

**MINUTES OF MEETING  
EVERGREEN  
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Evergreen Community Development District held a Regular Meeting on May 6, 2022 at 11:00 a.m., at the office of ZNS Engineering, 201 5<sup>th</sup> Avenue Dr. E., Bradenton, Florida 34208.

**Present were:**

Ryan Zook  
Hal Lutz  
Greg Mundell

Chair  
Assistant Secretary  
Assistant Secretary

**Also present were:**

Daniel Rom  
Tucker Mackie  
Emily Zook

District Manager  
District Counsel  
D.R. Horton

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Mr. Rom called the meeting to order at 11:21 a.m. Supervisors Zook, Lutz and Mundell were present, in person. Supervisors Snyder and Mize were not present.

**SECOND ORDER OF BUSINESS**

**Public Comments**

There were no public comments.

**THIRD ORDER OF BUSINESS**

**Ratification of Corrective Special Warranty Deed (Open Space & Lake Maintenance Tracts)**

Mr. Rom presented the Corrective Special Warranty Deed for open space and lake maintenance tracts.

**On MOTION by Mr. Zook and seconded by Mr. Mundell, with all in favor, the Corrective Special Warranty Deed for Open Space & Lake Maintenance Tracts, as presented, was ratified.**

**FOURTH ORDER OF BUSINESS**

**Consideration of Authorization to Acquire Phase 2 Improvements**

Ms. Mackie stated this is being presented in advance of the acquisition, which is being processed, and noted the District Engineer indicated that it will be ready for conveyance within the next 30 to 60 days.

**On MOTION by Mr. Zook and seconded by Mr. Mundell, with all in favor, authorization to acquire Phase 2 Improvements and delegating the Chair to approve the acquisition documents, was approved.**

**FIFTH ORDER OF BUSINESS**

**Ratification of HGS Transition Letter**

- **Kutak Rock LLP Retention and Fee Agreement**

Mr. Rom presented the executed Hopping Green & Sams, P.A. (HGS) joint letter to transition District Counsel Services to Kutak Rock, LLP, and the Kutak Rock LLP Retention and Fee Agreement.

**On MOTION by Mr. Zook and seconded by Mr. Mundell, with all in favor, the Hopping Green & Sams, P.A. and Kutak Rock LLP Joint Transition Letter and the Kutak Rock, LLP Retention and Fee Agreement, to serve as District Counsel, were ratified and approved.**

**SIXTH ORDER OF BUSINESS**

**Consideration of Resolution 2022-01, Designating a Registered Agent and Registered Office of the Evergreen Community Development District**

Mr. Rom presented Resolution 2022-01.

This formally changes the registered office location from Hopping Green & Sams, P.A. to Kutak Rock, LLP.

**On MOTION by Mr. Zook and seconded by Mr. Mundell, with all in favor, Resolution 2022-01, Designating Ms. Tucker Mackie as the Registered Agent and the office of Kutak Rock, LLP, 107 W. College Avenue, Tallahassee, Florida 32301 as the Registered Office of the Evergreen Community Development District, was adopted.**

**SEVENTH ORDER OF BUSINESS**

**Consideration of Resolution 2022-02, Approving Proposed Budgets for Fiscal Year 2022/2023 and Setting a Public Hearing Thereon Pursuant to Florida Law; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing an Effective Date**

Mr. Rom presented Resolution 2022-02. The Public Hearing and Regular Meeting would be held at ZNS Engineer’s new office address.

**On MOTION by Mr. Zook and seconded by Mr. Mundell, with all in favor, Resolution 2022-02, Approving Proposed Budgets for Fiscal Year 2022/2023 and Setting a Public Hearing Thereon Pursuant to Florida Law for August 5, 2022 at 11:00 a.m., at the office of ZNS Engineering, 1023 Manatee Avenue W., 7<sup>th</sup> Floor, Bradenton, Florida 34205; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing an Effective Date, was adopted.**

**EIGHTH ORDER OF BUSINESS**

**Consideration of Resolution 2022-03, Designating a Date, Time and Location for Landowners’ Meeting and Election; Providing for Publication; Providing for Severability and an Effective Date**

Mr. Rom presented Resolution 2022-03 and read the title.

**On MOTION by Mr. Zook and seconded by Mr. Mundell, with all in favor, Resolution 2022-03, Designating a Date, Time and Location of November 1, 2022 at 11:00 a.m., at the office of ZNS Engineering, 1023 Manatee Avenue W., 7<sup>th</sup> Floor, Bradenton, Florida 34205 for a Landowners’ Meeting and Election; Providing for Publication; Providing for Severability and an Effective Date, was adopted.**

**NINTH ORDER OF BUSINESS**

**Consideration of Resolution 2022-04, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2022/2023 and Providing for an Effective Date**

Mr. Rom presented Resolution 2022-04.

Regarding Resolution 2022-03 and the November 2022 Landowners’ Meeting, Mr. Rom stated Seats 3, 4 and 5, currently held by Supervisors Snyder, Mundell and Lutz, will be up for election. The CDD has not yet met the criteria necessary to transition to the General Election process.

**On MOTION by Mr. Zook and seconded by Mr. Mundell, with all in favor, Resolution 2022-04, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2022/2023 and Providing for an Effective Date, was adopted.**

**TENTH ORDER OF BUSINESS**

**Update: Statutory Changes from 2021 Legislative Session**

Mr. Rom presented the following:

**A. Prompt Payment Policies**

- **Consideration of Resolution 2022-05, Adopting Prompt Payment Policies and Procedures Pursuant to Chapter 218, Florida Statutes; Providing a Severability Clause; and Providing an Effective Date**

Mr. Rom presented Resolution 2022-05.

**On MOTION by Mr. Zook and seconded by Mr. Mundell, with all in favor, Resolution 2022-05, Adopting Prompt Payment Policies and Procedures Pursuant to Chapter 218, Florida Statutes; Providing a Severability Clause; and Providing an Effective Date, was adopted.**

**B. Wastewater and Stormwater Needs Analysis**

- I. Ratification of ZNS Engineering, L.C., Professional Services Agreement**
- II. Ratification of ZNS Engineering, L.C., Work Authorization Number 4**

**On MOTION by Mr. Zook and seconded by Mr. Mundell, with all in favor, the ZNS Engineering, L.C., Professional Services Agreement and Work Authorization Number 4, to prepare the 20-Year Stormwater Management Needs Analysis Report, at an hourly rate, in a not-to-exceed amount of \$20,000, were ratified.**

**ELEVENTH ORDER OF BUSINESS**

**Acceptance of Unaudited Financial Statements as of March 31, 2022**

Mr. Rom presented the Unaudited Financial Statements as of March 31, 2022.

**On MOTION by Mr. Zook and seconded by Mr. Mundell, with all in favor, the Unaudited Financial Statements as of March 31, 2022, were accepted.**

**TWELFTH ORDER OF BUSINESS**

**Approval of August 6, 2021 Public Hearing and Regular Meeting Minutes**

Mr. Rom presented the August 6, 2021 Public Hearing and Regular Meeting Minutes. The Board agreed to consider the Unaudited Financial Statements and Meeting Minutes as Consent Agenda Items on future agendas.

Mr. Zook stated he cannot attend the June 3 and September 2, 2022 meetings. Quorum concerns were discussed. The resignations of Supervisors Snyder and Mize and appointment of new Supervisors will be on the next agenda.

**On MOTION by Mr. Zook and seconded by Mr. Mundell, with all in favor, the August 6, 2021 Public Hearing and Regular Meeting Minutes, as presented, were approved.**

**THIRTEENTH ORDER OF BUSINESS**

**Staff Reports**

**A. District Counsel: *Kutak Rock LLP***

There was no report.

Form 1 will be emailed to the Board Members to file with the Supervisor of Elections Office in their County of residence by the July 1, 2022 due date.

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

There was no report.

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

- **104 Registered Voters in District as of April 15, 2022**
- **NEXT MEETING: June 3, 2022 at 11:00 a.m.**
  - **QUORUM CHECK**

If the June and July meetings are cancelled, the next meeting will be on August 5, 2022.

**FOURTEENTH ORDER OF BUSINESS**

**Board Members' Comments/Requests**

There were no Board Members' comments or requests.

**FIFTEENTH ORDER OF BUSINESS**

**Public Comments**

There were no public comments.

**SIXTEENTH ORDER OF BUSINESS**

**Adjournment**

There being nothing further to discuss, the meeting adjourned.

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



---

Secretary/Assistant Secretary



---

Chair/Vice Chair