful

Additional Information

Copies of EPC rules referenced in this Citation may be examined at any EPC office, may be found on the internet site for the agency at <http://www.epchc.org>, or may be obtained by written request to the EPC Legal Department at 3629 Queen Palm Dr., Tampa, FL 33619.

NOTICE OF RIGHTS

Pursuant to Section 9 of the Hillsborough County Environmental Protection Act, Chapter 84-446, as amended, Laws of Florida, (EPC Act) and Rule 1-2.30, Rules of the Environmental Protection Commission of Hillsborough County (EPC) any person whose interests are protected by the EPC Act and who is adversely affected or otherwise aggrieved by this Citation has the right to appeal this Citation, unless the right was previously waived. **Written Notice of Appeal for a Section 9 Administrative Hearing must be received by the EPC Commission Chair, c/o EPC Legal Department, 3629 Queen Palm Dr., Tampa, Florida 33619 or via electronic mail at legalclerk@epchc.org within twenty (20) days of receipt of this notice.** Pursuant to Section 1-2.30(c), Rules of the EPC, a Notice of Appeal must include the following information:

- (1) The name, address, and telephone number of the Appellant; the name, address, and telephone number of the Appellant's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the Appellant will be aggrieved or how his or her interests will be adversely affected by the Executive Director's decision;
- (2) A statement of when and how the Appellant received notice of the agency decision;
- (3) A statement of all disputed issues of material fact. If there are none, the Notice of Appeal must so indicate;
- (4) The specific facts the Appellant contends warrant reversal or modification of the Executive Director's proposed action;
- (5) A statement of the specific laws or rules the Appellant contends require reversal or modification of the Executive Director's proposed action; and
- (6) A statement of the relief sought by the Appellant, stating precisely the action Appellant wishes the Commission to take with respect to the Executive Director's proposed action or decision.

Pursuant to Section 1-2.31, Rules of the EPC, you may request additional time to file a Notice of Appeal by filing a REQUEST FOR EXTENSION OF TIME TO FILE A NOTICE OF APPEAL. The Request for Extension of Time must include a statement when and how the Appellant received notice of the agency decision and a statement why good cause exists for the extension. The Request must be sent to and received by the EPC Legal Department at the address, or e-mail noted above within twenty (20) calendar days of receipt of this notice. **By submitting a "Notice of Appeal" or a "Request for Extension of Time to file a Notice of Appeal" via e-mail, you are agreeing to service and receipt of correspondences via e-mail at the originating e-mail address identified in the e-mail submission.**

This Citation is FINAL unless the party timely files, pursuant to Chapter 1-2, Part IV, Rules of the EPC, a "Notice of Appeal" or files a "Request for Extension of Time to file a Notice of Appeal" for a formal hearing. Pursuant to Section 1-2.31(e), Rules of the EPC, failure to request an administrative hearing by filing a Notice of Appeal within twenty (20) days after receipt of this Citation shall constitute a WAIVER of one's right to have an appeal heard, and this unappealed Citation shall automatically become a final and enforceable Order of the Commission.

**FAILURE TO TIMELY FILE A NOTICE OF APPEAL OR
REQUEST FOR EXTENSION OF TIME SHALL CONSTITUTE A
WAIVER OF ALL OBJECTIONS AND SHALL RESULT IN THIS
DOCUMENT BECOMING A FINAL AGENCY ORDER
ENFORCEABLE IN A COURT OF LAW.**

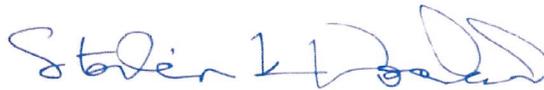
Upon receipt of a sufficient Notice of Appeal for a Section 9 Appeal an independent hearing officer will be assigned. The hearing officer will schedule the appeal hearing at the earliest reasonable date. Following an evidentiary hearing, the hearing officer will render his/her decision as a recommendation before the EPC board. Pursuant to Section 1-2.35, Rules of the EPC, the EPC Commission will take final agency action on the findings of fact and conclusions of law of the hearing officer. A written decision will be provided by the EPC Commission, which affirms, reverses or modifies the hearing officer's decision. Should this final administrative decision still not be in your favor, you may seek review in accordance with Section 9 of the Hillsborough County Environmental Protection Act, Chapter 84-446, as amended, Laws of Florida, and the Administrative Procedure Act, Chapter 120, part II, Florida Statutes, 1961 by filing an appeal under Rule 9.110 of the Florida Rules of Appellate Procedure, with the clerk of the Environmental Protection Commission, EPC Legal Department, 3629 Queen Palm Dr., Tampa, FL 33619, and by filing a notice of appeal accompanied by the applicable filing fee with the Second District Court of Appeal within 30 days from the date of this Citation becoming an Order of the Commission. Please note that this judicial review appeal differs from the Section 9 Appeal.

If Respondent fails to comply with this Citation, the EPC is authorized to file a lawsuit in circuit court seeking a mandatory injunction to compel compliance with the Citation, pursuant to Section 18, Chapter 84-446, Laws of Florida. The EPC may also seek to recover damages, all costs of litigation including reasonable attorney's fees and expert witness fees, and civil penalties of not more than \$5,000 per day for each day that Respondent has failed to comply with this Citation. The EPC is not barred by the issuance of this Citation from maintaining an independent action in circuit court with respect to the alleged violations. Pursuant to Section 18(4) of the EPC Act, every Order of the Commission is legally enforceable, binding and reviewable only in accordance the Administrative Procedure Act, Chapter 120, part II, Florida Statutes, 1961 by filing an appeal as set forth above.

DONE AND ORDERED this 28th day of July, 2022.

**ENVIRONMENTAL PROTECTION
COMMISSION OF HILLSBOROUGH COUNTY**

For



Janet D. Lorton
Executive Director
3629 Queen Palm Dr.
Tampa, Florida 33619
Phone: (813) 627-2600

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EXHIBIT ONE
TO THE SUNSHINE STATE CONSERVATION CONSENT ORDER
IMPACT AND RESTORATION AREA MAPS



KEY

**Not to scale. For illustrative purposes only. **

-  Impact Area
-  Restoration Area / Planting Area
-  Debris piles to be removed
-  Access trail/crossing to be restored
-  Approximate property boundary

EXHIBIT TWO
TO THE SUNSHINE STATE CONSERVATION CONSENT ORDER
IMPACT AND RESTORATION AREA MAPS



KEY

**Not to scale. For illustrative purposes only. **

-  Impact Area
-  Restoration Area / Planting Area
-  Access trail to be restored
-  Approximate property boundary