



# **EVERLANDS COMMUNITY DEVELOPMENT DISTRICT**

**LANDOWNERS' MEETING &  
REGULAR BOARD MEETING  
NOVEMBER 1, 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 Harbor City Boulevard  
Melbourne, Florida 32949  
**LANDOWNERS' MEETING**  
November 1, 2022  
10:00 A.M.

- A. Call to Order
- B. Proof of Publication.....Page 1
- C. Establish Quorum
- D. Consider Adoption of Election Procedures.....Page 2
- E. Election of Chairperson for Landowners' Meeting
- F. Election of Secretary for Landowners' Meeting
- G. Approval of Minutes
  - 1. June 12, 2020 Initial Landowners' Meeting.....Page 5
- H. Election of Supervisors
  - 2. Determine Number of Voting Units Represented or Assigned by Proxy.....Page 8
  - 3. Nomination of Candidates
  - 4. Casting of Ballots.....Page 9
  - 5. Ballot Tabulations
- I. Certification of the Results
- J. Landowners' Comments
- K. Adjourn

## Miscellaneous Notices



Published in Florida Today on October 10, 2022

### Location

Brevard County,

### Notice Text

Ad#5436950 10/10, 10/17/2022 NOTICE OF LANDOWNERS' MEETING, ELECTION AND REGULAR BOARD MEETING OF THE EVERLANDS COMMUNITY DEVELOPMENT DISTRICT Notice is hereby given to the public and all landowners within Everlands Community Development District (the "District") the location of which is generally described as comprising a parcel or parcels of land containing approximately 50.4 acres of land located east of St. John's Heritage Parkway, north of Malabar Road, south of Pace Drive and east of Alpine Avenue, in the City of Palm Bay, in Brevard County, Florida, advising that a meeting of landowners will be held for the purpose of electing three (3) persons to the District Board of Supervisors. A regular board meeting of the District will also be held at that time where the Board may consider agenda items and any other business that may properly come before it. A copy of the agenda may be obtained from the District's website ([www.everlandscdd.org](http://www.everlandscdd.org)) or at the offices of the District Manager, Special District Services, Inc., located at 10807 SW Tradition Square, Port St. Lucie, Florida 34987 during normal business hours. DATE: November 1, 2022 TIME: 10:00 a.m., or as soon thereafter as can be heard PLACE: B.S.E. Consultants, Inc. 312 South Harbor City Boulevard Melbourne, Florida 32949 Each landowner may vote in person or by written proxy. Proxy forms may be obtained upon request at the office of the District Manager, Special District Services, Inc., 10807 SW Tradition Square, Port St. Lucie, Florida 34987. At said meeting each landowner or his or her proxy shall be entitled to nominate persons for the position of Supervisor and cast one vote per acre of land, or fractional portion thereof, owned by him or her and located within the District for each person to be elected to the position of Supervisor. A fraction of an acre shall be treated as one acre, entitling the landowner to one vote with respect thereto. Platted lots shall be counted individually and rounded up to the nearest whole acre. The acreage of platted lots shall not be aggregated for determining the number of voting units held by a landowner or a landowner's proxy. The landowners' meeting is open to the public and will be conducted in accordance with the provisions of Florida law. The meeting may be continued to a date, time, and place to be specified on the record at such meeting. A copy of the agenda for this meeting may be obtained from Special District Services, Inc., 10807 SW Tradition Square, Port St. Lucie, Florida 34987 or by visiting the District's website at [www.everlandscdd.org](http://www.everlandscdd.org). 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)



## **SPECIAL DISTRICT (CDD) ELECTION PROCEDURES**

### **1. Landowners' Meeting**

In accordance with the provisions of Chapter 190, Florida Statutes, it is required that an initial meeting of the Landowners of the District be held within ninety (90) days following the effective date of the rule or ordinance establishing the District and thereafter every two (2) years during the month of November for the purpose of electing Supervisors. The second election by landowners shall be held on the first Tuesday in November; thereafter, there shall be an election of supervisors every two (2) years in November on a date established by the Board of Supervisors. The assembled Landowners shall organize by electing a Chairperson, who shall preside over the meeting; and a Secretary shall also be elected for recording purposes.

### **2. Establishment of Quorum**

Any Landowner(s) present or voting by proxy shall constitute a quorum at the meeting of the Landowners.

### **3. Nomination of Candidates**

At the meeting, the Chairperson shall call for nominations from the floor for Candidates for the Board of Supervisors. When there are no further nominations, the Chairperson shall close the floor for nominations. The names of each Candidate and the spelling of their names shall be announced. Nominees need not be present to be nominated.

### **4. Voting**

Each Landowner shall be entitled to cast one (1) vote for each acre (or lot parcel), or any fraction thereof, of land owned by him or her in the District, for each open position on the Board. (For example, if there are three (3) positions open, an owner of one (1) acre or less (or one lot parcel) may cast one (1) vote for each of the three (3) positions. An owner of two (2) acres (or two lot parcels) may cast two (2) votes for each of the three (3) positions.) Each Landowner shall be entitled to vote either in person or by a representative present with a lawful written proxy.

### **5. Registration for Casting Ballots**

The registration process for the casting of ballots by Landowners or their representatives holding their proxies shall be as follows:

- a) At the Landowners' Meeting and prior to the commencement of the first casting of ballots for a Board of Supervisor position, each Landowner, or their representative if proxies are being submitted in lieu thereof, shall be directed to register their attendance and the total number of votes by acreage (or lot parcels) to which each claims to be entitled, with the elected Secretary of the meeting or the District's Manager.

- b) At such registration, each Landowner, or their representative with a lawful proxy, shall be provided a numbered ballot for the Board of Supervisor position(s) open for election. A District representative will mark on the ballot the number of votes that such Landowner, or their representative, is registered to cast for each Board of Supervisor position open for election.
- c) All Landowner proxies shall be collected at the time of registration and retained with the Official Records of the District for subsequent certification or verification, if required.

#### 6. Casting of Ballots

Registration and the issuance of ballots shall cease once the Chairperson calls for the commencement of the casting of ballots for the election of a Board of Supervisor(s) and thereafter no additional ballots shall be issued.

The Chairperson will declare that the Landowners, or their representatives, be requested to cast their ballots for the Board of Supervisor(s). Once the ballots have been cast, the Chairperson will call for a collection of the ballots.

#### 7. Counting of Ballots

Following the collection of ballots, the Secretary or District Manager shall be responsible for the tabulation of ballots in order to determine the total number of votes cast for each candidate that is seeking election.

At the second and subsequent landowner elections\*, the two (2) candidates receiving the highest number of votes will be declared by the Chairperson as elected to the Board of Supervisors for four-year terms. The candidate receiving the next highest number of votes will fill the remaining open position on the Board of Supervisors for a two-year term, as declared by the Chairperson.

\* At the final landowner election (*after the 6<sup>th</sup> or 10<sup>th</sup> year*), the candidate receiving the highest number of votes will be elected to the Board of Supervisors for a four-year term (two (2) supervisors are elected by General Election).

#### 8. Contesting of Election Results

Following the election and announcement of the votes, the Chairperson shall ask the Landowners present, or those representatives holding proxies for Landowners, whether they wish to contest the election results. If no contests are received, said election results shall thereupon be certified.

If there is a contest, the contest must be addressed to the Chairperson and thereupon the individual casting a ballot that is being contested will be required to provide proof of ownership of the acreage (or lot parcels) for which they voted at the election within five (5) business days of the Landowners' Meeting. The proof of ownership shall be submitted to the District Manager who will thereupon consult with the District's General Counsel and together they will review the material provided and will determine the legality of the contested ballot(s). Once the contests are resolved, the Chairperson shall reconvene the Landowners' Meeting and thereupon certify the election results.

9. Recessing of Annual Landowners' Meeting

In the event there is a contest of a ballot or of the election, the Landowners' Meeting shall be recessed to a future time, date and location, at which time the election findings on the contest shall be reported in accordance with the procedure above and the newly elected Supervisor(s) shall thereupon take their Oath of Office.

10. Miscellaneous Provisions

- a) Each Landowner shall only be entitled to vote in person or by means of a representative attending in person and holding a lawful written proxy in order to cast said Landowner's votes.
- b) Proxies will not require that proof of acreage (or lot parcel) ownership be attached. Rather, proof of ownership must be provided timely by the holder of the proxy, if the proxy is contested in accordance with the procedure above.

**EVERLANDS COMMUNITY DEVELOPMENT DISTRICT  
INITIAL LANDOWNERS' MEETING  
JUNE 12, 2020**

**A. CALL TO ORDER**

District Manager Frank Sakuma called the June 12, 2020, Initial Landowners' Meeting of the Everlands Community Development District (the "District") to order at 10:00 a.m. at the parking lot of B.S.E. Consultants, Inc. located at 312 South Harbor City Boulevard, Melbourne, Florida 32949.

**B. PROOF OF PUBLICATION**

Mr. Sakuma presented proof of publication that notice of the Initial Landowners' Meeting had been published in the *Florida Today* on May 15, 2020, and May 22, 2020, as legally required.

**C. ESTABLISH QUORUM**

Mr. Sakuma requested that the landowners of property within the District identify themselves and register the number of acres/lots they own and/or being represented by proxy in the District. Mr. Sakuma stated that the attendance of Proxy Holder Frank Sakuma, representing Palm Vista Preserve, LLC, constituted a quorum and it was in order to proceed.

**D. CONSIDER ADOPTION OF ELECTION PROCEDURES**

Mr. Sakuma presented the Election Procedures and stated that it would be in order to review and approve same. There being no comments or changes, the Proxy Holder approved the Election Procedures, as presented.

**E. ELECTION OF CHAIRPERSON FOR INITIAL LANDOWNERS' MEETING**

Mr. Sakuma stated that it would be in order to elect a Chairperson for the Initial Landowners' Meeting. The Proxy Holder elected Frank Sakuma, District Manager, to serve as Chairperson for the Initial Landowners' Meeting.

**F. ELECTION OF SECRETARY FOR INITIAL LANDOWNERS' MEETING**

Mr. Sakuma stated that it would be in order to elect a Secretary for the purpose of conducting and recording the events of the Initial Landowners' Meeting. Mr. Sakuma elected himself to serve as Secretary for the Initial Landowners' Meeting.

**G. ELECTION OF SUPERVISORS**

**1. Determine Number of Voting Units Represented or Assigned by Proxy**

Mr. Sakuma stated that there were **50.4 Acres (51 Voting Units)** being represented/assigned by Mr. Sakuma, the attending Proxy Holder on behalf of Palm Vista Preserve, LLC, the primary landowner and developer in the District.

**2. Nomination of Candidates**

Mr. Sakuma stated that the terms of office of the initial Members of the Board of Supervisors named in the creation petition would be expiring and that it would be in order to nominate candidates for election to fill the five (5) positions currently held by Gregory Pettibon, Jeffrey Alexander, Scott Harala, Adam Picow and Valerie McChesney.

Mr. Sakuma nominated the following persons for election to the Board of Supervisors of the District:

Gregory J. Pettibon  
Jeffrey Alexander  
Scott Harala  
Adam Picow  
Thomas R. Beer

There being no further nominations from the floor, Mr. Sakuma closed the nomination portion of the Initial Landowners' Meeting.

### **3. Casting of Ballots**

Mr. Sakuma was requested to cast votes for the following slate of nominees: **Gregory J. Pettibon, Jeffrey Alexander, Scott Harala, Adam Picow, Thomas R. Beer**. Mr. Sakuma stated that the two (2) candidates receiving the highest number of votes would each serve a four-year term of office expiring in November 2024; and the three (3) candidates receiving the next highest number of votes would each serve a two-year term of office expiring in November 2022.

### **4. Ballot Tabulations**

Mr. Sakuma announced the following election results:

**Gregory J. Pettibon** received **51** Votes  
**Jeffrey Alexander** received **51** Votes  
**Scott Harala** received **40** Votes  
**Adam Picow** received **40** Votes  
**Thomas R. Beer** received **40** Votes

Mr. Sakuma stated that **Gregory J. Pettibon** and **Jeffrey Alexander** would each serve four (4) year terms and such terms of office would expire in November 2024; **Scott Harala, Adam Picow and Thomas R. Beer** would each serve a two (2) year term of office and such terms of office would expire in November 2022.

### **5. Certification of Results**

Mr. Sakuma if there were any objections to the election results or to the procedures followed. There being no comments or objections, Mr. Sakuma declared the election results complete, final and certified.

## **H. LANDOWNERS' COMMENTS**

There were no additional comments.

## **I. ADJOURNMENT**



There being no further business to conduct at the Initial Landowners' Meeting, the meeting was declared adjourned by the presiding Chairperson, Frank Sakuma, at approximately 10:03 a.m. There were no objections.

---

Chairperson

---

Secretary

**LANDOWNER PROXY  
EVERLANDS COMMUNITY DEVELOPMENT DISTRICT  
LANDOWNERS' MEETING**

KNOW ALL MEN BY THESE PRESENTS, that the undersigned, the fee simple owner of the lands described herein, hereby constitutes and appoints \_\_\_\_\_ ("Proxy Holder") for and on behalf of the undersigned, to vote as proxy at the meeting of the landowners of the Everlands Community Development District to be held on November 1, 2022 at 10:00 a.m. at the Offices of B.S.E. Consultants, Inc., 312 South Harbour City Boulevard, Melbourne, Florida 32949 and at any adjournments thereof, according to the number of acres of unplatted land and/or platted lots owned by the undersigned landowner which the undersigned would be entitled to vote if then personally present, upon any question, proposition, or resolution or any other matter or thing which may be considered at said meeting including, but not limited to the Board of Supervisors. Said Proxy Holder may vote in accordance with their discretion on all matters not known or determined at the time of solicitation of this proxy, which may be legally considered at said meeting.

This proxy is to continue in full force and effect from the hereof until the conclusion of the above noted landowners' meeting and any adjournment or adjournments thereof, but may be revoked at any time by written notice of such revocation presented at the annual meeting prior to the Proxy Holder exercising the voting rights conferred herein.

\_\_\_\_\_  
Printed Name of Legal Owner

\_\_\_\_\_  
Signature of Legal Owner

\_\_\_\_\_  
Date

**Parcel Description\***

**# of Acres**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_

\* Insert in the space above the street address of each parcel, the legal description of each parcel, or the tax identification number of each parcel. [If more space is needed, identification of Parcels owned may be incorporated by reference to an attachment hereto.]

Pursuant to section 298 Florida Statutes (2022), a fraction of an acre is treated as one (1) acre entitling the landowner to one vote with respect thereto.

**TOTAL NUMBER OF AUTHORIZED VOTES: \_\_\_\_\_**

**Please note that each eligible acre of land or fraction thereof is entitled to only one vote, for example, a husband and wife are together entitled to only one vote per their residence if it is located on one acre or less of real property.**

**If the Legal Owner is not an individual, and is instead a corporation, limited liability company, limited partnership or other entity, evidence that the individual signing on behalf of the entity has the authority to do so should be attached hereto. (e.g. bylaws, corporate resolution, etc.)**

**BALLOT**  
**EVERLANDS**  
**COMMUNITY DEVELOPMENT DISTRICT**  
**LANDOWNERS' MEETING**

**BALLOT # \_\_\_\_\_**

**ELECTION OF BOARD SUPERVISORS**

**NOVEMBER 1, 2022**

The undersigned certifies that he/she is the owner (\_\_\_\_) or duly authorized **representative of lawful proxy of an owner** (\_\_\_\_) of land in the **Everlands Community Development District**, constituting \_\_\_\_\_ acre(s) and hereby casts up to the corresponding number of his/her vote(s) for the following candidate/candidates to hold the above-named open position:

**Name of Candidate**

**Number of Votes**

---

---

---

---

---

---

---

---

---

---

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

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

Street Address or Tax Parcel Id Number for your Real Property:

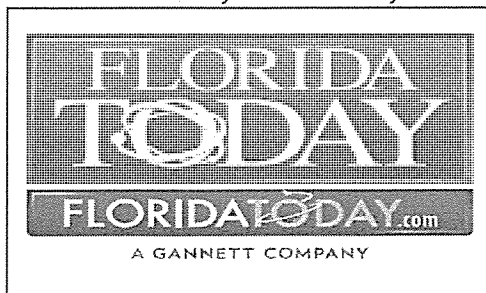
---

---

---

**AGENDA**  
**EVERLANDS**  
**COMMUNITY DEVELOPMENT DISTRICT**  
Offices of B.S.E. Consultants, Inc.  
312 South Harbour City Boulevard  
Melbourne, Florida 32949  
**REGULAR BOARD MEETING**  
November 1, 2022  
10:00 A.M.

- A. Call to Order
- B. Proof of Publication.....Page 11
- C. Seat New Board Members
- D. Administer Oath of Office & Review Board Member Responsibilities and Duties
- E. Establish Quorum
- F. Election of Officers
  - Chairman
  - Vice Chairman
  - Secretary/Treasurer
  - Assistant Secretaries
- G. Additions or Deletions to Agenda
- H. Comments from the Public for Items Not on the Agenda
- I. Approval of Minutes
  - 1. September 30, 2022 Special Board Meeting & Public Hearing Minutes.....Page 12
- J. Old Business
- K. New Business
  - 1. Consider Resolution No. 2022-10 – Adopting a Fiscal Year 2022-2023 Amended Budget...Page 15
  - 2. Consider Resolution No. 2022-11 – Designating Board Seat Numbers.....Page 20
- L. Administrative Matters
- M. Board Members Comments
- N. Adjourn



Everlands Community Development District  
SPECIAL DISTRICT SERVICES, INC.  
2501A BURNS ROAD

PALM BEACH GARDENS, FL, 33410

Ad#5422911 9/30/2022  
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 "Meeting(s)") at the offices of S.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@sdsin.com](mailto:bsakuma@sdsin.com) 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)

PUBLISH: FLORIDA TODAY 09/30/22

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

Notice of Meetings

as published in **FLORIDA TODAY** in the issue(s) dated: or by publication on the newspaper's website, if authorized, on

09/30/2022

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 30th of September 2022, by legal clerk who is personally known to me

Affiant

Notary State of Wisconsin County of Brown

My commission expires

Publication Cost: \$289.20

Ad No: 0005422911

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 HEARING  
SEPTEMBER 30, 2022**

**A. CALL TO ORDER**

The Regular Board Meeting of the Everlands Community Development District (the “District”) was called to order at 10:009 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 15, 2022, and September 22, 2022, as legally required.

**C. ESTABLISH A QUORUM**

A quorum was established with the following Supervisors in attendance:

Gregory J. Pettibon, Jared Shaver and Bojana Brown.

Also in attendance were Frank Sakuma of Special District Services, Inc.; Ken Ludwa of B.S.E. Consultants, Inc.; and General Counsel Ginger Wald of Billing, Cochran, Lyles, Mauro & Ramsey, P.A. (by phone).

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

No additions or deletions to the agenda were offered.

**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 8, 2022, Special Board Meeting and Public Hearing**

The September 8, 2022, Special Board Meeting and Public Hearing minutes were presented for Board approval. A **motion** was made by Mr. Pettibon, seconded by Mr. Shaver and passed unanimously approving the minutes of the September 8, 2022, Special Board Meeting and Public Hearing, as presented.

**Note:** *At approximately 10:02 a.m., Mr. Sakuma recessed the Regular Board Meeting and opened the Public Hearing on the Fiscal Year 2022/2023 Final Budget.*

**G. PUBLIC HEARING – FISCAL YEAR 2022/2023 FINAL BUDGET**

**1. Proof of Publication**

Proof of publication was presented that a notice of the Public Hearing had been published in *Florida Today* on September 15, 2022, and September 22, 2022, as legally required.

## **2. Receive Public Comment on Fiscal Year 2022/2023 Budget**

Mr. Sakuma opened the public comment portion of the Public Hearing to receive comments from the public on adopting the fiscal year 2022/2023 final budget. There being no comments, Mr. Sakuma closed the public comment portion of the Public Hearing.

## **3. Consider Resolution No. 2022-08 – Adopting Fiscal Year 2022/2023 Final Budget**

Mr. Sakuma presented Resolution 2022-08, entitled:

### **RESOLUTION 2022-08**

**THE ANNUAL APPROPRIATION RESOLUTION OF THE EVERLANDS COMMUNITY DEVELOPMENT DISTRICT RELATING TO THE ANNUAL APPROPRIATIONS AND ADOPTING THE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2022 AND ENDING SEPTEMBER 30, 2023; AUTHORIZING BUDGET AMENDMENTS; AND PROVIDING AN EFFECTIVE DATE.**

Mr. Sakuma read the title of the resolution into the record and asked for Board consideration of the resolution.

A **motion** was made by Mr. Pettibon, seconded by Mr. Shaver and unanimously passed to approve and adopt Resolution No. 2022-08, as presented.

**Note:** *At approximately 10:03 a.m., Mr. Sakuma closed the Public Hearing on the Fiscal Year 2022/2023 Final Budget and simultaneously reconvened the Regular Meeting.*

## **H. OLD BUSINESS**

There were no items for consideration.

## **I. NEW BUSINESS**

### **1. Announce Landowners' Meeting – November 1, 2022**

Mr. Sakuma advised the Board that the Landowners' Meeting was to be convened on November 1, 2022. He also noted the proposed Election Procedures, Landowner Proxy Form and Ballot Form were included in the meeting package. Ms. Wald answered several procedural questions about the Landowners' Election from the Chairman.

## **J. ADMINISTRATIVE MATTERS**

No administrative matters were brought forth.

## **K. BOARD MEMBER COMMENTS**

There were no further comments from the Board.

**L. ADJOURNMENT**

Mr. Sakuma notified the Board the next meeting will be on November 1, 2022 at 10:00 a.m. There being no further business to come before the Board, Mr. Pettibon adjourned the meeting at 10:05 a.m.

**ATTESTED BY:**

---

Secretary/Assistant Secretary

---

Chairperson/Vice-Chair



**RESOLUTION NO. 2022-10**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE EVERLANDS COMMUNITY DEVELOPMENT DISTRICT AUTHORIZING AND ADOPTING AN AMENDED FINAL FISCAL YEAR 2021/2022 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 2021/2022 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 1<sup>st</sup> day of November, 2022

**ATTEST:**

**EVERLANDS  
COMMUNITY DEVELOPMENT DISTRICT**

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

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

# Everlands Community Development District

**Amended Final Budget For  
Fiscal Year 2021/2022  
October 1, 2021 - September 30, 2022**

# **CONTENTS**

- I        AMENDED FINAL OPERATING FUND BUDGET**
- II       AMENDED FINAL DEBT SERVICE FUND BUDGET**

**AMENDED FINAL BUDGET**  
**EVERLANDS COMMUNITY DEVELOPMENT DISTRICT**  
**FISCAL YEAR 2021/2022**  
**OCTOBER 1, 2021 - SEPTEMBER 30, 2022**

	<b>FISCAL YEAR 2021/2022 BUDGET 10/1/21 - 9/30/22</b>	<b>AMENDED FINAL BUDGET 10/1/21 - 9/30/22</b>	<b>YEAR TO DATE ACTUAL 10/1/21 - 9/29/22</b>
<b>REVENUES</b>			
O & M Assessments	0	0	0
Debt Assessments	0	0	0
Developer Contribution - O&M	84,475	84,475	79,475
Developer Contribution - Debt	0	53,731	53,731
Interest Income	0	0	1
<b>Total Revenues</b>	<b>\$ 84,475</b>	<b>\$ 138,206</b>	<b>\$ 133,207</b>
<b>EXPENDITURES</b>			
Supervisor Fees	0	0	0
Engineering/Inspections	2,500	14,000	11,033
Management	36,000	36,000	36,000
Legal	20,000	13,000	10,489
Assessment Roll	7,500	7,500	7,500
Audit Fees	4,000	3,200	3,200
Insurance	5,500	5,175	5,175
Legal Advertisements	6,000	6,000	5,287
Miscellaneous	1,000	750	512
Postage	300	320	308
Office Supplies	1,500	525	487
Dues & Subscriptions	175	175	175
Arbitrage Rebate Fee	0	0	0
Trustee Fee	0	0	0
Continuing Disclosure Fee	0	500	500
<b>Total Expenditures</b>	<b>\$ 84,475</b>	<b>\$ 87,145</b>	<b>\$ 80,666</b>
<b>Revenues Less Expenditures</b>	<b>\$ -</b>	<b>\$ 51,061</b>	<b>\$ 52,541</b>
Bond Payments	0	(53,731)	(53,731)
<b>BALANCE</b>	<b>\$ -</b>	<b>\$ (2,670)</b>	<b>\$ (1,190)</b>
County Appraiser & Tax Collector Fee	0	0	0
Discounts For Early Payments	0	0	0
<b>Excess/ (Shortfall)</b>	<b>\$ -</b>	<b>\$ (2,670)</b>	<b>\$ (1,190)</b>
<b>Carryover From Prior Year</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>NET EXCESS/ (SHORTFALL)</b>	<b>\$ -</b>	<b>\$ (2,670)</b>	<b>\$ (1,190)</b>

Fund Balance As Of 9/30/21
FY 2021/2022 Activity
Fund Balance As Of 9/30/22

\$4,295
(\$2,670)
\$1,625

**AMENDED FINAL BUDGET**  
**EVERLANDS COMMUNITY DEVELOPMENT DISTRICT**  
**DEBT SERVICE FUND - SERIES 2022**  
**FISCAL YEAR 2021/2022**  
**OCTOBER 1, 2021 - SEPTEMBER 30, 2022**

	<b>FISCAL YEAR 2021/2022 BUDGET 10/1/21 - 9/30/22</b>	<b>AMENDED FINAL BUDGET 10/1/21 - 9/30/22</b>	<b>YEAR TO DATE ACTUAL 10/1/21 - 9/29/22</b>
<b>REVENUES</b>			
Interest Income	0	2	2
NAV Assessment Collection	0	0	0
Bond Proceeds	0	61,265	61,265
Developer Contribution - Debt	0	53,731	53,731
<b>Total Revenues</b>	<b>\$ -</b>	<b>\$ 114,998</b>	<b>\$ 114,998</b>
<b>EXPENDITURES</b>			
Principal Payments	0	0	0
Interest Payments	0	70,447	70,447
Bond Redemption	0	0	0
Transfer To Construction Fund	0	0	0
<b>Total Expenditures</b>	<b>\$ -</b>	<b>\$ 70,447</b>	<b>\$ 70,447</b>
<b>Excess/ (Shortfall)</b>	<b>\$ -</b>	<b>\$ 44,551</b>	<b>\$ 44,551</b>

FUND BALANCE AS OF 9/30/21	\$0
FY 2021/2022 ACTIVITY	\$44,551
FUND BALANCE AS OF 9/30/22	\$44,551

Notes

Reserve Fund Balance = \$44,551\*. Revenue Account Balance = \$0\*

12/15/2022 Principal & Interest Payment Of \$123,731 To Be Developer Funded

(Principal: \$70,000 + Interest: \$53,730.63 = \$123,731).

Capital Projects Debt Proceeds = \$3,138,735. Total Bond Proceeds = \$3,200,000.

FY 2021/2022 Cost Of Issuance = \$252,550.

Fiscal Year 2021/2022 Capital Outlays = \$2,971,980.

\* Approximate Amounts

**Series 2021 Bond Information**

Original Par Amount =	\$3,200,000	Annual Principal Payments Due:
Interest Rate =	2.20% - 4.00%	December 15th
Issue Date =	October 2021	Annual Interest Payments Due:
Maturity Date =	December 2051	June 15th & December 15th

Par Amount As Of 9/30/22 = \$3,200,000

## **RESOLUTION 2022-11**

### **A RESOLUTION OF THE BOARD OF SUPERVISORS DESIGNATING SEAT NUMBERS FOR EACH OF THE FIVE BOARD SEATS OF EVERLANDS COMMUNITY DEVELOPMENT DISTRICT, AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Everlands Community Development District (the “District”), is a local unit of special-purpose government created and existing pursuant to Chapter 190, Florida Statutes, being situated entirely within the City of Palm Bay, Brevard County Florida; and

**WHEREAS**, the Board of Supervisors of the District desires to designate seat numbers for each of the five Board of Supervisor seats.

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

1. The following seat numbers are designated for each of the below described Board seats, to wit:

**Seat No. 1** – for the seat currently held by Gregory J. Pettibon, whose term expires in November, 2024;

**Seat No. 2** – for the seat currently held by Jeffrey Alexander, whose term expires in November, 2024;

**Seat No. 3** – for the seat currently held by Bojana Brown, whose term expires in November, 2026;

**Seat No. 4** – for the seat currently held by Jared Shaver, whose term expires in November, 2026;

**Seat No. 5** – for the seat currently held by Haley Mall, whose term expires in November, 2024.

2. This Resolution shall become effective immediately upon its adoption.

**PASSED AND ADOPTED THIS 1<sup>st</sup> DAY OF NOVEMBER, 2022.**

**ATTEST:**

**EVERLANDS COMMUNITY  
DEVELOPMENT DISTRICT**

---

Secretary / Assistant Secretary

---

Chairman