

**MINUTES OF MEETING
EVERGREEN
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Evergreen Community Development District held a Regular Meeting on April 29, 2021 at 11:00 a.m., at the office of ZNS Engineering, 201 5th Avenue Dr. E., Bradenton, Florida 34208.

Present were:

Ryan Zook
Anne Mize
Greg Mundell

Chair
Assistant Secretary
Assistant Secretary

Also present were:

Daniel Rom
Cindy Cerbone (via telephone)
Tucker Mackie (via telephone)

District Manager
Wrathell, Hunt and Associates, LLC (WHA)
District Counsel

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Rom called the meeting to order at 11:18 a.m. Supervisors, Zook, Mize and Mundell were present, in person. Supervisors Snyder and Lutz were not present

SECOND ORDER OF BUSINESS

Public Comments

There were no public comments.

THIRD ORDER OF BUSINESS

Consideration of Resolution 2021-01, Approving Proposed Budgets for Fiscal Year 2021/2022 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 2021-01. He reviewed the proposed Fiscal Year 2022 budget, highlighting any line item increases, decreases and adjustments, compared to the Fiscal Year 2021 budget, and explained the reasons for any adjustments.

On MOTION by Mr. Zook and seconded by Mr. Mundell, with all in favor, Resolution 2021-01, Approving Proposed Budgets for Fiscal Year 2021/2022 and Setting a Public Hearing Thereon Pursuant to Florida Law for August 6, 2021 at 10:00 a.m., at the office of ZNS Engineering, 201 5th Avenue Dr. E., Bradenton, Florida 34208; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing an Effective Date, was adopted.

FOURTH ORDER OF BUSINESS

Consideration of Resolution 2021-02, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2021/2022 and Providing for an Effective Date

Mr. Rom presented Resolution 2021-02 and read the title. The following change was made to the Fiscal Year 2022 Meeting Schedule:

TIME: Change "10:00 AM" to "11:00 AM"

On MOTION by Mr. Zook and seconded by Mr. Mundell, with all in favor, Resolution 2021-02, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2021/2022, as amended, and Providing for an Effective Date, was adopted.

FIFTH ORDER OF BUSINESS

Ratification of Second Amendment to the Declaration of Covenants, Conditions and Restrictions of Evergreen

Mr. Rom presented the Second Amendment to the Declaration of Covenants, Conditions and Restrictions of Evergreen, originally dated February 22, 2021. Ms. Mackie stated that the changes are noted in the second amendment and the CDD was being asked to execute a joinder

indicating its acknowledgement of the Declaration of Covenants. The document was previously executed and it was being presented for ratification.

On MOTION by Mr. Zook and seconded by Mr. Mundell, with all in favor, the Second Amendment to the Declaration of Covenants, Conditions and Restrictions of Evergreen, dated February 22, 2021, was ratified.

SIXTH ORDER OF BUSINESS

Consideration of Matters Pertaining to Construction and Acquisition of District Infrastructure

Ms. Mackie stated the District has an active construction contract with Oak City, with a remaining amount to be constructed of \$1.6 million. Similar to the Brookstone CDD, Staff requested authorization for Staff to tender a notice of termination to Oak City, understanding that the remainder of the work to be performed under the Agreement with the CDD was since performed by a separate contracting entity, who directly contracted with D.R. Horton for the work.

On MOTION by Mr. Zook and seconded by Mr. Mundell, with all in favor, authorizing District Staff to tender a notice of termination of the Construction Contract between the CDD and Oak City, was approved.

Ms. Mackie stated the CDD has approximately \$335,000 remaining in the construction account, which would have been used to pay a portion of the \$1.6 million in improvements that have yet to be completed. She has not received the similar documentation with respect to the contract to perform the work. She requested approval of the acquisition of District infrastructure improvements, in a not-to-exceed amount of approximately \$400,000, which would allow the CDD to utilize the remaining funds to pay for the remaining improvements, under the new Contract between D.R. Horton and Central Site Development.

Ms. Mackie stated Staff would verify everything required under the Acquisition Agreement prior to processing the requisition.

On MOTION by Mr. Zook and seconded by Mr. Mundell, with all in favor, the acquisition of remaining District infrastructure improvements, in a not-to-exceed amount of approximately \$400,000, was approved.

SEVENTH ORDER OF BUSINESS

Authorization for Chair to Review and Accept Fiscal Year 2020 Audit for Purpose of Timely Filing with the State

Mr. Rom stated that the Board is not scheduled to meet again until August and Fiscal Year 2020 Audit must be filed no later than June so, in lieu of scheduling a meeting before the filing deadline, Staff requested the Board’s authorization to review the Fiscal Year 2020 Audit with the Board Chair and for the necessary parties to execute the associated Resolution; the actions would be ratified at the next meeting.

On MOTION by Mr. Zook and seconded by Mr. Mundell, with all in favor, authorizing Staff to review the Fiscal Year 2020 Audit with the Board Chair and, for the purpose of timely filing with the State, authorizing execution of the associated Resolution by the necessary parties, after review with District Staff, and for all actions to be ratified at the next meeting, was approved.

EIGHTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of March 31, 2021

Mr. Rom presented the Unaudited Financial Statements as of March 31, 2021.

On MOTION by Mr. Zook and seconded by Mr. Mundell, with all in favor, the Unaudited Financial Statements as of March 31, 2021, were accepted.

NINTH ORDER OF BUSINESS

Approval of March 5, 2021 Regular Meeting Minutes

Mr. Rom presented the March 5, 2021 Regular Meeting Minutes.

On MOTION by Mr. Zook and seconded by Mr. Mundell, with all in favor, the March 5, 2021 Regular Meeting Minutes, as presented, were approved.

TENTH ORDER OF BUSINESS

Staff Reports

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

There being nothing further to report, the next item followed.

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

I. 0 Registered Voters in District as of April 15, 2021

There were no registered voters residing within the District as of April 15, 2021.

II. NEXT MEETING: June 4, 2021 at 10:00 a.m.

o QUORUM CHECK

The next meeting would be held on August 6, 2021; the June and July meetings would be cancelled.

ELEVENTH ORDER OF BUSINESS

Board Members' Comments/Requests

Ms. Mize asked if the CDD is paying full operation and maintenance (O&M) fees for the Phase 2 lots, as they are off roll. Ms. Cerbone confirmed that the CDD is paying full fees.

TWELFTH ORDER OF BUSINESS

Public Comments

There being no public comments, the next item followed.

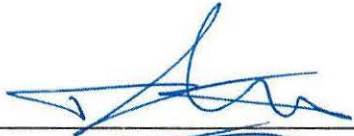
THIRTEENTH ORDER OF BUSINESS

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.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]



Secretary/Assistant Secretary



Chair/Vice Chair