



**EVERLANDS
COMMUNITY DEVELOPMENT
DISTRICT**

**BREVARD COUNTY
REGULAR BOARD MEETING
SEPTEMBER 8, 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
September 8, 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. July 14, 2023 Regular Board Meeting & Public Hearing Minutes.....Page 2
- G. Old Business
- H. New Business
 - 1. Consider Approval of Adjustment to District Counsel Fee Structure.....Page 5
- I. Administrative Matters
- J. Board Members Comments
- K. 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

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 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 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 & PUBLIC HEARING MINUTES
JULY 14, 2023**

A. CALL TO ORDER

The Regular Board Meeting of the Everlands Community Development District (the “District”) was called to order at 10:07 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 August 30, 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 Andrew Karmeris of Special District Services, Inc.; Ken Ludwa of B.S.E. Consultants, Inc.; General Counsel Ginger Wald of Billing, Cochran, Lyles, Mauro & Ramsey, P.A. (by phone); and Frank Sakuma of Special District Services (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. April 14, 2023, Regular Board Meeting

The April 14, 2023, Regular Board Meeting minutes were presented for Board approval. A **motion** was made by Mr. Pettibon, seconded by Ms. Brown and passed unanimously approving the minutes as presented.

Note: *At approximately 10:08 a.m., Mr. Karmeris recessed the Regular Board Meeting and opened the Public Hearing on the Fiscal Year 2023/2024 Final Budget.*

G. PUBLIC HEARING – FISCAL YEAR 2023/2024 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 June 23, 2023 and June 30, 2023, as legally required.

2. Receive Public Comment on Fiscal Year 2023/2024 Budget

Mr. Karmeris opened the public comment portion of the Public Hearing to receive comments from the public on adopting the fiscal year 2023/2024 final budget. He notified those in attendance that he had not received any comments prior to the hearing. Mr. Sakuma also confirmed that no comments had been submitted to him prior to the hearing. There being no comments, Mr. Karmeris closed the public comment portion of the Public Hearing.

3. Consider Resolution No. 2023-02 – Adopting Fiscal Year 2023/2024 Final Budget

Mr. Karmeris presented Resolution 2023-02, entitled:

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.

Mr. Karmeris asked for Board consideration of the resolution.

A **motion** was made by Mr. Shaver, seconded by Mr. Pettibon and unanimously passed to approve and adopt Resolution No. 2023-02, as presented.

Note: *At approximately 10:09 a.m., Mr. Karmeris closed the Public Hearing on the Fiscal Year 2023/2024 Final Budget and simultaneously reconvened the Regular Meeting.*

H. OLD BUSINESS

There were no items for consideration.

I. NEW BUSINESS

1. Consider Resolution 2023-03 Adopting Fiscal Year 2023/2024 Meeting Schedule

Mr. Karmeris presented Resolution 2023-03 entitled:

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.

A **motion** was made by Mr. Shaver, seconded by Mr. Pettibon and unanimously passed to adopt Resolution 2023-03 as presented.

2. Consider Resolution 2023-04 Adopting a Records Retention Policy

Mr. Karmeris presented Resolution 2023-04 entitled:

RESOLUTION NO. 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.

A **motion** was made by Mr. Pettibon, seconded by Mr. Shaver and unanimously passed to adopt Resolution 2023-04 as presented.

J. ADMINISTRATIVE MATTERS

Mr. Karmeris reminded Supervisors to file Form 1 with their Supervisor of Elections office. Mr. Sakuma advised he would email the form to all Supervisors after the meeting.

K. BOARD MEMBER COMMENTS

There were no further comments from the Board.

L. ADJOURNMENT

Mr. Karmeris notified the Board the next meeting will be on August 11 at 10:00 a.m. There being no further business to come before the Board, Mr. Pettibon adjourned the meeting at 10:14 a.m.

ATTESTED BY:

Secretary/Assistant Secretary

Chairperson/Vice-Chair

LAW OFFICES

BILLING, COCHRAN, LYLES, MAURO & RAMSEY, P.A.

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PLEASE REPLY TO: FORT LAUDERDALE

CHRISTINE A. BROWN
GREGORY F. GEORGE
BRAD J. KIMBER

OF COUNSEL

CLARK J. COCHRAN, JR.
SUSAN F. DELEGAL
SHIRLEY A. DELUNA
GERALD L. KNIGHT
BRUCE M. RAMSEY

STEVEN F. BILLING (1947-1998)
HAYWARD D. GAY (1943-2007)

August 7, 2023

VIA E-MAIL ONLY– bsakuma@sdsinc.org

Mr. B. Frank Sakuma, Jr.
Special District Services
10807 SW Tradition Square
Port St. Lucie, FL 84987

**Re: Adjustment to District Counsel Fee Structure
Everlands Community Development District
Our File: 1077.20088**

Dear Frank:

This firm's current fee structure has been in place since 2020. Although we are certainly mindful of the necessity to keep increases in the District's expenses, including the cost of legal services, to a minimum, it has become necessary for us to adjust our hourly rates effective October 1, 2023, as follows:

- Attorneys/Partners: \$300.00 per hour

This hourly fee structure will be adjusted on a periodic basis in connection with the District's budget process no later than every third Fiscal Year to reflect changes in the Consumer Price Index published by the U. S. Department of Labor. The CPI has reflected an 18.2% increase since the year 2020 and we have not raised our fees during that time.

Mr. Frank Sakuma
August 7, 2023
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Naturally, should you have any questions or require any further information in support of this adjustment you should feel free to contact me at your convenience. As I think you are aware, we very much appreciate the opportunity to serve as District Counsel as well as your courtesy and cooperation with regard to the necessity of what we believe to be both infrequent and reasonable adjustments to our schedule of professional fees.

Very truly yours,



Ginger E. Wald
For the Firm

GEW/jmp