



EVERLANDS COMMUNITY DEVELOPMENT DISTRICT

**REGULAR BOARD MEETING
& PUBLIC HEARING
JULY 14, 2023
10:00 A.M.**

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

**www.everlandscdd.org
561.630.4922 Telephone
877.SDS.4922 Toll Free
561.630.4923 Facsimile**

AGENDA
EVERLANDS
COMMUNITY DEVELOPMENT DISTRICT
Offices of B.S.E. Consultants, Inc.
312 South Harbour City Boulevard
Melbourne, Florida 32949
REGULAR BOARD MEETING & PUBLIC HEARING
July 14, 2023
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. April 14, 2023 Regular Board Meeting Minutes.....Page 2
- G. Public Hearing
 - 1. Proof of Publication.....Page 4
 - 2. Receive Public Comments on Fiscal Year 2023/2024 Final Budget
 - 3. Consider Resolution No. 2023-02 – Adopting a Fiscal Year 2023/2024 Final Budget.....Page 5
- H. Old Business
- I. New Business
 - 1. Consider Resolution No. 2023-03 – Adopting a Fiscal Year 2023/2024 Meeting Schedule..Page 15
 - 2. Consider Resolution No. 2023-04 – Adopting a Records Retention Policy.....Page 17
- J. Administrative Matters
- K. Board Members Comments
- L. Adjourn



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

PALM BEACH GARDENS, FL, 33410

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 coporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and Subscribed before me this 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

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 or by contacting the District Manager at 772-345-5119 or by email at 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

PUBLISH: FLORIDA TODAY 09/30/22

NANCY HEYRMAN
Notary Public
State of Wisconsin

**EVERLANDS COMMUNITY DEVELOPMENT DISTRICT
REGULAR BOARD MEETING
APRIL 14, 2023**

A. CALL TO ORDER

The Regular Board Meeting of the Everlands Community Development District (the “District”) was called to order at 10:00 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 30, 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.; Engineer Ken Ludwa of B.S.E. Consultants, Inc.; Attorney Ginger Wald of Billing, Cochran, Lyles, Mauro & Ramsey, P.A. (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. November 15, 2022, Special Board Meeting & Public Hearing

The November 15, 2022, Special Board Meeting & Public Hearing minutes were presented for Board approval.

A **motion** was made by Mr. Pettibon, seconded by Mr. Shaver and passed unanimously approving the November 15, 2022, Special Board Meeting & Public Hearing Minutes, as presented.

G. OLD BUSINESS

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

H. NEW BUSINESS

1. Consider Resolution 2023-01 Adopting a Fiscal Year 2023/2024 Proposed Budget

Mr. Sakuma presented Resolution 2023-01 entitled:

RESOLUTION NO. 2023-01

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE EVERLANDS
COMMUNITY DEVELOPMENT DISTRICT APPROVING A PROPOSED
BUDGET FOR FISCAL YEAR 2023/2024; AND PROVIDING AN EFFECTIVE
DATE.**

Mr. Sakuma read the title of the resolution into the record and explained the purpose of the resolution. With the assistance of Ms. Wald, it was determined that July 14, 2023, 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. 2023-01, as presented, and to notice the public hearing date of July 14, 2023.

I. ADMINISTRATIVE MATTERS

There were no administrative matters discussed.

J. BOARD MEMBER COMMENTS

There were no further board member comments.

K. ADJOURNMENT

Mr. Sakuma advised the next scheduled meeting date of May 12, 2023. There being no further business to come before the Board, Mr. Pettibon adjourned the meeting at 10:05 a.m. There were no objections.

ATTESTED BY:

Secretary/Assistant Secretary

Chairperson/Vice-Chair

Miscellaneous Notices Published in Florida Today on June 23, 2023

Location

Brevard County, Florida

Notice Text

Ad#5744399 6/23, 6/30/2023 NOTICE OF EVERLANDS COMMUNITY DEVELOPMENT DISTRICT PUBLIC HEARING AND REGULAR BOARD MEETING The Board of Supervisors (the "Board") of the Everlands Community Development District ("District") will hold a public hearing on July 14, 2023, 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 hearing comments and objections on the adoption of the budget of the District for Fiscal Year 2023/2024. 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 and budget may be obtained from the District's website (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. The public hearing and meeting are open to the public and will be conducted in accordance with the provisions of Florida law for community development districts. The public hearing and meeting may be continued to a date, time, and place to be specified on the record at the meeting. There may be occasions when staff or Supervisors may participate by speaker telephone. Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the District Office at (772) 345-5119 at least forty-eight (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. Each person who decides to appeal any decision made by the Board with respect to any matter considered at the public hearings or meeting is advised that person will need a record of proceedings and that accordingly, the person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which such appeal is to be based. Meetings may be cancelled from time to time without advertised notice. District Manager EVERLANDS COMMUNITY DEVELOPMENT DISTRICT www.everlandscdd.org

RESOLUTION 2023-02

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, 2023 AND ENDING SEPTEMBER 30, 2024; AUTHORIZING BUDGET AMENDMENTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the District Manager has, prior to the fifteenth (15th) day in June 2023, submitted to the Board of Supervisors (“**Board**”) of the Everlands Community Development District (“**District**”) a proposed budget (“**Proposed Budget**”) for the fiscal year beginning October 1, 2023 and ending September 30, 2024 (“**Fiscal Year 2023/2024**”) along with an explanatory and complete financial plan for each fund of the District, pursuant to the provisions of Section 190.008(2)(a), *Florida Statutes*; and

WHEREAS, at least sixty (60) days prior to the adoption of the Proposed Budget, the District filed a copy of the Proposed Budget with the local governing authorities having jurisdiction over the area included in the District pursuant to the provisions of Section 190.008(2)(b), *Florida Statutes*; and

WHEREAS, the Board set a public hearing thereon and caused notice of such public hearing to be given by publication pursuant to Section 190.008(2)(a), *Florida Statutes*; and

WHEREAS, the District Manager posted the Proposed Budget on the District’s website at least two days before the public hearing; and

WHEREAS, Section 190.008(2)(a), *Florida Statutes*, requires that, prior to October 1st of each year, the District Board, by passage of the Annual Appropriation Resolution, shall adopt a budget for the ensuing fiscal year and appropriate such sums of money as the Board deems necessary to defray all expenditures of the District during the ensuing fiscal year; and

WHEREAS, the District Manager has prepared a Proposed Budget, whereby the budget shall project the cash receipts and disbursements anticipated during a given time period, including reserves for contingencies for emergency or other unanticipated expenditures during the fiscal year.

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

Section 1. Budget

- a. That the Board has reviewed the Proposed Budget, a copy of which is on file with the office of the District Manager and at the District’s Records Office, and hereby approves certain amendments thereto, as shown in Section 2 below.
- b. That Proposed Budget, attached hereto as **Exhibit “A,”** as amended by the Board, is

- c. That the Adopted Budget, as amended, shall be maintained in the office of the District Manager and at the District’s Local Records Office and identified as “The Budget for the Everlands Community Development District for the Fiscal Year Ending September 30, 2024.”
- d. The final Adopted Budget shall be posted by the District Manager on the District’s official website within thirty (30) days after adoption and shall remain on the website for at least two years.

Section 4. Effective Date. This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED THIS 14th DAY OF JULY 2023.

ATTEST:

**EVERLANDS COMMUNITY
DEVELOPMENT DISTRICT**

Secretary / Assistant Secretary

By: _____
Chairperson / Vice Chairperson

Exhibit A: Budget Fiscal Year 2023/2024

Exhibit A

Budget Fiscal Year 2022/2023

Everlands Community Development District

**Final Budget For
Fiscal Year 2023/2024
October 1, 2023 - September 30, 2024**

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FINAL BUDGET
EVERLANDS COMMUNITY DEVELOPMENT DISTRICT
FISCAL YEAR 2023/2024
OCTOBER 1, 2023 - SEPTEMBER 30, 2024

	FISCAL YEAR 2023/2024 BUDGET
REVENUES	
O&M Assessments	100,000
Developer Contribution - O&M	0
Developer Contribution - Debt	0
Debt Assessments	189,570
Interest Income	240
TOTAL REVENUES	\$ 289,810
EXPENDITURES	
Supervisor Fees	0
Engineering/Inspections	6,500
Management	38,184
Legal	18,000
Assessment Roll	7,500
Audit Fees	4,400
Arbitrage Rebate Fee	0
Insurance	6,000
Legal Advertisements	2,000
Miscellaneous	1,581
Postage	300
Office Supplies	1,150
Dues & Subscriptions	175
Trustee Fees	4,250
Continuing Disclosure Fee	1,000
Miscellaneous Maintenance	3,200
TOTAL EXPENDITURES	\$ 94,240
REVENUES LESS EXPENDITURES	\$ 195,570
Bond Payments	(178,196)
BALANCE	\$ 17,374
County Appraiser & Tax Collector Fee	(5,791)
Discounts For Early Payments	(11,583)
EXCESS/ (SHORTFALL)	\$ -

DETAILED FINAL BUDGET
EVERLANDS COMMUNITY DEVELOPMENT DISTRICT
FISCAL YEAR 2023/2024
OCTOBER 1, 2023 - SEPTEMBER 30, 2024

	FISCAL YEAR 2021/2022 ACTUAL	FISCAL YEAR 2022/2023 BUDGET	FISCAL YEAR 2023/2024 BUDGET	COMMENTS
REVENUES				
O&M Assessments	0	100,000	100,000	Expenditures/.94
Developer Contribution - O&M	79,475	0	0	
Developer Contribution - Debt	53,731	0	0	
Debt Assessments	0	189,570	189,570	Bond Payments/.94
Interest Income	1	0	240	Interest Estimated At \$20 Per Month
TOTAL REVENUES	\$ 133,207	\$ 289,570	\$ 289,810	
EXPENDITURES				
Supervisor Fees	0	0	0	
Engineering/Inspections	11,373	3,500	6,500	\$3,000 Increase From 2022/2023 Budget
Management	36,000	37,080	38,184	CPI Increase (Capped At 3%)
Legal	11,678	20,000	18,000	Fiscal Year 2022/2023 Expenditure As Of Feb 2023 Was \$4,545
Assessment Roll	7,500	7,500	7,500	As Per Contract
Audit Fees	3,200	4,400	4,400	For Fiscal Year 2022/2023 Audit
Arbitrage Rebate Fee	0	0	0	2021 Bond Qualifies For Small User Exception
Insurance	5,175	5,500	6,000	Fiscal Year 2022/2023 Expenditure Was \$5,563
Legal Advertisements	5,287	2,000	2,000	No Change From 2022/2023 Budget
Miscellaneous	512	2,045	1,581	\$464 Decrease From 2022/2023 Budget
Postage	308	300	300	No Change From 2022/2023 Budget
Office Supplies	488	1,250	1,150	\$100 Decrease From 2022/2023 Budget
Dues & Subscriptions	175	175	175	Annual Fee Due Department Of Economic Opportunity
Trustee Fees	0	4,250	4,250	No Change From 2022/2023 Budget
Continuing Disclosure Fee	500	1,000	1,000	Continuing Disclosure Fee
Miscellaneous Maintenance	0	5,000	3,200	Miscellaneous Maintenance
TOTAL EXPENDITURES	\$ 82,196	\$ 94,000	\$ 94,240	
REVENUES LESS EXPENDITURES	\$ 51,011	\$ 195,570	\$ 195,570	
Bond Payments	(53,731)	(178,196)	(178,196)	2024 Principal & Interest Payments
BALANCE	\$ (2,720)	\$ 17,374	\$ 17,374	
County Appraiser & Tax Collector Fee	0	(5,791)	(5,791)	Two Percent Of Total Assessment Roll
Discounts For Early Payments	0	(11,583)	(11,583)	Four Percent Of Total Assessment Roll
EXCESS/ (SHORTFALL)	\$ (2,720)	\$ -	\$ -	

DETAILED FINAL DEBT SERVICE FUND BUDGET
EVERLANDS COMMUNITY DEVELOPMENT DISTRICT
FISCAL YEAR 2023/2024
OCTOBER 1, 2023 - SEPTEMBER 30, 2024

	FISCAL YEAR 2021/2022	FISCAL YEAR 2022/2023	FISCAL YEAR 2023/2024	
REVENUES	ACTUAL	BUDGET	BUDGET	COMMENTS
Interest Income	2	25	100	Projected Interest For 2023/2024
Developer Contribution	53,731	0	0	
NAV Tax Collection	0	178,196	178,196	Maximum Debt Service Collection
Total Revenues	\$ 53,733	\$ 178,221	\$ 178,296	
EXPENDITURES				
Principal Payments	0	70,000	70,000	Principal Payment Due In 2024
Interest Payments	70,447	105,921	104,381	Interest Payments Due In 2024
Bond Redemption	0	2,300	3,915	Estimated Excess Debt Collections
Total Expenditures	\$ 70,447	\$ 178,221	\$ 178,296	
Excess/ (Shortfall)	\$ (16,714)	\$ -	\$ -	

Series 2021 Bond Information

Original Par Amount =	\$3,200,000	Annual Principal Payments Due =	December 15th
Interest Rate =	2.20% - 4.00%	Annual Interest Payments Due =	June 15th & December 15th
Issue Date =	October 2021		
Maturity Date =	December 2051		
Par Amount As Of 1/1/23 =	\$3,130,000		

EVERLANDS COMMUNITY DEVELOPMENT DISTRICT ASSESSMENT COMPARISON

	Original Projected Assessment*	Fiscal Year 2021/2022 Assessment*	Fiscal Year 2022/2023 Assessment*	Fiscal Year 2023/2024 Projected Assessment*
O & M For Single Family 50' - 2021 Project		\$ -	\$ 99.81	\$ 99.81
Debt For Single Family 50' - 2021 Project	\$ 1,170.17	\$ -	\$ 1,170.19	\$ 1,170.19
Total For Single Family Residential	\$ 1,170.17	\$ -	\$ 1,270.00	\$ 1,270.00
O & M For Expansion Area (840 Units)		\$ -	\$ 99.81	\$ 99.81
Debt For Expansion Area	\$ -	\$ -	\$ -	\$ -
Total For Single Family Residential (840 Units)	\$ -	\$ -	\$ 99.81	\$ 99.81

* Assessments Include the Following:

4% Discount for Early Payments

1% County Tax Collector Fee

1% County Property Appraiser Fee

Community Information

1,002 Total Units

2021 Project

Single Family 50' : 162 Units

O&M Assessed To 1,002 Units

Debt Assessed To 162 Units

162 - 2021 Units

To Be Assessed On

2023/2024

Assessment Roll

840 - Expansion Units

To Be Direct

Billed In

2023/2024

RESOLUTION NO. 2023-03

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE EVERLANDS COMMUNITY DEVELOPMENT DISTRICT, ESTABLISHING A REGULAR MEETING SCHEDULE FOR FISCAL YEAR 2023/2024 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 2023/2024; and

WHEREAS, the Board of Supervisors of the District has set a regular meeting schedule, location and time for District meetings for fiscal year 2023/2024 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 2023/2024 which is attached hereto as Exhibit "A" is hereby adopted and authorized to be published.

PASSED, ADOPTED and EFFECTIVE this 14th day of July, 2023.

ATTEST:

**EVERLANDS
COMMUNITY DEVELOPMENT DISTRICT**

By: _____
Secretary/Assistant Secretary

By: _____
Chairperson/Vice Chairperson

**EVERLANDS COMMUNITY DEVELOPMENT DISTRICT
FISCAL YEAR 2023/2024 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 13, 2023
November 10, 2023
December 8, 2023
January 12, 2024
February 9, 2024
March 8, 2024
April 12, 2024
May 10, 2024
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September 13, 2024**

The purpose of the meetings is to conduct any business coming before the Board. Meetings are open to the public and will be conducted in accordance with the provisions of Florida law. Copies of the Agendas for any of the meetings may be obtained from the District’s website www.everlandscdd.org or by contacting the District Manager at 772-345-5119 or by email at bsakuma@sdsinc.org and/or toll free at 1-877-737-4922 prior to the date of the particular meeting. The Meetings are open to the public and will be conducted in accordance with the provisions of Florida law for special districts. The Meetings may be continued to a date, time and place to be specified on the record at the Meeting.

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

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

In accordance with the provisions of the Americans with Disabilities Act, any person requiring special accommodations or an interpreter to participate at any of these meetings should contact the District Manager at 772-345-5119 and/or toll free at 1-877-737-4922 at least seven (7) days prior to the date of the particular meeting.

Meetings may be cancelled from time to time without advertised notice.

EVERLANDS COMMUNITY DEVELOPMENT DISTRICT

www.everlandscdd.org

RESOLUTION 2023-04

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE EVERLANDS COMMUNITY DEVELOPMENT DISTRICT PROVIDING FOR THE APPOINTMENT OF A RECORDS MANAGEMENT LIAISON OFFICER; PROVIDING THE DUTIES OF THE RECORDS MANAGEMENT LIAISON OFFICER; ADOPTING A RECORDS RETENTION POLICY; DETERMINING THE ELECTRONIC RECORD TO BE THE OFFICIAL RECORD; PROVIDING FOR SEVERABILITY; 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*; and

WHEREAS, Chapter 190, *Florida Statutes*, authorizes the District to adopt rules to govern the administration of the District and to adopt resolutions as may be necessary for the conduct of District business; and

WHEREAS, Section 257.36(5), *Florida Statutes*, requires the District to establish and maintain an active and continuing program for the economical and efficient management of records and to provide for the appointment of a records management liaison officer (“Records Management Liaison Officer”); and

WHEREAS, the District desires for the Records Management Liaison Officer to be an employee of the District or an employee of the District Manager; and

WHEREAS, the District desires to authorize the District’s records custodian to appoint a Records Management Liaison Officer, which may or may not be the District’s records custodian; and

WHEREAS, the District desires to prescribe duties of the Records Management Liaison Officer and provide for the assignment of additional duties; and

WHEREAS, the District’s Board of Supervisors (“Board”) finds that it is in the best interests of the District to adopt by resolution a records retention policy (the “Records Retention Policy”) for immediate use and application.

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

SECTION 1. The District hereby authorizes the District’s records custodian to appoint a Records Management Liaison Officer and report such appointment to the appropriate State of Florida agencies. A Records Management Liaison Officer shall be an employee of the District or the District Manager. The Board, and the District’s records custodian, shall each have the individual power to remove the Records Management

Liaison Officer at any time for any reason. Immediately following the removal or resignation of a Records Management Liaison Officer, the District's records custodian shall appoint a replacement Records Management Liaison Officer.

SECTION 2. The duties of the Records Management Liaison Officer shall include the following:

- A.** Serve as the District's contact with the Florida Department of State, State Library and Archives of Florida;
- B.** Coordinate the District's records inventory;
- C.** Maintain records retention and disposition forms;
- D.** Coordinate District records management training;
- E.** Develop records management procedures consistent with the Records Retention Policy, as amended as provided herein;
- F.** Participate in the development of the District's development of electronic record keeping systems;
- G.** Submit annual compliance statements;
- H.** Work with the Florida Department of State, State Library and Archives of Florida to establish individual retention schedules for the District, from time to time and as may be necessary; and
- I.** Such other duties as may be assigned by the Board or the District's records custodian in the future.

SECTION 3. The District hereby adopts as its Records Retention Policy the applicable provisions of Section 257.36(5), *Florida Statutes*, the rules adopted by the Division of Library and Information Services of the Department of State ("Division") pursuant to Section 257.36, *Florida Statutes*, and the General Records Schedules established by the Division. However, the District will retain certain records longer than required by the General Records Schedules established by the Division as set forth in Exhibit A. To the extent the above statute, rules or schedules are amended or supplemented in the future, the District's Records Retention Policy shall automatically incorporate such amendment or supplement provided that such automatic amendment shall not reduce the retention times set forth in Exhibit A. The Records Retention Policy shall remain in full force and effect until such time as the Board amends the Policy.

SECTION 4. In accordance with section 668.50, Florida Statutes, and section 119.01, Florida Statutes, the Board finds that the electronic record shall be considered the official record and any paper originals are hereby duplicates which may be disposed of unless required to be preserved by any applicable statute, rule or ordinance.

SECTION 5. If any provision of this resolution is held to be illegal or invalid, the other provisions shall remain in full force and effect.

SECTION 6. This Resolution shall become effective upon its passage; shall replace, supplant, and supersede any prior policy or resolution of the District regarding records retention; and shall remain in effect unless rescinded or repealed.

PASSED AND ADOPTED at a meeting of the District Board of Supervisors, this 14th day of July, 2023.

ATTEST:

**EVERLANDS COMMUNITY
DEVELOPMENT DISTRICT**

Print name: _____
Secretary / Assistant Secretary

Print name: _____
Chairperson, Board of Supervisors

Exhibit A: Amendments to General Records Schedules Established by the Division

Exhibit A

Amendments to General Records Schedules established by the Division

ADVERTISEMENTS: LEGAL (Item #25)

The District shall retain mailed and published legal advertisements, and corresponding affidavits, relating to proceedings under uniform method of collection of debt assessments permanently. The District shall retain mailed and published legal advertisements, and corresponding affidavits, relating to the levy of assessments securing bonds for five (5) fiscal years provided applicable audits have been released, or until three (3) calendar years after related bonds are redeemed, whichever is later.

AUDITS: INDEPENDENT (Item #56)

The District shall retain the record copy of independent audits for ten (10) fiscal years or until three (3) calendar years after all related bonds are redeemed, whichever is later.

DISBURSEMENT RECORDS: DETAIL (Item #340)

The District shall retain the record copy of disbursement records relating to the use of bonds for five (5) fiscal years provided applicable audits have been released or until three (3) calendar years after related bonds are redeemed, whichever is later.

DISBURSEMENT RECORDS: SUMMARY (Item #341)

The District shall retain the record copy of disbursement records relating to the use of bonds for ten (10) fiscal years provided applicable audits have been released or until three (3) calendar years after related bonds are redeemed, whichever is later.

FINANCIAL REPORTS: LOCAL GOVERNMENT ANNUAL REPORTS (Item #107)

The District shall retain the record copy of disbursement records relating to the use of bonds for ten (10) fiscal years provided applicable audits have been released or until three (3) calendar years after all related bonds are redeemed, whichever is later.

INCIDENT REPORT FILES (Item #241)

The District shall retain incident reports for five (5) anniversary years from the date of the incident.

MINUTES: OFFICIAL MEETINGS (PRELIMINARY/AUDIO RECORDINGS/VIDEO RECORDINGS (Item #4)

The District shall retain audio recordings of board of supervisor meetings for five (5) calendar years after adoption of the official minutes.

PROJECT FILES: CAPITAL IMPROVEMENT (Item #136)

The District shall retain the record copy of project files for projects funded with bonds for ten (10) fiscal years after completion of the project provided applicable audits have been released or until three (3) calendar years after all related bonds are redeemed, whichever is later.

REAL PROPERTY RECORDS: CONDEMNATION/DEMOLITION (Item #364)

The District shall retain the record copy of project files for condemnation/demolition projects funded with bonds for five (5) anniversary years after final action or until three (3) calendar years after all related bonds are redeemed, whichever is later. The record copy of deeds and easements shall be kept permanently.

REAL PROPERTY RECORDS: PROPERTY ACQUIRED (Item #172)

The District shall retain the record copy of documents related to property acquisitions funded with bonds for three (3) fiscal years after final disposition of the property provided applicable audits have been released or until three (3) calendar years after all related bonds are redeemed, whichever is later. The record copy of deeds and easements shall be kept permanently.