



**EVERLANDS
COMMUNITY DEVELOPMENT
DISTRICT**

**BREVARD COUNTY
REGULAR BOARD MEETING
OCTOBER 13, 2023
1:00 P.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
October 13, 2023
1:00 P.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
 - 2. Consider Resolution No. 2023-05 – Adopting a Fiscal Year 2022/2023 Amended Budget....Page 7
- I. Administrative Matters
- J. Board Members Comments
- K. Adjourn

Ad#9337391 10/3/2023
EVERLANDS COMMUNITY
DEVELOPMENT DISTRICT
OCTOBER 13, 2023
REGULAR MEETING

NOTICE IS HEREBY GIVEN that the Board of Supervisors (the Board) of the Everlands Community Development District (the District) will hold a Regular Board Meeting at the offices of B.S.E. Consultants, Inc. located at 312 South Harbor City Boulevard, Melbourne, Florida 32949 at 1:00 p.m. on October 13, 2023. The purpose of the meeting is to conduct any business coming before the Board. The meeting is open to the public and will be conducted in accordance with the provisions of Florida law. Copies of the Agendas for the meeting may be obtained from the Districts 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 meeting. The meeting is open to the public and will be conducted in accordance with the provisions of Florida law for special districts. The meeting may be continued to a date, time and place to be specified on the record at the meeting.

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.

If any person decides to appeal any decision made with respect to any matter considered at the meeting, such person will need a record of the proceeding and such person may need to insure that a verbatim record of the proceeding 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 the meeting 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. Meeting may be cancelled without advertised notice.

EVERLANDS COMMUNITY DEVELOPMENT DISTRICT
www.everlandscdd.org

**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.

ESTABLISHED 1977

DENNIS E. LYLES
JOHN W. MAURO
KENNETH W. MORGAN, JR.
RICHARD T. WOULFE
CAROL J. HEALY GLASGOW
MICHAEL J. PAWELCZYK
ANDREW A. RIEF
MANUEL R. COMRAS
GINGER E. WALD
JEFFERY R. LAWLEY
SCOTT C. COCHRAN
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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
Page 2

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

RESOLUTION NO. 2023-05

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE EVERLANDS COMMUNITY DEVELOPMENT DISTRICT AUTHORIZING AND ADOPTING AN AMENDED FINAL FISCAL YEAR 2022/2023 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 2022/2023 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 13th day of October, 2023

ATTEST:

**EVERLANDS
COMMUNITY DEVELOPMENT DISTRICT**

By: _____
Secretary/Assistant Secretary

By: _____
Chairperson/Vice Chairperson

Everlands Community Development District

**Amended Final Budget For
Fiscal Year 2022/2023
October 1, 2022 - September 30, 2023**

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- II AMENDED FINAL DEBT SERVICE FUND BUDGET**

AMENDED FINAL BUDGET
EVERLANDS COMMUNITY DEVELOPMENT DISTRICT
FISCAL YEAR 2022/2023
OCTOBER 1, 2022 - SEPTEMBER 30, 2023

	FISCAL YEAR 2022/2023 BUDGET 10/1/22 - 9/30/23	AMENDED FINAL BUDGET 10/1/22 - 9/30/23	YEAR TO DATE ACTUAL 10/1/22 - 9/29/23
REVENUES			
O & M Assessments	100,000	16,479	16,479
Debt Assessments	189,570	189,571	189,571
Direct Bill - O&M	0	78,809	78,809
Direct Bill - Debt	0	123,731	123,731
Interest Income	0	2,105	2,055
Total Revenues	\$ 289,570	\$ 410,695	\$ 410,645
EXPENDITURES			
Supervisor Fees	0	0	0
Engineering/Inspections	3,500	2,000	510
Management	37,080	37,080	37,080
Legal	20,000	9,000	7,840
Assessment Roll	7,500	7,500	7,500
Audit Fees	4,400	4,400	4,400
Insurance	5,500	5,563	5,563
Legal Advertisements	2,000	7,700	6,710
Miscellaneous	2,045	1,000	585
Postage	300	325	299
Office Supplies	1,250	400	367
Dues & Subscriptions	175	175	175
Trustee Fee	4,250	4,140	4,140
Continuing Disclosure Fee	1,000	1,000	1,000
Miscellaneous Maintenance	5,000	2,000	0
Total Expenditures	\$ 94,000	\$ 82,283	\$ 76,169
Revenues Less Expenditures	\$ 195,570.00	\$ 328,412	\$ 334,476
Bond Payments	(178,196)	(302,090)	(302,090)
BALANCE	\$ 17,374	\$ 26,322	\$ 32,386
County Appraiser & Tax Collector Fee	(5,791)	(4,034)	(4,034)
Discounts For Early Payments	(11,583)	(8,217)	(8,217)
Excess/ (Shortfall)	\$ -	\$ 14,071	\$ 20,135
Carryover From Prior Year	0	0	0
NET EXCESS/ (SHORTFALL)	\$ -	\$ 14,071	\$ 20,135

Fund Balance As Of 9/30/22
FY 2022/2023 Activity
Fund Balance As Of 9/30/23

\$1,575
\$14,071
\$15,646

AMENDED FINAL BUDGET
EVERLANDS COMMUNITY DEVELOPMENT DISTRICT
DEBT SERVICE FUND - SERIES 2022
FISCAL YEAR 2022/2023
OCTOBER 1, 2022 - SEPTEMBER 30, 2023

	FISCAL YEAR 2022/2023 BUDGET 10/1/22 - 9/30/23	AMENDED FINAL BUDGET 10/1/22 - 9/30/23	YEAR TO DATE ACTUAL 10/1/22 - 9/29/23
REVENUES			
Interest Income	25	4,205	4,205
NAV Assessment Collection	178,196	178,360	178,360
Developer Contribution - Debt	0	123,731	123,731
Total Revenues	\$ 178,221	\$ 306,296	\$ 306,296
EXPENDITURES			
Principal Payments	70,000	70,000	70,000
Interest Payments	105,921	106,691	106,691
Bond Redemption	2,300	0	0
Total Expenditures	\$ 178,221	\$ 176,691	\$ 176,691
Excess/ (Shortfall)	\$ -	\$ 129,605	\$ 129,605

FUND BALANCE AS OF 9/30/22	\$44,551
FY 2022/2023 ACTIVITY	\$129,605
FUND BALANCE AS OF 9/30/23	\$174,156

Notes

Reserve Fund Balance = \$44,549*. Revenue Account Balance = \$129,607*

Revenue Fund Balance To Be Used To Make 12/15/2023 Principal &
Interest Payment Of \$122,961 (Principal = \$70,000 & Interest = \$52,961).

* 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 9/30/23 =	\$3,130,000	