



EVERLANDS COMMUNITY DEVELOPMENT DISTRICT

**REGULAR BOARD MEETING
FEBRUARY 11, 2022
10:00 A.M.**

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

**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
February 11, 2022
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. Consider Ratification of Items Approved at the November 12, 2021 Regular Board Meeting
- G. Approval of Minutes
 - 1. November 12, 2021 Regular Board Meeting Minutes.....Page 2
- H. Old Business
- I. New Business
 - 1. Consider Approval of Certification Letter for Palm Vista – WM & FM Extension
– FDEP Water and Sewer Clearance.....Page 5
 - 2. Consider Approval of Requisition No. 2.....Page 10
 - 3. Consider Approval of Engineering Report.....Page 14
 - 4. Discussion Regarding Bond Issue
- J. Administrative Matters
- K. Board Members Comments
- L. Adjourn

Miscellaneous Notices



Published in Florida Today on February 3, 2022

Location

Brevard County, Florida

Notice Text

Ad#5111571 02/03/2022 EVERLANDS COMMUNITY DEVELOPMENT DISTRICT FISCAL YEAR 2021/2022 REGULAR MEETING 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: February 11, 2022 March 11, 2022 April 8, 2022 May 13, 2022 June 10, 2022 July 8, 2022 August 12, 2022 September 9, 2022 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.everlandscdd.org or by contacting the District Manager at 772-345-5119 or by email at bsakuma@sdsinc.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 may 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 772-345-5119 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 www.everlandscdd.org

**EVERLANDS COMMUNITY DEVELOPMENT DISTRICT
REGULAR BOARD MEETING
NOVEMBER 12, 2021**

A. CALL TO ORDER

The Regular Board Meeting of the Everlands Community Development District (the “District”) was called to order at 10:08 a.m. at 312 South Harbor City Boulevard, Melbourne, Florida 32949.

B. PROOF OF PUBLICATION

Proof of publication was presented which showed that notice of the Regular Board Meeting had been published in *Florida Today* on September 28, 2021, as legally required.

C. ESTABLISH A QUORUM

A quorum was established with the following Supervisors in attendance:

Gregory J. Pettibon, Jeffrey Alexander and Bojana Brown

Also in attendance were Frank Sakuma of Special District Services, Inc.; Attorney Ginger Wald of Billing, Cochran, Lyles, Mauro & Ramsey, P.A. (by phone); Ken Ludwa 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. September 2, 2021, Special Board Meeting & Public Hearing

The September 2, 2021, Special Board Meeting & Public Hearing minutes were presented for Board approval. A **motion** was made by Mr. Pettibon, seconded by Ms. Brown and passed unanimously approving the September 2, 2021, Special Board Meeting & Public Hearing Minutes, as presented.

G. OLD BUSINESS

There were no Old Business items to come before the Board.

H. NEW BUSINESS

1. Consider Resolution 2021-21 Adopting Fiscal Year 2020/2021 Amended Budget

Mr. Sakuma presented Resolution 2021-21 entitled:

RESOLUTION NO. 2021-21

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE EVERLANDS COMMUNITY DEVELOPMENT DISTRICT AUTHORIZING AND ADOPTING AN AMENDED FINAL FISCAL YEAR 2020/2021 BUDGET (“AMENDED BUDGET”), PURSUANT TO CHAPTER 189, FLORIDA STATUTES; AND PROVIDING AN EFFECTIVE DATE.

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

A **motion** was made by Mr. Pettibon, seconded by Mr. Shaver and unanimously passed approving and adopting Resolution No. 2021-21, as presented, thereby adopting an amended final fiscal year 2020/2021 budget.

2. Consider Approval of Requisition No. 1

Mr. Sakuma presented Requisition No. 1 against the Special Assessment Bonds, Series 2021.

A **motion** was made by Mr. Pettibon, seconded by Mr. Shaver and unanimously passed approving Requisition No. 1 as presented.

Note: *At approximately 10:15 a.m., Mr. Sakuma recessed the Regular Board Meeting and opened the Auditor Selection Committee Meeting.*

I. AUDITOR SELECTION COMMITTEE

Mr. Sakuma presented the committee with the results of the legal advertisement requesting proposals from qualified audit firms. Only one qualified firm, Grau & Associates, responded to the advertisement.

A **motion** was made by Mr. Pettibon, seconded by Mr. Shaver and unanimously passed that Grau & Associates be hired to perform the September 30, 2021, September 30, 2022, and September 30, 2023, annual government audits and also be selected, subject to fee adjustments for inflation, to perform the fiscal year end audits for the following two years (FYE 9/30/24 and 9/30/25).

After further discussion related to having only received one response from the advertisement, a **motion** was made by Mr. Pettibon, seconded by Mr. Shaver and unanimously passed, waiving any additional responses from other qualified firms.

Note: *At approximately 10:17 a.m., Mr. Sakuma closed the Auditor Selection Committee Meeting and simultaneously reconvened the Regular Board Meeting.*

J. ADMINISTRATIVE MATTERS

There were no Administrative Matters brought before the Board.

K. BOARD MEMBER COMMENTS

No comments were made by Members of the Board.

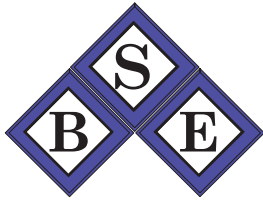
L. ADJOURNMENT

There being no further business to come before the Board, a **motion** was made by Mr. Pettibon, seconded by Mr. Shaver and passed unanimously to adjourn the meeting at 10:20 a.m.

ATTESTED BY:

Secretary/Assistant Secretary

Chairperson/Vice-Chair



B.S.E. CONSULTANTS, INC.

Consulting ~ Engineering ~ Land Surveying

Scott M. Glaubitz, P.E., P.L.S.
President

Hassan Kamal, P.E.
Vice President

January 25, 2022

Via E-Mail

Mr. Greg Pettibon
Lennar – Palm Atlantic Division
8895 N. Military Trail
Palm Beach Gardens
Email:

**Re: Palm Vista Water Main and Force Main Extension Clearance
FDEP Water Permit # 0032426-404-DSGP Clearance
FDEP Sewer Permit # 0356573-001-DWC/CG Clearance
B.S.E. File #10860.600**

Dear Greg:

This letter is to certify the following:

Construction of the 16" PVC water main has been completed from St Johns Heritage Parkway (SJHP) Station 78+48 to Station 132+15 (Pace Drive to Emerson Drive) and Emerson Drive Station 199+10 to Station 227+89 (SJHP to Amador Avenue). The water main was constructed in conformance with the approved plans and specifications. FDEP cleared the line for service on January 25, 2022 (copy of FDEP clearance enclosed). Note that the segment of the water main from SJHP Station 25+50 to Station 78+48 was previously cleared and certified.

Construction of the 16" PVC force main on has been completed from SJHP 24+50 to Station 130+86 (St. Johns Preserve to Emerson Drive). The force main was constructed in conformance with the approved plans and specifications. FDEP cleared the line for service on January 25, 2022 (copy of FDEP clearance enclosed).

Should you have any questions, please feel free to contact me.

Very truly yours,

Ken Ludwa, P.E.

Ken Ludwa, P.E.
Senior Project Engineer
B.S.E. Consultants, Inc.

KL/ms
10860.600.corr.22-kl-267.jan
Enclosures

Alicia Mateo

From: no-reply@dep.state.fl.us
Sent: Tuesday, January 25, 2022 11:18 AM
To: Info
Cc: DEP_CD@dep.state.fl.us; Javed.Mayet@FloridaDEP.gov; CHRISTOPHER.LITTLE@PALMBAYFLORIDA.ORG; CHRISTOPHER.LITTLE@PALMBAYFLORIDA.ORG; Info
Subject: DEP PW Clearance Issued (0032426-404-DSGP - PALM VISTA WATER MAIN EXT.) (BSE #10860.301)



**FLORIDA DEPARTMENT OF
Environmental Protection**

Bob Martinez Center
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

Shawn Hamilton
Secretary

**PW Clearance Electronic Submission
Potable Water FINAL PARTIAL Clearance**

01/25/2022

Dear Hassan Kamal,

Clearance Type: FINAL PARTIAL

Construction Permit Number: 0032426-404-DSGP

Supplier PWS ID: 3050442

Project Name: PALM VISTA WATER MAIN EXT.

Portion of Project to be Cleared: Partial #3 (final segment): 8,220 LF of 16" PVC water main from Station 78+48 on St Johns Heritage Pkwy (SJHP), turning east on Emerson Drive and terminating near the intersection of Amador Avenue.

Permittee: PALM BAY, CITY OF

PWS Supplier: PALM BAY, CITY OF

PWS Owner: PALM BAY, CITY OF

Deviations (when applicable): N/A

This letter acknowledges receipt of the clearance request form and supporting information, dated 01/25/2022. The submitted information demonstrates the system extension has been constructed in accordance with the FDEP Permit Number above and related plans and materials and that satisfactory pressure and bacteriological tests were conducted in accordance with the AWWA standards. Based on the certification and satisfactory bacteriological results, the Department is clearing the system for service.

Final Clearance-Approved

Enclosures:

All Supporting documentation provided by the applicant can be found here:

<https://prodenv.dep.state.fl.us/DepNexus/public/electronic-documents/3050442/facility!search>

This link will not be available immediately. These documents will be available no later than 3 days from the date of issuance of this letter.

Attachments:

Community Public Drinking Water Systems

If you have any questions or comments regarding this FINAL PARTIAL clearance, please contact Javed Mayet via e-mail at Javed.Mayet@FloridaDEP.gov for further information.

Sincerely,

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION



From: [Info](#)
To: [Ken Ludwa](#)
Cc: [BSE-File](#)
Subject: FW: Wastewater Notification Received - Facility ID: FLA103357 (BSE#10860.301)
Date: Tuesday, January 25, 2022 9:00:00 AM
Attachments: [ATT00001.bin](#)

From: no-reply@dep.state.fl.us <no-reply@dep.state.fl.us>
Sent: Tuesday, January 25, 2022 8:59 AM
To: Info <info@bseconsult.com>
Cc: DEP_CD@dep.state.fl.us
Subject: Wastewater Notification Received - Facility ID: FLA103357



FLORIDA DEPARTMENT OF Environmental Protection

Bob Martinez Center
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

Shawn Hamilton
Secretary

Receipt for Notification Submission

January 25, 2022

Hassan Kamal

PALM BAY #1 WRF - FLA103357
1105 TROUTMAN BLVD NE
PALM BAY, FL

This is to acknowledge that your Notification of Completion of Construction for a Domestic Wastewater Collection/Transmission System was received on **January 25, 2022**.

The form and supporting information fulfills the requirements to notify DEP the domestic wastewater collection/transmission system described below has been constructed in accordance with the associated DEP Permit Number and related plans and materials.

DEP may contact you for additional information. If you indicated substantial deviations and you do not hear from your district office, your project may be placed into service 10 days from the date of this letter. If you did NOT indicate substantial deviations and you do not hear from your district office, your project may be placed into service 3 days from the date of this letter.

This Clearance Notification Process does not relieve you from the responsibility of obtaining other permits or authorizations from other agencies (federal, state, city, etc.) that may be required for the project.

In support of your notification you provided the following information:

Construction Permit Number: 0356573-001-DWC/CG
Project Name: Palm Vista Force Main Extension

Project Location: Palm Bay, Florida
Permittee: City of Palm Bay
Collection System Owner: City of Palm Bay
Treatment Facility: PALM BAY #1 WRF - FLA103357
Clearance Type: Final Clearance
Submitter Indicated Substantial Deviations?: No
Substantial Deviations (when applicable):

Attachments:

File Description: FM asbuilts

File Name: 2072 PALM VISTA - FORCE MAIN ASB.pdf

File Hash: bd4da6b097f95bef8807859d515ad3dde0735a10be13396e70c8fbf0450b2ee7

Attachments:

File Description: Sewer Clearance form

File Name: 0356573-001-DWC-CG Clearance FM Partial 2 s-s.pdf

File Hash: 678aae266726003484736b7f722dd80f60e43a23df94bfac3efd3db0fa125c6f

All files related to your facility may be viewed at our Departmental Information Portal:

<https://prodenv.dep.state.fl.us/DepNexus/public/electronic-documents/FLA103357/facility!search>

Please allow up to three (3) business days for the above documents to appear.

Staff will notify you of any additional information that may be required to complete your notification.

The Office for your project is:

Central District

DEP_CD@dep.state.fl.us

Please contact this Office for any questions regarding your project.

[Dep Customer Survey](#)



**EVERLANDS COMMUNITY DEVELOPMENT DISTRICT
SPECIAL ASSESSMENT BONDS, SERIES 2021
(2021 Project)**

(Acquisition and Construction)

The undersigned, a Responsible Officer of the Everlands Community Development District (the “District”) hereby submits the following requisition for disbursement under and pursuant to the terms of the Master Trust Indenture between the District and U.S. Bank National Association, as trustee (the “Trustee”), dated as of September 1, 2021, as supplemented by that certain First Supplemental Trust Indenture dated as of September 1, 2021 (collectively, the “Indenture”) (all capitalized terms used herein shall have the meaning ascribed to such term in the Indenture):

- (A) Requisition Number: **2**
- (B) Identify Acquisition Agreement, if applicable;
- (C) Name of Payee: **Billing, Cochran, Lyles, Mauro & Ramsey, P.A.**
- (D) Amount Payable: **\$1,075.83**
- (E) Purpose for which paid or incurred (refer also to specific contract if amount is due and payable pursuant to a contract involving progress payments): **Everlands CDD Construction Bond related legal administrative and construction activities.**
- (F) Fund or Account and subaccount, if any, from which disbursement to be made:

Series 2021 Acquisition and Construction Account of the Acquisition and Construction Fund.

The undersigned hereby certifies that:

- 1. obligations in the stated amount set forth above have been incurred by the District,
- 2. each disbursement set forth above is a proper charge against the Series 2021 Acquisition and Construction Account;
- 3. each disbursement set forth above was incurred in connection with the Cost of the 2021 Project; and
- 4. each disbursement represents a Cost of 2021 Project which has not previously been paid.


The undersigned hereby further certifies that there has not been filed with or served upon the District notice of any lien, right to lien, or attachment upon, or claim affecting the right to receive payment of, any of the moneys payable to the Payee set forth above, which has not been released or will not be released simultaneously with the payment hereof.

The undersigned hereby further certifies that such requisition contains no item representing payment on account of any retained percentage which the District is at the date of such certificate entitled to retain.

Originals or copies of the invoice(s) from the vendor of the property acquired or the services rendered with respect to which disbursement is hereby requested are on file with the District.

EVERLANDS COMMUNITY
DEVELOPMENT DISTRICT

By:


Responsible Officer BSE CONSULTANTS
DISTRICT ENGINEER

Date: _____

**CONSULTING ENGINEER'S APPROVAL FOR
NON-COST OF ISSUANCE OR NON-OPERATING COSTS REQUESTS ONLY**

The undersigned Consulting Engineer hereby certifies that this disbursement is for the Cost of the 2021 Project and is consistent with: (i) the Acquisition Agreement; and (ii) the report of the Consulting Engineer, as such report shall have been amended or modified.

Consulting Engineer

BILLING, COCHRAN, LYLES, MAURO & RAMSEY, P.A.
SUNTRUST CENTER, SIXTH FLOOR
515 EAST LAS OLAS BOULEVARD
FORT LAUDERDALE, FLORIDA 33301
(954) 764-7150

EVERLANDS CDD
SPECIAL DISTRICT SERVICES
10807 SW TRADITION SQUARE
PORT ST. LUCIE FL 84987

Page: 1
10/31/2021
Account No: 1077-21124M
Statement No: 171819

Attn: B.FRANK SAKUMA, JR.

EVERLANDS CDD CONSTRUCTION
BOND RELATED LEGAL ADMINISTRATIVE AND CONSTRUCTION ACTIVITIES

	<u>Fees</u>	Hours
10/13/2021		
MJP	RECEIPT AND REVIEW OF CORRESPONDENCE FROM ATTY. SANFORD WITH ATTACHED CONSTRUCTION REQUISITION FORM AND REPLY THERETO	0.30
MJP	CORRESPONDENCE TO GREG PETTIBON, KEN LUDWA, AND FRANK SAKUMA WITH ATTACHMENT RE: CONVEYANCES	0.30
MJP	RECEIPT AND REVIEW FURTHER CORRESPONDENCE FROM ATTY. SANFORD	0.10
MJP	RECEIPT AND REVIEW ADDITIONAL CORRESPONDENCE FROM ATTY. SANFORD WITH ATTACHMENT RE: ANCILLARY DOCUMENTS	0.20
10/18/2021		
MJP	RECEIPT AND REVIEW OF CORRESPONDENCE FROM ROBERT HEDGECKOCK RE: CONSTRUCTION REQUISITION	0.20
10/19/2021		
MJP	CORRESPONDENCE TO CLERK OF COURT - RECORDING WITH ANCILLARY DOCUMENTS	0.40
MJP	CORRESPONDENCE TO FRANK SAKUMA AND ATTY. SANFORD WITH ATTACHMENT RE: RECORDING OF PROJECT DOCUMENTS	0.20
10/20/2021		
MJP	CORRESPONDENCE TO GREG PETTIBON RE: PROJECT COSTS	0.20
MJP	RECEIPT AND REVIEW OF CORRESPONDENCE FROM GREG PETTIBON	0.20
10/25/2021		
MJP	RECEIPT AND REVIEW RECORDED COPIES (X3) OF ANCILLARY DOCUMENTS RETRIEVED FROM PUBLIC RECORDS WEBSITE OF COUNTY CLERK OF COURT	0.30

EVERLANDS CDD

Page: 2
 10/31/2021
 Account No: 1077-21124M
 Statement No: 171819

EVERLANDS CDD CONSTRUCTION
 BOND RELATED LEGAL ADMINISTRATIVE AND CONSTRUCTION ACTIVITIES

		Hours	
MJP	CORRESPONDENCE TO DISTRIBUTION LIST WITH ATTACHED COPIES (X3) OF RECORDED ANCILLARY DOCUMENTS	0.30	
MJP	RECEIPT AND REVIEW ORIGINAL RECORDED ANCILLARY DOCUMENTS (X3) FROM CLERK OF COURT	0.30	
10/28/2021			
MJP	CORRESPONDENCE TO DISTRICT MANAGER WITH ENCLOSURES RE: ANCILLARY DOCUMENTS	0.40	
MJP	CORRESPONDENCE TO FRANK SAKUMA WITH ATTACHMENTS	0.20	
	For Current Services Rendered	3.60	1,044.00

Recapitulation				
<u>Timekeeper</u>	<u>Title</u>	<u>Hours</u>	<u>Rate</u>	<u>Total</u>
MICHAEL J. PAWELCZYK	PARTNERS	3.60	\$290.00	\$1,044.00

<u>Expenses</u>		
10/19/2021	COURIER EXPENSE (245) FEDERAL EXPRESS - DELIVERY TO BREVARD COUNTY CLERK OF COURT	31.83
	Total Expenses	31.83
	Previous Balance	\$6,621.00
	Total Current Work	1,075.83
	Balance Due	<u>\$7,696.83</u>

PLEASE MAKE CHECKS PAYABLE TO
 BILLING, COCHRAN, LYLES, MAURO & RAMSEY, P.A.
 PLEASE RETURN ONE COPY OF THIS STATEMENT WITH YOUR PAYMENT
 IRS NO. 59-1756046

**CONSIDER APPROVAL OF
ENGINEERING REPORT**

**TO BE DISTRIBUTED
UNDER SEPARATE COVER**