



# **EVERLANDS COMMUNITY DEVELOPMENT DISTRICT**

**SPECIAL BOARD MEETING  
& PUBLIC HEARING  
SEPTEMBER 8, 2022  
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  
**SPECIAL BOARD MEETING & PUBLIC HEARING**  
September 8, 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. Approval of Minutes
  - 1. July 8, 2022 Regular Board Meeting Minutes.....Page 4
- G. **Public Hearing – Levy of Non-Ad Valorem Assessments**
  - 1. Proof of Publication.....Page 8
  - 2. Receive Public Comment Regarding the Intent to Levy Special Assessments
  - 3. Consider Approval of the Project and Levying of Non-Ad Valorem Special Assessments Based on Comments from the Public
  - 4. Consider Adjusting and Equalizing of Non-Ad Valorem Special Assessments Based on Comments from the Public
  - 5. Consider Resolution No. 2022-05 – Authorizes the Project, the Intent to Levy Non-Ad Valorem Assessments; Intent to Utilize Chapter 197, F.S. for the Levy, Collection and the Enforcement of Non-Ad Valorem Assessments; and the Adoption of a Final Assessment Roll, Pursuant to Chapters 170 and 190, F.S.....Page 11
- H. Old Business
- I. New Business
  - 1. Consider Resolution No. 2022-06 – Adopting Fiscal Year 2022/2023 Meeting Schedule....Page 20
  - 2. Consider Resolution No. 2022-07 – Amending Resolution Setting the Public Hearing for Fiscal Year 2022/2023 Final Budget.....Page 22
- J. Administrative Matters
- K. Board Members Comments
- L. Adjourn

A Daily Publication By:



SPECIAL DIST SERVICES INC  
2501A BURNS RD  
PALM BEACH GARDENS, FL 33410

STATE OF FLORIDA COUNTY OF BREVARD

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

PUBLIC NOTICE

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

8/19/2022; 8/26/2022

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 corporation 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 26th DAY OF AUGUST 2022 by legal clerk who is personally known to me

A handwritten signature in black ink, appearing to be "Nancy Heyrman", written over a horizontal line.

Affiant

A handwritten signature in black ink, appearing to be "Nancy Heyrman", written over a horizontal line.

Notary State of Wisconsin County of Brown

5.15.23

My commission expires

PUBLICATION COST: \$5,016.00  
AD NO: GCI0929457  
CUSTOMER NO: 0000001202  
PO#: PUBLIC NOTICE

NANCY HEYRMAN  
Notary Public  
State of Wisconsin

**NOTICE OF PUBLIC HEARING TO CONSIDER IMPOSITION OF SPECIAL ASSESSMENTS PURSUANT TO SECTION 170.07, FLORIDA STATUTES, BY THE EVERLANDS COMMUNITY DEVELOPMENT DISTRICT**

**NOTICE OF PUBLIC HEARING TO CONSIDER ADOPTION OF ASSESSMENT ROLL PURSUANT TO SECTION 197.3632(4)(b), FLORIDA STATUTES, BY THE EVERLANDS COMMUNITY DEVELOPMENT DISTRICT**

**NOTICE OF SPECIAL MEETING OF THE EVERLANDS COMMUNITY DEVELOPMENT DISTRICT**

The Everlands Community Development District Board of Supervisors ("Board") will hold public hearings on Thursday, September 8, 2022, at 10:00 a.m. at the Offices of B.S.E. Consultants, Inc. located at 312 South Harbor City Boulevard, Melbourne, Florida 32949, to consider the adoption of an assessment roll, the imposition of special assessments to secure proposed bonds on benefited lands within the Everlands Community Development District ("District"), a depiction of which lands is shown below, and to provide for the levy, collection and enforcement of the special assessments. The areas to be improved are depicted below and in the District's Engineering Report Phase 2 Infrastructure Improvements (the "Improvement Plan"). The public hearing is being conducted pursuant to Chapters 170, 190 and 197, Florida Statutes. A description of the property to be assessed and the amount to be assessed to each piece or parcel of property may be ascertained at the office of the District's Records Office located c/o Special District Services, Inc., The Oaks Center, 2501A Burns Road, Palm Beach Gardens, Florida 33410, (561) 630-4922.

The District is a unit of special-purpose local government responsible for providing infrastructure improvements for lands within the District. The infrastructure improvements ("Improvements") are currently expected to include, but are not limited to drainage and surface water management system improvements, on-site utilities, off-site utilities and other improvements, all as more specifically described in the Improvement Plan, on file and available during normal business hours at the address provided above.

The District intends to impose assessments on benefited lands within the District in the manner set forth in the District's Master Special Assessment Methodology Report (the "Assessment Report"), which is on file and available during normal business hours at the address provided above. The Assessment Report identifies each tax parcel identification number within the District and assessments per parcel for each land use category that is currently expected to be assessed. The method of allocating assessments for the Improvements to be funded by the District will initially be determined on an equal assessment per acre basis. The methodology is explained in more detail in the Assessment Report. Also, as described in more detail in the Assessment Report, the District's assessments will be levied against all assessable lands within the District. Please consult the Assessment Report for more details.

The annual principal assessment levied against each parcel will be based on repayment over thirty (30) years of the total debt allocated to each parcel. The District expects to collect sufficient revenues to retire no more than \$27,225,000 in debt to be assessed by the District, exclusive of fees and costs of collection or enforcement, discounts for early payment and interest. Unit type(s) and Maximum annual debt per unit are provided in the following table "Allocation of Debt Service Assessments" and are grossed up to include 1% collection fee of the County Tax Collector, 1% service fee of the County Property Appraiser and 4% for early payment of taxes. The proposed annual schedule of maximum assessments is as follows:

**ALLOCATION OF DEBT SERVICE ASSESSMENTS**

Product	Number of Units by Type	ERU Factor	Total ERUs	**Maximum Annual Debt Assessment Per Unit*	**Maximum Annual Debt Assessment Per Unit Type*
Duplex	150	0.926	138.89	\$ 2,581	\$ 387,184
Townhome	234	0.889	208.00	\$ 2,478	\$ 579,847
40'	228	0.963	219.56	\$ 2,684	\$ 612,061
50'	166	1.000	166.00	\$ 2,788	\$ 462,763
60'	62	1.019	63.15	\$ 2,839	\$ 176,040
TOTAL	840	N/A	795.59	N/A	\$ 2,217,895
*Rounded					

\*\*Grossed up to include 1% collection fee of the County Tax Collector, 1% service fee of the County Property Appraiser and 4% for early payment of taxes.

Folio ID#s and/or Parcel Plat Description	Developable Acreage by Parcel	**Maximum Annual Debt Assessment Per Acre*	Par Debt Per Acre	Total Par Debt
28-36-21-00-1				
28-36-28-00-3	291.11	\$7,618.75	\$93,521.35	\$27,225,000
TOTALS		N/A	N/A	\$27,225,000
*Rounded				

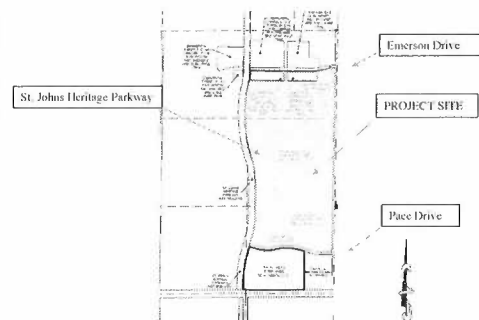
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The assessments may be prepaid in whole at any time, or in some instances in part, or shall be paid in not more than thirty (30) annual installments subsequent to the issuance of debt to finance the Improvements. These annual assessments will be collected on the Brevard County tax roll by the Tax Collector. Alternatively, the District may choose to directly collect and enforce these assessments. All affected property owners have the right to appear at the public hearings and the right to file written objections with the District within twenty (20) days of the publication of this notice. Failure to pay the assessment will cause a tax certificate to be issued against the property, or result in a foreclosure action which in either case may result in a loss of title.

Also on September 8, 2022, at 10:00 a.m. at the Offices of B.S.E. Consultants, Inc. located at 312 South Harbor City Boulevard, Melbourne, Florida 32949, the Board will hold a special public meeting to consider matters related to the construction of the Improvements; to consider matters related to a bond issue and special assessments to finance improvements; to consider the facilities to be provided by the District and the financing plan for same; and to consider any other business that may lawfully be considered by the District. The Board meeting and hearings are open to the public and will be conducted in accordance with the provisions of Florida law. The Board meeting and/or the public hearings may be continued in progress to a date and time certain announced at the meeting and/or hearings.

If anyone chooses to appeal any decision of the Board with respect to any matter considered at the meeting or hearings, such person will need a record of the proceedings and should accordingly ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which such appeal is to be based.

Any person requiring special accommodations at the meeting or hearings because of a disability or physical impairment should contact the District Office at (561) 630-4922 at least 48 hours prior to the meeting. If you are hearing or speech impaired, please contact the Florida Relay Service at 1-800-955-8770 for aid in contacting the District office.



[illegible]

<p><b>NOTICE OF PUBLIC HEARING TO CONSIDER IMPOSITION OF SPECIAL ASSESSMENTS PURSUANT TO SECTION 170.07, FLORIDA STATUTES, BY THE EVERLANDS COMMUNITY DEVELOPMENT DISTRICT</b></p> <p><b>NOTICE OF PUBLIC HEARING TO CONSIDER ADOPTION OF ASSESSMENT ROLL PURSUANT TO SECTION 197.3632(4)(b), FLORIDA STATUTES, BY THE EVERLANDS COMMUNITY DEVELOPMENT DISTRICT</b></p> <p><b>NOTICE OF SPECIAL MEETING OF THE EVERLANDS COMMUNITY DEVELOPMENT DISTRICT</b></p> <p>The Everlands Community Development District Board of Supervisors ("Board") will hold public hearings on Thursday, September 8, 2022, at 10:00 a.m. at the Offices of B.S.E. Consultants, Inc. located at 312 South Harbor City Boulevard, Melbourne, Florida 32949, to consider the adoption of an assessment roll, the imposition of special assessments to secure proposed bonds on benefited lands within the Everlands Community Development District ("District"), a depiction of which lands is shown below, and to provide for the levy, collection and enforcement of the special assessments. The areas to be improved are depicted below and in the District's Engineering Report Phase 2 Infrastructure Improvements (the "Improvement Plan"). The public hearing is being conducted pursuant to Chapters 170, 190 and 197, Florida Statutes. A description of the property to be assessed and the amount to be assessed to each piece or parcel of property may be ascertained at the office of the District's Records Office located at Special District Services, Inc., The Oaks Center, 2501A Burns Road, Palm Beach Gardens, Florida 33410, (561) 630-4922.</p> <p>The District is a unit of special-purpose local government responsible for providing infrastructure improvements for lands within the District. The infrastructure improvements ("improvements") are currently expected to include, but are not limited to drainage and surface water management system improvements, on-site utilities, offsite utilities and other improvements, all as more specifically described in the Improvement Plan, on file and available during normal business hours at the address provided above.</p> <p>The District intends to impose assessments on benefited lands within the District in the manner set forth in the District's Master Special Assessment Methodology Report (the "Assessment Report"), which is on file and available during normal business hours at the address provided above. The Assessment Report identifies each tax parcel identification number within the District and assessments per parcel for each land use category that is currently expected to be assessed. The method of allocating assessments for the improvements to be funded by the District will initially be determined on an equal assessment per acre basis. The methodology is explained in more detail in the Assessment Report. Also, as described in more detail in the Assessment Report, the District's assessments will be levied against all assessable lands within the District. Please consult the Assessment Report for more details.</p> <p>The annual principal assessment levied against each parcel will be based on repayment over thirty (30) years of the total debt allocated to each parcel. The District expects to collect sufficient revenues to retire no more than \$27,225,000 in debt to be assessed by the District, exclusive of fees and costs of collection or enforcement, discounts for early payment and interest. Unit type(s) and Maximum annual debt per unit are provided in the following table "Allocation of Debt Service Assessments" and are grossed up to include 1% collection fee of the County Tax Collector, 1% service fee of the County Property Appraiser and 4% for early payment of taxes. The proposed annual schedule of maximum assessments is follows:</p>																																																					
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**EVERLANDS COMMUNITY DEVELOPMENT DISTRICT  
REGULAR BOARD MEETING  
JULY 8, 2022**

**A. CALL TO ORDER**

The Regular Board Meeting of the Everlands Community Development District (the “District”) was called to order at 10:29 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 February 3, 2022, as legally required.

**C. ESTABLISH A QUORUM**

A quorum was established with the following Supervisors in attendance:

Gregory J. Pettibon, Bojana Brown and Jared Shaver

Also in attendance were Frank Sakuma of Special District Services, Inc.; Attorney Michael Pawelczyk of Billing, Cochran, Lyles, Mauro & Ramsey, P.A. (by phone); Attorney Stephen Sanford of Greenberg Traurig, P.A. (by phone); and Andrew Karmeris of Special District Services, Inc. (by phone).

**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. March 11, 2022, Regular Board Meeting**

The March 11, 2022, Regular Board Meeting minutes were presented for Board approval.

A **motion** was made by Mr. Shaver, seconded by Mr. Pettibon and passed unanimously approving the March 11, 2022, Regular Board Meeting Minutes, as presented.

**G. OLD BUSINESS**

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

**H. NEW BUSINESS**

**1. Consider Resolution 2022-01 Adopting a Fiscal Year 2022/2023 Proposed Budget**

Mr. Sakuma presented Resolution 2022-01 entitled:

**RESOLUTION NO. 2022-01**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE EVERLANDS COMMUNITY DEVELOPMENT DISTRICT APPROVING A PROPOSED BUDGET FOR FISCAL YEAR 2022/2023; AND PROVIDING AN EFFECTIVE DATE.**

Mr. Sakuma read the title of the resolution into the record and explained the purpose of the resolution. It was determined that September 8, 2022, would be an appropriate date to schedule the public hearing.

A **motion** was made by Mr. Pettibon, seconded by Mr. Shaver and unanimously passed to approve and adopt Resolution No. 2022-01, as presented, and to notice the public hearing date of September 8, 2022.

**2. Consider Approval of Bond Counsel**

A **motion** was made by Mr. Pettibon, seconded by Mr. Shaver and unanimously passed authorizing the engagement of Greenberg Traurig, P.A. for the 2022 series of bonds.

**3. Consider Approval of Investment Banker**

A **motion** was made by Mr. Pettibon, seconded by Mr. Shaver and unanimously passed authorizing the engagement of FMS Bonds for the 2022 series of bonds.

**4. Consider Approval of Trustee**

A **motion** was made by Mr. Pettibon, seconded by Mr. Shaver and unanimously passed authorizing the engagement of US Bank Global Corporate Trust Services for the 2022 series of bonds.

**5. Consider Approval of Engineering Report – Phase 2 Infrastructure Improvements**

After discussion among the Board and staff about what elements of the project should be included in the Engineer's Report, a **motion** was made by Mr. Pettibon, seconded by Mr. Shaver and unanimously passed approving the Engineering Report – Phase 2 Infrastructure Improvements, in substantially the form as submitted and edited during the meeting.

**6. Consider Approval of Assessment Methodology**

After discussion among the Board and staff about the Assessment Methodology, a **motion** was made by Mr. Pettibon, seconded by Mr. Shaver and unanimously passed approving the Assessment Methodology, in substantially the form as submitted and edited during the meeting.

**7. Consider Resolution No. 2022-02 Authorizing Bonds**

Mr. Sakuma presented Resolution 2022-02 entitled:

**RESOLUTION NO. 2022-02**

**AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$40,000,000 AGGREGATE PRINCIPAL AMOUNT OF EVERLANDS COMMUNITY DEVELOPMENT DISTRICT SPECIAL ASSESSMENT BONDS, IN ONE OR MORE SERIES, TO PAY ALL OR A PORTION OF THE DESIGN, ACQUISITION AND CONSTRUCTION COSTS OF CERTAIN PUBLIC INFRASTRUCTURE IMPROVEMENTS, INCLUDING, BUT NOT LIMITED TO, STORMWATER MANAGEMENT AND CONTROL FACILITIES, INCLUDING, BUT NOT LIMITED TO, RELATED EARTHWORK; WATER AND WASTEWATER SYSTEMS; AND RELATED INCIDENTAL COSTS, INCLUDING PROFESSIONAL FEES (COLLECTIVELY, THE “EXPANSION AREA PROJECT”), PURSUANT TO CHAPTER 190, FLORIDA STATUTES, AS AMENDED; PROVIDING FOR THE APPOINTMENT OF A TRUSTEE; APPROVING THE FORM AND AUTHORIZING THE EXECUTION OF A SUPPLEMENTAL TRUST INDENTURE IN SUBSTANTIALLY THE FORM ATTACHED HERETO; PROVIDING THAT SUCH BONDS SHALL NOT CONSTITUTE A DEBT, LIABILITY OR OBLIGATION OF THE EVERLANDS COMMUNITY DEVELOPMENT DISTRICT (EXCEPT AS OTHERWISE PROVIDED HEREIN), PALM BAY CITY, BREVARD COUNTY, FLORIDA, THE STATE OF FLORIDA OR OF ANY OTHER POLITICAL SUBDIVISION THEREOF, BUT SHALL BE PAYABLE SOLELY FROM SPECIAL ASSESSMENTS ASSESSED AND LEVIED ON THE PROPERTY WITHIN THE DISTRICT BENEFITED BY THE EXPANSION AREA PROJECT AND SUBJECT TO ASSESSMENT; PROVIDING FOR THE JUDICIAL VALIDATION OF SUCH BONDS; AND PROVIDING FOR OTHER RELATED MATTERS.**

Mr. Sakuma read the title of the resolution into the record. Mr. Sanford explained the purpose of the resolution. A **motion** was made by Mr. Pettibon, seconded by Mr. Shaver and unanimously passed adopting Resolution No. 2022-02, in substantially the form as submitted and edited during the meeting.

#### **8. Consider Resolution No. 2022-03 Declaring Special Assessments**

Mr. Sakuma presented Resolution 2022-03 entitled:

#### **RESOLUTION 2022-03**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE EVERLANDS COMMUNITY DEVELOPMENT DISTRICT DECLARING SPECIAL ASSESSMENTS; INDICATING THE LOCATION, NATURE AND ESTIMATED COST OF THOSE INFRASTRUCTURE IMPROVEMENTS WHICH COST IS TO BE DEFRAYED IN WHOLE OR IN PART BY THE SPECIAL ASSESSMENTS; PROVIDING THE MANNER IN WHICH SUCH SPECIAL ASSESSMENTS SHALL BE MADE; PROVIDING WHEN SUCH SPECIAL ASSESSMENTS SHALL BE PAID; DESIGNATING LANDS UPON WHICH THE SPECIAL ASSESSMENTS SHALL BE LEVIED; PROVIDING FOR AN ASSESSMENT PLAT; ADOPTING A PRELIMINARY ASSESSMENT ROLL; PROVIDING FOR PUBLICATION OF THIS RESOLUTION.**

Mr. Sakuma read the title of the resolution into the record. A **motion** was made by Mr. Pettibon, seconded by Mr. Shaver and unanimously passed adopting Resolution No. 2022-03.



## **9. Consider Resolution No. 2022-04 Setting Public Hearing on Assessments**

Mr. Sakuma presented Resolution 2022-04 entitled:

### **RESOLUTION 2022-04**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE EVERLANDS COMMUNITY DEVELOPMENT DISTRICT SETTING A PUBLIC HEARING TO BE HELD ON \_\_\_\_\_, 2022, AT \_\_\_\_\_.M. AT THE OFFICES OF B.S.E. CONSULTANTS, INC. LOCATED AT 312 SOUTH HARBOR CITY BOULEVARD, MELBOURNE, FLORIDA 32949, FOR THE PURPOSE OF HEARING PUBLIC COMMENT ON IMPOSING SPECIAL ASSESSMENTS ON CERTAIN PROPERTY WITHIN THE DISTRICT GENERALLY DESCRIBED AS THE EXPANSION AREA WITHIN THE EVERLANDS COMMUNITY DEVELOPMENT DISTRICT IN ACCORDANCE WITH CHAPTERS 170, 190 AND 197, *FLORIDA STATUTES*.**

Mr. Sakuma read the title of the resolution into the record. A **motion** was made by Mr. Pettibon, seconded by Mr. Shaver and unanimously passed adopting Resolution No. 2022-04, and setting a public hearing to be held on September 8, 2022.

### **J. ADMINSTRATIVE MATTERS**

Mr. Pawelczyk reminded the Supervisors that Form 1 must be filed with the Supervisor of Elections in the county of residence. He also explained the next steps and anticipated the timing of bond validation and issuance.

### **K. BOARD MEMBER COMMENTS**

Mr. Pettibon thanked staff for their efforts in working toward the next series of bonds.

### **L. ADJOURNMENT**

There being no further business to come before the Board, Mr. Pettibon adjourned the meeting at 11:01 a.m. There were no objections.

**ATTESTED BY:**

---

Secretary/Assistant Secretary

---

Chairperson/Vice-Chair

A Daily Publication By:



SPECIAL DIST SERVICES INC  
2501A BURNS RD  
PALM BEACH GARDENS, FL 33410

STATE OF FLORIDA COUNTY OF BREVARD

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

PUBLIC NOTICE

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

8/19/2022; 8/26/2022

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 corporation 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 26th DAY OF AUGUST 2022 by legal clerk who is personally known to me

A handwritten signature of the affiant, appearing to be "Nancy Heyrman", written in dark ink.

Affiant

A handwritten signature of the notary public, appearing to be "Nancy Heyrman", written in dark ink.  
Notary State of Wisconsin County of Brown  
5.15.23

My commission expires

PUBLICATION COST: \$5,016.00  
AD NO: GCI0929457  
CUSTOMER NO: 0000001202  
PO#: PUBLIC NOTICE

NANCY HEYRMAN  
Notary Public  
State of Wisconsin

**NOTICE OF PUBLIC HEARING TO CONSIDER IMPOSITION OF SPECIAL ASSESSMENTS PURSUANT TO SECTION 170.07, FLORIDA STATUTES, BY THE EVERLANDS COMMUNITY DEVELOPMENT DISTRICT**

**NOTICE OF PUBLIC HEARING TO CONSIDER ADOPTION OF ASSESSMENT ROLL PURSUANT TO SECTION 197.3632(4)(b), FLORIDA STATUTES, BY THE EVERLANDS COMMUNITY DEVELOPMENT DISTRICT**

**NOTICE OF SPECIAL MEETING OF THE EVERLANDS COMMUNITY DEVELOPMENT DISTRICT**

The Everlands Community Development District Board of Supervisors ("Board") will hold public hearings on Thursday, September 8, 2022, at 10:00 a.m. at the Offices of B.S.E. Consultants, Inc. located at 312 South Harbor City Boulevard, Melbourne, Florida 32949, to consider the adoption of an assessment roll, the imposition of special assessments to secure proposed bonds on benefited lands within the Everlands Community Development District ("District"), a depiction of which lands is shown below, and to provide for the levy, collection and enforcement of the special assessments. The areas to be improved are depicted below and in the District's Engineering Report Phase 2 Infrastructure Improvements (the "Improvement Plan"). The public hearing is being conducted pursuant to Chapters 170, 190 and 197, Florida Statutes. A description of the property to be assessed and the amount to be assessed to each piece or parcel of property may be ascertained at the office of the District's Records Office located c/o Special District Services, Inc., The Oaks Center, 2501A Burns Road, Palm Beach Gardens, Florida 33410, (561) 630-4922.

The District is a unit of special-purpose local government responsible for providing infrastructure improvements for lands within the District. The infrastructure improvements ("Improvements") are currently expected to include, but are not limited to drainage and surface water management system improvements, on-site utilities, off-site utilities and other improvements, all as more specifically described in the Improvement Plan, on file and available during normal business hours at the address provided above.

The District intends to impose assessments on benefited lands within the District in the manner set forth in the District's Master Special Assessment Methodology Report (the "Assessment Report"), which is on file and available during normal business hours at the address provided above. The Assessment Report identifies each tax parcel identification number within the District and assessments per parcel for each land use category that is currently expected to be assessed. The method of allocating assessments for the Improvements to be funded by the District will initially be determined on an equal assessment per acre basis. The methodology is explained in more detail in the Assessment Report. Also, as described in more detail in the Assessment Report, the District's assessments will be levied against all assessable lands within the District. Please consult the Assessment Report for more details.

The annual principal assessment levied against each parcel will be based on repayment over thirty (30) years of the total debt allocated to each parcel. The District expects to collect sufficient revenues to retire no more than \$27,225,000 in debt to be assessed by the District, exclusive of fees and costs of collection or enforcement, discounts for early payment and interest. Unit type(s) and Maximum annual debt per unit are provided in the following table "Allocation of Debt Service Assessments" and are grossed up to include 1% collection fee of the County Tax Collector, 1% service fee of the County Property Appraiser and 4% for early payment of taxes. The proposed annual schedule of maximum assessments is as follows:

**ALLOCATION OF DEBT SERVICE ASSESSMENTS**

Product	Number of Units by Type	ERU Factor	Total ERUs	**Maximum Annual Debt Assessment Per Unit*	**Maximum Annual Debt Assessment Per Unit Type*
Duplex	150	0.926	138.89	\$ 2,581	\$ 387,184
Townhome	234	0.889	208.00	\$ 2,478	\$ 579,847
40'	228	0.963	219.56	\$ 2,684	\$ 612,061
50'	166	1.000	166.00	\$ 2,788	\$ 462,763
60'	62	1.019	63.15	\$ 2,839	\$ 176,040
TOTAL	840	N/A	795.59	N/A	\$ 2,217,895
*Rounded					

\*\*Grossed up to include 1% collection fee of the County Tax Collector, 1% service fee of the County Property Appraiser and 4% for early payment of taxes.

Folio ID#s and/or Parcel Plat Description	Developable Acreage by Parcel	**Maximum Annual Debt Assessment Per Acre*	Par Debt Per Acre	Total Par Debt
28-36-21-00-1				
28-36-28-00-3	291.11	\$7,618.75	\$93,521.35	\$27,225,000
TOTALS		N/A	N/A	\$27,225,000
*Rounded				

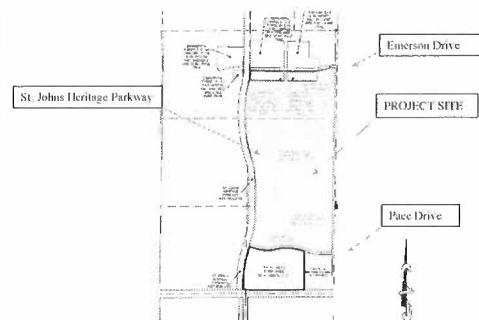
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The assessments may be prepaid in whole at any time, or in some instances in part, or shall be paid in not more than thirty (30) annual installments subsequent to the issuance of debt to finance the Improvements. These annual assessments will be collected on the Brevard County tax roll by the Tax Collector. Alternatively, the District may choose to directly collect and enforce these assessments. All affected property owners have the right to appear at the public hearings and the right to file written objections with the District within twenty (20) days of the publication of this notice. Failure to pay the assessment will cause a tax certificate to be issued against the property, or result in a foreclosure action which in either case may result in a loss of title.

Also on September 8, 2022, at 10:00 a.m. at the Offices of B.S.E. Consultants, Inc. located at 312 South Harbor City Boulevard, Melbourne, Florida 32949, the Board will hold a special public meeting to consider matters related to the construction of the Improvements; to consider matters related to a bond issue and special assessments to finance improvements; to consider the facilities to be provided by the District and the financing plan for same; and to consider any other business that may lawfully be considered by the District. The Board meeting and hearings are open to the public and will be conducted in accordance with the provisions of Florida law. The Board meeting and/or the public hearings may be continued in progress to a date and time certain announced at the meeting and/or hearings.

If anyone chooses to appeal any decision of the Board with respect to any matter considered at the meeting or hearings, such person will need a record of the proceedings and should accordingly ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which such appeal is to be based.

Any person requiring special accommodations at the meeting or hearings because of a disability or physical impairment should contact the District Office at (561) 630-4922 at least 48 hours prior to the meeting. If you are hearing or speech impaired, please contact the Florida Relay Service at 1-800-955-8770 for aid in contacting the District office.



# NOTICE OF PUBLIC HEARING TO CONSIDER IMPOSITION OF SPECIAL ASSESSMENTS PURSUANT TO SECTION 170.07, FLORIDA STATUTES, BY THE EVERLANDS COMMUNITY DEVELOPMENT DISTRICT

## NOTICE OF PUBLIC HEARING TO CONSIDER ADOPTION OF ASSESSMENT ROLL PURSUANT TO SECTION 197.3632(4)(b), FLORIDA STATUTES, BY THE EVERLANDS COMMUNITY DEVELOPMENT DISTRICT

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If anyone chooses to appeal any decision of the Board with respect to any matter considered at the meeting or hearings, such person will need a record of the proceedings and should accordingly ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which such appeal is to be based.

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EVERLANDS COMMUNITY DEVELOPMENT DISTRICT

[www.everlandsdcd.org](http://www.everlandsdcd.org)

## **RESOLUTION 2022-05**

**A RESOLUTION OF THE EVERLANDS COMMUNITY DEVELOPMENT DISTRICT AUTHORIZING DISTRICT PROJECTS FOR CONSTRUCTION AND/OR ACQUISITION OF INFRASTRUCTURE IMPROVEMENTS; EQUALIZING, APPROVING, CONFIRMING, AND LEVYING SPECIAL ASSESSMENTS ON PROPERTY SPECIALLY BENEFITED BY SUCH PROJECTS TO PAY THE COST THEREOF; PROVIDING FOR THE PAYMENT AND THE COLLECTION OF SUCH SPECIAL ASSESSMENTS BY THE METHODS PROVIDED FOR BY CHAPTERS 170, 190 AND 197, FLORIDA STATUTES; CONFIRMING THE DISTRICT'S INTENTION TO ISSUE SPECIAL ASSESSMENT REVENUE BONDS; MAKING PROVISIONS FOR TRANSFERS OF REAL PROPERTY TO HOMEOWNERS ASSOCIATIONS, PROPERTY OWNERS ASSOCIATION AND/OR GOVERNMENTAL ENTITIES; PROVIDING FOR THE RECORDING OF AN ASSESSMENT NOTICE; PROVIDING FOR SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.**

### **RECITALS**

**WHEREAS**, Everlands Community Development District (the “District”) previously indicated its intention to construct certain types of infrastructure improvements and to finance such infrastructure improvements through the issuance of bonds, which bonds would be repaid by the imposition of special assessments on benefited property within the District; and

**WHEREAS**, the District Board of Supervisors (the “Board”) noticed and conducted a public hearing pursuant to Chapters 170, 190 and 197, *Florida Statutes*, relating to the imposition, levy, collection and enforcement of such assessments.

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

**SECTION 1. AUTHORITY FOR THIS RESOLUTION.** This Resolution is adopted pursuant to Chapters 170, 190 and 197, *Florida Statutes*, including without limitation, Section 170.08, *Florida Statutes*.

**SECTION 2. FINDINGS.** The Board hereby finds and determines as follows:

(a) The District is a local unit of special-purpose government organized and existing under and pursuant to Chapter 190, *Florida Statutes*, as amended.

(b) The District is authorized by Chapter 190, *Florida Statutes*, to finance, fund, plan, establish, acquire, install, equip, operate, extend, construct, or reconstruct stormwater management and control systems, including but not limited to related earthwork, water and wastewater facilities, public roadway improvements related to the stormwater facilities, conservation and mitigation areas required by development permit and related soft and incident costs, and other infrastructure projects and services necessitated by the development of, and serving lands within, the District.

(c) The District is authorized by Chapter 190, *Florida Statutes*, to levy and impose special assessments to pay all, or any part of, the cost of such infrastructure projects and services and to issue capital improvement revenue bonds payable from such special assessments as provided in Chapters 170, 190 and 197, *Florida Statutes*.

(d) It is necessary to the public health, safety and welfare and in the best interests of the District that: (i) the District provide the Project (the “Project”), the nature and location of which was initially described in Resolution 2022-03 and is shown in the *Master Engineer’s Report*, dated July 11, 2022 (the “Engineer’s Report”), and which Project’s plans and specifications are on file in the District’s records office at 2501A Burns Road, Palm Beach Gardens, Florida 33410; (ii) the cost of such Project be assessed against the lands specially benefited by such Project; and (iii) the District issue bonds to provide funds for such purposes pending the receipt of such special assessments.

(e) The provision of said Project, the levying of such Special Assessments (hereinafter defined) and the sale and issuance of such bonds serves a proper, essential, and valid public purpose and is in the best interests of the District, its landowners and residents.

(f) In order to provide funds with which to pay a portion of the costs of the Project which are to be assessed against the benefitted properties, pending the collection of such Special Assessments, it is necessary for the District from time to time to sell and issue its Special Assessment Revenue Bonds, in one or more series (the “Bonds”).

(g) By Resolution 2022-03, the Board determined to provide the Project and to defray the costs thereof by making Special Assessments on benefitted property and expressed an intention to issue Bonds, notes or other specific financing mechanisms to provide a portion of the funds needed for the Project prior to the collection of such Special Assessments. Resolution 2022-03 was adopted in compliance with the requirements of Section 170.03, *Florida Statutes*, and prior to the time it was adopted, the requirements of Section 170.04, *Florida Statutes*, had been met.

(h) As directed by Resolution 2022-03, said Resolution 2022-03 was published as required by Section 170.05, *Florida Statutes*, and a copy of the publisher’s affidavit of publication is on file with the Secretary of the Board.

(i) As directed by Resolution 2022-03, a preliminary assessment roll was adopted and filed with the Board as required by Section 170.06, *Florida Statutes*.

(j) As required by Section 170.07, *Florida Statutes*, upon completion of the preliminary assessment roll, the Board adopted Resolution 2022-04 fixing the time and place of a public hearing at which owners of the property to be assessed and other persons interested therein may appear

before the Board and be heard as to: (i) the propriety and advisability of making the infrastructure improvements constituting the Project, (ii) the cost thereof, (iii) the manner of payment therefore, and (iv) the amount thereof to be assessed against each specially benefited property or parcel and provided for publication of notice of such public hearing and individual mailed notice in accordance with Chapters 170, 190 and 197, *Florida Statutes*.

(k) Notice of such public hearing was given by publication and also by mail as required by Section 170.07, *Florida Statutes*. Affidavits as to such publications and mailings are on file in the office of the Secretary of the Board.

(l) On **August 29, 2022**, at the time and place specified in Resolution 2022-04, and notice referred to in paragraph (k) above, the Board met as an Equalization Board and heard and considered all complaints and testimony as to the matters described in paragraph (j) above. The Board has made such modifications in the preliminary assessment roll as it deems necessary, just and right in the making of the final assessment roll.

(m) Having considered the estimated costs of the Project, estimates of financing costs and all complaints and evidence presented at such public hearing, the Board of Supervisors of the District further finds and determines:

(i) that the estimated costs of the Project are as specified in the Engineer's Report (attached as **Exhibit A** hereto and incorporated herein by this reference), which Engineer's Report is hereby adopted and approved, and that the amount of such costs is reasonable and proper; and

(ii) it is reasonable, proper, just and right to assess the cost of such Project against the properties within the District specially benefited thereby using the method determined by the Board set forth in the **Master Assessment Methodology for Assessment Area One, dated July 11, 2022** (the "Assessment Report") attached hereto as **Exhibit B** and incorporated herein by this reference, which results in allocation of assessments in the manner set forth in the final assessment roll included therein (the "Special Assessments"); and

(iii) it is hereby declared that the Project will constitute a special benefit to all parcels of real property listed on said final assessment roll and that the benefit, in the case of each such parcel, will be equal to or in excess of the Special Assessments thereon when allocated as set forth in **Exhibit B**; and

(iv) it is in the best interests of the District that the Special Assessments be paid and collected as herein provided.

**SECTION 3. AUTHORIZATION OF DISTRICT PROJECT.** That certain Project for construction of infrastructure improvements initially described in Resolution 2022-03, and more specifically identified and described in **Exhibit A** attached hereto, is hereby authorized and approved and the proper officers, employees and/or agents of the District are hereby authorized and directed to take such further action as may be necessary or desirable to cause the same to be made.

**SECTION 4. ESTIMATED COST OF IMPROVEMENTS.** The total estimated costs of the Project and the costs to be paid by Special Assessments on all specially benefited property are set forth in **Exhibits A and B**, respectively, hereto.

**SECTION 5. EQUALIZATION, APPROVAL, CONFIRMATION AND LEVY OF SPECIAL ASSESSMENTS.** The Special Assessments on parcels specially benefited by the Project, all as specified in the final assessment roll set forth in **Exhibit B**, attached hereto, are hereby equalized, approved, confirmed and levied. Immediately following the adoption of this Resolution these Special Assessments, as reflected in **Exhibit B**, attached hereto, shall be recorded by the Secretary of the Board of the District in a special book, to be known as the "Improvement Lien Book." The Special Assessment or assessments against each respective parcel shown on such final assessment roll and interest, costs and penalties thereon, as hereafter provided, shall be and shall remain a legal, valid and binding first lien on such parcel until paid and such lien shall be coequal with the lien of all state, county, district, municipal or other governmental taxes and superior in dignity to all other liens, titles, and claims. Prior to the issuance of any bonds, including refunding bonds, the District may, by subsequent resolution, adjust the acreage assigned to particular parcel identification numbers listed on the final assessment roll to reflect accurate apportionment of acreage within the District amongst individual parcel identification numbers. The District may make any other such acreage and boundary adjustments to parcels listed on the final assessment roll as may be necessary in the best interests of the District as determined by the Board by subsequent resolution. Any such adjustment in the assessment roll shall be consistent with the requirements of law. In the event the issuance of bonds, including refunding bonds, by the District would result in a decrease of the Special Assessments, then the District shall by subsequent resolution, adopted within sixty (60) days of the sale of such bonds at a publicly noticed meeting and without the need for further public hearing, evidence such a decrease and amend the final assessment roll as shown in the Improvement Lien Book to reflect such a decrease.

**SECTION 6. FINALIZATION OF SPECIAL ASSESSMENTS.** When the entire Project has both been constructed or otherwise provided to the satisfaction of the Board, the Board shall adopt a resolution accepting the same and determining the actual costs (including financing costs) thereof, as required by Sections 170.08 and 170.09, *Florida Statutes*. Pursuant to the provisions of Section 170.08, *Florida Statutes*, regarding completion of a project funded by a particular series of bonds, the District shall credit to each Special Assessment the difference, if any, between the Special Assessment as hereby made, approved and confirmed and the actual costs incurred in completing the Project. In making such credits, no credit shall be given for bond financing costs, capitalized interest, funded reserves or bond discounts. Such credits, if any, shall be entered in the Improvement Lien Book. Once the final amount of Special Assessments for the entire Project has been determined, the term "Special Assessment" shall, with respect to each parcel, mean the sum of the costs of the Project.

**SECTION 7. PAYMENT OF SPECIAL ASSESSMENTS AND METHOD OF COLLECTION.**

(a) The Special Assessments may be paid in not more than thirty (30) substantially equal consecutive annual installments of principal and interest. The Special Assessments may be paid in



full without interest at any time within thirty (30) days after the completion of the Project and the adoption by the Board of a resolution accepting the Project; provided, however, that the Board shall at any time make such adjustments by resolution, at a noticed meeting of the Board, to that payment schedule as may be necessary and in the best interests of the District to account for changes in long and short term debt as actually issued by the District. At any time subsequent to thirty (30) days after the Project has been completed and a resolution accepting the Project has been adopted by the Board, the Special Assessments may be prepaid in full including interest amounts to the next succeeding interest payment date or to the second succeeding interest payment date if such a prepayment is made within forty-five (45) calendar days before an interest payment date. The owner of property subject to Special Assessments may prepay the entire remaining balance of the Special Assessments or a portion of the remaining balance of the Special Assessment at any time if there is also paid, in addition to the prepaid principal balance of the Special Assessment, an amount equal to the interest that would otherwise be due on such prepaid amount on the next succeeding interest payment date, or, if prepaid during the forty-five (45) day period preceding such interest payment date, to the interest payment date following such next succeeding interest payment date. Prepayment of Special Assessments does not entitle the property owner to any discounts for early payment.

(b) The District may elect to use the method of collecting Special Assessments authorized by Sections 197.3632 and 197.3635, *Florida Statutes* (the "Uniform Method"). The District has heretofore taken or will use its best efforts to take as timely required, any necessary actions to comply with the provisions of said Sections 197.3632 and 197.3635, *Florida Statutes*. Such Special Assessments may be subject to all of the collection provisions of Chapter 197, *Florida Statutes*. Notwithstanding the above, in the event the Uniform Method of collecting its special or non-ad valorem assessments is not available to the District in any year, or if determined by the District to be in its best interest, the Special Assessments may be collected as is otherwise permitted by law. The District may, in its sole discretion, collect Special Assessments by directly assessing landowner(s) and enforcing said collection in any manner authorized by law. Such special assessments shall at all times be collected in a manner consistent with applicable trust indenture.

(c) For each year the District uses the Uniform Method, the District shall enter into an agreement with the Tax Collector of Brevard County who may notify each owner of a lot or parcel within the District of the amount of the special assessment, including interest thereon, in the manner provided in Section 197.3635, *Florida Statutes*.

## **SECTION 8. APPLICATION OF TRUE-UP PAYMENTS.**

(a) There may be required from time to time certain true-up payments as specified the Assessment Report and in supplemental assessment methodology reports. As parcels of land or lots are platted, the Special Assessments securing the Bonds shall be allocated as set forth in such reports. In furtherance thereof, at such time as parcels or land or lots are platted, it shall be an express condition of the lien established by this Resolution that any and all initial plats of any portion of the lands within the District, as the District's boundaries may be amended from time to time, shall be presented to the District Manager for review, approval and calculation of the percentage of acres and numbers of units which will be, after the plat, considered to be developed. No further action by the Board of Supervisors shall be required. The District's review shall be limited solely to this function and the enforcement of the lien established by this Resolution. The

District Manager shall cause the Special Assessments to be reallocated to the units being platted and the remaining property in accordance with such the Assessment Report and supplemental assessment methodology reports, cause such reallocation to be recorded in the District's Improvement Lien Book, and shall perform the true-up calculations described in **Exhibit B**, which process is incorporated herein as if fully set forth. Any resulting true-up payment shall become due and payable that tax year by the landowner(s) of record of the remaining property, in addition to the regular assessment installment payable with respect to the remaining developable acres.

(b) The District will take all necessary steps to ensure that true-up payments are made in a timely fashion to ensure its debt service obligations are met. The District shall record all true-up payments in its Improvement Lien Book.

(c) The foregoing is based on the District's understanding with Pulte Home Company, LLC, that it intends to develop the unit numbers and types shown in **Exhibit B**, on the net developable acres and is intended to provide a formula to ensure that the appropriate ratio of the Special Assessments to developable acres is maintained if fewer units are developed. However, no action by the District prohibits more than the maximum units shown in **Exhibit B** from being developed. In no event shall the District collect Special Assessments pursuant to this Resolution in excess of the total debt service related to the Project, including all costs of financing and interest. The District recognizes that such events as regulatory requirements and market conditions may affect the timing and scope of the development in the District. If the strict application of the True-Up Methodology to any assessment reallocation pursuant to this paragraph would result in Special Assessments collected in excess of the District's total debt service obligation for the Project, the Board shall by resolution take appropriate action to equitably reallocate the Special Assessments. Further, upon the District's review of the final plat for the developable acres, any unallocated Special Assessments shall become due and payable and must be paid prior to the District's approval of that plat.

(d) The application of the monies received from true-up payments or assessments to the actual debt service obligations of the District, whether long term or short term, shall be set forth in the supplemental assessment resolution adopted for each series of Bonds actually issued. Such subsequent resolution shall be adopted at a noticed meeting of the District, and shall set forth the actual amounts financed, costs of issuance, expected costs of collection, and the total amount of the assessments pledged to that issue, which amount shall be consistent with the lien imposed by this Resolution.

**SECTION 9. PROPERTY OWNED BY HOMEOWNERS ASSOCIATIONS, PROPERTY OWNERS ASSOCIATIONS OR GOVERNMENTAL ENTITIES.** Property owned by units of local, state, and federal government shall not be subject to the Special Assessments without specific consent thereto. In addition, property owned by a property owners association or homeowners association that is exempt from special assessments under Florida law shall not be subject to the Special Assessments. If at any time, any real property on which Special Assessments are imposed by this Resolution is sold or otherwise transferred to a unit of local, state, or federal government (without consent of such governmental unit to the imposition of Special Assessments thereon), all future unpaid Special Assessments for such tax parcel shall become due and payable immediately prior to such transfer without any further action of the District.

**SECTION 10. ASSESSMENT NOTICE.** The District's Secretary is hereby directed to record a general Notice of Assessments in the Official Records of Brevard County, Florida, which shall be updated from time to time in a manner consistent with changes in the boundaries of the District.

**SECTION 11. SEVERABILITY.** If any section or part of a section of this Resolution be declared invalid or unconstitutional, the validity, force and effect of any other section or part of a section of this Resolution shall not thereby be affected or impaired unless it clearly appears that such other section or part of a section of this Resolution is wholly or necessarily dependent upon the section or part of a section so held to be invalid or unconstitutional.

**SECTION 12. CONFLICTS.** All resolutions or parts thereof in conflict herewith are, to the extent of such conflict, superseded and repealed.

**SECTION 13. EFFECTIVE DATE.** This Resolution shall become effective upon its adoption.

**APPROVED AND ADOPTED THIS 8<sup>th</sup> DAY OF SEPTEMBER 2022.**

**EVERLANDS COMMUNITY  
DEVELOPMENT DISTRICT**

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Secretary / Assistant Secretary

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Chairperson, Board of Supervisors

**Exhibit A:** *Master Engineer's Report*, dated July 11, 2022

**Exhibit B:** *Master Assessment Methodology for Assessment Area One*, dated July 11, 2022

## **Exhibit A**

### **Master Engineer's Report**

## **Exhibit B**

### **Master Assessment Methodology for Assessment Area One**

**RESOLUTION NO. 2022-06**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE EVERLANDS COMMUNITY DEVELOPMENT DISTRICT, ESTABLISHING A REGULAR MEETING SCHEDULE FOR FISCAL YEAR 2022/2023 AND SETTING THE TIME AND LOCATION OF SAID DISTRICT MEETINGS; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, it is necessary for the Everlands Community Development District ("District") to establish a regular meeting schedule for fiscal year 2022/2023; and

**WHEREAS**, the Board of Supervisors of the District has set a regular meeting schedule, location and time for District meetings for fiscal year 2022/2023 which is attached hereto and made a part hereof as Exhibit "A".

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE EVERLANDS COMMUNITY DEVELOPMENT DISTRICT, PALM BAY, BEVARD COUNTY, FLORIDA, AS FOLLOWS:**

**Section 1.** The above recitals are hereby adopted.

**Section 2.** The regular meeting schedule, time and location for meetings for fiscal year 2022/2023 which is attached hereto as Exhibit "A" is hereby adopted and authorized to be published.

**PASSED, ADOPTED and EFFECTIVE** this 8<sup>th</sup> day of September, 2022.

**ATTEST:**

**EVERLANDS  
COMMUNITY DEVELOPMENT DISTRICT**

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

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

**EVERLANDS COMMUNITY DEVELOPMENT DISTRICT  
FISCAL YEAR 2022/2023 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:

**October 14, 2022  
November 1, 2022  
December 9, 2022  
January 13, 2023  
February 10, 2023  
March 10, 2023  
April 14, 2023  
May 12, 2023  
June 9, 2023  
July 14, 2023  
August 11, 2023  
September 8, 2023**

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](http://www.everlandscdd.org) or by contacting the District Manager at 772-345-5119 or by email at [bsakuma@sdsinc.org](mailto: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](http://www.everlandscdd.org)**

## **RESOLUTION NO. 2022-07**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE EVERLANDS COMMUNITY DEVELOPMENT DISTRICT AMENDING RESOLUTION 2022-01, RESCHEDULING AND RESETTING THE DATE, TIME AND PLACE OF THE PUBLIC HEARING FOR CONSIDERATION OF THE BUDGET FOR FISCAL YEAR 2022/2023; AND PROVIDE AN EFFECTIVE DATE.**

**WHEREAS**, on July 8, 2022, the Board of Supervisors (“Board”) of the Everlands Community Development District (“District”) approved Resolution 2022-01 approving a proposed budget for Fiscal Year 2022/2023 and setting the time, place and date of a public hearing to consider the adoption of the said budget for September 8, 2022; and

**WHEREAS**, in order to comply with all publication and notice requirements, it was necessary to reschedule the public hearing date set forth in Resolution 2022-01; and

**WHEREAS**, the District has determined that it is necessary to amend Resolution 2022-01 to acknowledge the new public hearing date, and to ratify actions taken by staff to reschedule and reset the public hearing date to September 30, 2022.

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

**SECTION 1.** The foregoing recitals clauses are true and correct and are hereby incorporated into this Resolution by reference.

**SECTION 2.** Resolution 2022-01 is hereby amended to reschedule and reset the public hearing date and time to September 30, 2022 at 10:00 a.m. at the offices of B.S.E. Consultants, Inc. located at 312 South Harbor City Boulevard, Melbourne, Florida 32949, for the purpose of receiving public comments on the Proposed Fiscal Year 2022/2023 Budget.

**SECTION 3.** All actions taken by the District Manager to provide notice of the rescheduled and reset public hearing published in the manner described by and in accordance with Florida law are hereby approved, ratified and confirmed.

**SECTION 4.** Except as otherwise set forth in this Resolution, all other portions of Resolution 2022-01 are hereby ratified, reaffirmed and shall remain in full force and effect as provided by their terms.

**SECTION 5.** 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 6.** This Resolution shall take effect upon adoption.



**THIS RESOLUTION WAS PASSED AND ADOPTED THIS 8<sup>th</sup> DAY OF  
SEPTEMBER, 2022.**

**EVERLANDS COMMUNITY  
DEVELOPMENT DISTRICT**

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

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