



Rizzetta & Company

# **Encore Community Development District**

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**Board of Supervisors' Meeting  
October 3, 2019**

**District Office:  
9428 Camden Field Parkway  
Riverview, Florida 33578  
813.533.2950**

**[www.encorecdd.org](http://www.encorecdd.org)**

## **ENCORE COMMUNITY DEVELOPMENT DISTRICT AGENDA**

Tampa Housing Authority located at 5301 West Cypress Street, Tampa, FL 33607.

<b>Board of Supervisors</b>	Dr. Hazel Harvey Christine Burdick Billi Johnson-Griffin Julia Jackson Teresa Morning	Chairman Vice Chairman Assistant Secretary Assistant Secretary Assistant Secretary
<b>District Manager</b>	Justin Croom	Rizzetta & Company, Inc.
<b>District Attorney</b>	Jennifer Kilinski	Hopping Green & Sams, P.A.
<b>District Engineer</b>	Greg Woodcock	Cardno TBE

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

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

Pursuant to provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting/hearing/workshop is asked to advise the District Office at least forty-eight (48) hours before the meeting / hearing / workshop by contacting the District Manager at (813) 533-2950. If you are hearing or speech impaired, please contact the Florida Relay Service by dialing 7-1-1, or 1-800-955-8771 (TTY) 1-800-955-8770 (Voice), who can aid you in contacting the District Office.

A person who decides to appeal any decision made at the meeting/hearing/workshop with respect to any matter considered at the meeting/hearing/workshop is advised that person will need a record of the proceedings and that accordingly, the person may need to ensure that a verbatim record of the proceedings is made including the testimony and evidence upon which the appeal is to be based.

**ENCORE COMMUNITY DEVELOPMENT DISTRICT**  
**DISTRICT OFFICE • 9428 CAMDEN FIELD PARKWAY • RIVERVIEW, FL 33578**  
**www.encorecdd.org**

**Board of Supervisors**  
**Encore Community**  
**Development District**

September 24, 2019

**REVISED AGENDA**

Dear Board Members:

The Regular meeting of the Board of Supervisors of the Encore Community Development District will be held on **Thursday, October 3, 2019 at 4:00 p.m.** at the office of Tampa Housing Authority, located at 5301 W. Cypress Street, Tampa, Florida 33607. The following is the agenda for the meeting:

**BOARD OF SUPERVISORS MEETING:**

- 1. CALL TO ORDER/ROLL CALL**
- 2. AUDIENCE COMMENTS**
- 3. BUSINESS ADMINISTRATION**
  - A. Consideration of Resumes for Vacant Seat .....Tab 1
  - B. Administer Oath of Office to Newly Elected Supervisor
  - C. Consideration of Resolution 2020-01, Designating Officers of the District .....Tab 2
  - D. Consideration of Minutes of the Board of Supervisors' Regular Meeting held on August 26, 2019 .....Tab 3
  - E. Consideration of Operations & Maintenance Expenditures for August 2019.....Tab 4
  - F. Consideration of Chiller Fund Operations & Maintenance Expenditures for August 2019.....Tab 5
- 4. BUSINESS ITEMS**
  - A. Consideration of Electrical Services Proposals .....Tab 6
  - B. Consideration of Acquisition of Improvements .....Tab 7
  - C. Consideration of Addendum to Contract for Professional Field Services.....Tab 8
  - D. Consideration of Addendum to Contract for Professional District Services .....Tab 9**
- 5. STAFF REPORTS**
  - A. Field Services Manager
    1. Presentation of Field Services Report .....Tab 10
  - B. District Counsel
  - C. District Engineer
  - D. Chiller System Manager – Trane
    1. Presentation of August 2019 Central Energy Plant Report.....Tab 11
  - E. District Manager
- 6. SUPERVISOR REQUESTS**
- 7. ADJOURNMENT**

We look forward to seeing you at the meeting. In the meantime, if you have any questions please do not hesitate to call us at (813) 533-2950.

Sincerely,

*Justin Croom*

Justin Croom  
District Manager

**RESOLUTION 2020-01**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF ENCORE  
COMMUNITY DEVELOPMENT DISTRICT APPOINTING AND  
REMOVING OFFICERS OF THE DISTRICT, AND PROVIDING FOR AN  
EFFECTIVE DATE**

WHEREAS, Encore Community Development District (hereinafter the "District") is a local unit of special-purpose government created and existing pursuant to Chapter 190, Florida Statutes, being situated entirely within Hillsborough County, Florida; and

WHEREAS, the Board of Supervisors of the District desires to appoint and remove Officers of the District.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS  
OF ENCORE COMMUNITY DEVELOPMENT DISTRICT:**

Section 1. \_\_\_\_\_ is appointed Chairman.

Section 2. \_\_\_\_\_ is appointed Vice Chairman.

Section 3. \_\_\_\_\_ is appointed Assistant Secretary.

\_\_\_\_\_ is appointed Assistant Secretary.

\_\_\_\_\_ is appointed Assistant Secretary.

\_\_\_\_\_ is appointed Assistant Secretary.

Section 4. This Resolution supersedes any prior appointments made by the Board for Chairman and Vice-Chairman.

Section 5. This Resolution shall become effective immediately upon its adoption.

**PASSED AND ADOPTED THIS 3<sup>rd</sup> DAY OF October, 2019.**

**ENCORE COMMUNITY  
DEVELOPMENT DISTRICT**

\_\_\_\_\_  
**CHAIRMAN / VICE CHAIRMAN**

**ATTEST:**

\_\_\_\_\_  
**SECRETARY / ASSISTANT SECRETARY**

MINUTES OF MEETING

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

ENCORE  
COMMUNITY DEVELOPMENT DISTRICT

The Regular meeting and Public Hearing of the Board of Supervisors of the Encore Community Development District was held on **Thursday, August 26, 2019 at 4:00 p.m.** at the office of Tampa Housing Authority, located at 5301 W. Cypress Street, Tampa, Florida, 33607.

Present and constituting a quorum were:

Dr. Hazel Harvey	<b>Board Supervisor, Chairman</b>
Billi Johnson-Griffin	<b>Board Supervisor, Assistant Secretary</b>
Teresa Morning	<b>Board Supervisor, Assistant Secretary</b>
Julia Jackson	<b>Board Supervisor, Assistant Secretary</b>

Also present were:

Justin Croom	<b>District Manager, Rizzetta &amp; Company, Inc.</b>
Lauren Gentry	<b>District Counsel, Hopping Green &amp; Sams</b>
Derek Carter	<b>Trane</b>
Scott Crow	<b>Account Manager, Yellowstone</b>
David Ilyownya	

**FIRST ORDER OF BUSINESS**

**Call to Order**

Mr. Croom called the meeting to order and read the roll call.

**SECOND ORDER OF BUSINESS**

**Audience Comments**

A resident had a question about the street lights being out.

A resident commented that residents are not complying with the smoke free campus.

**THIRD ORDER OF BUSINESS**

**Consideration of Resumes for Vacant Seat**

The Board would like to table this until the next meeting.

**FOURTH ORDER OF BUSINESS**

**Consideration of the Minutes of the  
Board of Supervisors' Regular  
Meeting held on June 6, 2019**

On a Motion by Ms. Johnson-Griffin, seconded by Ms. Morning, with all in favor, the Board of Supervisors approved the minutes of the Regular meeting held on June 6, 2019, as presented for the Encore Community Development District.

**FIFTH ORDER OF BUSINESS**

**Consideration of Operation and  
Maintenance Expenditures for May  
2019 - July 2019**

On a Motion by Dr. Harvey, seconded by Ms. Morning, with Ms. Johnson-Griffin opposed, the Board of Supervisors approved the Operation and Maintenance Expenditures for May 2019 (\$17,693.07) & June 2019 (\$23,684.28) & July 2019 (\$18,111.61) as presented for the Encore Community Development District.

**SIXTH ORDER OF BUSINESS**

**Consideration of Chiller Fund  
Operation and Maintenance  
Expenditures for May 2019 - July 2019**

On a Motion by Dr. Harvey, seconded by Ms. Morning, with Ms. Johnson-Griffin opposed, the Board of Supervisors approved the Chiller Fund Operation and Maintenance Expenditures for May 2019 (\$43,608.57) & June 2019 (\$56,667.89) & July 2019 (\$57,073.41) as presented for the Encore Community Development District.

**SEVENTH ORDER OF BUSINESS**

**Public Hearing on Fiscal Year  
2019/2020 Budget**

On a Motion by Ms. Johnson-Griffin, seconded by Dr. Harvey, with all in favor, the Board of Supervisors opened the Public Hearing on Fiscal Year 2019-2020 Budget for the Encore Community Development District.

Mr. Croom presented the Fiscal Year 2019/2020 Budget to the Board. Ms. Gentry gave a brief overview of the process. There were no comments from the board or audience.

On a Motion by Dr. Harvey, seconded by Ms. Johnson-Griffin, with all in favor, the Board of Supervisors closed the Public Hearing on Fiscal Year 2019-2020 Budget for the Encore Community Development District.

75           **1.       Consideration of Resolution 2019-05, Adopting Fiscal Year 2019/2020**  
76           **Budget**

77  
78           Mr. Croom presented Resolution 2019-05 to the Board, which will adopt  
79           the Budget for Fiscal Year 2019-2020  
80

On a Motion by Ms. Johnson-Griffin, seconded by Ms. Jackson, with all in favor, the Board of Supervisors adopted Resolution 2019-05 for the Encore Community Development District.

81  
82           **2.       Consideration of Resolution 2019-06, Imposing Special Assessments**  
83           **and Certifying Assessment Roll**

84  
85           Mr. Croom presented Resolution 2019-06 to the Board, which will impose  
86           special assessments and certify the tax roll for the 2019-2020 budget  
87

On a Motion by Ms. Johnson-Griffin, seconded by Ms. Jackson, with all in favor, the Board of Supervisors adopted Resolution 2019-06 for the Encore Community Development District.

88  
89           **EIGHTH ORDER OF BUSINESS**

**Consideration of Resolution 2019-07,**  
                    **Setting the Fiscal Year 2019-2020**  
91                      **Meeting Schedule.**

92  
93           Mr. Croom presented Resolution 2019-07 to the Board, which will adopt the  
94           meeting schedule for Fiscal Year 2019-2020. The Board would like to update the  
95           meeting schedule from one meeting every other month, to meetings on the first  
96           Thursday every month.  
97

On a Motion by Ms. Johnson-Griffin, seconded by Ms. Jackson, with all in favor, the Board of Supervisors adopted Resolution 2019-07 for the Encore Community Development District.

98  
99           **NINTH ORDER OF BUSINESS**

**Consideration       of       Landscape**  
                    **Enhancement Proposals**

100  
101  
102           Mr. Croom presented several proposals from Yellowstone Landscaping for Landscape  
103           enhancements to the Board for discussion.  
104

On a Motion by Ms. Johnson-Griffin, seconded by Ms. Jackson, with all in favor, the Board of Supervisors approved the proposals from Yellowstone Landscape for landscape enhancement in the total amount of \$ 4,040.29 for the Encore Community Development District.

105  
106           **TENTH ORDER OF BUSINESS**

**Consideration       of       Contract       for**



**Professional Technology Services**

Mr. Croom presented a proposal from Rizzetta Technology Services for professional technology services to the Board.

On a Motion by Ms. Johnson-Griffin, seconded by Ms. Jackson, with all in favor, the Board of Supervisors approved the proposal from Rizzetta Technology Services per month for the Encore Community Development District.

**ELEVENTH ORDER OF BUSINESS**

**Consideration of Service Proposal for Chiller Plant**

Mr. Croom presented a proposal from Trane Building Services for energy plant tracer service and repair.

On a Motion by Ms. Johnson-Griffin, seconded by Dr. Harvey, with all in favor, the Board of Supervisors approved the proposal from Trane Building Services subject to confirmation by District Counsel for the Encore Community Development District.

**TWELFTH ORDER OF BUSINESS**

**Ratification of FY 2017/2018 Audit Report**

On a Motion by Dr. Harvey, seconded by Ms. Johnson-Griffin, with all in favor, the Board of Supervisors ratified the financial audit report for the fiscal year 2017-2018 for the Encore Community Development District.

**THIRTEENTH ORDER OF BUSINESS**

**Consideration of ADA Website Compliance Services**

Mr. Croom presented proposals for ADA website compliance to the Board. A discussion ensued.

On a Motion by Ms. Johnson-Griffin, seconded by Ms. Morning, with all in favor, the Board of Supervisors approved the proposal from Campus Suite for ADA Website Compliance for the Encore Community Development District.

**FOURTEENTH ORDER OF BUSINESS**

**Consideration of Solar Park Proposal**

The Board would like to table this proposal until the next meeting.

**FIFTEENTH ORDER OF BUSINESS**

**Consideration of Holiday Lighting Proposal**

Mr. Croom presented a proposal from Illuminations for Holiday lighting and decoration to the Board for discussion.

On a Motion by Ms. Johnson-Griffin, seconded by Ms. Jackson, with all in favor, the Board of Supervisors approved the proposal from Illuminations Holiday Lighting in the amount of \$41,325.00 subject to agreement from district counsel for the Encore Community Development District.

#### **SIXTEENTH ORDER OF BUSINESS**

##### **Consideration Infrastructure**

##### **Acquisition of**

The Board would like to table this proposal until the next meeting.

#### **SEVENTEENTH ORDER OF BUSINESS**

##### **Staff Reports**

##### **A. Field Services Manager**

1. Presentation of the Field Services Reports.

Mr. Croom presented the Field Services Reports to the Board.

##### **B. District Counsel**

Ms. Gentry had nothing new to report.

##### **C. District Engineer**

Mr. Woodcock was not present.

##### **D. Chiller System Manager – Trane**

1. Presentation of Energy Analysis Report

Mr. Croom reviewed the Energy Analysis Report for the Board. The Board had no questions on the report.

##### **E. District Manager**

Mr. Croom noted that the next regularly scheduled Board of Supervisors meeting will be held on October 3, 2019 at 4:00 p.m. at the Tampa Housing Authority located at 5301 W. Cypress Street, Tampa, Florida 33607.

#### **EIGHTEENTH ORDER OF BUSINESS**

##### **Supervisor Requests**

There were no Supervisor Requests.

#### **NINETEENTH ORDER OF BUSINESS**

##### **Adjournment**

On a Motion by Ms. Johnson-Griffin, seconded by Ms. Morning with all in favor, the Board of Supervisors adjourned the meeting at 5:08 p.m. for the Encore Community Development District.

183  
184  
185  
186

\_\_\_\_\_  
Secretary / Assistant Secretary

\_\_\_\_\_  
Chairman / Vice Chairman

DRAFT

# ENCORE COMMUNITY DEVELOPMENT DISTRICT

DISTRICT OFFICE · 9428 CAMDEN FIELD PARKWAY · RIVERVIEW, FLORIDA 33578

## **Operation and Maintenance Expenditures August 2019 For Board Approval**

Attached please find the check register listing the Operation and Maintenance expenditures paid from August 1, 2019 through August 31, 2019. This does not include expenditures previously approved by the Board.

The total items being presented: **\$16,959.27**

Approval of Expenditures:

\_\_\_\_\_

\_\_\_\_\_Chairperson

\_\_\_\_\_Vice Chairperson

\_\_\_\_\_Assistant Secretary

## Encore Community Development District

### Paid Operation & Maintenance Expenditures

August 1, 2019 Through August 31, 2019

<u>Vendor Name</u>	<u>Check Number</u>	<u>Invoice Number</u>	<u>Invoice Description</u>	<u>Invoice Amount</u>
Carl Hankins, Inc.	001534	3326	Remove and install new hand hole	\$ 4,500.00
Hopping Green & Sams	001536	109230	General/Monthly Legal Services 07/19	\$ 2,158.50
Office Dynamics	001537	00029446	Bind & Ship 5 Agenda Booklets 08/19	\$ 463.70
Rizzetta & Company, Inc.	001532	INV0000042243	District Management Fees 08/19	\$ 3,479.58
Rizzetta Technology Services	001533	INV0000004581	Website Hosting Service 08/19	\$ 100.00
TECO	001535	Summary 07/19	Electric Summary 07/19	\$ 1,053.49
Yellowstone Landscape	001538	TM 45435	Monthly Landscape Maint 08/19	<u>\$ 5,204.00</u>
<b>Report Total</b>				<b><u>\$ 16,959.27</u></b>

# ENCORE COMMUNITY DEVELOPMENT DISTRICT

DISTRICT OFFICE · 9428 CAMDEN FIELD PARKWAY · RIVERVIEW, FLORIDA 33578

**Operation and Maintenance Expenditures  
August 2019  
For Board Approval  
Chiller Fund**

Attached please find the check register listing the Operation and Maintenance expenditures paid from August 1, 2019 through August 31, 2019. This does not include expenditures previously approved by the Board.

The total items being presented: **\$57,122.87**

Approval of Expenditures:

\_\_\_\_\_

\_\_\_\_\_Chairperson

\_\_\_\_\_Vice Chairperson

\_\_\_\_\_Assistant Secretary

## Encore Community Development District Chiller Fund

### Paid Operation & Maintenance Expenditures

August 1, 2019 Through August 31, 2019

Vendor Name	Check Number	Invoice Number	Invoice Description	Invoice Amount
City of Tampa Utilities	001323	2175375 07/19	1237 E Harrison St 07/19	\$ 1,039.53
City of Tampa Utilities	001323	2175376 07/19	1304 N Nebraska Ave 07/19	\$ 50.98
Frontier Florida LLC	001320	813-223-7101-092412-5 08/19	Acct 813-223-7101-092412-5 08/19	\$ 296.31
Rizzetta & Company, Inc.	001319	INV0000042243	District Management Fees 08/19	\$ 833.33
Tampa Bay Trane	001321	228642	Select Quarterly/Bill Qtrly Contract From 08/01/19	\$ 14,000.00
TECO	001322	211006277308 07/19	1200 Nebraska Av N 07/19	\$ 37,006.32
TECO	001322	211006278348 07/19	1004 Nebraska Ave N C 07/19	\$ 3,896.40
<b>Report Total</b>				<b><u>\$ 57,122.87</u></b>

# ELECTRICAL CONTRACTOR SERVICES, INC

## Proposal

August 12, 2019

**TO:** Justin Croom  
Rizzetta & Co.

**JOB:** Solar Park @ Encore

**WORK DESCRIPTION:** Before any sidewalk forming is in place, ECS will furnish and install PVC raceway & wire to a new meter & 100-amp panel w/small TVSS per the detail. Connections & grounding to the new service transformer will be by others, or an adder will be sent once a scope for that work is known. From there we will install & run three circuits to two LV transformers (FBO) & a water fountain. From the LV transformers we will install ¾" PVC & #12 wire for future low voltage fixtures (furnished & installed by others) stubbing up at locations set by others. Control of the two LV transformers will be by photo cells as this is typical of the street lights at Encore.

**Total for work: \$10,536.00**

### General Conditions

1. All applicable taxes are included in our submission.
2. The contractor shall not be held liable for errors or omissions in designs by others, nor inadequacies of materials and equipment specified or supplied by others.
3. Equipment and materials supplied by the contractor are warranted only to the extent that the same are warranted by the manufacturer.
4. This contractor shall not be liable for indirect loss or damage.
5. Unless included in this proposal, all bonding and/or special insurance requirements are supplied at additional cost.

**PO BOX 310, SAN ANTONIO, FL 33576**  
**OFFICE 352-668-4840**  
**FAX 352-668-4841**



## ELECTRICAL CONTRACTOR SERVICES, INC

6. If a formal contract is required, its conditions must not deviate from this proposal without contractors' permission.
7. Anything (verbal or written), express or implied elsewhere, which is contrary to these conditions shall be null and void.
8. Payable on the following terms: Net 30 from completion, not paid when paid and no retainage held.
9. This proposal is void if not accepted in writing within thirty (30) days.
10. All work is to be completed during normal business hours of 7:00am thru 3:30pm, Monday thru Friday, excluding Holidays.
11. All work is to be scheduled at least three (3) weeks in advance to commencing.
12. Permitting costs are not included in this proposal.
13. Locations of any/all private utilities will need to be flagged or uncovered prior to us digging. ECS cannot be held liable for damage to unknown pipes. Underground utilities may affect locations.
14. All trenches will be backfilled to rough grade.
15. THA to coordinate layout of lights, meter & fountain locations.
16. Owner supplied items are not warrantied by ECS.

Respectfully,

*John Gross*

John Gross

Accepted by:

\_\_\_\_\_

Print Name: \_\_\_\_\_

**PO BOX 310, SAN ANTONIO, FL 33576**  
**OFFICE 352-668-4840**  
**FAX 352-668-4841**

# ELECTRICAL CONTRACTOR SERVICES, INC

August 23, 2019

**Rizzetta & Company Inc.**  
**Attn: Justin Croom**

**RE: Encore CDD, 1004 Nebraska Ave, Maintenance Program**

**Quarterly Inspection:               \$300.00**

**Labor Rate:**                       **\$105.00** per hour, or portal to portal outside of inspection trip.  
**Second man:**                   **\$38.00** I'll do this if there are multiple outages to reduce the overall time we are at the site, thus reduce the overall cost if only having one man making all the repairs. Also, for repairs taking more than one person to complete.

**Typical material used:**       100W lamp: \$38.50  
  100W Ballast Kit: \$77.60  
  Fuse:13.75  
  Fuse Holder: \$19.25

## **Estimated Labor:**

Lamp replacement, figure 30 minutes each.

Ballast replacement, figure 1 hour each.

Respectfully,

*John Gross*

John Gross

Accepted by:

\_\_\_\_\_

Print Name: \_\_\_\_\_

**PO BOX 310, SAN ANTONIO, FL 33576**  
**OFFICE 352-668-4840**  
**FAX 352-668-4841**

[Date]

Encore Community Development District  
c/o Justin Croom, District Manager  
Rizzetta & Company, Inc.  
9428 Camden Field Parkway  
Riverview, FL 33569

Re: Encore Community Development District  
Acquisition of Improvements

Dear Mr. Croom:

Tampa Housing Authority Development Corp. ("Tampa Housing Authority") has completed and wishes to convey to the District certain improvements, which improvements are more particularly set forth in the Engineer's Report (defined below) (the "Improvements"). Tampa Housing Authority wishes to convey the Improvements, which were included in the District's *[Insert Name of Engineer's Report]*, dated \_\_\_\_\_ ( "Engineer's Report") to the District. The value of the Improvements is approximately \$ \_\_\_\_\_, representing the actual cost of constructing the Improvements.

Sincerely,

Tampa Housing Authority  
Development Corp.

cc: Jennifer Kilinski, District Counsel  
Greg Woodcock, P.E., District Engineer

## Exhibit A

## Identification of Improvements

The Tampa Housing Authority Development Corp. has constructed and/or caused to be completed in and for the Encore Community Development District the \_\_\_\_\_ Improvements, all located on portions of the real property described as follows:

[INSERT PLAT REFERENCES OR LEGALS]

The Improvements are as identified below:

[illegible]

**ACKNOWLEDGMENT OF ACQUISITION OF CERTAIN INFRASTRUCTURE  
IMPROVEMENTS AND THE RIGHT TO RELY UPON ANY WARRANTIES AND  
CONTRACT TERMS FOR THE CONSTRUCTION OF SAME**

THIS ACQUISITION AND WARRANTY ACKNOWLEDGMENT is made the \_\_\_\_ day of \_\_\_\_\_, 2019, by \_\_\_\_\_, a \_\_\_\_\_ corporation/limited liability company, having offices located at \_\_\_\_\_ (“Contractor”), in favor of the **Encore Community Development District** (“District”), which is a local unit of special-purpose government situated in Hillsborough County, Florida, and having offices located at c/o Rizzetta & Company, Inc., 9428 Camden Field Parkway, Riverview, Florida 33569.

**SECTION 1. DESCRIPTION OF CONTRACTOR’S SERVICES.** Contractor has provided construction services as general contractor in connection with the construction of certain infrastructure improvements (the “Improvements”) for Tampa Housing Authority Development Corp., a landowner of lands within the District (the “Landowner”). A copy of the contract for the construction of said Improvements is attached as **Exhibit A** (“Construction Contract”). The Improvements constructed and acquired are more generally described in the attached **Exhibit B**.

**SECTION 2. ACQUISITION OF IMPROVEMENTS.** Contractor acknowledges that the District is or has acquired the Improvements, constructed by Contractor in connection with the Construction Contract attached as **Exhibit A**, from Landowner, and thereby securing the unrestricted right to rely upon the terms of the Construction Contract for same.

**SECTION 3. WARRANTY.** Contractor hereby expressly acknowledges the District’s right to enforce the terms of the Construction Contract, including any warranties provided therein and to rely upon and enforce any other warranties provided under Florida law.

**SECTION 4. INDEMNIFICATION.** Contractor indemnifies and holds the District harmless from any claims, demands, liabilities, judgments, costs, or other actions that may be brought against or imposed upon the District in connection with the Improvements identified in **Exhibit B** because of any act or omission of Contractor, its agents, employees, or officers. Said indemnification shall include, but not be limited to, any reasonable attorney’s fees and costs incurred by the District.

**SECTION 5. CERTIFICATE OF PAYMENT.** Contractor hereby acknowledges that it has been fully compensated for its services and work related to completion of the Improvements. Contractor further certifies that no outstanding requests for payment exist related to the Improvements identified in **Exhibit B**, including any payments to subcontractors, materialmen, suppliers or otherwise, and that there is no disagreement as to the appropriateness of payment made for the Improvements. This document shall constitute a final waiver and release of lien for any payments due to Contractor by Landowner for the Improvements identified in **Exhibit B**.

**SECTION 6. EFFECTIVE DATE.** This Acquisition and Warranty Acknowledgement shall take effect upon execution.

ATTEST

\_\_\_\_\_, a  
\_\_\_\_ corporation/limited liability  
company

\_\_\_\_\_

\_\_\_\_\_  
[print name]

\_\_\_\_\_

\_\_\_\_\_  
[print name]

\_\_\_\_\_

By: \_\_\_\_\_  
Its: \_\_\_\_\_

## EXHIBIT A

## **Exhibit B**

## Identification of Improvements

The Tampa Housing Authority Development Corp. has constructed and/or caused to be completed in and for the Encore Community Development District the \_\_\_\_\_ Improvements, all located on portions of the real property described as follows:

[INSERT PLAT REFERENCES OR LEGALS]

The Improvements are as identified below:

[illegible]



**WARRANTY AND RELEASE OF RESTRICTIONS ON THE ENCORE  
COMMUNITY DEVELOPMENT DISTRICT'S RIGHT TO USE AND  
RELY UPON DRAWINGS, PLANS, SPECIFICATIONS AND RELATED  
DOCUMENTS CREATED OR UNDERTAKEN IN CONNECTION WITH  
THE CONSTRUCTION OF CERTAIN INFRASTRUCTURE  
IMPROVEMENTS**

**THIS WARRANTY AND RELEASE** is made the \_\_\_\_ day of \_\_\_\_\_, 2019, by \_\_\_\_\_, whose address is \_\_\_\_\_, ("Professional"), in favor of the **Encore Community Development District** ("District"), which is a local unit of special-purpose government situated in Hillsborough County, Florida, and having offices located at c/o Rizzetta & Company, Inc., 9428 Camden Field Parkway, Riverview, Florida 33569.

**SECTION 1. DESCRIPTION OF SCOPE OF SERVICES.** Professional has provided work product in connection with the construction/installation of certain infrastructure improvements for The Viera Company, a landowner within the District ("Landowner"). An outline of the scope of services provided by Professional is attached as **Exhibit A** ("Work Product").

**SECTION 2. USE OF WORK PRODUCT.** Professional acknowledges that the Landowner may in the future convey the Work Product to the District and for that purpose has requested Professional to confirm the release of all restrictions on the District's right to use and rely upon the Work Product.

**SECTION 3. WARRANTY.** Professional hereby expressly guarantees that the Work Product identified in **Exhibit A** is fit for any and all purposes, including the purposes for which it is intended. This expressed warranty shall not serve to eliminate any responsibility of Professional for the Work Product under Florida Statutes or case law, or to exclude any implied warranties and responsibilities.

**SECTION 4. RELEASES.** Premised upon the District's agreement to make no revisions or modifications to the Work Product without prior written permission of Professional, Professional confirms the release of all restrictions upon the District's right to use and rely upon the Work Product for any and all purposes, including the purposes for which it is intended. Professional hereby affirmatively agrees that the Work identified in **Exhibit A** is free of all claims, security agreement, encumbrances or liens.

**SECTION 5. CERTIFICATE OF PAYMENT.** Professional hereby acknowledges that it has been fully compensated for its services and work related to completion of the Work Product. Professional further certifies that no outstanding requests for payment exist related to the Work Product identified in **Exhibit A** and that there is no disagreement as to the appropriateness of payment made for the Work Product. This document shall constitute a final waiver and release of lien for any payments due to Professional by Landowner and/or the District for the Work Product identified in **Exhibit A**.

**SECTION 6. EFFECTIVE DATE.** This Warranty and Release shall take effect upon execution.

WITNESSES

\_\_\_\_\_

\_\_\_\_\_  
[print name]

\_\_\_\_\_

\_\_\_\_\_  
[print name]

\_\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name

Its: \_\_\_\_\_

**EXHIBIT A**

*[to be inserted]*

## **BILL OF SALE**

KNOW ALL MEN BY THESE PRESENTS, that **TAMPA HOUSING AUTHORITY DEVELOPMENT CORP.**, whose mailing address is 5301 W. Cypress Street, Tampa, Florida 33607 (the “**Seller**”), and in consideration of the sum of Ten Dollars (\$10.00) and other valuable consideration, to it paid by the **ENCORE COMMUNITY DEVELOPMENT DISTRICT**, a local unit of special purpose government organized and existing under Chapter 190, *Florida Statutes*, whose mailing address is c/o Rizzetta & Company, Inc., 9428 Camden Field Parkway, Riverview, Florida 33569 (the “**District**”), the receipt whereof is hereby acknowledged, has granted, bargained, sold, transferred and delivered, and by these presents does grant, bargain, sell, transfer, and deliver unto the District, its successors and assigns, the following described property, assets and rights, to-wit:

All stormwater management systems, including but not limited to lakes, ponds, water control structures, pipes and other water conveyance structures, as well as all catch-basins and related stormwater facilities (including without limitation curbs, gutters and inlets) providing drainage for streets and rights-of-way, and related system components, now a part of the property constructed in and for the development of the Viera Management System Improvements, all located on portions of the real property described in the legal description attached hereto as **Exhibit A**.

TO HAVE AND TO HOLD all of the foregoing unto the District, its successors and assigns, for its own use forever, free and clear and discharged of and from any and all obligations, claims or liens.

AND the Seller does hereby covenant to and with the District, its successors and assigns, that it is the lawful owner of the above-described personal property and assets; that said personal property and assets are free from all liens and encumbrances; that Seller has good right to sell said personal property and assets; that all contractors, subcontractors and materialmen furnishing labor or materials relative to the construction of the personal property and assets have been paid in full; and that Seller will warrant and defend the sale of its said personal property and assets hereby made, unto the District, its successors and assigns, against the lawful claims and demands of all persons whosoever.

[SIGNATURES ON NEXT PAGE]

IN WITNESS WHEREOF, the Seller has caused this instrument to be executed in its name  
this \_\_\_\_ day of \_\_\_\_\_, 2019.

**TAMPA HOUSING AUTHORITY  
DEVELOPMENT CORP.**

\_\_\_\_\_  
By: \_\_\_\_\_  
Its: \_\_\_\_\_

STATE OF FLORIDA  
COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me this \_\_\_\_ day of  
\_\_\_\_\_, 2019, by \_\_\_\_\_ (name), as  
\_\_\_\_\_ (title) of Tampa Housing Authority Development Corp., and who has  
personally appeared before me and is personally known to me.

(NOTARY SEAL)

\_\_\_\_\_  
Notary Public Signature

\_\_\_\_\_  
(Name typed, printed or stamped)  
Notary Public, State of \_\_\_\_\_  
Commission No. \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

**Exhibit A**

[Insert plat book references or legal descriptions of real property]

**CARDNO, INC. CERTIFICATION TO  
ENCORE COMMUNITY DEVELOPMENT DISTRICT REGARDING  
ENCORE \_\_\_\_\_ IMPROVEMENTS**

STATE OF FLORIDA  
COUNTY OF \_\_\_\_\_

BEFORE ME, the undersigned, personally appeared Greg Woodcock, P.E., of Cardno, Inc., who, after being first duly sworn, deposes and says:

I, Greg Woodcock, am a Professional Engineer registered in the State of Florida. I have reviewed certain documentation, including, but not limited to, permitted plans and specifications, as-builts and applicable permits. I, or my authorized agent, have conducted on-site observations of the Encore \_\_\_\_\_ Improvements (the "Improvements"), as described in **Exhibit A**.

I hereby certify to the Encore Community Development District (the "District") the below listed matters:

1) The Improvements have been completed in substantial compliance with the applicable permit requirements and in substantial accordance with the permitted plans and specifications.

3) The Improvements are free from obstruction and are functional for their intended purpose.

4) The Improvements are (1) a public facility capable of being owned, operated and maintained by the Encore Community Development District, and are intended to be owned, operated and maintained by the same, consistent with existing permits, and (2) specifically benefit property within the boundaries of the District.

4) In my opinion, the fair and reasonable value of the Improvements as installed is \$\_\_\_\_\_.

FURTHER AFFIANT SAYETH NOT.

\_\_\_\_\_  
\_\_\_\_\_, P.E.,  
Cardno, Inc.  
Florida Registration No. \_\_\_\_\_

The foregoing instrument was acknowledged and subscribed before me this \_\_\_\_ day of \_\_\_\_\_, 2019, by \_\_\_\_\_, P.E., who has produced \_\_\_\_\_ as identification and has taken an oath.

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Name of officer taking acknowledgment

Commission Expires:

## Exhibit A

## Identification of Improvements

The Tampa Housing Authority Development Corp. has constructed and/or caused to be completed in and for the Encore Community Development District the \_\_\_\_\_ Improvements, all located on portions of the real property described as follows:

[INSERT PLATS OR LEGALS]

The Improvements are as identified below:

[illegible]



This instrument was prepared by and  
upon recording should be returned to:

(This space reserved for Clerk)

Jennifer Kilinski  
HOPPING GREEN & SAMS P.A.  
119 South Monroe Street, Suite 300  
Tallahassee, Florida 32301

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### **SPECIAL WARRANTY DEED**

THIS SPECIAL WARRANTY DEED is made this \_\_\_\_ day of \_\_\_\_\_, 2019, by Tampa Housing Authority Development Corp., whose address is 5301 W. Cypress Street, Tampa, Florida 33607, hereinafter called the "Grantor," to Encore Community Development District, a local unit of special-purpose government organized under Chapter 190, *Florida Statutes*, whose address is c/o Rizzetta & Company, Inc., 9428 Camden Field Parkway, Riverview, Florida 33569, hereinafter called the "Grantee:"

(Wherever used herein the terms "Grantor" and "Grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations or governmental entities.)

#### **WITNESSETH:**

The Grantor, for and in consideration of the sum of \$10.00 and other valuable consideration, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee, all that certain land situated in Hillsborough County, Florida, described as follows:

[INSERT LEGALS OR PLAT REFERENCES]

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining, and to have and to hold the same in fee simple forever. Such conveyance is subject to all matters of record; however, reference hereto shall not operate to re-impose the same.

The Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of said land in fee simple and that the Grantor has good right and lawful authority to sell and convey said land. Further, the Grantor hereby warrants the title to said land and will defend the same against the lawful claims of all persons or entities whomsoever claiming by, through or under Grantor. Additionally, the Grantor warrants that it has complied with the provisions of Section 196.295, Florida Statutes.

**IN WITNESS WHEREOF**, the Grantor has hereunto set its hand and seal the day and year first above written.

**TAMPA HOUSING AUTHORITY  
DEVELOPMENT CORP.**

\_\_\_\_\_  
Printed Name: \_\_\_\_\_  
Witness

\_\_\_\_\_  
Printed Name: \_\_\_\_\_  
Witness

By: \_\_\_\_\_  
Printed Name: \_\_\_\_\_  
Title: \_\_\_\_\_

STATE OF FLORIDA  
COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2019, by \_\_\_\_\_, as \_\_\_\_\_ and Authorized Signor of **TAMPA HOUSING AUTHORITY DEVELOPMENT CORP.**, who appeared before me this day in person, and who [ ] is personally known to me or [ ] produced \_\_\_\_\_ as identification.

(SEAL)

\_\_\_\_\_  
Signature of Notary Public

\_\_\_\_\_  
Name of Notary Public  
(Typed, Printed or Stamped)

**Note to Examiner: This instrument evidences a conveyance of an interest in unencumbered real estate as a gift and is exempt from Florida documentary stamp tax pursuant to Rule 12B-4.014(2)(a), Florida Administrative Code.**

## FIRST ADDENDUM TO THE CONTRACT FOR PROFESSIONAL FIELD SERVICES

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This First Addendum to the Contract for Professional Field Services (this “**Addendum**”), is made and entered into as of the 1<sup>st</sup> day of October, 2019 (the “**Effective Date**”), by and between **Encore Community Development District**, a local unit of special purpose government established pursuant to Chapter 190, Florida Statutes, located in the Hillsborough County, Florida (the “**District**”), and **Rizzetta & Company, Inc.**, a Florida corporation (the “**Consultant**”).

### RECITALS

**WHEREAS**, the District and the Consultant entered into the Contract for Professional Field Services dated October 1, 2018 (the “**Contract**”), incorporated by reference herein; and

**WHEREAS**, the District and the Consultant desire to amend **Exhibit A** - Schedule of Fees of the Fees and Expenses, section of the Contract as further described in this Addendum; and

**WHEREAS**, the District and the Consultant each has the authority to execute this Addendum and to perform its obligations and duties hereunder, and each party has satisfied all conditions precedent to the execution of this Addendum so that this Addendum constitutes a legal and binding obligation of each party hereto.

**NOW, THEREFORE**, based upon good and valuable consideration and the mutual covenants of the parties, the receipt of which and sufficiency of which is hereby acknowledged, the District and the Consultant agree to the changes to amend **Exhibit A** - Schedule of Fees attached.

The amended **Exhibit A** - Schedule of Fees are hereby ratified and confirmed. All other terms and conditions of the Contract remain in full force and effect.

**IN WITNESS WHEREOF** the undersigned have executed this Addendum as of the Effective Date.

Therefore, the Consultant and the District each intend to enter this Addendum, understand the terms set forth herein, and hereby agree to those terms.

**ACCEPTED BY:**

**RIZZETTA & COMPANY, INC.**

BY: \_\_\_\_\_

PRINTED NAME: William J. Rizzetta

TITLE: President

DATE: \_\_\_\_\_

WITNESS: \_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name

**ENCORE COMMUNITY DEVELOPMENT DISTRICT**

BY: \_\_\_\_\_

PRINTED NAME: \_\_\_\_\_

TITLE: Chairman/Vice Chairman

DATE: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
Vice Chairman/Assistant Secretary  
Board of Supervisors

\_\_\_\_\_  
Print Name

**Exhibit B – Schedule of Fees**

**EXHIBIT A**  
Schedule of Fees

**STANDARD ON-GOING SERVICES:**

Standard On-Going Services will be billed in advance monthly pursuant to the following schedule:

**MONTHLY**

\$700.00

**ADDITIONAL AND LITIGATION SUPPORT SERVICES:**

Additional and Litigation Support Services will be billed hourly pursuant to the current hourly rates shown below:

<b>JOB TITLE:</b>	<b>HOURLY RATE:</b>
Principal	\$300.00
Chief Financial Officer	\$250.00
Director	\$225.00
Financial Services Manager	\$200.00
Community Services Manager	\$200.00
Regional District Manager	\$200.00
Regional Licensed Community Association Manager	\$200.00
Accounting Manager	\$200.00
District Manager	\$175.00
Licensed Community Association Manager	\$175.00
Amenity Services Manager	\$175.00
Manager, Field Services	\$175.00
Clubhouse Manager	\$175.00
Senior Field Services Manager	\$150.00
Senior Accountant	\$150.00
Field Services Manager	\$125.00
Community Association Coordinator	\$100.00
Financial Associate	\$100.00
Staff Accountant	\$100.00
Administrative Assistant	\$ 85.00
Accounting Clerk	\$ 85.00

## FIRST ADDENDUM TO THE CONTRACT FOR PROFESSIONAL DISTRICT SERVICES

---

This First Addendum to the Contract for Professional District Services (this “**Addendum**”), is made and entered into as of the 1<sup>st</sup> day of October, 2019 (the “**Effective Date**”), by and between **Encore Community Development District**, a local unit of special purpose government established pursuant to Chapter 190, Florida Statutes, located in the Hillsborough County, Florida (the “**District**”), and **Rizzetta & Company, Inc.**, a Florida corporation (the “**Consultant**”).

### RECITALS

**WHEREAS**, the District and the Consultant entered into the Contract for Professional District Services dated October 1, 2018 (the “**Contract**”), incorporated by reference herein; and

**WHEREAS**, the District and the Consultant desire to amend **Exhibit B** - Schedule of Fees of the Fees and Expenses, section of the Contract as further described in this Addendum; and

**WHEREAS**, the District and the Consultant each has the authority to execute this Addendum and to perform its obligations and duties hereunder, and each party has satisfied all conditions precedent to the execution of this Addendum so that this Addendum constitutes a legal and binding obligation of each party hereto.

**NOW, THEREFORE**, based upon good and valuable consideration and the mutual covenants of the parties, the receipt of which and sufficiency of which is hereby acknowledged, the District and the Consultant agree to the changes to amend **Exhibit B** - Schedule of Fees attached.

The amended **Exhibit B** - Schedule of Fees are hereby ratified and confirmed. All other terms and conditions of the Contract remain in full force and effect.

**IN WITNESS WHEREOF** the undersigned have executed this Addendum as of the Effective Date.

*(Remainder of this page is left blank intentionally)*

Therefore, the Consultant and the District each intend to enter this Addendum, understand the terms set forth herein, and hereby agree to those terms.

**ACCEPTED BY:**

**RIZZETTA & COMPANY, INC.**

BY: \_\_\_\_\_

PRINTED NAME: William J. Rizzetta

TITLE: President

DATE: \_\_\_\_\_

WITNESS: \_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name

**ENCORE COMMUNITY DEVELOPMENT DISTRICT**

BY: \_\_\_\_\_

PRINTED NAME: \_\_\_\_\_

TITLE: Chairman/Vice Chairman

DATE: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
Vice Chairman/Assistant Secretary  
Board of Supervisors

\_\_\_\_\_  
Print Name

**Exhibit B – Schedule of Fees**

**EXHIBIT B**  
Schedule of Fees

**STANDARD ON-GOING SERVICES:**

Standard On-Going Services will be billed in advance monthly pursuant to the following schedule:

	<b>ANNUALLY</b>
Management:	\$27,545.00
Administrative:	\$ 3,400.00
Accounting:	\$ 5,000.00
Accounting Chiller:	\$10,000.00
Assessment Roll (1):	\$ 5,000.00
<b>Total Standard On-Going Services:</b>	<b>\$50,945.00</b>

**(1) Assessment Roll is paid in one lump-sum payment at the time the roll is completed.**



**ADDITIONAL SERVICES:**

Extended and Continued Meetings	Hourly	\$ 175
Special/Additional Meetings	Per Occurrence	Upon Request
Modifications and Certifications to		
Special Assessment Allocation Report	Per Occurrence	Upon Request
True-Up Analysis/Report	Per Occurrence	Upon Request
Re-Financing Analysis	Per Occurrence	Upon Request
Bond Validation Testimony	Per Occurrence	Upon Request
Special Assessment Allocation Report	Per Occurrence	Upon Request
Bond Issue Certifications/Closing Documents	Per Occurrence	Upon Request
Electronic communications/E-blasts	Per Occurrence	Upon Request
Special Information Requests	Hourly	Upon Request
Amendment to District Boundary	Hourly	Upon Request
Grant Applications	Hourly	Upon Request
Escrow Agent	Hourly	Upon Request
Continuing Disclosure/Representative/Agent	Annually	Upon Request
Community Mailings	Per Occurrence	Upon Request
Response to Extensive Public		
Records Requests	Hourly	Upon Request

**PUBLIC RECORDS REQUESTS FEES:**

Public Records Requests will be billed hourly to the District pursuant to the current hourly rates shown below:

<b>JOB TITLE:</b>	<b>HOURLY RATE:</b>
Senior Manager	\$ 52.00
District Manager	\$ 40.00
Accounting & Finance Staff	\$ 28.00
Administrative Support Staff	\$ 21.00

<b>LITIGATION SUPPORT SERVICES:</b>	Hourly	Upon Request
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**ADDITIONAL THIRD-PARTY SERVICES:**

Pre-Payment Collections/Estoppel/Lien Releases:		
Lot/ Homeowner	Per Occurrence	Upon Request
Bulk Parcel(s)	Per Occurrence	Upon Request