



**EVERLANDS  
COMMUNITY DEVELOPMENT  
DISTRICT**

**REGULAR BOARD MEETING  
NOVEMBER 13, 2020  
10:00 A.M.**

Special District Services, Inc.  
The Oaks Center  
2501A Burns Road  
Palm Beach Gardens, FL 33410

[www.everlandscdd.org](http://www.everlandscdd.org)  
561.630.4922 Telephone  
877.SDS.4922 Toll Free  
561.630.4923 Facsimile

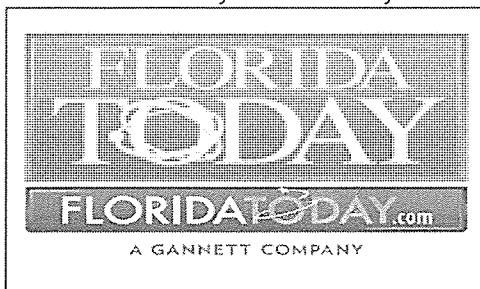
**AGENDA  
EVERLANDS  
COMMUNITY DEVELOPMENT DISTRICT**

Offices of B.S.E. Consultants, Inc.  
312 South Harbour City Boulevard  
Melbourne, Florida 32949

**REGULAR BOARD MEETING**

November 13, 2020  
10:00 A.M.

- A. Call to Order
- B. Proof of Publication.....Page 1
- C. Establish Quorum
- D. Additions or Deletions to Agenda
- E. Comments from the Public for Items Not on the Agenda
- F. Approval of Minutes
  - 1. August 14, 2020 Regular Board Meeting & Public Hearing Minutes.....Page 2
- G. Old Business
- H. New Business
  - 1. Consider Resolution No. 2020-20 – Adopting Fiscal Year 2019/2020 Amended Budget....Page 6
  - 2. Consider Resolution No. 2020-21 – Ratifying Actions Taken Pursuant to EO No. 20-69....Page 9
  - 3. Consider Resolution No. 2020-22 – Redesignating Registered Agent & Office.....Page 13
- I. Administrative Matters
- J. Board Members Comments
- K. Adjourn



SPECIAL DISTRICT SERVICES, INC.  
2501A BURNS ROAD

PALM BEACH GARDENS, FL, 33410

Ad#4387896 09/29/2020  
EVERLANDS COMMUNITY  
DEVELOPMENT DISTRICT  
FISCAL YEAR 2020/2021 REGULAR MEET-  
ING SCHEDULE

NOTICE IS HEREBY GIVEN that the Board of Supervisors (the "Board") of the Everlands Community Development District (the "District") will hold Regular Board Meetings (the "Meeting" or "Meetings") at the offices of B.S.E. Consultants, Inc. located at 312 South Harbor City Boulevard, Melbourne, Florida 32949 at 10:00 a.m. on the following dates:

- October 9, 2020
- November 13, 2020
- December 11, 2020
- January 8, 2021
- February 12, 2021
- March 12, 2021
- April 9, 2021
- May 14, 2021
- June 11, 2021
- July 9, 2021
- August 13, 2021
- September 10, 2021

The purpose of the meetings is to conduct any business coming before the Board. Meetings are open to the public and will be conducted in accordance with the provisions of Florida law. Copies of the Agendas for any of the meetings may be obtained from the District's website [www.everlandsdcd.org](http://www.everlandsdcd.org) or by contacting the District Manager at 772-453-0975 or by email at [bsakuma@dsinc.org](mailto:bsakuma@dsinc.org) and/or toll free at 1-877-737-4922 prior to the date of the particular meeting. The Meetings are open to the public and will be conducted in accordance with the provisions of Florida law for special districts. The Meetings may be continued to a date, time and place to be specified on the record at the Meeting.

From time to time one or two Supervisors may participate by telephone; therefore, a speaker telephone will be present at the meeting location so that Supervisors may be fully informed of the discussions taking place. Said meeting(s) may be continued as found necessary to a time and place specified on the record.

If any person decides to appeal any decision made with respect to any matter considered at these meetings, such person will need a record of the proceedings and such person may need to insure that a verbatim record of the proceedings is made at his or her own expense and which record includes the testimony and evidence on which the appeal is based.

In accordance with the provisions of the Americans with Disabilities Act, any person requiring special accommodations or an interpreter to participate at any of these meetings should contact the District Manager at 772-453-0975 and/or toll free at 1-877-737-4922 at least seven (7) days prior to the date of the particular meeting.

Meetings may be cancelled from time to time without advertised notice.  
EVERLANDS COMMUNITY  
DEVELOPMENT DISTRICT

STATE OF WISCONSIN COUNTY OF BROWN:  
Before the undersigned authority personally appeared said legal clerk, who on oath says that he or she is a Legal Advertising Representative of the FLORIDA TODAY, a daily newspaper published in Brevard County, Florida that the attached copy of advertisement, being a Legal Ad in the matter of

**Legal Notices**

as published in FLORIDA TODAY in the issue(s) of:

09/29/2020

Affiant further says that the said FLORIDA TODAY is a newspaper in said Brevard County, Florida and that the said newspaper has heretofore been continuously published in said Brevard County, Florida each day and has been entered as periodicals matter at the post office in MELBOURNE in said Brevard County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has never paid nor promised any person, firm or coporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and Subscribed before me this 29th of September 2020, by legal clerk who is personally known to me

Affiant

Notary State of Wisconsin County of Brown

5.15.23

My commission expires

Publication Cost: \$274.84  
Ad No: 0004387896  
Customer No: 5616304922SPECC  
This is not an invoice  
# of Affidavits 1

NANCY HEYRMAN  
Notary Public  
State of Wisconsin

**EVERLANDS COMMUNITY DEVELOPMENT DISTRICT  
REGULAR BOARD MEETING & PUBLIC HEARINGS  
AUGUST 14, 2020**

**A. CALL TO ORDER**

The Regular Board Meeting of the Everlands Community Development District was called to order at 10:14 a.m. via Zoom <https://us02web.zoom.us/j/85064546211>, Meeting ID: 850 6454 6211, Dial In Phone Number: 1 (929) 436 2866.

**B. PROOF OF PUBLICATION**

Proof of publication was presented which showed that notice of the Regular Board Meeting had been published in *The Florida Today* on July 24, 2020, as legally required.

**C. ESTABLISH A QUORUM**

A quorum was established with the following Supervisors in attendance:

Gregory J. Pettibon, Adam Picow and TR Beer.

Also in attendance were Frank Sakuma of Special District Services, Inc.; Attorney Ginger Wald of Billing, Cochran, Lyles, Mauro & Ramsey, P.A.; Ken Ludwa and Scott Glaubitz of B.S.E. Consultants, Inc.

**D. ADDITIONS OR DELETIONS TO THE AGENDA**

There were no additions or deletions to the agenda.

**E. COMMENTS FROM THE PUBLIC FOR ITEMS NOT ON THE AGENDA**

There were no comments from the public for items not on the agenda.

**F. APPROVAL OF MINUTES**

**1. June 12, 2020, Regular Board Meeting**

The June 12, 2020, Regular Board Meeting minutes were presented for Board approval. A **motion** was made by Mr. Pettibon, seconded by Mr. Picow and passed unanimously approving the June 12, 2020, Regular Board Meeting Minutes, as presented.

**Note:** *At approximately 10:16 a.m., Mr. Sakuma recessed the Regular Meeting and opened the Public Hearing on the Fiscal Year 2019/2020 Final Budget Adoption by the Everlands Community Development District.*

**G. PUBLIC HEARING – FISCAL YEAR 2019-2020 FINAL BUDGET**

**1. Proof of Publication**

Proof of publication was presented that notice of the Public Hearing on the Fiscal Year 2019/2020 Final Budget Adoption had been published in the Florida Today on July 24, 2020, and July 31, 2020, as legally required.

## **2. Receive Public Comment on the Fiscal Year 2019/2020 Final Budget**

Mr. Sakuma opened the public comment portion of the Public Hearing to receive comments from the public on the fiscal year 2019/2020 final budget (funded through a Developer's Funding Agreement). There being no comments on the fiscal year 2019/2020 final budget, Mr. Sakuma closed the public comment portion of the Public Hearing.

## **3. Consider Resolution No. 2020-17 – Adopting a Fiscal Year 2019/2020 Final Budget**

Mr. Sakuma presented Resolution 2020-17, entitled:

### **RESOLUTION NO. 2020-17**

#### **A RESOLUTION OF THE EVERLANDS COMMUNITY DEVELOPMENT DISTRICT ADOPTING A FISCAL YEAR 2019/2020 BUDGET.**

Mr. Sakuma read the title of the resolution into the record and stated that the resolution provides for approving and adopting the fiscal year 2019/2020 final budget.

A **motion** was made by Mr. Pettibon, seconded by Mr. Beer and unanimously passed to approve and adopt Resolution No. 2020-17, as presented, thereby setting the fiscal year 2019/2020 final budget.

**Note:** *At approximately 10:18 a.m., Mr. Sakuma closed the Public Hearing on the Fiscal Year 2019/2020 Final Budget and simultaneously opened the Public Hearing on the Fiscal Year 2020/2021 Final Budget.*

## **H. PUBLIC HEARING – FISCAL YEAR 2020-2021 FINAL BUDGET**

### **1. Proof of Publication**

Proof of publication was presented that notice of the Public Hearing on the Fiscal Year 2020/2021 Final Budget Adoption had been published in the Florida Today on July 24, 2020, and July 31, 2020, as legally required.

### **2. Receive Public Comment on the Fiscal Year 2020/2021 Final Budget**

Mr. Sakuma opened the public comment portion of the Public Hearing to receive comments from the public on the fiscal year 2020/2021 final budget (funded through a Developer's Funding Agreement). There being no comments on the fiscal year 2020/2021 final budget, Mr. Sakuma closed the public comment portion of the Public Hearing.

### **3. Consider Resolution No. 2020-18 – Adopting a Fiscal Year 2020/2021 Final Budget**

Mr. Sakuma presented Resolution 2020-18, entitled:

### **RESOLUTION NO. 2020-18**

**A RESOLUTION OF THE EVERLANDS COMMUNITY DEVELOPMENT DISTRICT ADOPTING A FISCAL YEAR 2020/2021 BUDGET.**

Mr. Sakuma read the title of the resolution into the record and stated that the resolution provides for approving and adopting the fiscal year 2020/2021 final budget.

A **motion** was made by Mr. Pettibon, seconded by Mr. Picow and unanimously passed to approve and adopt Resolution No. 2020-18, as presented, thereby setting the fiscal year 2020/2021 final budget.

**Note:** *At approximately 10:19 a.m., Mr. Sakuma closed the Public Hearing on the Fiscal Year 2020/2021 Final Budget and simultaneously reconvened the Regular Board Meeting.*

**I. OLD BUSINESS**

There were no items for consideration.

**J. NEW BUSINESS**

**1. Appointment of Professional Engineer Selection Committee**

Mr. Sakuma advised the Board only one firm responded to the RFQ for Engineering Services, and based on their response, recommended the Board consider B.S.E. Consultants for the District Engineer. After further discussion:

A **motion** was made by Mr. Pettibon, seconded by Mr. Picow and unanimously passed to enter into an agreement with B.S.E. Consultants, Inc. to provide engineering services to the District.

**2. Consider Resolution 2020-19 Adopting a Fiscal Year 2020/2021 Meeting Schedule**

Mr. Sakuma presented Resolution 2020-19 entitled:

**RESOLUTION NO. 2020-19**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE EVERLANDS COMMUNITY DEVELOPMENT DISTRICT, ESTABLISHING A REGULAR MEETING SCHEDULE FOR FISCAL YEAR 2020/2021 AND SETTING THE TIME AND LOCATION OF SAID DISTRICT MEETINGS; AND PROVIDING AN EFFECTIVE DATE.**

Mr. Sakuma read the title of the resolution into the record and stated that the resolution provides for approving and adopting the fiscal year 2020/2021 meeting schedule.

A **motion** was made by Mr. Pettibon, seconded by Mr. Picow and unanimously passed to approve and adopt Resolution No. 2020-19, as presented, thereby setting the fiscal year 2020/2021 meeting schedule.

**K. ADMINISTRATIVE MATTERS**

Mr. Pettibon requested that Supervisors be sent an Outlook invitation for future District meetings.

**L. BOARD MEMBER COMMENTS**

There were no further comments from the Board.

**M. ADJOURNMENT**

There being no further business to come before the Board, a **motion** was made by Mr. Picow, seconded by Mr. Beer and passed unanimously to adjourn the meeting at 10:21 a.m.

**ATTESTED BY:**

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

\_\_\_\_\_  
Chairperson/Vice-Chair

**RESOLUTION NO. 2020-20**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE EVERLANDS COMMUNITY DEVELOPMENT DISTRICT AUTHORIZING AND ADOPTING AN AMENDED FINAL FISCAL YEAR 2019/2020 BUDGET (“AMENDED BUDGET”), PURSUANT TO CHAPTER 189, FLORIDA STATUTES; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Board of Supervisors of the Everlands Community Development District (“District”) is empowered to provide a funding source and to impose special assessments upon the properties within the District; and,

**WHEREAS**, the District has prepared for consideration and approval an Amended Budget.

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

**Section 1.** The Amended Budget for Fiscal Year 2019/2020 attached hereto as Exhibit “A” is hereby approved and adopted.

**Section 2.** The Secretary/Assistant Secretary of the District is authorized to execute any and all necessary transmittals, certifications or other acknowledgements or writings, as necessary, to comply with the intent of this Resolution.

**PASSED, ADOPTED and EFFECTIVE** this 13<sup>th</sup> day of November, 2020.

**ATTEST:**

**EVERLANDS  
COMMUNITY DEVELOPMENT DISTRICT**

By: \_\_\_\_\_  
Secretary/Assistant Secretary

By: \_\_\_\_\_  
Chairperson/Vice Chairperson



Everlands  
Community Development District

**Amended Final Budget For  
Fiscal Year 2019/2020  
April 10, 2020 - September 30, 2020**

**AMENDED FINAL BUDGET**  
**EVERLANDS COMMUNITY DEVELOPMENT DISTRICT**  
**FISCAL YEAR 2019/2020**  
**APRIL 10, 2020 - SEPTEMBER 30, 2020**

	<b>FISCAL YEAR 2019/2020 BUDGET 10/1/19 - 9/30/20</b>	<b>AMENDED FINAL BUDGET 10/1/19 - 9/30/20</b>	<b>YEAR TO DATE ACTUAL 10/1/19 - 9/29/20</b>
<b>REVENUES</b>			
O & M Assessments	0	0	0
Debt Assessments	0	0	0
Developer Contribution	80,475	27,716	25,237
Other Revenue	0	0	0
Interest Income	0	2	2
<b>Total Revenues</b>	<b>\$ 80,475</b>	<b>\$ 27,718</b>	<b>\$ 25,239</b>
<b>EXPENDITURES</b>			
Supervisor Fees	0	0	0
Engineering/Inspections	2,500	2,500	1,859
Engineering Report	15,000	0	0
Management	15,000	15,000	15,000
Legal	20,000	6,500	5,528
Assessment Roll	0	0	0
Methodology Report	15,000	0	0
Audit Fees	0	0	0
Insurance	4,000	698	698
Legal Advertisements	6,000	2,500	2,173
Miscellaneous	1,000	250	187
Postage	300	20	15
Office Supplies	1,500	75	63
Dues & Subscriptions	175	175	0
Arbitrage Rebate Fee	0	0	0
Trustee Fee	0	0	0
Continuing Disclosure Fee	0	0	0
<b>Total Expenditures</b>	<b>\$ 80,475</b>	<b>\$ 27,718</b>	<b>\$ 25,523</b>
<b>Net Excess/ (Shortfall)</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ (284)</b>

Note: 9-30-20 Fund Balance assumes Developer Contribution to District.

FUND BALANCE AS OF 9/30/19	\$0
FY 2019/2020 ACTIVITY	\$0
FUND BALANCE AS OF 9/30/20	\$0

## RESOLUTION 2020-21

### **A RESOLUTION BY THE BOARD OF SUPERVISORS OF THE EVERLANDS COMMUNITY DEVELOPMENT DISTRICT RATIFYING AND APPROVING ACTIONS TAKEN BY THE BOARD OF SUPERVISORS AT MEETINGS HELD VIA MEDIA COMMUNICATIONS TECHNOLOGY PURSUANT TO EXECUTIVE ORDER NO. 20-69, AS AMENDED AND EXTENDED, AS A RESULT OF THE COVID-19 PANDEMIC**

**WHEREAS**, the COVID-19 pandemic has significantly impacted the Everlands Community Development District (the “District”) and those residing and owning property within the boundaries of the District; and

**WHEREAS**, on March 1, 2020, Governor Ron DeSantis (the “Governor”) issued Executive Order No. 20-51, directing the Florida Department of Health to issue a Public Health Emergency; and

**WHEREAS**, on March 1, 2020, the State Surgeon General and State Health Officer declared a Public Health Emergency exists in the State of Florida as a result of COVID-19; and

**WHEREAS**, on March 9, 2020, the Governor issued Executive Order No. 20-52, declaring a state of emergency for the entire State of Florida as a result of COVID-19; and

**WHEREAS**, in a series of actions in March 2020, President Donald Trump, the Centers for Disease Control and Prevention (the “CDC”), and the White House Coronavirus Task Force have issued guidance advising individuals to adopt far-reaching social distancing measures recommending restrictions on mass gatherings and congregations, including public meetings; and

**WHEREAS**, on March 20, 2020, the Governor issued Executive Order No. 20-69 temporarily suspending the statutory requirement that a quorum be present in person at a specific

public place, authorizing the use of media communications technology, such as telephonic and video conferencing, as provided in Section 120.54(5)(b)2, Florida Statutes; and

**WHEREAS**, Executive Order No. 20-69 was amended and extended by subsequent Executive Orders of Governor Ron DeSantis, including Executive Order No. 20-246, which extended the temporary suspension of the statutory requirement that a quorum be present at a specific place and authorizing the use of media communications technology, until November 1, 2020 at 12:01 AM; and

**WHEREAS**, on March 24, 2020, the Governor issued Executive Order No. 20-83, directing the State of Florida Surgeon General and State Health Officer to issue a public health advisory urging the public to avoid all social and recreational gatherings of ten or more people and urging those can work remotely to do so; and

**WHEREAS**, the Governor, on April 3, 2020, issued Executive Order No. 20-91 (later amended by Executive Order 20-92), directing that all persons in Florida shall limit their movements and personal interactions outside their home to those necessary to obtain or provide essential services or to conduct essential activities; and

**WHEREAS**, on April 10, 2020, June 12, 2020, and on August 14, 2020, the District Board of Supervisors met, pursuant to and under the authority of Executive Order No. 20-69, as amended and extended, utilizing media communications technology; and

**WHEREAS**, the District Board of Supervisors intends to ratify and approve those actions taken by the District Board of Supervisors at its meetings held via media communications technology on April 10, 2020, June 12, 2020, and on August 14, 2020; and

**WHEREAS**, due to the COVID-19 pandemic and the health concerns associated with securing signatures on certain instruments necessary for the District to conduct business, including,

but not limited to, agreements, proposals, resolutions, and approved meeting minutes, in accordance with the authority granted in Chapter 668, Florida Statutes, the District may have utilized DocuSign or other acceptable electronic signature software to secure signatures the proper District officials; and

**WHEREAS**, the Board hereby finds and determines that the use of DocuSign or other acceptable electronic signature software pursuant to Chapter 668, Florida Statutes, if any, between March 9, 2020 and October 30, 2020, was necessary to properly conduct the business of the District.

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

**Section 1.** The above recitals are true and correct and incorporated herein as if set forth in full herein. The Executive Orders referenced herein are incorporated herein by reference.

**Section 2.** Those actions taken by the District Board of Supervisors at its meetings held pursuant to the authority of the Governor’s Executive Order No. 20-69, as amended and extended, via media communications technology on April 10, 2020, June 12, 2020, and on August 14, 2020 are hereby ratified and approved.

**Section 3.** Any use by the District between March 9, 2020 and October 30, 2020 of DocuSign or other acceptable electronic signature software pursuant to Chapter 668, Florida Statutes, in order to secure the signature(s) of the proper District officials on those instruments necessary for the District to conduct business, including, but not limited to, agreements, proposals, resolutions, and approved meeting minutes, is hereby ratified and approved.

**Section 4.** All sections, or parts thereof, which conflict herewith, are, to the extent of such conflict, superseded and repealed. In the event that 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 immediately upon its adoption.

**PASSED AND ADOPTED** this 13<sup>th</sup> day of November, 2020, by the Board of Supervisors of the Everlands Community Development District.

**ATTEST:**

**EVERLANDS COMMUNITY  
DEVELOPMENT DISTRICT**

\_\_\_\_\_  
Print Name: \_\_\_\_\_  
Secretary/Assistant Secretary

\_\_\_\_\_  
Print Name: \_\_\_\_\_  
Chair/Vice Chair

**RESOLUTION NO. 2020-22**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE EVERLANDS COMMUNITY DEVELOPMENT DISTRICT CHANGING THE REGISTERED AGENT AND REGISTERED OFFICE OF THE DISTRICT BY DESIGNATING DENNIS E. LYLES AS THE DISTRICT'S REGISTERED AGENT AND DESIGNATING THE OFFICE OF BILLING, COCHRAN, LYLES, MAURO & RAMSEY, P.A. AS THE REGISTERED OFFICE**

**WHEREAS**, Section 189.416(1), Florida Statutes requires each special district to designate a registered agent and a registered office;

**WHEREAS**, pursuant to Section 189.416(2), Florida Statutes, the Everlands Community Development District (the "District") is permitted to change its registered agent and registered office, or both, upon filing such information with the local governing authority or authorities and with the Florida Department of Community Affairs; and

**WHEREAS**, the District Board of Supervisors ("Board") desires to change its registered agent and registered office by designating Dennis E. Lyles as its registered agent and to designate his business address as the District's registered office.

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

**Section 1.** The recitals above are true and correct and are hereby made a part of this Resolution.

**Section 2.** Dennis E. Lyles is designated as the registered agent of the District, and his business address of Billing, Cochran, Lyles, Mauro & Ramsey, P.A. SunTrust Center, Sixth Floor, 515 East Las Olas Boulevard, 6<sup>th</sup> Floor, Fort Lauderdale, Florida 33301 is designated as the registered office of the District.

**Section 3.** This designation of registered agent and registered office of the District shall have the effect of replacing any previous designation by the District, by motion, resolution, or otherwise.

**Section 4.** The District Manager, pursuant to Section 189.416(2), Florida Statutes, shall transmit copies of this resolution to the local governing authority or authorities and to the State of Florida, Department of Community Affairs.

**Section 5.** The proper District officials are hereby authorized and directed to take all steps necessary to effectuate the intent of this Resolution.

**Section 6.** All prior motions, resolutions or parts of motions or resolutions in conflict herewith are hereby repealed to the extent of such conflict.

**Section 7.** If any clause, section or other part or application of this Resolution is held by court of competent jurisdiction to be unconstitutional or invalid, in part or as applied, it shall not affect the validity of the remaining portions or applications of this Resolution.

**Section 8.** That this Resolution shall take effect immediately upon its adoption.

**PASSED AND ADOPTED BY THE BOARD OF SUPERVISORS OF THE EVERLANDS COMMUNITY DEVELOPMENT DISTRICT THIS 13<sup>th</sup> DAY OF NOVEMBER, 2020.**

**ATTEST:**

**EVERLANDS COMMUNITY  
DEVELOPMENT DISTRICT**

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

\_\_\_\_\_  
Chairperson/Vice Chairperson

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