

EVERGREEN

COMMUNITY DEVELOPMENT DISTRICT

December 6, 2019

BOARD OF SUPERVISORS

REGULAR MEETING

AGENDA

Evergreen Community Development District
OFFICE OF THE DISTRICT MANAGER
2300 Glades Road, Suite 410W•Boca Raton, Florida 334313
Phone: (561) 571-0010•Toll-free: (877) 276-0889•Fax: (561) 571-0013

November 27, 2019

Board of Supervisors
Evergreen Community Development District

Dear Board Members:

The Board of Supervisors of the Evergreen Community Development District will hold a Regular Meeting on December 6, 2019 at 10:00 a.m., at ZNS Engineering, 201 5th Ave., Dr. E, Bradenton, Florida 34208. The agenda is as follows:

1. Call to Order/Roll Call
2. Public Comments
3. Consideration of Resolution 2020-05, Designating a Chair, a Vice Chair, a Secretary, Assistant Secretaries, a Treasurer and an Assistant Treasurer of the District, and Providing for an Effective Date
4. Consideration of Resolution 2020-06, Extending the Terms of Office of All Current Supervisors to Coincide with the General Election Pursuant to Section 190.006, *Florida Statutes*; Providing for Severability; and Providing an Effective Date
5. Discussion: Updated Provisions of District's Rules of Procedure
 - Resolution 2020-04, To Designate Date, Time and Place of Public Hearing and Authorization to Publish Notice of Such Hearing for the Purpose of Adopting Amended and Restated Rules of Procedure; and Providing an Effective Date
6. Discussion/Consideration: Meeting Schedule for Remainder of Fiscal Year
7. Consideration of Assignment and Assumption of Agreement Regarding the Acquisition of Certain Work Product, Infrastructure and Real Property
8. Consideration of Assignment and Assumption of Agreement Regarding the Completion of Certain Improvements
9. Acceptance of Unaudited Financial Statements as of October 31, 2019
10. Approval of November 1, 2019 Regular Meeting Minutes

ATTENDEES:

Please identify yourself each time you speak to facilitate accurate transcription of meeting minutes.

11. Staff Reports

- A. District Counsel: *Hopping Green & Sams, PA*
- B. District Engineer: *ZNS Engineering, L.C.*
- C. District Manager: *Wrathell, Hunt and Associates, LLC*
 - NEXT MEETING: January 3, 2020 at 10:00 a.m.

○ QUORUM CHECK

Ryan Zook	<input type="checkbox"/>	YES	<input type="checkbox"/>	NO	<input type="checkbox"/>	PHONE
John Snyder	<input type="checkbox"/>	YES	<input type="checkbox"/>	NO	<input type="checkbox"/>	PHONE
Hal Lutz	<input type="checkbox"/>	YES	<input type="checkbox"/>	NO	<input type="checkbox"/>	PHONE
Anne Mize	<input type="checkbox"/>	YES	<input type="checkbox"/>	NO	<input type="checkbox"/>	PHONE
Greg Mundell	<input type="checkbox"/>	YES	<input type="checkbox"/>	NO	<input type="checkbox"/>	PHONE

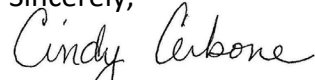
12. Board Members' Comments/Requests

13. Public Comments

14. Adjournment

I look forward to seeing all of you at the upcoming meeting. In the meantime, if you should have any questions or concerns, please do not hesitate to contact me directly at 561-346-5294.

Sincerely,



Cindy Cerbone
District Manager

FOR BOARD MEMBERS AND STAFF TO ATTEND BY TELEPHONE

CALL-IN NUMBER: 1-888-354-0094

CONFERENCE ID: 8518503

EVERGREEN

COMMUNITY DEVELOPMENT DISTRICT

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RESOLUTION 2020-05

A RESOLUTION DESIGNATING A CHAIR, A VICE CHAIR, A SECRETARY, ASSISTANT SECRETARIES, A TREASURER AND AN ASSISTANT TREASURER OF THE EVERGREEN COMMUNITY DEVELOPMENT DISTRICT, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Evergreen Community Development District (“District”) is a local unit of special-purpose government created and existing pursuant to Chapter 190, *Florida Statutes*, being situated in Manatee County, Florida; and

WHEREAS, the Board of Supervisors of the District desires to appoint the below-recited persons to the offices specified.

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

1. **DISTRICT OFFICERS.** The District officers are as follows:

_____ is appointed Chair

_____ is appointed Vice Chair

Craig Wrathell is appointed Secretary

_____ is appointed Assistant Secretary

_____ is appointed Assistant Secretary

_____ is appointed Assistant Secretary

Cindy Cerbone is appointed Assistant Secretary

Craig Wrathell is appointed Treasurer

Jeff Pinder is appointed Assistant Treasurer

2. **EFFECTIVE DATE:** This Resolution shall become effective immediately upon its adoption.

Adopted this ___ day of _____, 2019.

ATTEST:

EVERGREEN COMMUNITY DEVELOPMENT
DISTRICT

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

EVERGREEN

COMMUNITY DEVELOPMENT DISTRICT

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RESOLUTION 2020-06

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE EVERGREEN COMMUNITY DEVELOPMENT DISTRICT EXTENDING THE TERMS OF OFFICE OF ALL CURRENT SUPERVISORS TO COINCIDE WITH THE GENERAL ELECTION PURSUANT TO SECTION 190.006, FLORIDA STATUTES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Evergreen Community Development District (the “**District**”) is a local unit of special purpose government created and existing pursuant to Chapter 190, *Florida Statutes*; and

WHEREAS, the current members of the Board of Supervisors (the “**Board**”) were elected by the landowners within the District based on a one acre/one vote basis; and

WHEREAS, Chapter 190, *Florida Statutes*, authorizes the Board to adopt a resolution extending or reducing the terms of office of Board members to coincide with the general election in November; and

WHEREAS, the Board of Supervisors finds that it is in the best interests of the District to adopt this Resolution extending the terms of office of all current Supervisors of the District.

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

SECTION 1. The following terms of office are hereby extended to coincide with the general election to be held in November of 2022:

- Seat #3 (currently held by John Snyder)
- Seat #4 (currently held by Greg Mundell)
- Seat #5 (currently held by Hal Lutz)

The following terms of office are hereby extended to coincide with the general election to be held in November of 2024:

- Seat #1 (currently held by Ryan Zook)
- Seat #2 (currently held by Anne Mize).

SECTION 2. If any provision of this Resolution is held to be illegal or invalid, the other provisions shall remain in full force and effect.

SECTION 3. This Resolution shall become effective upon its passage and shall remain in effect unless rescinded or repealed.

PASSED AND ADOPTED this 6th day of December, 2019.

ATTEST:

**EVERGREEN COMMUNITY
DEVELOPMENT DISTRICT**

Print Name: _____
Secretary/Assistant Secretary

Print Name: _____
Chair/Vice Chair, Board of Supervisors

EVERGREEN

COMMUNITY DEVELOPMENT DISTRICT

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RESOLUTION 2020-04

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE EVERGREEN COMMUNITY DEVELOPMENT DISTRICT TO DESIGNATE DATE, TIME AND PLACE OF PUBLIC HEARING AND AUTHORIZATION TO PUBLISH NOTICE OF SUCH HEARING FOR THE PURPOSE OF ADOPTING AMENDED AND RESTATED RULES OF PROCEDURE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, Evergreen 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 Manatee County, Florida; and

WHEREAS, the Board of Supervisors of the District (the "Board") is authorized by Section 190.011(5), *Florida Statutes*, to adopt rules and orders pursuant to Chapter 120, *Florida Statutes*.

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

SECTION 1. A Public Hearing will be held to adopt the District's Amended and Restated Rules of Procedure on _____, 20__, at _____ .m., at _____.

SECTION 2. The District Secretary is directed to publish notice of the hearing in accordance with Section 120.54, *Florida Statutes*.

SECTION 3. This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED this ____ day of _____, 2019.

ATTEST:

EVERGREEN COMMUNITY DEVELOPMENT DISTRICT

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

EVERGREEN

COMMUNITY DEVELOPMENT DISTRICT

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**ASSIGNMENT AND ASSUMPTION OF AGREEMENT BETWEEN THE EVERGREEN
COMMUNITY DEVELOPMENT DISTRICT AND EVERGREEN LANDCO, LLC,
REGARDING THE ACQUISITION OF CERTAIN WORK PRODUCT,
INFRASTRUCTURE AND REAL PROPERTY**

THIS ASSIGNMENT AND ASSUMPTION (“Assignment”) is made and entered into by and between:

EVERGREEN LANDCO, LLC, a Florida limited liability company, whose address is 9794 Timber Circle, Daphne, Alabama 36527 (the “Assignor”); and

SFTEN, LLC, a Delaware limited liability company, whose address is 1341 Horton Circle, Arlington, Texas 76011 (the “Assignee”);

and is joined by the **Evergreen Community Development District**, a local unit of special-purpose government established pursuant to Chapter 190, *Florida Statutes*, being situated in Manatee County, Florida (the “District”) for the purpose of consenting to the Assignment,

as of the date last executed by Assignor, Assignee, and the District (“Effective Date”).

RECITALS

WHEREAS, Assignor and the District entered into that certain *Agreement between Evergreen Community Development District and Evergreen Landco, LLC Regarding the Acquisition of Certain Work Product, Infrastructure and Real Property*, dated May 9, 2019 (the “Agreement”); and

WHEREAS, pursuant to Section 16 of the Agreement, Assignor wishes to assign, and Assignee wishes to assume, all rights and obligations under the Agreement.

NOW, THEREFORE, based upon good and valuable consideration and the mutual covenants of the parties, the receipt of which and sufficiency of which is hereby acknowledged, the parties agree as follows:

SECTION 1. RECITALS. The recitals so stated are true and correct and by this reference are incorporated into and form a material part of this Assignment.

SECTION 2. DEFINED TERMS. Capitalized terms not otherwise defined herein shall have the meaning set forth in the Agreement.

SECTION 3. ASSIGNMENT AND ASSUMPTION. Assignor hereby assigns to Assignee, all right, title and interest of Assignor in and to the Agreement. Assignee hereby accepts the foregoing assignment, ratifies and confirms the Agreement in all respects and assumes and agrees to be bound to all of Assignor's obligations under the Agreement. Any reference to the Assignor in the Agreement shall henceforth be deemed to be a reference to the Assignee. The District hereby consents to the assignment of the Agreement by Assignor to Assignee; provided, however, that the Assignment shall not constitute an amendment of any of the definitive terms and conditions of the Agreement.

SECTION 4. NOTICE. Following the Effective Date, all Notices to the Landowner under the Agreement shall be given to:

SFTEN, LLC
c/o D.R. Horton, Inc.
Attn: Andy Oxley
1341 Horton Circle
Arlington, Texas 76011
Phone: 817.390.8200
Email: aoxley@drhorton.com

With a copy to:

Darren M. Saltzberg, Division President
D.R. Horton, Inc.
12602 Telecom Drive
Tampa, Florida 33637
Phone: (813) 740-9720
Fax: (866) 364-0499
Email: dsaltzberg@drhorton.com, jesnyder@drhorton.com,
aemize@drhorton.com, razook@drhorton.com

Charbel J Barakat
D.R. Horton, Inc.
12620 Telecom Drive
Tampa, Florida 33637
Phone: (407) 850-3027
Email: CBarakat@drhorton.com

SECTION 5. INDEMNIFICATION. Assignor shall indemnify, defend, and hold Assignee harmless from and against any and all claims, losses, liabilities, and expenses (including attorneys' fees and costs) pertaining to, arising out of, or incurred in connection with Assignor's acts or omissions as "Landowner" under the Agreement prior to the Effective Date. Assignee shall indemnify, defend, and hold Assignor harmless from and against any and all claims, losses, liabilities, and expenses (including attorneys' fees and costs) pertaining to, arising out of, or incurred in connection with Assignee's acts or omissions as "Landowner" under the Agreement from and after the Effective Date.

SECTION 6. COUNTERPARTS. This Assignment may be signed in counterparts, which when taken together shall constitute one and the same instrument.

IN WITNESS WHEREOF, the parties execute this Assignment as of the Effective Date.

[SIGNATURES BEGINNING ON FOLLOWING PAGE]

ASSIGNOR:

EVERGREEN LANDCO, LLC,
a Florida limited liability company

By: _____

Name: _____

Title: _____

Date: _____

[SIGNATURES CONTINUE ON FOLLOWING PAGE]

ASSIGNEE:

SFTEN, LLC,
a Delaware limited liability company

By: **D.R. HORTON, INC.**, a Delaware
corporation, its sole member

By: _____
Name: _____
Title: _____
Date: _____

[SIGNATURES CONTINUE ON FOLLOWING PAGE]

Consented to, Acknowledged and Accepted by:

DISTRICT:

Attest:

**EVERGREEN COMMUNITY DEVELOPMENT
DISTRICT**

Secretary

By: _____
Its: _____
Date: _____

EVERGREEN

COMMUNITY DEVELOPMENT DISTRICT

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**ASSIGNMENT AND ASSUMPTION OF AGREEMENT BY AND BETWEEN THE
EVERGREEN COMMUNITY DEVELOPMENT DISTRICT AND EVERGREEN
LANDCO, LLC, REGARDING THE COMPLETION OF CERTAIN IMPROVEMENTS
RELATING TO THE SERIES 2019 PROJECT**

THIS ASSIGNMENT AND ASSUMPTION (“Assignment”) is made and entered into by and between:

EVERGREEN LANDCO, LLC, a Florida limited liability company, whose address is 9794 Timber Circle, Daphne, Alabama 36527 (the “Assignor”); and

SFTEN, LLC, a Delaware limited liability company, whose address is 1341 Horton Circle, Arlington, Texas 76011 (the “Assignee”);

and is joined by the **Evergreen Community Development District**, a local unit of special-purpose government established pursuant to Chapter 190, *Florida Statutes*, being situated in Manatee County, Florida (the “District”) for the purpose of consenting to the Assignment,

as of the date last executed by Assignor, Assignee, and the District (“Effective Date”).

RECITALS

WHEREAS, Assignor and the District entered into that certain *Agreement by and between the Evergreen Community Development District and Evergreen Landco, LLC Regarding the Completion of Certain Improvements Relating to the Series 2019 Project*, dated May 9, 2019 (the “Agreement”); and

WHEREAS, pursuant to Section 11 of the Agreement, Assignor wishes to assign, and Assignee wishes to assume, all rights and obligations under the Agreement.

NOW, THEREFORE, based upon good and valuable consideration and the mutual covenants of the parties, the receipt of which and sufficiency of which is hereby acknowledged, the parties agree as follows:

SECTION 1. RECITALS. The recitals so stated are true and correct and by this reference are incorporated into and form a material part of this Assignment.

SECTION 2. DEFINED TERMS. Capitalized terms not otherwise defined herein shall have the meaning set forth in the Agreement.

SECTION 3. ASSIGNMENT AND ASSUMPTION. Assignor hereby assigns to Assignee, all right, title and interest of Assignor in and to the Agreement. Assignee hereby accepts the foregoing assignment, ratifies and confirms the Agreement in all respects and assumes and agrees to be bound to all of Assignor's obligations under the Agreement. Any reference to the Assignor in the Agreement shall henceforth be deemed to be a reference to the Assignee. The District hereby consents to the assignment of the Agreement by Assignor to Assignee; provided, however, that the Assignment shall not constitute an amendment of any of the definitive terms and conditions of the Agreement.

SECTION 4. NOTICE. Following the Effective Date, all Notices to the Landowner under the Agreement shall be given to:

SFTEN, LLC
c/o D.R. Horton, Inc.
Attn: Andy Oxley
1341 Horton Circle
Arlington, Texas 76011
Phone: 817.390.8200
Email: aoxley@drhorton.com

With a copy to:

Darren M. Saltzberg, Division President
D.R. Horton, Inc.
12602 Telecom Drive
Tampa, Florida 33637
Phone: (813) 740-9720
Fax: (866) 364-0499
Email: dsaltzberg@drhorton.com, jesnyder@drhorton.com,
aemize@drhorton.com, razook@drhorton.com

Charbel J Barakat
D.R. Horton, Inc.
12620 Telecom Drive
Tampa, Florida 33637
Phone: (407) 850-3027
Email: CBarakat@drhorton.com

SECTION 5. INDEMNIFICATION. Assignor shall indemnify, defend, and hold Assignee harmless from and against any and all claims, losses, liabilities, and expenses (including attorneys' fees and costs) pertaining to, arising out of, or incurred in connection with Assignor's acts or omissions as "Landowner" under the Agreement prior to the Effective Date. Assignee shall indemnify, defend, and hold Assignor harmless from and against any and all claims, losses, liabilities, and expenses (including attorneys' fees and costs) pertaining to, arising out of, or incurred in connection with Assignee's acts or omissions as "Landowner" under the Agreement from and after the Effective Date.

SECTION 6. COUNTERPARTS. This Assignment may be signed in counterparts, which when taken together shall constitute one and the same instrument.

IN WITNESS WHEREOF, the parties execute this Assignment as of the Effective Date.

[SIGNATURES BEGINNING ON FOLLOWING PAGE]

ASSIGNOR:

EVERGREEN LANDCO, LLC,
a Florida limited liability company

By: _____

Name: _____

Title: _____

Date: _____

[SIGNATURES CONTINUE ON FOLLOWING PAGE]

ASSIGNEE:

SFTEN, LLC,
a Delaware limited liability company

By: **D.R. HORTON, INC.**, a Delaware
corporation, its sole member

By: _____

Name: _____

Title: _____

Date: _____

[SIGNATURES CONTINUE ON FOLLOWING PAGE]

Consented to, Acknowledged and Accepted by:

DISTRICT:

Attest:

**EVERGREEN COMMUNITY DEVELOPMENT
DISTRICT**

Secretary

By: _____
Its: _____
Date: _____

EVERGREEN

COMMUNITY DEVELOPMENT DISTRICT

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**EVERGREEN
COMMUNITY DEVELOPMENT DISTRICT
FINANCIAL STATEMENTS
UNAUDITED
OCTOBER 31, 2019**

**EVERGREEN
COMMUNITY DEVELOPMENT DISTRICT
BALANCE SHEET
GOVERNMENTAL FUNDS
OCTOBER 31, 2019**

	General Fund	Debt Service Fund	Capital Projects Fund	Total Governmental Funds
ASSETS				
Cash	\$ 28,066	\$ -	\$ -	\$ 28,066
Investments				
Reserve	-	577,100	-	577,100
Capitalized interest	-	208,154	-	208,154
Construction	-	-	1,814,245	1,814,245
Total assets	<u>\$ 28,066</u>	<u>\$ 785,254</u>	<u>\$ 1,814,245</u>	<u>\$ 2,627,565</u>
LIABILITIES AND FUND BALANCES				
Liabilities:				
Accounts payable	\$ 6,548	\$ -	\$ -	\$ 6,548
Due to Landowner	1,732	-	2,194	3,926
Accrued taxes payable	245	-	-	245
Landowner advance	5,500	-	-	5,500
Total liabilities	<u>14,025</u>	<u>-</u>	<u>2,194</u>	<u>16,219</u>
Fund balances:				
Restricted for				
Debt service	-	785,254	-	785,254
Capital projects	-	-	1,812,051	1,812,051
Unassigned	14,041	-	-	14,041
Total fund balances	<u>14,041</u>	<u>785,254</u>	<u>1,812,051</u>	<u>2,611,346</u>
Total liabilities and fund balances	<u>\$ 28,066</u>	<u>\$ 785,254</u>	<u>\$ 1,814,245</u>	<u>\$ 2,627,565</u>

**EVERGREEN
COMMUNITY DEVELOPMENT DISTRICT
GENERAL FUND
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
FOR THE PERIOD ENDED OCTOBER 31, 2019**

	<u>Current Month</u>	<u>Year to Date</u>	<u>Budget</u>	<u>% of Budget</u>
REVENUES				
Assessment levy: off-roll	\$ 24,507	\$ 24,507	\$ 98,030	25%
Total revenues	<u>24,507</u>	<u>24,507</u>	<u>98,030</u>	25%
EXPENDITURES				
Professional & administrative				
Supervisors	1,077	1,077	6,000	18%
Management/accounting/recording	4,000	4,000	48,000	8%
Legal	-	-	20,000	0%
Engineering	-	-	1,500	0%
Audit	-	-	5,500	0%
Arbitrage rebate calculation	-	-	750	0%
Dissemination agent	83	83	1,000	8%
Trustee	-	-	5,500	0%
Telephone	16	16	200	8%
Postage	-	-	500	0%
Printing & binding	42	42	500	8%
Legal advertising	73	73	1,500	5%
Annual special district fee	175	175	175	100%
Insurance	5,000	5,000	5,500	91%
Contingencies/bank charges	22	22	500	4%
Website				N/A
Hosting	-	-	705	
ADA compliance	-	-	200	0%
Total professional & administrative	<u>10,488</u>	<u>10,488</u>	<u>98,030</u>	11%
Excess/(deficiency) of revenues over/(under) expenditures	14,019	14,019	-	
Fund balances - beginning	22	22	-	
Fund balances - ending	<u>\$ 14,041</u>	<u>\$ 14,041</u>	<u>\$ -</u>	

**EVERGREEN
COMMUNITY DEVELOPMENT DISTRICT
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
DEBT SERVICE FUND SERIES 2019
FOR THE PERIOD ENDED OCTOBER 31, 2019**

	Current Month	Year To Date	Budget	% of Budget
REVENUES				
Assessment levy: off-roll	\$ -	\$ -	\$ 577,100	0%
Interest	1,101	1,101	-	N/A
Total revenues	<u>1,101</u>	<u>1,101</u>	<u>577,100</u>	0%
EXPENDITURES				
Debt service				
Interest	-	-	422,828	0%
Total debt service	-	-	422,828	0%
Total expenditures	-	-	422,828	0%
				N/A
Excess/(deficiency) of revenues over/(under) expenditures	1,101	1,101	154,272	1%
OTHER FINANCING SOURCES/(USES)				
Transfer out	(810)	(810)	-	N/A
Total other financing sources	<u>(810)</u>	<u>(810)</u>	<u>-</u>	N/A
Net change in fund balances	291	291	154,272	
Fund balances - beginning	784,963	784,963	784,654	
Fund balances - ending	<u>\$ 785,254</u>	<u>\$ 785,254</u>	<u>\$ 938,926</u>	

EVERGREEN

COMMUNITY DEVELOPMENT DISTRICT

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DRAFT

**MINUTES OF MEETING
EVERGREEN
COMMUNITY DEVELOPMENT DISTRICT**

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The Board of Supervisors of the Evergreen Community Development District held a Regular Meeting on November 1, 2019, at 10:00 a.m., at the office of ZNS Engineering, 201 5th Ave., Dr. E, Bradenton, Florida 34208.

Present at the meeting were:

Les Basnight (via telephone)	Chair
Rhett Johnson	Vice Chair
Clifton Fischer	Assistant Secretary
Charles Conoley	Assistant Secretary
Paul Cheeks	Assistant Secretary

Also present were:

Cindy Cerbone	District Manager
Tucker Mackie	District Counsel
Ryan Zook	
John Snyder	
Hal Lutz	
Greg Mundell	

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Ms. Cerbone called the meeting to order at 10:27 a.m. Supervisors Cheeks, Conoley, Johnson and Fischer were present, in person. Supervisor Basnight was attending via telephone.

SECOND ORDER OF BUSINESS

Public Comments

There being no public comments, the next item followed.

THIRD ORDER OF BUSINESS

Consideration of Board Member Resignations and Appointment of Replacements

40 Ms. Cerbone stated that there was a recent land transaction resulting in a new
41 Developer, which prompted this change in Board Members.

42 Ms. Cerbone presented the resignation of Mr. Basnight from Seat 1.

43

44 **On MOTION by Mr. Conoley and seconded by Mr. Johnson, with all in favor,
45 the resignation of Mr. Basnight, was accepted.**

46

47

48 Mr. Johnson nominated Mr. Ryan Zook to fill Seat 1. No other nominations were made.

49

50 **On MOTION by Mr. Conoley and seconded by Mr. Fischer, with all in favor, the
51 appointment of Mr. Ryan Zook to fill Seat 1, was approved.**

52

53

54 Ms. Cerbone presented the resignation of Mr. Conoley from Seat 3.

55

56 **On MOTION by Mr. Fischer and seconded by Mr. Cheeks, with all in favor, the
57 resignation of Mr. Conoley, was accepted.**

58

59

60 Mr. Johnson nominated Mr. John Snyder to fill Seat 3. No other nominations were
61 made.

62

63 **On MOTION by Mr. Fischer and seconded by Mr. Johnson, with all in favor, the
64 appointment of Mr. John Snyder to fill Seat 3, was approved.**

65

66

67 • **Administration of Oath of Office to Newly Appointed Supervisors (*the following to be
68 provided in a separate package*)**

69 Ms. Cerbone, a Notary of the State of Florida and duly authorized, administered the
70 Oath of Office to Mr. Zook and Mr. Snyder.

71 Ms. Cerbone presented the resignation of Mr. Cheeks from Seat 5.

72

73 **On MOTION by Mr. Fischer and seconded by Mr. Snyder, with all in favor, the
74 resignation of Mr. Cheeks, was accepted.**

75 Mr. Johnson nominated Mr. Hal Lutz to fill Seat 5. No other nominations were made.

76

77 **On MOTION by Mr. Zook and seconded by Mr. Fischer, with all in favor, the**
78 **appointment of Mr. Hal Lutz to fill Seat 5, was approved.**

79

80

81 Ms. Cerbone presented the resignation of Mr. Fischer from Seat 4.

82

83 **On MOTION by Mr. Snyder and seconded by Mr. Johnson, with all in favor, the**
84 **resignation of Mr. Fischer, was accepted.**

85

86

87 Mr. Johnson nominated Mr. Greg Mundell to fill Seat 4. No other nominations were

88 made.

89

90 **On MOTION by Mr. Snyder and seconded by Mr. Johnson, with all in favor, the**
91 **appointment of Mr. Greg Mundell to fill Seat 4, was approved.**

92

93

94 Ms. Cerbone, a Notary of the State of Florida and duly authorized, administered the
95 Oath of Office to Mr. Lutz and Mr. Mundell.

96 Ms. Cerbone presented the resignation of Mr. Johnson from Seat 2.

97

98 **On MOTION by Mr. Snyder and seconded by Mr. Lutz, with all in favor, the**
99 **resignation of Mr. Johnson, was accepted.**

100

101

102 Mr. Snyder nominated Ms. Anne Mize to fill Seat 2. No other nominations were made.

103

104 **On MOTION by Mr. Snyder and seconded by Mr. Lutz, with all in favor, the**
105 **appointment of Ms. Anne Mize to fill Seat 2, was approved.**

106

107

108 The Oath of Office would be administered to Ms. Mize prior to or at the next meeting.

109 The following items were provided to the new Supervisors:

- 110 **A. Guide to Sunshine Amendment and Code of Ethics for Public Officers and**
- 111 **Employees**
- 112 **B. Membership, Obligations and Responsibilities**
- 113 **C. Financial Disclosure Forms**
- 114 **I. Form 1: Statement of Financial Interests**
- 115 **II. Form 1X: Amendment to Form 1, Statement of Financial Interests**
- 116 **III. Form 1F: Final Statement of Financial Interests**
- 117 **D. Form 8B: Memorandum of Voting Conflict**

118 **The meeting recessed at 10:35 a.m., and reconvened at 11:20 a.m.**

119

120	FOURTH ORDER OF BUSINESS	Consideration of Resolution 2020-03,
121		Designating a Chair, a Vice Chair, a
122		Secretary, Assistant Secretaries and an
123		Assistant Treasurer of the District, and
124		Providing for an Effective Date

125

126 Ms. Cerbone presented Resolution 2020-03.

127 Mr. Snyder nominated the following slate of officers:

- | | | |
|-----|----------------|---------------------|
| 128 | Ryan Zook | Chair |
| 129 | John Snyder | Vice Chair |
| 130 | Craig Wrathell | Secretary |
| 131 | Hal Lutz | Assistant Secretary |
| 132 | Greg Mundell | Assistant Secretary |
| 133 | Cindy Cerbone | Assistant Secretary |
| 134 | Craig Wrathell | Treasurer |
| 135 | Jeff Pinder | Assistant Treasurer |

136

137 **On MOTION by Mr. Snyder and seconded by Mr. Lutz, with all in favor,**

138 **Resolution 2020-03, Designating a Chair, a Vice Chair, a Secretary, Assistant**

139 **Secretaries and an Assistant Treasurer of the District, and Providing for an**

140 **Effective Date, as nominated, was adopted.**

141

142

143 **FIFTH ORDER OF BUSINESS** **Discussion: Updated Provisions of District's**
 144 **Rules of Procedure**

- 145
- 146 **A. Amended and Restated Rules of Procedure**
- 147 **B. Resolution 2020-04, To Designate Date, Time and Place of Public Hearing and**
- 148 **Authorization to Publish Notice of Such Hearing for the Purpose of Adopting Amended**
- 149 **and Restated Rules of Procedure; and Providing an Effective Date**

150 These items were deferred.

151

152 **SIXTH ORDER OF BUSINESS** **Ratification of Change Order No. 1, Oak**
 153 **City South, LLC**

154

155 Ms. Cerbone presented Change Order No. 1 and noted that it was approved at the last
 156 meeting; however, subsequent actions occurred. Ms. Mackie stated that Change Order No. 1
 157 was understood and was reviewed; it was understood that, when the contract was assigned,
 158 the contract assigned did not include matters that would be the subject of a future change
 159 order, which were those items.

160

161 **On MOTION by Mr. Snyder and seconded by Mr. Lutz, with all in favor, Change**
 162 **Order No. 1, Oak City South, LLC, was approved.**

163

164

165 **SEVENTH ORDER OF BUSINESS** **Acceptance of Unaudited Financial**
 166 **Statements as of September 30, 2019**

167 Ms. Cerbone presented the Unaudited Financial Statements as of September 30, 2019.

169

170 **On MOTION by Mr. Snyder and seconded by Mr. Lutz, with all in favor, the**
 171 **Unaudited Financial Statements as of September 30, 2019, were accepted.**

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174 **EIGHTH ORDER OF BUSINESS** **Approval of October 4, 2019 Regular**
 175 **Meeting Minutes**

176 Ms. Cerbone presented the October 4, 2019 Regular Meeting Minutes.

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On MOTION by Mr. Snyder and seconded by Mr. Lutz, with all in favor, the October 4, 2019 Regular Meeting Minutes, as presented, were approved.

NINTH ORDER OF BUSINESS

Staff Reports

A. District Counsel: *Hopping Green & Sams, P.A.*

There being nothing to report, the next item followed.

B. District Engineer: *ZNS Engineering, L.C.*

There being nothing to report, the next item followed.

C. District Manager: *Wrathell, Hunt and Associates, LLC*

- **NEXT MEETING: December 6, 2019 at 10:00 a.m.**

- **QUORUM CHECK**

Supervisors Zook, Snyder, Lutz and Mundell confirmed their attendance at the December 6, 2019 meeting.

TENTH ORDER OF BUSINESS

Board Members' Comments/Requests

There being no Board Members' comments or requests, the next item followed.

ELEVENTH ORDER OF BUSINESS

Public Comments

There being no public comments, the next item followed.

TWELFTH ORDER OF BUSINESS

Adjournment

There being nothing further to discuss, the meeting adjourned.

On MOTION by Mr. Lutz and seconded by Mr. Snyder, with all in favor, the meeting adjourned at 11:25 a.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

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Secretary/Assistant Secretary

Chair/Vice Chair

**EVERGREEN
COMMUNITY DEVELOPMENT DISTRICT
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
CAPITAL PROJECTS FUND SERIES 2019
FOR THE PERIOD ENDED OCTOBER 31, 2019**

	<u>Current Month</u>	<u>Year To Date</u>
REVENUES		
Interest	\$ 2,688	\$ 2,688
Total revenues	<u>2,688</u>	<u>2,688</u>
EXPENDITURES		
Total expenditures	<u>-</u>	<u>-</u>
Excess/(deficiency) of revenues over/(under) expenditures	2,688	2,688
OTHER FINANCING SOURCES/(USES)		
Transfer in	810	810
Total other financing sources/(uses)	<u>810</u>	<u>810</u>
Net change in fund balances	3,498	3,498
Fund balances - beginning	<u>1,808,553</u>	<u>1,808,553</u>
Fund balances - ending	<u><u>\$ 1,812,051</u></u>	<u><u>\$ 1,812,051</u></u>

EVERGREEN

COMMUNITY DEVELOPMENT DISTRICT

11C

EVERGREEN COMMUNITY DEVELOPMENT DISTRICT**BOARD OF SUPERVISORS FISCAL YEAR 2019/2020 MEETING SCHEDULE****LOCATION***offices of ZNS Engineering, 201 5th Ave. Dr. E., Bradenton, Florida 34208*

DATE	POTENTIAL DISCUSSION/FOCUS	TIME
October 4, 2019	Regular Meeting	10:00 AM
November 1, 2019	Regular Meeting	10:00 AM
December 6, 2019	Regular Meeting	10:00 AM
January 3, 2020	Regular Meeting	10:00 AM
February 7, 2020	Regular Meeting	10:00 AM
March 6, 2020	Regular Meeting	10:00 AM
April 3, 2020	Regular Meeting	10:00 AM
May 1, 2020	Regular Meeting	10:00 AM
June 5, 2020	Regular Meeting	10:00 AM
July 10, 2020*	Regular Meeting	10:00 AM
August 7, 2020	Public Hearing & Regular Meeting	10:00 AM
September 4, 2020	Regular Meeting	10:00 AM

Exception** July meeting date is one week later to accommodate Independence Day Holiday*