

EVERGREEN

COMMUNITY DEVELOPMENT DISTRICT

June 2, 2023

BOARD OF SUPERVISORS REGULAR MEETING AGENDA

EVERGREEN

COMMUNITY DEVELOPMENT DISTRICT

AGENDA

LETTER

Evergreen Community Development District
OFFICE OF THE DISTRICT MANAGER
2300 Glades Road, Suite 410W•Boca Raton, Florida 33431
Phone: (561) 571-0010•Toll-free: (877) 276-0889•Fax: (561) 571-0013

May 26, 2023

Board of Supervisors
Evergreen Community Development District

<p><u>ATTENDEES:</u> Please identify yourself each time you speak to facilitate accurate transcription of meeting minutes.</p>

Dear Board Members:

The Board of Supervisors of the Evergreen Community Development District will hold a Regular Meeting on June 2, 2023 at 11:00 a.m., at the Country Inn & Suites, Bradenton/Lakewood Ranch, 5610 Manor Hill Lane, Bradenton, Florida 34203. The agenda is as follows:

1. Call to Order/Roll Call
2. Public Comments
3. Administration of Oath of Office to Elected Supervisors, Nicolas Aparicio [Seat 3], Greg Mundell [Seat 4] and Hal Lutz [Seat 5] (*the following to be provided in separate package*)
 - A. Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees
 - B. Membership, Obligations and Responsibilities
 - C. Chapter 190, Florida Statutes
 - D. Financial Disclosure Forms
 - I. Form 1: Statement of Financial Interests
 - II. Form 1X: Amendment to Form 1, Statement of Financial Interests
 - III. Form 1F: Final Statement of Financial Interests
 - E. Form 8B: Memorandum of Voting Conflict
4. Consideration of Resolution 2023-01, Canvassing and Certifying the Results of the Landowners' Election of Supervisors Held Pursuant to Section 190.006(2), Florida Statutes; and Providing for an Effective Date
5. Consideration of Resolution 2023-02, Designating Certain Officers of the District, and Providing for an Effective Date
6. Consideration of Acquisition of Stormwater Improvements Phase II
7. Consideration of Resolution 2023-03, Approving a Proposed Budget for Fiscal Year 2023/2024 and Setting a Public Hearing Thereon Pursuant to Florida Law; Addressing

Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing an Effective Date

8. Consideration of Resolution 2023-04, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2023/2024 and Providing for an Effective Date

9. CONSENT AGENDA ITEMS:

A. Acceptance of Unaudited Financial Statements as of April 30, 2023

B. Approval of Minutes

I. August 26, 2022 Regular Meeting

II. November 1, 2022 Landowners' Meeting

10. Staff Reports

A. District Counsel: *Kutak Rock LLP*

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

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

- 216 Registered Voters in District as of April 15, 2023

- NEXT MEETING DATE: July 7, 2023 at 11:00 AM

○ QUORUM CHECK

SEAT 1	RYAN ZOOK	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
SEAT 2	BRIAN JANEK	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
SEAT 3	NICOLAS APARICIO	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
SEAT 4	GREG MUNDELL	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
SEAT 5	HAL LUTZ	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO

11. Board Members' Comments/Requests

12. Public Comments

13. Adjournment

Should you have any questions or concerns, please do not hesitate to contact me directly at 561-909-7930.

Sincerely,



Daniel Rom
 District Manager

FOR BOARD MEMBERS AND STAFF TO ATTEND BY TELEPHONE

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

PARTICIPANT PASSCODE: 528 064 2804

EVERGREEN

COMMUNITY DEVELOPMENT DISTRICT

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RESOLUTION 2023-01

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE EVERGREEN COMMUNITY DEVELOPMENT DISTRICT CANVASSING AND CERTIFYING THE RESULTS OF THE LANDOWNERS’ ELECTION OF SUPERVISORS HELD PURSUANT TO SECTION 190.006(2), FLORIDA STATUTES, 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 entirely within Manatee County, Florida; and

WHEREAS, pursuant to Section 190.006(2), Florida Statutes, a landowners’ meeting is required to be held within 90 days of the District’s creation and every two years following the creation of the District for the purpose of electing supervisors of the District; and

WHEREAS, such landowners’ meeting was held on November 1, 2022, and the below recited persons were duly elected by virtue of the votes cast in his/her favor; and

WHEREAS, the Board of Supervisors of the District, by means of this Resolution, desire to canvass the votes and declare and certify the results of said election.

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

Section 1. The following persons are found, certified, and declared to have been duly elected as Supervisor of and for the District, having been elected by the votes cast in their favor as shown:

Seat 3	Nicolas Aparicio	41 Votes
Seat 4	Greg Mundell	40 Votes
Seat 5	Hal Lutz	41 Votes

Section 2. In accordance with Section 190.006(2), Florida Statutes, and by virtue of the number of votes cast for the Supervisor, the above-named persons are declared to have been elected for the following term of office:

Seat 3	Nicolas Aparicio	4-Year Term
Seat 4	Greg Mundell	2-Year Term
Seat 5	Hal Lutz	4-Year Term

Section 3. This resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED THIS 2ND DAY OF JUNE, 2023.

Attest:

**EVERGREEN COMMUNITY DEVELOPMENT
DISTRICT**

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

EVERGREEN

COMMUNITY DEVELOPMENT DISTRICT

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RESOLUTION 2023-02

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE
EVERGREEN COMMUNITY DEVELOPMENT DISTRICT
DESIGNATING CERTAIN OFFICERS OF THE 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; and

WHEREAS, the Board of Supervisors of the District desires to designate certain Officers of the District.

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

SECTION 1. _____ is appointed Chair.

SECTION 2. _____ is appointed Vice Chair.

SECTION 3. _____ is appointed Assistant Secretary.

_____ is appointed Assistant Secretary.

_____ is appointed Assistant Secretary.

Daniel Rom _____ is appointed Assistant Secretary.

SECTION 4. This Resolution supersedes any prior appointments made by the Board for Chair, Vice Chair and Assistant Secretaries; however, prior appointments by the Board for Secretary, Treasurer and Assistant Treasurer(s) remain unaffected by this Resolution.

SECTION 5. This Resolution shall become effective immediately upon its adoption.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

PASSED AND ADOPTED this 2nd day of June, 2023.

ATTEST:

**EVERGREEN COMMUNITY
DEVELOPMENT DISTRICT**

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

EVERGREEN

COMMUNITY DEVELOPMENT DISTRICT

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_____, 2022

Evergreen Community Development District
c/o Daniel Rom, District Manager
Wrathell, Hunt & Associates, LLC
2300 Glades Road, Suite 410W
Boca Raton, Florida 33431

Re: Evergreen Community Development District (the "District")
Acquisition of Evergreen Phase II Stormwater Improvements Described in **Exhibit "A"**

Dear Daniel:

Pursuant to the *Agreement by and between the Evergreen Community Development District and Evergreen Landco, LLC, Regarding the Acquisition of Certain Work Product, Infrastructure and Real Property*, dated May 9, 2019, as assigned by Evergreen Landco, LLC and assumed by SFTEN, LLC, you are hereby notified that D.R. Horton, Inc., has completed and wishes to sell to the Evergreen Community Development District (the "District") those certain improvements described in **Exhibit "A"** attached hereto (the "**Improvements**"). D.R. Horton, Inc., wishes to convey the Improvements, which were included in the District's *Engineer's Report*, dated February 2019, as may be amended (the "**Engineer's Report**"), to the District in exchange for the payment of the sum shown in **Exhibit "A"** attached hereto, representing the actual cost of constructing the Improvements. Please requisition up to the amount of the Total Acquisition Price shown on **Exhibit "A"** to D.R. Horton, Inc., from available funds held in the District's 2019 Acquisition and Construction Account.

Sincerely,

D.R. Horton, Inc.

By: _____
Its: _____

cc: Tucker F. Mackie, District Counsel
Jeb C. Mulock, P.E., District Engineer

Exhibit "A"

Description of Improvements to be Acquired

All stormwater management systems, including but not limited to inlets yard drains, manholes and pipes providing drainage, curb and gutter providing drainage for streets and rights-of-way, dry stormwater retention basins, retaining wall, and related system components as located within Phase II, as depicted on the plat for EVERGREEN, PHASE II, as recorded in Plat Book 74, Page 14 of the Public Records of Manatee County, Florida.

<u>Improvement Description</u>	<u>Contract</u>	<u>Total Cost</u>
PHASE II		
Clearing & Grubbing	Central Site Development	\$95,544.90
Earthwork	Central Site Development	\$1,632,623.76
Storm Sewer	Central Site Development	\$766,715.96
TOTAL ACQUISITION PRICE		\$2,494,884.62

AFFIDAVIT REGARDING COSTS PAID

STATE OF FLORIDA
COUNTY OF _____

I, _____, as _____ of D.R. HORTON, INC., a Delaware corporation, being first duly sworn, do hereby state for my affidavit as follows:

1. I have personal knowledge of the matters set forth in this affidavit.

2. My name is _____, and I am _____ of D.R. HORTON, INC., a Delaware corporation (the “Developer”). I have authority to make this affidavit on behalf of Developer.

3. Developer is the developer of certain lands within the Evergreen Community Development District, a special purpose unit of local government established pursuant to Chapter 190, *Florida Statutes* (“District”).

4. The District’s *Engineer’s Report*, dated February 2019, as may be amended (the “Engineer’s Report”), describes certain public infrastructure improvements and/or work product that the District intends to finance, fund, plan, establish, acquire, construct or reconstruct, enlarge or extend, equip, operate, or maintain pursuant to Chapter 190, *Florida Statutes*.

5. Pursuant to contracts in place between Developer and certain contractors and construction related professionals, as may be more particularly identified on the attached **Exhibit A**, Developer has expended funds to develop improvements that are included and described in the Engineer’s Report and are part of the District’s capital improvement plan. The attached **Exhibit A** accurately identifies the completed improvements and states, at least in part, the amounts that Developer has spent on the completed improvements. No money is owed to any contractors or subcontractors for any work performed on the completed improvements.

6. In making this affidavit, I understand that the District intends to rely on this affidavit for purposes of acquiring the completed improvements that Developer has developed consistent with the Engineer’s Report.

Under penalties of perjury, I declare that I have read the foregoing and the facts alleged are true and correct to the best of my knowledge and belief.

Executed this ____ day of _____, 2022.

D.R. HORTON, INC., a Delaware corporation

By: _____

Its: _____

STATE OF FLORIDA
COUNTY OF _____

The foregoing instrument was acknowledged before me by means of physical presence or online notarization this ____ day of _____, 2022, by _____, as _____ of D.R. HORTON, INC., on behalf of said company and who has personally appeared before me and is personally known to me.

(NOTARY SEAL)

Notary Public Signature

(Name typed, printed or stamped)

Notary Public, State of _____

Commission No. _____

My Commission Expires: _____

Exhibit A

Description of Improvements to be Acquired

All stormwater management systems, including but not limited to inlets yard drains, manholes and pipes providing drainage, curb and gutter providing drainage for streets and rights-of-way, dry stormwater retention basins, retaining wall, and related system components as located within Phase II, as depicted on the plat for EVERGREEN, PHASE II, as recorded in Plat Book 74, Page 14 of the Public Records of Manatee County, Florida.

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Storm Sewer	Central Site Development	\$766,715.96
TOTAL ACQUISITION PRICE		\$2,494,884.62

**ACKNOWLEDGMENT OF ACQUISITION OF CERTAIN INFRASTRUCTURE
IMPROVEMENTS AND THE RIGHT TO RELY UPON ANY WARRANTIES AND
CONTRACT TERMS FOR THE CONSTRUCTION OF SAME**

THIS ACQUISITION AND WARRANTY ACKNOWLEDGMENT is made the ___ day of _____, 2022, by **Central Site Development, LLC**, having offices located at 213 Providence Road, Brandon, Florida 33511 (“Contractor”), in favor of the **Evergreen Community Development District** (“District”), which is a local unit of special-purpose government situated in Manatee County, Florida, and having offices located 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431.

SECTION 1. DESCRIPTION OF CONTRACTOR’S SERVICES. Contractor has provided construction services as general contractor in connection with the construction of certain infrastructure improvements (the “Improvements”) for D.R. Horton, Inc., a Delaware corporation, and developer of lands within the District (the “Developer”). A copy of the contract for the construction of said Improvements is attached as **Exhibit A** (“Construction Contract”). The Improvements constructed and acquired are more generally described in the attached **Exhibit B**.

SECTION 2. ACQUISITION OF IMPROVEMENTS. Contractor acknowledges that the District is or has acquired the Improvements, constructed by Contractor in connection with the Construction Contract attached as Exhibit A, from Developer, and thereby securing the unrestricted right to rely upon the terms of the Construction Contract for same.

SECTION 3. WARRANTY. Contractor hereby expressly acknowledges the District’s right to enforce the terms of the Construction Contract, including any warranties provided therein and to rely upon and enforce any other warranties provided under Florida law.

SECTION 4. INDEMNIFICATION. Contractor indemnifies and holds the District harmless from any claims, demands, liabilities, judgments, costs, or other actions that may be brought against or imposed upon the District in connection with the Improvements identified in **Exhibit B** because of any act or omission of Contractor, its agents, employees, or officers. Said indemnification shall include, but not be limited to, any reasonable attorney’s fees and costs incurred by the District.

SECTION 5. CERTIFICATE OF PAYMENT. Contractor hereby acknowledges that it has been fully compensated for its services and work related to completion of the Improvements. Contractor further certifies that no outstanding requests for payment exist related to the Improvements identified in **Exhibit B**, including any payments to subcontractors, materialmen, suppliers or otherwise, and that there is no disagreement as to the appropriateness of payment made for the Improvements. This document shall constitute a final waiver and release of lien for any payments due to Contractor by Developer for the Improvements identified in **Exhibit B**.

SECTION 6. EFFECTIVE DATE. This Acquisition and Warranty Acknowledgement shall take effect upon execution.

ATTEST

Central Site Development, LLC

[print name]

By: _____
Its: _____

[print name]

Exhibit A
Construction Contract

Exhibit B

Description of Improvements to be Acquired

All stormwater management systems, including but not limited to inlets yard drains, manholes and pipes providing drainage, curb and gutter providing drainage for streets and rights-of-way, dry stormwater retention basins, retaining wall, and related system components as located within Phase II, as depicted on the plat for EVERGREEN, PHASE II, as recorded in Plat Book 74, Page 14 of the Public Records of Manatee County, Florida.

WARRANTY AND RELEASE OF RESTRICTIONS ON THE EVERGREEN COMMUNITY DEVELOPMENT DISTRICT'S RIGHT TO USE AND RELY UPON DRAWINGS, PLANS, SPECIFICATIONS AND RELATED DOCUMENTS CREATED OR UNDERTAKEN IN CONNECTION WITH THE CONSTRUCTION OF CERTAIN INFRASTRUCTURE IMPROVEMENTS

THIS WARRANTY AND RELEASE is made the ___ day of _____, 2022, by **ZNS Engineering, L.C.**, whose address is 201 5th Avenue Drive East, Bradenton, Florida 34208 (“Professional”), in favor of the **Evergreen Community Development District** (“District”), which is a local unit of special-purpose government situated in Manatee County, Florida, and having offices located at 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431.

SECTION 1. DESCRIPTION OF SCOPE OF SERVICES. Professional has provided work product in connection with the construction/installation of certain infrastructure improvements for D.R. Horton, Inc., a landowner within the District (“Landowner”). An outline of the scope of services provided by Professional is attached as **Exhibit A** (“Work Product”).

SECTION 2. USE OF WORK PRODUCT. Professional acknowledges that the Landowner may in the future convey the Work Product to the District and for that purpose has requested Professional to confirm the release of all restrictions on the District’s right to use and rely upon the Work Product.

SECTION 3. WARRANTY. Professional hereby expressly guarantees that the Work Product identified in **Exhibit A** is fit for any and all purposes, including the purposes for which it is intended. This expressed warranty shall not serve to eliminate any responsibility of Professional for the Work Product under Florida Statutes or case law, or to exclude any implied warranties and responsibilities.

SECTION 4. RELEASES. Premised upon the District’s agreement to make no revisions or modifications to the Work Product without prior written permission of Professional, Professional confirms the release of all restrictions upon the District’s right to use and rely upon the Work Product for any and all purposes, including the purposes for which it is intended. Professional hereby affirmatively agrees that the Work identified in **Exhibit A** is free of all claims, security agreement, encumbrances or liens.

SECTION 5. CERTIFICATE OF PAYMENT. Professional hereby acknowledges that it has been fully compensated for its services and work related to completion of the Work Product. Professional further certifies that no outstanding requests for payment exist related to the Work Product identified in **Exhibit A** and that there is no disagreement as to the appropriateness of payment made for the Work Product. This document shall constitute a final waiver and release of lien for any payments due to Professional by Landowner and/or the District for the Work Product identified in **Exhibit A**.

SECTION 6. EFFECTIVE DATE. This Warranty and Release shall take effect upon execution.

WITNESSES

ZNS Engineering, L.C.

[print name]

Jeb C. Mulock, P.E.

[print name]

EXHIBIT A

The work product associated with this Release & Warranty is described as the engineering construction drawings titled:

BILL OF SALE

KNOW ALL MEN BY THESE PRESENTS, that **D.R. Horton, Inc.**, a Delaware corporation, whose address for purposes hereof is 12602 Telecom Drive, Tampa, Florida 33637 (“**Seller**”), and in consideration of the sum of Ten Dollars (\$10.00) and other valuable consideration, to it paid by the **Evergreen Community Development District**, a local unit of special-purpose government established pursuant to Chapter 190, *Florida Statutes* (“**District**”) whose address is 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431, the receipt whereof is hereby acknowledged, has granted, bargained, sold, transferred and delivered, and by these presents does grant, bargain, sell, transfer, and deliver unto the District, its successors and assigns, the following described property, assets and rights, to-wit:

All stormwater management systems, including but not limited to inlets yard drains, manholes and pipes providing drainage, curb and gutter providing drainage for streets and rights-of-way, dry stormwater retention basins, retaining wall, and related system components as located within Phase II, as depicted on the plat for EVERGREEN, PHASE II, as recorded in Plat Book 74, Page 14 of the Public Records of Manatee County, Florida.

TO HAVE AND TO HOLD all of the foregoing unto the District, its successors and assigns, for its own use forever, free and clear and discharged of and from any and all obligations, claims or liens.

AND the Seller does hereby covenant to and with the District, its successors and assigns, that they are the lawful owners of the above-described personal property and assets; that said personal property and assets are free from all liens and encumbrances; that Seller has good right to sell said personal property and assets; that all contractors, subcontractors and material men furnishing labor or materials relative to the construction of the personal property and assets have been paid in full; and that Seller will warrant and defend the sale of its said personal property and assets hereby made, unto the District, its successors and assigns, against the lawful claims and demands of all persons whosoever.

[remainder of page intentionally left blank]

IN WITNESS WHEREOF, the Seller has caused this instrument to be executed in its name
this ____ day of _____, 2022.

Signed, sealed and delivered
in the presence of:

D.R. Horton, Inc.,
a Delaware corporation

Witnessed:

By: _____

Print Name: _____

Print Title: _____

Print Name: _____

Print Name: _____

STATE OF _____
COUNTY OF _____

I hereby certify that on this day, before me, an officer duly authorized to take
acknowledgments, personally appeared _____ as _____ of
D.R. Horton, Inc., a Delaware corporation, who executed the foregoing instrument, acknowledged
before me that he executed the same on behalf of the foregoing entity and was identified in the
manner indicated below.

Witness my hand and official seal this ____ day of _____, 2022.

Notary Public

Personally known: _____

Produced Identification: _____

Type of Identification: _____

**ZNS ENGINEERING, L.C., CERTIFICATION TO
EVERGREEN COMMUNITY DEVELOPMENT DISTRICT REGARDING
EVERGREEN PHASE II STORMWATER IMPROVEMENTS**

STATE OF FLORIDA
COUNTY OF _____

BEFORE ME, the undersigned, personally appeared Jeb C. Mulock, P.E., of ZNS Engineering, L.C., who, after being first duly sworn, deposes and says:

I, Jeb C. Mulock, am a Professional Engineer registered in the State of Florida. I have reviewed certain documentation, including, but not limited to, permitted plans and specifications, as-builts and applicable permits. I, or my authorized agent, have conducted on-site observations of the Evergreen Phase II Stormwater Improvements (the "Improvements"), as described in **Exhibit A**.

I hereby certify to the Evergreen Community Development District (the "District") the below listed matters:

- 1) The Improvements have been completed in substantial compliance with the applicable permit requirements and in substantial accordance with the permitted plans and specifications.
- 3) The Improvements are free from obstruction and are functional for their intended purpose.
- 4) In my opinion, the acquisition amount of \$2,494,884.62 (1) relates directly to the construction of certain improvements described in the *District Engineer's Report*, dated February 2019, as may be amended (the "Engineer's Report"), as may be amended, for the Evergreen Community Development District, (2) specifically benefits property within the boundaries of the District as described in the Engineer's Report, and (3) is fair and reasonable. Further, in my opinion, this amount does not exceed the value of the Improvements as installed.
- 5) All known plans, permits and specifications necessary for the future operation and maintenance of the Improvements are complete and on file with the District, and have been transferred, or are capable of being transferred, to the District for future operations and maintenance responsibilities.
- 6) With this document, I hereby certify that it is appropriate at this time to acquire Improvements.

FURTHER AFFIANT SAYETH NOT.

Jeb C. Mulock, P.E.,
ZNS Engineering, L.C.
Florida Registration No. 64692

The foregoing instrument was acknowledged and subscribed before me this ____ day of _____, 2022, by Jeb C. Mulock, P.E., who has produced _____ as identification and has taken an oath.

Notary Public

Name of officer taking acknowledgment

Commission Expires:

Exhibit "A"

Description of Improvements to be Acquired

All stormwater management systems, including but not limited to inlets yard drains, manholes and pipes providing drainage, curb and gutter providing drainage for streets and rights-of-way, dry stormwater retention basins, retaining wall, and related system components as located within Phase II, as depicted on the plat for EVERGREEN, PHASE II, as recorded in Plat Book 74, Page 14 of the Public Records of Manatee County, Florida.

<u>Improvement Description</u>	<u>Contract</u>	<u>Total Cost</u>
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Storm Sewer	Central Site Development	\$766,715.96
TOTAL ACQUISITION PRICE		\$2,494,884.62

EVERGREEN

COMMUNITY DEVELOPMENT DISTRICT

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RESOLUTION 2023-03

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE EVERGREEN COMMUNITY DEVELOPMENT DISTRICT APPROVING A PROPOSED BUDGET FOR FISCAL YEAR 2023/2024 AND SETTING A PUBLIC HEARING THEREON PURSUANT TO FLORIDA LAW; ADDRESSING TRANSMITTAL, POSTING AND PUBLICATION REQUIREMENTS; ADDRESSING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the District Manager has heretofore prepared and submitted to the Board of Supervisors (“**Board**”) of the Evergreen Community Development District (“**District**”) prior to June 15, 2023, proposed budget(s) (“**Proposed Budget**”) for the fiscal year beginning October 1, 2023, and ending September 30, 2024 (“**Fiscal Year 2023/2024**”); and

WHEREAS, the Board has considered the Proposed Budget and desires to set the required public hearing thereon.

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

1. **PROPOSED BUDGET APPROVED.** The Proposed Budget prepared by the District Manager for Fiscal Year 2023/2024 attached hereto as **Exhibit A** is hereby approved as the basis for conducting a public hearing to adopt said Proposed Budget.

2. **SETTING A PUBLIC HEARING.** A public hearing on said approved Proposed Budget is hereby declared and set for the following date, hour and location:

DATE: _____

HOUR: _____

LOCATION: Country Inn & Suites, Bradenton/Lakewood Ranch
5610 Manor Hill Lane
Bradenton, Florida 34203

3. **TRANSMITTAL OF PROPOSED BUDGET TO LOCAL GENERAL PURPOSE GOVERNMENT(S).** The District Manager is hereby directed to submit a copy of the Proposed Budget to the local general-purpose governments at least 60 days prior to the hearing set above.

4. **POSTING OF PROPOSED BUDGET.** In accordance with Section 189.016, *Florida Statutes*, the District’s Secretary is further directed to post the approved Proposed Budget on the District’s website at least two days before the budget hearing date as set forth in Section 2 and shall remain on the website for at least 45 days.

5. **PUBLICATION OF NOTICE.** Notice of this public hearing shall be published in the manner prescribed in Florida law.

6. **SEVERABILITY.** The invalidity or unenforceability of any one or more provisions of this Resolution shall not affect the validity or enforceability of the remaining portions of this Resolution, or any part thereof.

7. **EFFECTIVE DATE.** This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED THIS 2ND DAY OF JUNE, 2023.

ATTEST:

**EVERGREEN COMMUNITY
DEVELOPMENT DISTRICT**

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

Exhibit A: Proposed Budget

Exhibit A: Proposed Budget

**EVERGREEN
COMMUNITY DEVELOPMENT DISTRICT
PROPOSED BUDGET
FISCAL YEAR 2024**

**EVERGREEN
COMMUNITY DEVELOPMENT DISTRICT
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Assessment Summary	6

**EVERGREEN
COMMUNITY DEVELOPMENT DISTRICT
GENERAL FUND BUDGET
FISCAL YEAR 2024**

	Fiscal Year 2023				Proposed Budget FY 2024
	Adopted Budget FY 2023	Actual through 3/31/2023	Projected through 9/30/2023	Total Actual & Projected	
REVENUES					
Assessment levy: on-roll - gross	\$ 97,253				\$ 97,253
Allowable discounts (4%)	(3,890)				(3,890)
Assessment levy: on-roll - net	93,363	\$ 90,952	\$ 2,411	\$ 93,363	93,363
Total revenues	93,363	90,952	2,411	93,363	93,363
EXPENDITURES					
Professional & administrative					
Management/accounting/recording	48,000	24,000	24,000	48,000	48,000
Legal	15,000	484	5,000	5,484	15,000
Engineering	1,500	-	1,500	1,500	1,500
Audit	5,300	-	5,300	5,300	5,500
Arbitrage rebate calculation	750	500	250	750	750
Dissemination agent	1,000	500	500	1,000	1,000
Trustee	4,500	-	4,500	4,500	4,500
Telephone	200	100	100	200	200
Postage	500	26	474	500	500
Printing & binding	500	250	250	500	500
Legal advertising	1,500	248	1,252	1,500	1,500
Annual special district fee	175	175	-	175	175
Insurance	6,200	5,842	358	6,200	6,500
Contingencies/bank charges	500	47	453	500	500
Website			-		
Hosting	705	-	705	705	705
ADA compliance	210	210	-	210	210
Property appraiser & tax collector	2,918	2,058	860	2,918	2,918
Total professional & administrative	89,458	34,440	45,502	79,942	89,958
Total expenditures	89,458	34,440	45,502	79,942	89,958
Excess/(deficiency) of revenues over/(under) expenditures	3,905	56,512	(43,091)	13,421	3,405
Fund balance - beginning (unaudited)	33,293	45,184	101,696	45,184	58,605
Fund balance - ending					
Committed:					
Working capital	27,015	27,015	27,015	27,015	27,365
Unassigned	10,183	74,681	31,590	31,590	34,645
Fund balance - ending (projected)	\$ 37,198	\$ 101,696	\$ 58,605	\$ 58,605	\$ 62,010

**EVERGREEN
COMMUNITY DEVELOPMENT DISTRICT
DEFINITIONS OF GENERAL FUND EXPENDITURES**

EXPENDITURES

Professional & administrative

Management/accounting/recording	\$ 48,000
<p>Wrathell, Hunt and Associates, LLC (WHA), specializes in managing community development districts by combining the knowledge, skills and experience of a team of professionals to ensure compliance with all of the District's governmental requirements. WHA develops financing programs, administers the issuance of tax exempt bond financings, operates and maintains the assets of the community.</p>	
Legal	15,000
<p>General counsel and legal representation, which includes issues relating to public finance, public bidding, rulemaking, open meetings, public records, real property dedications, conveyances and contracts.</p>	
Engineering	1,500
<p>The District's Engineer will provide construction and consulting services, to assist the District in crafting sustainable solutions to address the long term interests of the community while recognizing the needs of government, the environment and maintenance of the District's facilities.</p>	
Audit	5,500
<p>Statutorily required for the District to undertake an independent examination of its books, records and accounting procedures.</p>	
Arbitrage rebate calculation	750
<p>To ensure the District's compliance with all tax regulations, annual computations are necessary to calculate the arbitrage rebate liability.</p>	
Dissemination agent	1,000
<p>The District must annually disseminate financial information in order to comply with the requirements of Rule 15c2-12 under the Securities Exchange Act of 1934. Wrathell, Hunt & Associates serves as dissemination agent.</p>	
Trustee	4,500
<p>Annual fee for the service provided by trustee, paying agent and registrar.</p>	
Telephone	200
<p>Telephone and fax machine.</p>	
Postage	500
<p>Mailing of agenda packages, overnight deliveries, correspondence, etc.</p>	
Printing & binding	500
<p>Letterhead, envelopes, copies, agenda packages, etc.</p>	
Legal advertising	1,500
<p>The District advertises for monthly meetings, special meetings, public hearings, public bids, etc.</p>	
Annual special district fee	175
<p>Annual fee paid to the Florida Department of Economic Opportunity.</p>	
Insurance	6,500
<p>The District will obtain public officials and general liability insurance.</p>	
Contingencies/bank charges	500
<p>Bank charges, automated AP routing and other miscellaneous expenses incurred during the year.</p>	
Website	
Hosting	705
ADA compliance	210
Property appraiser & tax collector	2,918
Total expenditures	<u><u>\$ 89,958</u></u>

**EVERGREEN
COMMUNITY DEVELOPMENT DISTRICT
DEBT SERVICE FUND BUDGET - SERIES 2019
FISCAL YEAR 2024**

	Fiscal Year 2023				Proposed Budget FY 2024
	Adopted Budget FY 2023	Actual through 3/31/2023	Projected through 9/30/2023	Total Actual & Projected	
REVENUES					
Assessment levy: on-roll	\$ 619,737				\$ 619,737
Allowable discounts (4%)	(24,789)				(24,789)
Net assessment levy - on-roll	594,948	\$ 579,785	\$ 15,163	\$ 594,948	594,948
Interest	-	10,765	-	10,765	-
Total revenues	594,948	590,550	15,163	605,713	594,948
EXPENDITURES					
Debt service					
Principal	155,000	155,000	-	155,000	160,000
Interest	417,278	210,238	207,040	417,278	410,781
Property appraiser & Tax collector	18,592	13,123	5,469	18,592	18,592
Total expenditures	590,870	378,361	212,509	590,870	589,373
Excess/(deficiency) of revenues over/(under) expenditures	4,078	212,189	(197,346)	14,843	5,575
OTHER FINANCING SOURCES/(USES)					
Transfers out	-	(9,150)	-	(9,150)	-
Total other financing sources/(uses)	-	(9,150)	-	(9,150)	-
Fund balance:					
Net increase/(decrease) in fund balance	4,078	203,039	(197,346)	5,693	5,575
Beginning fund balance (unaudited)	952,129	954,766	1,157,805	954,766	960,459
Ending fund balance (projected)	<u>\$956,207</u>	<u>\$1,157,805</u>	<u>\$ 960,459</u>	<u>\$ 960,459</u>	<u>966,034</u>
Use of fund balance:					
Debt service reserve account balance (required)					(577,100)
Principal expense - November 1, 2024					(165,000)
Interest expense - November 1, 2024					(203,741)
Projected fund balance surplus/(deficit) as of September 30, 2024					<u>\$ 20,193</u>

**EVERGREEN
COMMUNITY DEVELOPMENT DISTRICT
SERIES 2019 AMORTIZATION SCHEDULE**

	Principal	Coupon Rate	Interest	Debt Service	Bond Balance
11/01/23	160,000.00	4.125%	207,040.63	367,040.63	8,210,000.00
05/01/24			203,740.63	203,740.63	8,210,000.00
11/01/24	165,000.00	4.125%	203,740.63	368,740.63	8,045,000.00
05/01/25			200,337.50	200,337.50	8,045,000.00
11/01/25	175,000.00	4.250%	200,337.50	375,337.50	7,870,000.00
05/01/26			196,618.75	196,618.75	7,870,000.00
11/01/26	180,000.00	4.250%	196,618.75	376,618.75	7,690,000.00
05/01/27			192,793.75	192,793.75	7,690,000.00
11/01/27	190,000.00	4.250%	192,793.75	382,793.75	7,500,000.00
05/01/28			188,756.25	188,756.25	7,500,000.00
11/01/28	195,000.00	4.250%	188,756.25	383,756.25	7,305,000.00
05/01/29			184,612.50	184,612.50	7,305,000.00
11/01/29	205,000.00	4.250%	184,612.50	389,612.50	7,100,000.00
05/01/30			180,256.25	180,256.25	7,100,000.00
11/01/30	215,000.00	5.000%	180,256.25	395,256.25	6,885,000.00
05/01/31			174,881.25	174,881.25	6,885,000.00
11/01/31	225,000.00	5.000%	174,881.25	399,881.25	6,660,000.00
05/01/32			169,256.25	169,256.25	6,660,000.00
11/01/32	235,000.00	5.000%	169,256.25	404,256.25	6,425,000.00
05/01/33			163,381.25	163,381.25	6,425,000.00
11/01/33	250,000.00	5.000%	163,381.25	413,381.25	6,175,000.00
05/01/34			157,131.25	157,131.25	6,175,000.00
11/01/34	260,000.00	5.000%	157,131.25	417,131.25	5,915,000.00
05/01/35			150,631.25	150,631.25	5,915,000.00
11/01/35	275,000.00	5.000%	150,631.25	425,631.25	5,640,000.00
05/01/36			143,756.25	143,756.25	5,640,000.00
11/01/36	285,000.00	5.000%	143,756.25	428,756.25	5,355,000.00
05/01/37			136,631.25	136,631.25	5,355,000.00
11/01/37	300,000.00	5.000%	136,631.25	436,631.25	5,055,000.00
05/01/38			129,131.25	129,131.25	5,055,000.00
11/01/38	315,000.00	5.000%	129,131.25	444,131.25	4,740,000.00
05/01/39			121,256.25	121,256.25	4,740,000.00
11/01/39	330,000.00	5.000%	121,256.25	451,256.25	4,410,000.00
05/01/40			113,006.25	113,006.25	4,410,000.00
11/01/40	350,000.00	5.125%	113,006.25	463,006.25	4,060,000.00
05/01/41			104,037.50	104,037.50	4,060,000.00
11/01/41	365,000.00	5.125%	104,037.50	469,037.50	3,695,000.00
05/01/42			94,684.38	94,684.38	3,695,000.00
11/01/42	385,000.00	5.125%	94,684.38	479,684.38	3,310,000.00
05/01/43			84,818.75	84,818.75	3,310,000.00

**EVERGREEN
COMMUNITY DEVELOPMENT DISTRICT
SERIES 2019 AMORTIZATION SCHEDULE**

	Principal	Coupon Rate	Interest	Debt Service	Bond Balance
11/01/43	405,000.00	5.125%	84,818.75	489,818.75	2,905,000.00
05/01/44			74,440.63	74,440.63	2,905,000.00
11/01/44	425,000.00	5.125%	74,440.63	499,440.63	2,480,000.00
05/01/45			63,550.00	63,550.00	2,480,000.00
11/01/45	450,000.00	5.125%	63,550.00	513,550.00	2,030,000.00
05/01/46			52,018.75	52,018.75	2,030,000.00
11/01/46	470,000.00	5.125%	52,018.75	522,018.75	1,560,000.00
05/01/47			39,975.00	39,975.00	1,560,000.00
11/01/47	495,000.00	5.125%	39,975.00	534,975.00	1,065,000.00
05/01/48			27,290.63	27,290.63	1,065,000.00
11/01/48	520,000.00	5.125%	27,290.63	547,290.63	545,000.00
05/01/49			13,965.63	13,965.63	545,000.00
11/01/49	545,000.00	5.125%	13,965.63	558,965.63	-
Total	8,370,000.00		6,928,959.43	15,298,959.43	

**EVERGREEN
COMMUNITY DEVELOPMENT DISTRICT
ASSESSMENT COMPARISON
PROJECTED FISCAL YEAR 2024 ASSESSMENTS**

On-Roll Assessments					
	Units	FY 2024 O&M Assessment per Unit	FY 2024 DS Assessment per Unit	FY 2024 Total Assessment per Unit	FY 2023 Total Assessment per Unit
SF 40	276	\$ 233.22	\$ 1,370.34	\$ 1,603.56	\$ 1,603.56
SF 50	141	233.22	1,712.93	1,946.15	1,946.15
Total	417				

EVERGREEN

COMMUNITY DEVELOPMENT DISTRICT

8

RESOLUTION 2023-04

A RESOLUTION OF THE EVERGREEN COMMUNITY DEVELOPMENT DISTRICT DESIGNATING DATES, TIMES AND LOCATIONS FOR REGULAR MEETINGS OF THE BOARD OF SUPERVISORS OF THE DISTRICT FOR FISCAL YEAR 2023/2024 AND PROVIDING FOR AN EFFECTIVE DATE

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

WHEREAS, the Board of Supervisors of the District (“Board”) is statutorily authorized to exercise the powers granted to the District; and

WHEREAS, all meetings of the Board shall be open to the public and governed by the provisions of Chapter 286, *Florida Statutes*; and

WHEREAS, the Board is statutorily required to file annually, with the local governing authority and the Florida Department of Economic Opportunity, a schedule of its regular meetings.

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

SECTION 1. ADOPTING REGULAR MEETING SCHEDULE. Regular meetings of the District’s Board shall be held during Fiscal Year 2023/2024 as provided on the schedule attached hereto as **Exhibit A**.

SECTION 2. FILING REQUIREMENT. In accordance with Section 189.015(1), *Florida Statutes*, the District’s Secretary is hereby directed to file a schedule of the District’s regular meetings annually with Manatee County and the Florida Department of Economic Opportunity.

SECTION 3. EFFECTIVE DATE. This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED this 2nd day of June, 2023.

Attest:

EVERGREEN COMMUNITY DEVELOPMENT DISTRICT

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

Exhibit A

EVERGREEN COMMUNITY DEVELOPMENT DISTRICT		
BOARD OF SUPERVISORS FISCAL YEAR 2023/2024 MEETING SCHEDULE		
LOCATION		
<i>Country Inn & Suites, Bradenton/Lakewood Ranch 5610 Manor Hill Lane, Bradenton, Florida 34203</i>		
DATE	POTENTIAL DISCUSSION/FOCUS	TIME
October 6, 2023	Regular Meeting	11:00 AM
November 3, 2023	Regular Meeting	11:00 AM
December 1, 2023	Regular Meeting	11:00 AM
January 5, 2024	Regular Meeting	11:00 AM
February 2, 2024	Regular Meeting	11:00 AM
March 1, 2024	Regular Meeting	11:00 AM
April 5, 2024	Regular Meeting	11:00 AM
May 3, 2024	Regular Meeting	11:00 AM
June 7, 2024	Regular Meeting	11:00 AM
July 5, 2024	Regular Meeting	11:00 AM
August 2, 2024	Regular Meeting	11:00 AM
September 6, 2024	Regular Meeting	11:00 AM

EVERGREEN

COMMUNITY DEVELOPMENT DISTRICT

CONSENT

AGENDA

EVERGREEN

COMMUNITY DEVELOPMENT DISTRICT

**UNAUDITED
FINANCIAL
STATEMENTS**

**EVERGREEN
COMMUNITY DEVELOPMENT DISTRICT
FINANCIAL STATEMENTS
UNAUDITED
APRIL 30, 2023**

**EVERGREEN
COMMUNITY DEVELOPMENT DISTRICT
BALANCE SHEET
GOVERNMENTAL FUNDS
APRIL 30, 2023**

	General Fund	Debt Service Fund	Capital Projects Fund	Total Governmental Funds
ASSETS				
Cash	\$ 114,674	\$ -	\$ -	\$ 114,674
Investments				
Revenue	-	377,021	-	377,021
Reserve	-	577,100	-	577,100
Capitalized interest	-	207,041	-	207,041
Construction	-	-	346,211	346,211
Sinking	-	11	-	11
Total assets	<u>\$ 114,674</u>	<u>\$1,161,173</u>	<u>\$ 346,211</u>	<u>\$ 1,622,058</u>
LIABILITIES AND FUND BALANCES				
Liabilities:				
Due to Landowner	12,305	-	-	12,305
Landowner advance	5,500	-	-	5,500
Total liabilities	<u>17,805</u>	<u>-</u>	<u>-</u>	<u>17,805</u>
Fund balances:				
Restricted for				
Debt service	-	1,161,173	-	1,161,173
Capital projects	-	-	346,211	346,211
Committed				
Working capital	27,015	-	-	27,015
Unassigned	69,854	-	-	69,854
Total fund balances	<u>96,869</u>	<u>1,161,173</u>	<u>346,211</u>	<u>1,604,253</u>
Total liabilities, deferred inflows of resources and fund balances	<u>\$ 114,674</u>	<u>\$1,161,173</u>	<u>\$ 346,211</u>	<u>\$ 1,622,058</u>

**EVERGREEN
COMMUNITY DEVELOPMENT DISTRICT
GENERAL FUND
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
FOR THE PERIOD ENDED APRIL 30, 2023**

	Current Month	Year to Date	Budget	% of Budget
REVENUES				
Assessment levy: on-roll - net	\$ 215	\$ 91,167	\$ 93,363	98%
Total revenues	<u>215</u>	<u>91,167</u>	<u>93,363</u>	98%
EXPENDITURES				
Professional & administrative				
Management/accounting/recording	4,000	28,000	48,000	58%
Legal	177	661	15,000	4%
Engineering	-	-	1,500	0%
Audit	-	-	5,300	0%
Arbitrage rebate calculation	-	500	750	67%
Dissemination agent	83	583	1,000	58%
Trustee	-	-	4,500	0%
Telephone	17	117	200	59%
Postage	10	37	500	7%
Printing & binding	41	291	500	58%
Legal advertising	-	248	1,500	17%
Annual special district fee	-	175	175	100%
Insurance	-	5,842	6,200	94%
Contingencies/bank charges	2	49	500	10%
Website				
Hosting	705	705	705	100%
ADA compliance	-	210	210	100%
Total professional & administrative	<u>5,035</u>	<u>37,418</u>	<u>86,540</u>	43%
Other fees & charges				
Property appraiser and tax collector	6	2,064	2,918	71%
Total other fees & charges	<u>6</u>	<u>2,064</u>	<u>2,918</u>	71%
Total expenditures	<u>5,041</u>	<u>39,482</u>	<u>89,458</u>	44%
Excess/(deficiency) of revenues over/(under) expenditures	(4,826)	51,685	3,905	
Fund balances - beginning	101,695	45,184	33,293	
Fund balance - ending				
Committed:				
Working capital	27,015	27,015	27,015	
Unassigned	69,854	69,854	10,183	
Fund balances - ending	<u>\$ 96,869</u>	<u>\$ 96,869</u>	<u>\$ 37,198</u>	

**EVERGREEN
COMMUNITY DEVELOPMENT DISTRICT
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
DEBT SERVICE FUND SERIES 2019
FOR THE PERIOD ENDED APRIL 30, 2023**

	<u>Current Month</u>	<u>Year To Date</u>	<u>Budget</u>	<u>% of Budget</u>
REVENUES				
Assessment levy: on-roll - net	\$ 1,372	\$ 581,157	\$ 594,948	98%
Interest	4,071	14,836	-	N/A
Total revenues	<u>5,443</u>	<u>595,993</u>	<u>594,948</u>	100%
EXPENDITURES				
Debt service				
Principal	-	155,000	155,000	100%
Interest	-	210,238	417,278	50%
Total debt service	<u>-</u>	<u>365,238</u>	<u>572,278</u>	64%
Other fees & charges				
Property appraiser & tax collector	40	13,163	18,592	71%
Total other fees and charges	<u>40</u>	<u>13,163</u>	<u>18,592</u>	71%
Total expenditures	<u>40</u>	<u>378,401</u>	<u>590,870</u>	64%
Excess/(deficiency) of revenues over/(under) expenditures	5,403	217,592	4,078	
OTHER FINANCING SOURCES/(USES)				
Transfer out	<u>(2,035)</u>	<u>(11,185)</u>	-	N/A
Total other financing sources	<u>(2,035)</u>	<u>(11,185)</u>	-	N/A
Net change in fund balances	3,368	206,407	4,078	
Fund balances - beginning	<u>1,157,805</u>	<u>954,766</u>	<u>952,129</u>	
Fund balances - ending	<u><u>\$ 1,161,173</u></u>	<u><u>\$ 1,161,173</u></u>	<u><u>\$ 956,207</u></u>	

**EVERGREEN
COMMUNITY DEVELOPMENT DISTRICT
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
CAPITAL PROJECTS FUND SERIES 2019
FOR THE PERIOD ENDED APRIL 30, 2023**

	Current Month	Year To Date
REVENUES		
Interest	\$ 1,222	\$ 6,583
Total revenues	1,222	6,583
EXPENDITURES		
Capital outlay	-	3,821
Total expenditures	-	3,821
Excess/(deficiency) of revenues over/(under) expenditures	1,222	2,762
OTHER FINANCING SOURCES/(USES)		
Transfer in	2,035	11,185
Total other financing sources/(uses)	2,035	11,185
Net change in fund balances	3,257	13,947
Fund balances - beginning	342,954	332,264
Fund balances - ending	\$ 346,211	\$ 346,211

EVERGREEN

COMMUNITY DEVELOPMENT DISTRICT

MINUTES

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**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 August 26, 2022 at 11:00 a.m., at the office of ZNS Engineering, 1023 Manatee Avenue W, Bradenton, Florida 34208 (7th Floor).

Present were:

Ryan Zook	Chair
Hal Lutz	Assistant Secretary
Nicolas Aparicio	Assistant Secretary

Also present were:

Daniel Rom	District Manager
Tucker Mackie (via telephone)	District Counsel

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Rom called the meeting to order at 11:42 a.m.

Supervisors Zook, Lutz and Aparicio were present, in person. Supervisors Mundell and Janek were not present.

Mr. Rom stated the Oath of Office was administered to Mr. Aparicio before the meeting.

SECOND ORDER OF BUSINESS

Public Comments

There were no public comments.

THIRD ORDER OF BUSINESS

Administration of Oath of Office to Supervisor, Nicolas Aparicio; SEAT 3 (*the following to be provided in separate package*)

Mr. Rom reiterated that the Oath of Office was administered to Mr. Aparicio before the meeting and Mr. Aparicio is familiar with the Sunshine Law and the following:

- 39 A. **Guide to Sunshine Amendment and Code of Ethics for Public Officers and**
- 40 **Employees**
- 41 B. **Membership, Obligations and Responsibilities**
- 42 C. **Chapter 190, Florida Statutes**
- 43 D. **Financial Disclosure Forms**
- 44 I. **Form 1: Statement of Financial Interests**
- 45 II. **Form 1X: Amendment to Form 1, Statement of Financial Interests**
- 46 III. **Form 1F: Final Statement of Financial Interests**
- 47 E. **Form 8B: Memorandum of Voting Conflict**

48

49 **FOURTH ORDER OF BUSINESS** **Consideration of Acquisition of Master**
 50 **Infrastructure Improvements for a Not-to-**
 51 **Exceed Amount of \$330,109**

52

53 Mr. Rom discussed acquisition of Master Infrastructure Improvements, in a not-to-
 54 exceed amount of \$330,109.

55 Ms. Mackie stated the \$330,109 represents the amount remaining in the CDD's
 56 construction account. It has not been used to acquire improvements and, although there is
 57 currently no identified requisition pending, Staff anticipates plenty of stormwater
 58 improvements remain for the CDD to acquire, which will allow the CDD to draw down on the
 59 funds in the entirety and requisition them to the Developer. She recommended approval.

60

61 **On MOTION by Mr. Aparicio and seconded by Mr. Zook, with all in favor,**
 62 **Acquisition of Master Infrastructure Improvements for a Not-to-Exceed**
 63 **Amount of \$330,109, was approved.**

64

65

66 **FIFTH ORDER OF BUSINESS** **Consent Agenda**

67

68 Mr. Rom presented the following:

- 69 A. **Acceptance of Unaudited Financial Statements as of July 31, 2022**
- 70 B. **Approval of August 5, 2022 Public Hearing and Regular Meeting Minutes**

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On MOTION by Mr. Lutz and seconded by Mr. Zook, with all in favor, the Consent Agenda Items, as presented, were accepted and approved.

SIXTH ORDER OF BUSINESS

Staff Reports

A. District Counsel: *Kutak Rock LLP*

There was nothing further to report.

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

There was no report.

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

- **NEXT MEETING: October 7, 2022 at 11:00 a.m.**

- **QUORUM CHECK**

If necessary, a meeting will be held on September 21, 2022 at 9:00 a.m., at Country Inn & Suites, 5610 Manor Lane, Bradenton Florida 34203, if available.

SEVENTH ORDER OF BUSINESS

Board Members' Comments/Requests

There were no Board Members' comments or requests.

EIGHTH ORDER OF BUSINESS

Public Comments

There were no public comments.

NINTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Lutz and seconded by Mr. Zook, with all in favor, the meeting adjourned at 11:44 a.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

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Secretary/Assistant Secretary

Chair/Vice Chair

EVERGREEN

COMMUNITY DEVELOPMENT DISTRICT

MINUTES

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**MINUTES OF MEETING
EVERGREEN
COMMUNITY DEVELOPMENT DISTRICT**

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A Landowners' Meeting of the Evergreen Community Development District was held on November 1, 2022 at 11:00 a.m., at Country Inn & Suites, Bradenton/Lakewood Ranch, 5610 Manor Hill Lane, Bradenton, Florida 34203.

Present at the meeting:

Daniel Rom	District Manager/Proxy Holder
Tucker Mackie (via telephone)	District Counsel

FIRST ORDER OF BUSINESS **Call to Order/Roll Call**

Mr. Rom called the meeting to order at 11:06 a.m.

SECOND ORDER OF BUSINESS **Affidavit/Proof of Publication**

The affidavit of publication was included for informational purposes.

THIRD ORDER OF BUSINESS **Election of Chair to Conduct Landowners' Meeting**

Mr. Rom served as Chair to conduct the Landowners' meeting.

FOURTH ORDER OF BUSINESS **Election of Supervisors [Seats 3, 4, 5]**

A. Nominations

Mr. Rom nominated the following:

Seat 3	Nicholas Aparicio
Seat 4	Greg Mundell
Seat 5	Hal Lutz

No other nominations were made.

B. Casting of Ballots

37 • **Determine Number of Voting Units Represented**

38 A total of 41 voting units were represented.

39 • **Determine Number of Voting Units Assigned by Proxy**

40 All 41 voting units were assigned by proxy to Mr. Daniel Rom by the Landowner, D R
41 Horton INC.

42 Mr. Rom cast the following votes:

43 Seat 3 Nicolas Aparicio 41 votes

44 Seat 4 Gary Mundell 40 votes

45 Seat 5 Hal Lutz 41 votes

46 **C. Ballot Tabulation and Results**

47 Mr. Rom reported the following ballot tabulation, results and term lengths:

48 Seat 3 Nicolas Aparicio 41 votes 4-year term

49 Seat 4 Gary Mundell 40 votes 2-year term

50 Seat 5 Hal Lutz 41 votes 4-year term

51

52 **FIFTH ORDER OF BUSINESS Landowners' Questions/Comments**

53

54 There were no Landowners' questions or comments.

55

56 **SIXTH ORDER OF BUSINESS Adjournment**

57

58 There being nothing further to discuss, the meeting adjourned at 11:08 a.m.

59

60

61

62 [SIGNATURES APPEAR ON THE FOLLOWING PAGE]

63
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Secretary/Assistant Secretary

Chair/Vice Chair

EVERGREEN

COMMUNITY DEVELOPMENT DISTRICT

STAFF

REPORTS

MICHAEL BENNETT • SUPERVISOR OF ELECTIONS • MANATEE COUNTY

600 301 Boulevard West, Suite 108, Bradenton, Florida 34205-7946
P O Box 1000, Bradenton, Florida 34206-1000



Phone: 941-741-3823 • Fax: 941-741-3820 • VoteManatee.com • Info@VoteManatee.com

April 20, 2023

Evergreen Community Development District
Wrathell, Hunt and Associates, LLC
Attn: Daphne Gillyard
2300 Glades Rd., Suite 410W
Boca Raton FL 33431

Dear Ms. Gillyard:

We are in receipt of your request for the number of registered voters in the Evergreen Community Development District of April 15, 2023. According to our records, there were 216 persons registered in the Evergreen Community Development District as of that date.

I hope this information is helpful to you. If I can be of any further assistance to you, please do not hesitate to contact my office at your earliest convenience.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Bennett". The signature is fluid and cursive.

Michael Bennett
Supervisor of Elections

MB/sas

EVERGREEN COMMUNITY DEVELOPMENT DISTRICT

BOARD OF SUPERVISORS FISCAL YEAR 2022/2023 MEETING SCHEDULE

LOCATION

Country Inn & Suites, Bradenton/Lakewood Ranch, 5610 Manor Hill Lane, Bradenton, Florida 34203

DATE	POTENTIAL DISCUSSION/FOCUS	TIME
October 7, 2022 CANCELED	Regular Meeting	11:00 AM
November 1, 2022	Landowners' Meeting	11:00 AM
November 4, 2022 CANCELED	Regular Meeting	11:00 AM
December 2, 2022 CANCELED	Regular Meeting	11:00 AM
January 6, 2023 CANCELED	Regular Meeting	11:00 AM
February 3, 2023 CANCELED	Regular Meeting	11:00 AM
March 3, 2023 CANCELED	Regular Meeting	11:00 AM
April 7, 2023 CANCELED	Regular Meeting	11:00 AM
May 5, 2023 CANCELED	Regular Meeting	11:00 AM
June 2, 2023	Regular Meeting	11:00 AM
July 7, 2023	Regular Meeting	11:00 AM
August 4, 2023	Regular Meeting	11:00 AM
September 1, 2023	Regular Meeting	11:00 AM