

EMERALD LAKES

COMMUNITY DEVELOPMENT

DISTRICT

PUBLIC HEARINGS AND

REGULAR MEETING

AGENDA

December 13, 2018

Emerald Lakes 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

December 6, 2018

Board of Supervisors
Emerald Lakes 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:

Multiple Public Hearings and a Regular Meeting of the Board of Supervisors of the Emerald Lakes Community Development District will be held on December 13, 2018 at 1:00 p.m., at 2651 W. Eau Gallie Boulevard, Suite A, Melbourne, Florida 32935. The agenda is as follows:

1. Call to Order/Roll Call
2. Public Comments
3. Administration of Oath of Office to Supervisor, Robert Gottlieb [Seat 1] *(the following will also be provided in a 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. Public Hearing to Consider the Adoption of an Assessment Roll and the Imposition of Special Assessments Relating to the Financing and Securing of Certain Public Improvements
 - *Hear testimony from the affected property owners as to the propriety and advisability of making the improvements and funding them with special assessments on the property.*

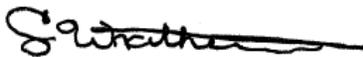
- *Thereafter, the governing authority shall meet as an equalizing board to hear any and all complaints as to the special assessments on a basis of justice and right.*
 - A. Affidavit/Proof of Publication
 - B. Mailed Notice to Property Owner(s)
 - C. Presentation of Engineer's Report *(for informational purposes)*
 - D. Presentation of Master Special Assessment Methodology Report *(for informational purposes)*
 - E. Consideration of Resolution 2019-28, Authorizing District Projects for Construction and/or Acquisition of Infrastructure Improvements; Equalizing, Approving, Confirming, and Levying Special Assessments on Property Specially Benefited by Such Projects to Pay the Cost Thereof; Providing for the Payment and the Collection of Such Special Assessments by the Methods Provided for by Chapters 170, 190 and 197, *Florida Statutes*; Confirming the District's Intention to Issue Special Assessment Bonds; Making Provisions for Transfers of Real Property to Homeowners Associations, Property Owners Associations and/or Governmental Entities; Providing for the Recording of an Assessment Notice; Providing for Severability, Conflicts and an Effective Date
5. Public Hearing Confirming the Intent of the District to Use the Uniform Method of Levy, Collection and Enforcement of Non-Ad Valorem Assessments as Authorized and Permitted by Section 197.3632, Florida Statutes; Expressing the Need for the Levy of Non-Ad Valorem Assessments and Setting Forth the Legal Description of the Real Property Within the District's Jurisdictional Boundaries that May or Shall Be Subject to the Levy of District Non-Ad Valorem Assessments; Providing for Severability; Providing for Conflict and Providing for an Effective Date
- A. Affidavit/Proof of Publication
 - B. Consideration of Resolution 2019-29 Expressing its Intent to Utilize the Uniform Method of Levying, Collecting, and Enforcing Non-Ad Valorem Assessments Which May Be Levied By the Emerald Lakes Community Development District in Accordance with Section 197.3632, Florida Statutes; Providing a Severability Clause; and Providing an Effective Date
6. Public Hearing to Hear Comments and Objections on the Adoption of the District's Final Budget for Fiscal Year 2018/2019, Pursuant to Florida Law
- A. Affidavit of Publication

- B. Consideration of Resolution 2019-30, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Ending September 30, 2019; Authorizing Budget Amendments; and Providing an Effective Date
7. Public Hearing to Hear Public Comments and Objections to the Adoption of the Rules of Procedure, Pursuant to Sections 120.54 and 190.035, Florida Statutes
 - A. Affidavits of Publication
 - Notice of Rule Development
 - Notice of Rule Making
 - B. Consideration of Resolution 2019-31 Adopting Rules of Procedure; Providing a Severability Clause; and Providing an Effective Date
8. Review/Discussion/Ranking of Response to Request for Qualifications for Engineering Services
 - A. Affidavit/Proof of Publication
 - B. RFQ Package
 - C. Respondent
 - Construction Engineering Group
 - D. Ranking
 - E. Engagement of District Engineer
9. Consideration of Resolution 2019-32, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Remainder of Fiscal Year 2018/2019 and Providing for an Effective Date
10. Consideration of Resolution 2019-33, Supplementing Resolution 2019-24, Providing for an Additional and/or an Alternate Source of Payment for Bonds Authorized Pursuant to Such Resolution No. 2019-24; Providing for Severability and Providing for an Effective Date
11. Consideration of Agreement with Brevard County Property Appraiser for Non Ad Valorem Assessments
12. Consideration of Uniform Collection Agreement with Brevard County Tax Collector
13. Approval of Minutes
 - A. October 12, 2018 Organizational Meeting

- B. November 2, 2018 Continued Meeting
14. Staff Reports
- A. District Counsel: *Hopping Green & Sams, P.A.*
 - B. District Engineer (Interim): *Construction Engineering Group*
 - C. District Manager: *Wrathell, Hunt and Associates, LLC*
 - NEXT MEETING DATE: January 18, 2019 at 1:00 P.M.
15. Board Members' Comments/Requests
16. 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) 571-0010.

Sincerely,



Craig Wrathell
District Manager

FOR BOARD MEMBERS AND STAFF TO ATTEND BY TELEPHONE

Call-in number: 1-888-354-0094

Conference ID: 2144145

EMERALD LAKES
COMMUNITY DEVELOPMENT DISTRICT

4A

Cocoa

Continued from Page 1A

ference in this city. I've taken my stand, and I will continue to pursue every legal avenue, including challenging the mayor-elect and District 4 council member-elect's legality of actually being sworn in next week."

In an interview Monday, Williams said he is not concerned about claims of colluding with Democrats during the Cocoa mayoral election.

"We did nothing wrong," Williams said. "I don't know where he gets his information. I went to both Republicans and Democrats during the election. I guess he is just bitter."

Sinclair has contended that Williams actually lives in Canaveral Groves, in unincorporated Brevard, outside the city of Cocoa limits.

Williams' explanation is that he and his wife are separated, and she lives on the property Sinclair is questioning and he lives on Cypress Lane in Cocoa.

Also during the Nov. 14 City Council meeting, District 2 Cocoa City Council

member Brenda Warner said she is tired of partisan politics creeping into city government. She said she is planning to leave the Democratic Party to become a no party affiliation voter, after being a registered Democrat since she was 18 years old. She now is 60 years old.

"Partisan politics has no business in this City Hall," said Warner, who is in the middle of her four-year term and was not up for re-election in 2018. "I don't want this city to become what our state and federal government has become, and I will fight every single day to make sure that doesn't happen. I am here for two more years, and I will never ever allow party politics to become part of this council chambers as long as I am here."

Local politics is "not about whether you're a Democrat or you're a Republican. It's about what you can do for your fellow citizens," Warner said.

Warner — who served on the City Council from 1999 to 2004 and from 2012 to now — has worked with Sinclair for the last two years as a member of the Broadmoor Acres Community Restoration & Preservation board.

Sinclair founded the nonprofit Broadmoor Acres organization, and is its execu-

tive director. He has said he establishing the nonprofit to convert abandoned and "slumlord-owned properties" into family homes and coordinated installing security cameras and lighting.

Williams will succeed former Cocoa Mayor Henry Parrish III, who stepped down from his post midway through his four-year term to run for Florida House. Parrish lost the Republican primary for the District 51 seat to Tyler Sirois.

Williams — who was a Cocoa City Council member from 2004 to 2012 — would serve the remainder of Parrish's term as mayor.

The mayor's salary is \$6,600 a year.

Goins defeated Laura Houston for the District 1 seat now held by Clarence Whipple Jr., who instead ran for mayor, finishing second to Williams, with Sinclair finishing third.

Whipple was a City Council member for two terms from 2006 to 2014, then returned to the City Council in 2016, when he was appointed by the City Council to fill a seat formerly held by Mike Blake, who resigned in order to run for a Florida House seat.

Koss defeated incumbent District 4 Councilor Jeri Blanco, who also has

served for the past year as deputy mayor. Blanco was appointed in 2016 to fill a vacancy, following the death of District 4 City Council member Tyler Furbish.

Cocoa City Council members have four-year terms and an annual salary of \$6,000.

In a separate legal action, Sinclair filed a defamation lawsuit earlier this month in Circuit Court against the city of Cocoa, Parrish, Whipple, Koss, two other individuals and a business owned by Parrish.

Saracco said the defendants have not yet filed a response to the lawsuit.

During his comments at the Nov. 14 City Council meeting, Sinclair alluded to this lawsuit and to his own past legal problems, which date back decades ago.

"I have been upfront with the city from Day 1. I do not hide anything about myself or my past. Don't do it, won't do it, and have no problem with addressing it," Sinclair said. "I will not, however, have members that are appointed or elected as officials of this city to use this body or any other city governing body or meeting to file malicious prosecution charges in a court in the 18th Circuit, accusing me of things that I did not do."

NOTICE OF PUBLIC HEARING TO CONSIDER IMPOSITION OF SPECIAL ASSESSMENTS PURSUANT TO SECTION 170.07, FLORIDA STATUTES, BY THE EMERALD LAKES COMMUNITY DEVELOPMENT DISTRICT

NOTICE OF PUBLIC HEARING TO CONSIDER ADOPTION OF ASSESSMENT ROLL PURSUANT TO SECTION 197.3632(4)(b), FLORIDA STATUTES, BY THE EMERALD LAKES COMMUNITY DEVELOPMENT DISTRICT

NOTICE OF REGULAR MEETING OF THE EMERALD LAKES COMMUNITY DEVELOPMENT DISTRICT

The Board of Supervisors ("Board") of the Emerald Lakes Community Development District ("District") will hold public hearings on **December 13, 2018 at 1:00 p.m. at the offices of the Construction Engineering Group, 2651 West Eau Gallie Boulevard, Suite A, Melbourne, Florida 32935**, to consider the adoption of an assessment roll, the imposition of special assessments to secure proposed bonds on benefited lands within the District, a depiction of which lands is shown below, and to provide for the levy, collection and enforcement of the special assessments. The streets and areas to be improved are generally located north of Micco Road, south of Grant Road, east of Babcock Street, west of Highway 1 and are bisected by Interstate 95. The general location map is provided below and is also included in the District's *Engineer's Report* dated November 2, 2018, and prepared by Construction Engineering Group, LLC ("Improvement Plan"). The public hearing is being conducted pursuant to Chapters 170, 190 and 197, *Florida Statutes*. A description of the property to be assessed and the amount to be assessed to each piece or parcel of property may be ascertained at the District's Local Records Office located at 2651 West Eau Gallie Boulevard, Suite A, Melbourne, Florida 32935.

The District is a unit of special-purpose local government responsible for providing infrastructure improvements for lands within the District. The infrastructure improvements ("Improvements") are currently expected to include, but are not limited to, road right-of-ways and improvements, utilities, stormwater systems, recreational improvements and other improvements, all as more specifically described in the Improvement Plan, on file and available during normal business hours at the District Manager's Office located at 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431, Ph: (561) 571-0010, or at the District's Local Records Office. According to the Improvement Plan, the estimated cost of the Improvements is \$129,320,000. Further, a description of the property to be assessed and the amount to be assessed to each piece or parcel of property may be ascertained at the District Manager's Office.

The District intends to impose assessments on benefited lands within the District in the manner set forth in the District's *Master Special Assessment Methodology Report*, dated November 2, 2018, and prepared by Wrathell, Hunt and Associates, LLC. ("Assessment Report"), which is on file and available during normal business hours at the District Manager's Office or at the District's Local Records Office.

The purpose of any such assessment is to secure the bonds issued to fund the Improvements. As described in more detail in the Assessment Report, the District's assessments will be levied against all benefited lands within the District. The Assessment Report allocates assessments to the lands in proportion to the benefits received by such lands. The Assessment Report identifies maximum assessment amounts for each land use category that is currently expected to be assessed.

The method of allocating assessments for the Master Improvements to be funded by the District will initially be determined on an equal assessment per acre basis, and will be levied on properties based on the benefits they receive consistent with the methodology set forth in the Assessment Report and on a first platted-first assigned basis at the time that such property is platted or subject to a site plan or sale.

The method of allocating assessments for the Parcel/Subdivision Improvements to be funded by assessments levied only on the developed and developable lands within such subdivision will be divided into two steps: first, for certain subdivisions entirely existing within one of nine parcels, the assessments securing the bonds which fund the Parcel/Subdivision Improvements for such subdivisions will initially be allocated 100% to the existing parcel. For other subdivisions planned to be located in more than one of the nine existing parcels, assessments for that Parcel/Subdivision Improvements will initially be allocated based on the estimated percentage of acreage within the subdivision and within a parcel compared to the percentage of acreage within the subdivision located in other parcels. Second, once platting of subdivisions begins and/or upon approval of site plans, the Parcel/Subdivision Assessment will be levied on properties within the subdivision based on the benefits they receive consistent with the methodology set forth in the Assessment Report and on a first platted-first assigned basis.

The annual principal assessment levied against each parcel will be based on repayment over thirty (30) years of the total debt allocated to each parcel. The District expects to collect sufficient revenues to retire no more than \$129,320,000 in debt to be assessed by the District, exclusive of fees and costs of collection or enforcement, discounts for early payment and interest. The proposed schedule of assessments is as follows:

Preliminary Assessment Roll			
Parcel ID	Total Master Assessment	Total Parcel/Subdivision Assessment	Sum of Master and Parcel/Subdivision Assessments
30-37-03-00-751	\$1,046,987.02	\$898,598.85	\$1,945,585.87
30-37-03-00-1	\$9,781,911.57	\$6,312,520.06	\$16,094,431.62
30-37-02-00-2	\$18,811,368.40	\$6,793,720.44	\$25,605,088.84
30-37-10-00-1	\$8,062,015.03	\$6,283,501.01	\$14,345,516.03
30-37-11-00-1	\$13,060,464.35	\$3,183,413.32	\$16,243,877.66
30-37-02-00-1	\$11,770,541.94	\$6,095,646.04	\$17,866,187.98
30-37-01-00-250	\$16,481,446.06	\$11,821,749.61	\$28,303,195.66
30-37-11-00-2	\$1,715,596.80	\$18,523.42	\$1,734,120.22
30-37-12-00-250	\$6,959,668.84	\$222,327.26	\$7,181,996.10
Total	\$87,690,000.00	\$41,630,000.00	\$129,320,000.00

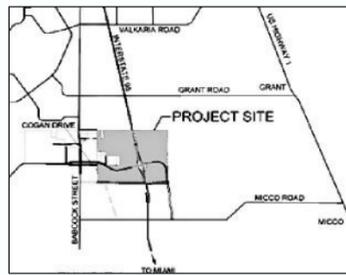
The assessments may be prepaid in whole at any time, or in some instances in part, or may be paid in not more than thirty (30) annual installments of principal subsequent to the issuance of debt to finance the improvements. These annual assessments will be collected on the Brevard County tax roll by the Tax Collector. Alternatively, the District may choose to directly collect and enforce these assessments. All affected property owners have the right to appear at the public hearings and the right to file written objections with the District within twenty (20) days of the publication of this notice.

Also on **December 13, 2018 at 1:00 p.m. at the offices of the Construction Engineering Group, 2651 West Eau Gallie Boulevard, Suite A, Melbourne, Florida 32935**, the Board will hold a regular public meeting to consider any other business that may lawfully be considered by the District. The Board meeting, committee meeting and hearings are open to the public and will be conducted in accordance with the provisions of Florida law for community development districts. The Board meeting, committee meeting and/or the public hearings may be continued in progress to a certain date and time announced at such meeting and/or hearings.

If anyone chooses to appeal any decision of the Board with respect to any matter considered at the meeting or hearings, such person will need a record of the proceedings and should accordingly ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which such appeal is to be based.

Any person requiring special accommodations at the meeting or hearings because of a disability or physical impairment should contact the District Manager's Office at least 48 hours prior to the meeting. If you are hearing or speech impaired, please contact the Florida Relay Service at 1-800-955-8770 for aid in contacting the District office.

EMERALD LAKES COMMUNITY DEVELOPMENT DISTRICT



RESOLUTION 2019-26

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE EMERALD LAKES COMMUNITY DEVELOPMENT DISTRICT DECLARING SPECIAL ASSESSMENTS; INDICATING THE LOCATION, NATURE AND ESTIMATED COST OF THOSE INFRASTRUCTURE IMPROVEMENTS WHOSE COST IS TO BE DEFRAYED BY THE SPECIAL ASSESSMENTS; PROVIDING THE PORTION OF THE ESTIMATED COST OF THE IMPROVEMENTS TO BE DEFRAYED BY THE SPECIAL ASSESSMENTS; PROVIDING THE MANNER IN WHICH SUCH SPECIAL ASSESSMENTS SHALL BE MADE; PROVIDING WHEN SUCH SPECIAL ASSESSMENTS SHALL BE PAID; DESIGNATING LANDS UPON WHICH THE SPECIAL ASSESSMENTS SHALL BE LEVIED; PROVIDING FOR AN ASSESSMENT PLAT; ADOPTING A PRELIMINARY ASSESSMENT ROLL; PROVIDING FOR PUBLICATION OF THIS RESOLUTION.

WHEREAS, the Board of Supervisors (the "Board") of the Emerald Lakes Community Development District (the "District") hereby determines to undertake, install, plan, establish, construct or reconstruct, enlarge or extend, equip, acquire, operate, and/or maintain the infrastructure improvements (the "Improvements") described in the District's Engineer's Report, dated October 12, 2018, attached hereto as **Exhibit A** and incorporated herein by reference; and

WHEREAS, it is in the best interest of the District to pay the cost of the Improvements by special assessments pursuant to Chapter 190, Florida Statutes (the "Assessments"); and

WHEREAS, the District is empowered by Chapter 190, the Uniform Community Development District Act, Chapter 170, Supplemental and Alternative Method of Making Local Municipal Improvements, and Chapter 197, the Uniform Method for the Levy, Collection, and Enforcement of Non-Ad Valorem Assessments, Florida Statutes, to finance, fund, plan, establish, acquire, construct or reconstruct, enlarge or extend, equip, operate, and maintain the Improvements and to impose, levy and collect the Assessments; and

WHEREAS, the District hereby determines that benefits will accrue to the property improved, the amount of those benefits, and that special assessments will be made in proportion to the benefits received as set forth in the Master Special Assessment Methodology Report, dated November 2, 2018, attached hereto as **Exhibit B** and incorporated herein by reference and on file at the office of the District Manager, c/o Craig Wrathell, Wrathell, Hunt and Associates, LLC, 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431, (the "District Records Office"); and

WHEREAS, the District hereby determines that the Assessments to be levied will not exceed the benefit to the property improved.

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

- Assessments shall be levied to defray a portion of the cost of the Improvements.
- The nature and general location of, and plans and specifications for, the Improvements are described in Exhibit A, which is on file at the District Records Office. Exhibit B is also on file and available for public inspection at the same location.
- The total estimated cost of the Improvements is \$101,316,906.80 (the "Estimated Cost").
- The Assessments will defray approximately \$129,320,000, which includes a portion of the Estimated Cost, plus financing-related costs, capitalized interest, a debt service reserve, and contingency.
- The manner in which the Assessments shall be apportioned and paid is set forth in Exhibit B, including provisions for supplemental assessment resolutions.
- The Assessments shall be levied, within the District, on all lots and lands adjoining and contiguous or bounding and abutting upon the Improvements or specially benefited thereby and further designated by the assessment plat hereinafter provided for.
- There is on file, at the District Records Office, an assessment plat showing the area to be assessed, with certain plans and specifications describing the Improvements and the estimated cost of the Improvements, all of which shall be open to inspection by the public.
- Commencing with the year in which the Assessments are levied and confirmed, the Assessments shall be paid in not more than thirty (30) annual installments. The Assessments may be payable at the same time and in the same manner as are ad valorem taxes and collected pursuant to Chapter 197, Florida Statutes; provided, however, that in the event the uniform non-ad valorem assessment method of collecting the Assessments is not available to the District in any year, or if determined by the District to be in its best interest, the Assessments may be collected as is otherwise permitted by law.
- The District Manager has caused to be made a preliminary assessment roll, in accordance with the method of assessment described in Exhibit B hereto, which shows the lots and lands assessed, the amount of benefit to and the assessment against each lot or parcel of land and the number of annual installments into which the assessment may be divided, which assessment roll is hereby adopted and approved as the District's preliminary assessment roll.
- The Board shall adopt a subsequent resolution to fix a time and place at which the owners of property to be assessed or any other persons interested therein may appear before the Board and be heard as to the propriety and advisability of the assessments or the making of the Improvements, the cost thereof, the manner of payment therefore, or the amount thereof to be assessed against each property as improved.
- The District Manager is hereby directed to cause this Resolution to be published twice (once a week for two (2) consecutive weeks) in a newspaper of general circulation within Brevard County and to provide such other notice as may be required by law or desired in the best interests of the District.
- This Resolution shall become effective upon its passage.

PASSED AND ADOPTED this 2nd day of November, 2018.

ATTEST:
/s/Craig Wrathell
Secretary/Assistant

EMERALD LAKES COMMUNITY DEVELOPMENT DISTRICT
/s/ A. Christopher Kasten
Chair/Vice Chair, Board of Supervisors

Exhibit A: Engineer's Report, dated October 12, 2018
Exhibit B: Master Special Assessment Methodology Report, dated November 2, 2018

Gabordi

Continued from Page 1A

ered on my kidney. I need to ask permission and wait for help to move from my bed or to use the urinal.

But it's not all grim.

My family has come from near and far to support me, Donna and Jessica. A brother and sister from Connecticut. Children and grandchildren. Dear friends from all over.

Literally thousands of people from the community and journalists from around the world have sent their love and support. So far, it has taken my family three trips home to cart all the flowers and balloons from well-wishers.

I have had amazing care and support that is beyond just medicine, starting at the shiny new Viera Hospital and continuing with specialized care at Cape Canaveral Hospital. Nurses, doctors, technicians, CNAs — all just amazing and loving people who reflect the goodness that is Brevard County.

I'm writing now because I'm about to enter rehab. I want you to come along



Bob Gabordi, executive editor at FLORIDA TODAY since 2015, his daughter Jessica and wife Donna attend many community events in Brevard. CRAIG BAILEY/FLORIDA TODAY FILE

with me so I can show you what it is like. I need you to be there with me to make it through.

Though I'm certainly not out of the woods yet and the risk of a repeat stroke is still relatively high, with your support, now is when I can begin to fight back in earnest.

My strength has already returned to much of my body. I can stand without assistance for short periods. I walk fairly well with the help of a walker. In another two to three weeks, I hope to be

back on the type of food I've seen on endless TV commercials while hospitalized. I hope to be able to type most words correctly on the first or second try.

I crave crawling into my own bed or getting up for a drink of water in the middle of the night just because I'm thirsty.

I want to go home. Play with my dog. Cook on my Big Green Egg and make some of my world famous homemade Italian pasta, the first order of which is

headed to Tulsa, Oklahoma, to a very special doctor who was visiting Viera Hospital and took great care of me and gave me hope.

More than that, I want you to get your blood pressure checked and take aggressive steps to moderate it if it is too high. I want you to ask your medical professional about your risk factors for AFib and what you can and should do to lower them.

Selfishly, I want good things to come from this. I want us to get truly serious about harnessing the love and knowledge in the community and really make Brevard County the healthiest place in Florida.

I'm headed to rehab at Sea Pines Rehabilitation Hospital. I'm told there is hard work ahead if I'm going to get back to being me. But we've made it this far and the plan is to win.

Join me. It should be a great ride.

Gabordi is executive editor at FLORIDA TODAY. His direct dial number is 321-242-3607 and cellphone is 850-591-2229. He is @bgabordi on Twitter and /bgabordi on Facebook. You can also find him on LinkedIn. His email address is bgabordi@floridatoday.com.

NOTICE OF PUBLIC HEARING TO CONSIDER IMPOSITION OF SPECIAL ASSESSMENTS PURSUANT TO SECTION 170.07, FLORIDA STATUTES, BY THE EMERALD LAKES COMMUNITY DEVELOPMENT DISTRICT

NOTICE OF PUBLIC HEARING TO CONSIDER ADOPTION OF ASSESSMENT ROLL PURSUANT TO SECTION 197.3632(4)(b), FLORIDA STATUTES, BY THE EMERALD LAKES COMMUNITY DEVELOPMENT DISTRICT

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Preliminary Assessment Roll			
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30-37-03-00-1	\$9,781,911.57	\$6,312,520.06	\$16,094,431.62
30-37-02-00-2	\$18,811,368.40	\$6,793,720.44	\$25,605,088.84
30-37-10-00-1	\$8,062,015.03	\$6,283,501.01	\$14,345,516.03
30-37-11-00-1	\$13,060,464.35	\$3,183,413.32	\$16,243,877.66
30-37-02-00-1	\$11,770,541.94	\$6,095,646.04	\$17,866,187.98
30-37-01-00-250	\$16,481,446.06	\$11,821,749.61	\$28,303,195.66
30-37-11-00-2	\$1,715,596.80	\$18,523.42	\$1,734,120.22
30-37-12-00-250	\$6,959,668.84	\$222,327.26	\$7,181,996.10
Total	\$87,690,000.00	\$41,630,000.00	\$129,320,000.00

The assessments may be prepaid in whole at any time, or in some instances in part, or may be paid in not more than thirty (30) annual installments of principal subsequent to the issuance of debt to finance the improvements. These annual assessments will be collected on the Brevard County tax roll by the Tax Collector. Alternatively, the District may choose to directly collect and enforce these assessments. All affected property owners have the right to appear at the public hearings and the right to file written objections with the District within twenty (20) days of the publication of this notice.

Also on **December 13, 2018 at 1:00 p.m. at the offices of the Construction Engineering Group, 2651 West Eau Gallie Boulevard, Suite A, Melbourne, Florida 32935**, the Board will hold a regular public meeting to consider any other business that may lawfully be considered by the District. The Board meeting, committee meeting and hearings are open to the public and will be conducted in accordance with the provisions of Florida law for community development districts. The Board meeting, committee meeting and/or the public hearings may be continued in progress to a certain date and time announced at such meeting and/or hearings.

If anyone chooses to appeal any decision of the Board with respect to any matter considered at the meeting or hearings, such person will need a record of the proceedings and should accordingly ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which such appeal is to be based.

Any person requiring special accommodations at the meeting or hearings because of a disability or physical impairment should contact the District Manager's Office at least 48 hours prior to the meeting. If you are hearing or speech impaired, please contact the Florida Relay Service at 1-800-955-8770 for aid in contacting the District office.

EMERALD LAKES COMMUNITY DEVELOPMENT DISTRICT



RESOLUTION 2019-26

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE EMERALD LAKES COMMUNITY DEVELOPMENT DISTRICT DECLARING SPECIAL ASSESSMENTS; INDICATING THE LOCATION, NATURE AND ESTIMATED COST OF THOSE INFRASTRUCTURE IMPROVEMENTS WHOSE COST IS TO BE DEFRAYED BY THE SPECIAL ASSESSMENTS; PROVIDING THE PORTION OF THE ESTIMATED COST OF THE IMPROVEMENTS TO BE DEFRAYED BY THE SPECIAL ASSESSMENTS; PROVIDING THE MANNER IN WHICH SUCH SPECIAL ASSESSMENTS SHALL BE MADE; PROVIDING WHEN SUCH SPECIAL ASSESSMENTS SHALL BE PAID; DESIGNATING LANDS UPON WHICH THE SPECIAL ASSESSMENTS SHALL BE LEVIED; PROVIDING FOR AN ASSESSMENT PLAT; ADOPTING A PRELIMINARY ASSESSMENT ROLL; PROVIDING FOR PUBLICATION OF THIS RESOLUTION.

WHEREAS, the Board of Supervisors (the "Board") of the Emerald Lakes Community Development District (the "District") hereby determines to undertake, install, plan, establish, construct or reconstruct, enlarge or extend, equip, acquire, operate, and/or maintain the infrastructure improvements (the "Improvements") described in the District's Engineer's Report, dated October 12, 2018, attached hereto as **Exhibit A** and incorporated herein by reference; and

WHEREAS, it is in the best interest of the District to pay the cost of the Improvements by special assessments pursuant to Chapter 190, Florida Statutes (the "Assessments"); and

WHEREAS, the District is empowered by Chapter 190, the Uniform Community Development District Act, Chapter 170, Supplemental and Alternative Method of Making Local Municipal Improvements, and Chapter 197, the Uniform Method for the Levy, Collection, and Enforcement of Non-Ad Valorem Assessments, Florida Statutes, to finance, fund, plan, establish, acquire, construct or reconstruct, enlarge or extend, equip, operate, and maintain the Improvements and to impose, levy and collect the Assessments; and

WHEREAS, the District hereby determines that benefits will accrue to the property improved, the amount of those benefits, and that special assessments will be made in proportion to the benefits received as set forth in the Master Special Assessment Methodology Report, dated November 2, 2018, attached hereto as **Exhibit B** and incorporated herein by reference and on file at the office of the District Manager, c/o Craig Wrathell, Wrathell, Hunt and Associates, LLC, 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431, (the "District Records Office"); and

WHEREAS, the District hereby determines that the Assessments to be levied will not exceed the benefit to the property improved.

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

- Assessments shall be levied to defray a portion of the cost of the Improvements.
- The nature and general location of, and plans and specifications for, the Improvements are described in Exhibit A, which is on file at the District Records Office. Exhibit B is also on file and available for public inspection at the same location.
- The total estimated cost of the Improvements is \$101,316,906.80 (the "Estimated Cost").
- The Assessments will defray approximately \$129,320,000, which includes a portion of the Estimated Cost, plus financing-related costs, capitalized interest, a debt service reserve, and contingency.
- The manner in which the Assessments shall be apportioned and paid is set forth in Exhibit B, including provisions for supplemental assessment resolutions.
- The Assessments shall be levied, within the District, on all lots and lands adjoining and contiguous or bounding and abutting upon the Improvements or specially benefited thereby and further designated by the assessment plat hereinafter provided for.
- There is on file, at the District Records Office, an assessment plat showing the area to be assessed, with certain plans and specifications describing the Improvements and the estimated cost of the Improvements, all of which shall be open to inspection by the public.
- Commencing with the year in which the Assessments are levied and confirmed, the Assessments shall be paid in not more than thirty (30) annual installments. The Assessments may be payable at the same time and in the same manner as are ad valorem taxes and collected pursuant to Chapter 197, Florida Statutes; provided, however, that in the event the uniform non-ad valorem assessment method of collecting the Assessments is not available to the District in any year, or if determined by the District to be in its best interest, the Assessments may be collected as is otherwise permitted by law.
- The District Manager has caused to be made a preliminary assessment roll, in accordance with the method of assessment described in Exhibit B hereto, which shows the lots and lands assessed, the amount of benefit to and the assessment against each lot or parcel of land and the number of annual installments into which the assessment may be divided, which assessment roll is hereby adopted and approved as the District's preliminary assessment roll.
- The Board shall adopt a subsequent resolution to fix a time and place at which the owners of property to be assessed or any other persons interested therein may appear before the Board and be heard as to the propriety and advisability of the assessments or the making of the Improvements, the cost thereof, the manner of payment therefore, or the amount thereof to be assessed against each property as improved.
- The District Manager is hereby directed to cause this Resolution to be published twice (once a week for two (2) consecutive weeks) in a newspaper of general circulation within Brevard County and to provide such other notice as may be required by law or desired in the best interests of the District.
- This Resolution shall become effective upon its passage.

PASSED AND ADOPTED this 2nd day of November, 2018.

ATTEST:
/s/Craig Wrathell
Secretary/Assistant

EMERALD LAKES COMMUNITY DEVELOPMENT DISTRICT
/s/A. Christopher Kasten
Chair/Vice Chair, Board of Supervisors

Exhibit A: Engineer's Report, dated October 12, 2018
Exhibit B: Master Special Assessment Methodology Report, dated November 2, 2018

EMERALD LAKES
COMMUNITY DEVELOPMENT DISTRICT

4B

STATE OF FLORIDA)
)
COUNTY OF PALM BEACH)

AFFIDAVIT OF MAILING

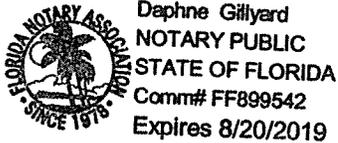
BEFORE ME, the undersigned authority, this day personally appeared Michal Szymonowicz, who by me first being duly sworn and deposed says:

1. I am over eighteen (18) years of age and competent to testify as to the matters contained herein. I have personal knowledge of the matters stated herein.
2. I, Michal Szymonowicz, serve as a Director of Financial Services at Wrathell, Hunt and Associates, LLC
3. Among other things, my duties include preparing and transmitting correspondence relating to the Emerald Lakes Community Development District.
4. I do hereby certify that on November 7, 2018, and in the regular course of business, I caused the letter attached hereto as **Exhibit A**, to be sent via U.S. Mail.
5. I have personal knowledge of having sent the letter to the addressees, and those records are kept in the course of the regular business activity for my office.

FURTHER AFFIANT SAYETH NOT.

Michal Szymonowicz
By: Michal Szymonowicz

SWORN AND ASCRIBED before me this 7th day of November 2018, by Michal Szymonowicz for Wrathell, Hunt and Associates, LLC who is [] personally known to me or [] has provided _____ as identification, and who did ___ / did not take an oath.



NOTARY PUBLIC
Daphne Gillyard
Print Name: Daphne Gillyard
Notary Public, State of Florida
Commission No.: FF899542
My Commission Expires: 8/20/2019

EXHIBIT A: Copy of Letter Sent

Exhibit A
Copy of Letter Sent

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®

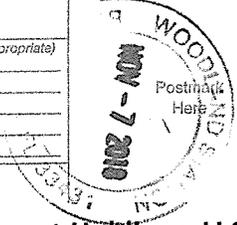
OFFICIAL USE

Certified Mail Fee	\$
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$ _____
<input type="checkbox"/> Return Receipt (electronic)	\$ _____
<input type="checkbox"/> Certified Mail Restricted Delivery	\$ _____
<input type="checkbox"/> Adult Signature Required	\$ _____
<input type="checkbox"/> Adult Signature Restricted Delivery	\$ _____

Postage	\$
Total Postage	\$

Sent To	
Street and #	
City, State	

Emerald Investment Holdings, LLC
605 South Fremont Ave, Unit #B
Tampa, Florida 33606
Attn: Manager



70116 2140 0000 3093 6431

Emerald Lakes 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

NOTICE TO PROPERTY OWNER

November 7, 2018

Transmitted via Certified Mail Return Receipt Requested

Emerald Investment Holdings, LLC
605 South Fremont Avenue, Unit #B
Tampa, Florida 33606
Attn: Manager

RE: Emerald Lakes Community Development District Notice of Hearing on Assessments to Property

Parcel ID numbers	30-37-03-00-751	30-37-10-00-1	30-37-01-00-250
	30-37-03-00-1	30-37-11-00-1	30-37-11-00-2
	30-37-02-00-2	30-37-02-00-1	30-37-12-00-250

Dear Property Owner:

You are receiving this notice because Brevard County records indicate that you are a property owner within the Emerald Lakes Community Development District (“District”). The District is a special-purpose unit of local government that was established pursuant to Chapter 190, *Florida Statutes*. The property that you own that is the subject of this notice is identified above.

At the November 2, 2018, meeting of the District’s Board of Supervisors (“Board”), the District approved in substantial form the *Engineer’s Report* dated November 2, 2018, prepared by Construction Engineering Group, LLC, a copy of which is attached hereto as **Exhibit A** (“Capital Improvement Plan”), that describes the nature of the improvements that may be built or acquired by the District that benefit lands within the District, including, but not limited to, road right-of-ways and improvements, utilities, stormwater systems, recreational improvements and other improvements, all as more specifically described in the Capital Improvement Plan (“Improvements”).

The Capital Improvement Plan estimates that the total cost of the Improvements is \$101,316,906.81 and it is estimated that it will cost approximately \$129,320,000 to finance the Improvements contemplated by the District, exclusive of fees and costs of collection or enforcement, discounts for early payment and the annual interest costs of the debt issued to finance the Improvements. As a property owner of assessable land within the District, the District intends to assess your property, in the manner set forth in the District’s *Master Special Assessment Methodology Report* dated November 2, 2018 and prepared by Wrathell, Hunt and Associates, LLC, a copy of which is attached hereto as **Exhibit B** (“Assessment Report”). This Assessment Report was also approved in preliminary form at the Board’s November 2, 2018, public meeting.

The purpose of any such assessment is to secure the bonds issued to fund the Improvements. As described in more detail in the Assessment Report, the District’s assessments will be levied against all benefitted lands within the District. The Assessment Report identifies maximum assessment amounts for each land use category that is currently expected to be assessed.

Initially, the unit of measurement for assessments is per acre, converting to an Equivalent Residential Unit (“ERU”) upon platting or site plan approval.

The method of allocating assessments for the Master Improvements to be funded by the District will initially be determined on an equal assessment per acre basis, and will be levied on properties based on the benefits they receive consistent with the methodology set forth in the Assessment Report and on a first platted-first assigned basis at the time that such property is platted or subject to a site plan.

The method of allocating assessments for the Parcel/Subdivision Improvements to be funded by assessments levied only on the developed and developable lands within such subdivision will be divided into two steps: first, for certain subdivisions entirely existing within one of nine parcels, the assessments securing the bonds which fund the Parcel/Subdivision Improvements for such subdivisions will initially be allocated 100% to the existing parcel. For other subdivisions planned to be located in more than one of the nine existing parcels, assessments for that Parcel/Subdivision Improvements will initially be allocated based on the estimated percentage of acreage within the subdivision and within a parcel compared to the percentage of acreage within the subdivision located in other parcels. For example, if 60% of the acreage within a planned subdivision is located in Parcel A, and 40% of the acreage within the same planned subdivision is located in Parcel B, Parcel A will receive 60% of the assessment allocation and Parcel B will receive 40% of the assessment allocation required to fund the specific Parcel/Subdivision Improvements. Second, once platting of subdivisions begins and/or upon approval of site plans, the Parcel/Subdivision Assessment will be levied on properties within the subdivision based on the benefits they receive consistent with the methodology set forth in the Assessment Report and on a first platted-first assigned basis.

The total maximum assessment amount to be levied against each parcel, and the number of units contained within each parcel, is detailed in the Assessment Report, as such Assessment Report may be amended at the below referenced hearing. The total revenue that the District will collect by these assessments is anticipated to be \$129,320,000, exclusive of anticipated fees and costs of collection and enforcement, discounts for early payment, and the annual interest costs of the debt issued to finance the Improvements. The maximum annual revenue that the District will collect by these assessments is anticipated to be \$9,394,957.23 to be collected in not more than thirty (30) annual installments. The total assessment amount to be levied against property that you own is reflected on the preliminary assessment roll attached to the Assessment Report enclosed herein and summarized below.

Preliminary Assessment Roll			
Parcel ID	Total Master Assessment	Total Parcel/Subdivision Assessment	Sum of Master and Parcel/Subdivision Assessments
30-37-03-00-751	\$1,046,987.02	\$898,598.85	\$1,945,585.87
30-37-03-00-1	\$9,781,911.57	\$6,312,520.06	\$16,094,431.62
30-37-02-00-2	\$18,811,368.40	\$6,793,720.44	\$25,605,088.84
30-37-10-00-1	\$8,062,015.03	\$6,283,501.01	\$14,345,516.03
30-37-11-00-1	\$13,060,464.35	\$3,183,413.32	\$16,243,877.66
30-37-02-00-1	\$11,770,541.94	\$6,095,646.04	\$17,866,187.98
30-37-01-00-250	\$16,481,446.06	\$11,821,749.61	\$28,303,195.66
30-37-11-00-2	\$1,715,596.80	\$18,523.42	\$1,734,120.22
30-37-12-00-250	\$6,959,668.84	\$222,327.26	\$7,181,996.10
Total	\$87,690,000.00	\$41,630,000.00	\$129,320,000.00

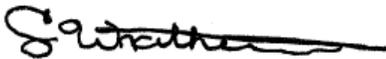
The assessments may appear on your regular tax bill issued by the Brevard County Tax Collector. However, the District may in its discretion at any time choose instead to directly collect these assessments. As provided in the Assessment Report, the assessments will constitute a lien against your property that may be prepaid in accordance with Chapter 170, *Florida Statutes*, or may be paid in not more than thirty (30) annual

installments. The failure to pay any assessments collected on the tax roll will cause a tax certificate to be issued against your property within the District which may result in a loss of title. Alternatively, if the assessments are directly collected, the failure to pay such direct bill invoice may result in the District pursuing a foreclosure action, which may result in a loss of title.

In accordance with Chapters 170, 190 and 197, *Florida Statutes*, this letter is to notify you that a public hearing for the above-mentioned assessments will be held on **December 13, 2018 at 1:00 p.m. at the offices of the Construction Engineering Group, 2651 West Eau Gallie Boulevard, Suite A, Melbourne, Florida 32935**. At this hearing, the Board will sit as an equalizing board to hear and consider testimony from any interested property owners as to the propriety and advisability of making the Improvements, or some phase thereof, as to the cost thereof, as to the manner of payment thereof, and as to the amount thereof to be assessed against each property so improved. All affected property owners have a right to appear at the hearing and to file written objections with the Board within twenty (20) days of this notice.

Information concerning the assessments and copies of applicable documents are on file and available during normal business hours at the District Manager's Office located at 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431, Ph: (561) 571-0010. You may appear at the hearing, or submit your comments in advance to the attention of the District Manager at its address above.

Sincerely,



Craig A. Wrathell
District Manager

Enclosures:

- Exhibit A: Capital Improvement Plan
- Exhibit B: Assessment Report

Exhibit A

**ENGINEER'S REPORT
INFRASTRUCTURE IMPROVEMENTS**

**EMERALD LAKES COMMUNITY
DEVELOPMENT DISTRICT**

**PREPARED FOR:
BOARD OF SUPERVISORS
EMERALD LAKES CDD**

November 2, 2018

PREPARED BY:



**CONSTRUCTION
ENGINEERING
GROUP**

consulting engineers

**2651 W. Eau Gallie Blvd.
Melbourne, FL 32935**

Board of Professional Engineering License No. 0008097

**JAKE T. WISE, P. E.
FL PE #55405
CEG No. 180004**

I. **BACKGROUND**

The Emerald Lakes Community Development District (District) is an independent unit of special purpose local government authorized to plan, finance, construct, operate and maintain community-wide infrastructure within the District, consisting of approximately 1,561 acres located in the City of Palm Bay, Florida. Emerald Investment Holdings, LLC (Developer) currently owns a majority of the property and will act as the developer of the Master Plan described below.

The District is located east of Babcock Street (State Road 507), south of Grant Road, west of US Highway 1, and north of Micco Road in the City of Palm Bay, Florida. It is located in all four quadrants of a new I-95 interchange. The attached Exhibit A depicts the boundary of the District.

The Developer's conceptual Master Plan includes development of public improvement infrastructure to support approximately 3,744 residential units, 2,670,000 square feet of retail and office space and 700 hotel rooms. The ultimate build-out is expected to occur over a 20-year period.

The capital improvements discussed herein represent the present intentions of the Developer and the District. The implementation of any improvements discussed in this report requires the final approval by multiple regulatory and permitting agencies. The actual improvements may vary from the capital improvements in this report, and therefore it may be amended in the future.

All provided cost estimates are based on recent projects, the area of the project, and information available at the time of the estimate. The actual costs may vary from the cost estimates presented.

II. OBJECTIVE

This Engineer's Report for Infrastructure Improvements has been prepared to assist with the financing and construction of the public infrastructure that will support the development within the District. This report presents a description of the major components of infrastructure and the associated Engineer's cost estimates for completing the District improvements necessary to support the project development.

III. TRANSPORTATION IMPROVEMENTS

The primary roadway improvements include six major ingress and egress points throughout the development that will also serve as collector roads to support the future residential and commercial development. The ingress and egress points will be accessed using St. John's Heritage Parkway (SJHP). SJHP West of I-95 is to be completed by the City of Palm Bay and SJHP East of I-95 is to be completed by the District. The roadway improvements include funding intersection improvements to SJHP and also include the interior roadways required to safely access all development within the District. Attached Exhibit B depicts the major and interior roadways that will be constructed to facilitate District improvements.

All roads constructed by the District will be publicly accessible and will consist of a minimum of two lanes of pavement with curbing, sidewalk, and landscaping. The District planned improvements to SJHP includes landscaping sidewalks, irrigation, and a multi-use path. The City will own and be responsible for operating and maintaining SJHP, all public roadways and sidewalks. The District will own and be responsible for operating and maintaining irrigation, multi-use paths, and landscaping, including the landscaping within the SJHP right-of-way.

IV. POTABLE WATER AND SANITARY SEWER FACILITIES

The potable water distribution system will include multiple interconnected and looped water mains that run from SJHP through the six major access points and provide distribution across the District. The potable water supply will be an extension of the major distribution system from the City of Palm Bay. The potable water distribution system will serve as a source for potable water and fire protection to all of the development within the District. The potable water system improvements will be funded by the District and are anticipated to be dedicated to the City for operation and maintenance.

The sanitary sewer collection system will include a network of gravity collection systems, wastewater lift stations, and sanitary sewer force mains that connect to the proposed force main along the SJHP that will be owned and operated by the City of Palm Bay. The proposed sewer infrastructure will provide collection and distribution for all development within the District. All sanitary sewer systems will be constructed within the roadways identified in Exhibit B. The sanitary sewer system improvements will be funded by the District and are anticipated to be dedicated to the City for operation and maintenance.

Off-site potable water, sanitary sewer, water tank and a regional lift station are to be completed by the City of Palm Bay. Potable water and sanitary sewer infrastructure to be constructed off-site and along SJHP are depicted in Exhibit C. The offsite potable water system and sanitary sewer system improvements will be funded by City of Palm Bay, with prepaid impact fee contribution by Developer and are anticipated to be owned, operated and maintained by the City.

V. STREET LIGHTING, UNDERGROUNDING OF ELECTRIC LINES AND RELATED INFRASTRUCTURE

The roadways will include PVC pipe conduit sleeves throughout for electrical conduits, communication conduits, and street lighting across the District. The

conduits will provide for distribution of electric power, communications, and street lighting to all areas of the District. These conduits will be in the right-of-way or separate easements and are to be constructed in conjunction with the roadway improvements and network of street lighting for availability and use by electrical and communications placement that will occur further into project development to avoid disturbing constructed roadways. The District will fund the street lighting, undergrounding of electric utility lines and related infrastructure. The District will own, operate and maintain the street lighting and conduit.

The proposed electrical network will be supplied by Florida Power & Light and the communications network will be supplied by Spectrum (Charter Communications). With the exception of street lighting, undergrounding of electric utility lines and conduit, neither the electrical network nor the communications network will be funded by the District.

VI. STORMWATER MANAGEMENT FACILITIES

The development includes a master stormwater management facility to serve the proposed buildout of the District. The master stormwater management system will consist of multiple interconnected detention ponds for treatment and attenuation of all stormwater runoff from the improvements. There will be an interconnected stormwater conveyance piping network within the roadways to direct runoff from improvements into the stormwater treatment ponds. The stormwater management system will be designed and operated in accordance with the regulatory criteria established and mandated by the St. John's River Water Management District. The majority of the stormwater management system will be funded by the District. Depending on eventual land ownership, components of the stormwater management system will be owned, operated and maintained either by the City or the District.

VII. RECREATION FACILITIES

Recreation facilities are planned across the District within the areas designated for the use of the community and the general public. Several lakes and recreation facilities are proposed within the residential areas and along lake and wetland edges for indoor and outdoor recreational and cultural and uses. A multi-use path is proposed along SJHP. There will be a series of interconnected sidewalks along the right-of-way with perimeter landscaping, street lighting, and irrigation systems. The improvements include streetscape, landscape, hardscape, water features and recreational centers that foster a sense of community within the District. The recreation facilities will be funded, owned, operated and maintained by the District.

VIII. CONSERVATION, MITIGATION AND WILDLIFE

Conservation, mitigation and wildlife areas will be created, preserved, and managed in accordance with the regulatory criteria established and mandated by St. John's River Water Management District. There will be areas designated within the project for conservation as well as mitigation. The conservation and mitigation areas will be funded, owned, operated and maintained by the District.

IX. COST ESTIMATES, DESIGN, PERMITTING AND CONTINGENCY

The design costs associated with the infrastructure improvements described in this Engineer's Report are provided in the attached Exhibit E Opinion of Probable Costs. There are soft costs associated with the development including surveying, design and engineering, legal fees, regulatory permitting, environmental consulting and materials testing. Construction operations will need to be monitored to ensure safe and secure site development during infrastructure placement until completion or dedication to the City of Palm Bay. The costs have been categorized as being either Master Improvements or Parcel/Subdivision Improvements. The Master Improvements provide

infrastructure as well as benefiting all of the land in the District and Parcel/Subdivision Improvements provide infrastructure and services specific to portions of the District identified by Parcel number consistent with the layout depicted in Exhibit D. A contingency estimate is provided as well for possible changes. Emerald Lakes Community Development District may purchase impact fee credits and prepaid impact fees from the Developer.

A chart identifying the status of major permits and development and zoning approvals is attached hereto as Exhibit F.

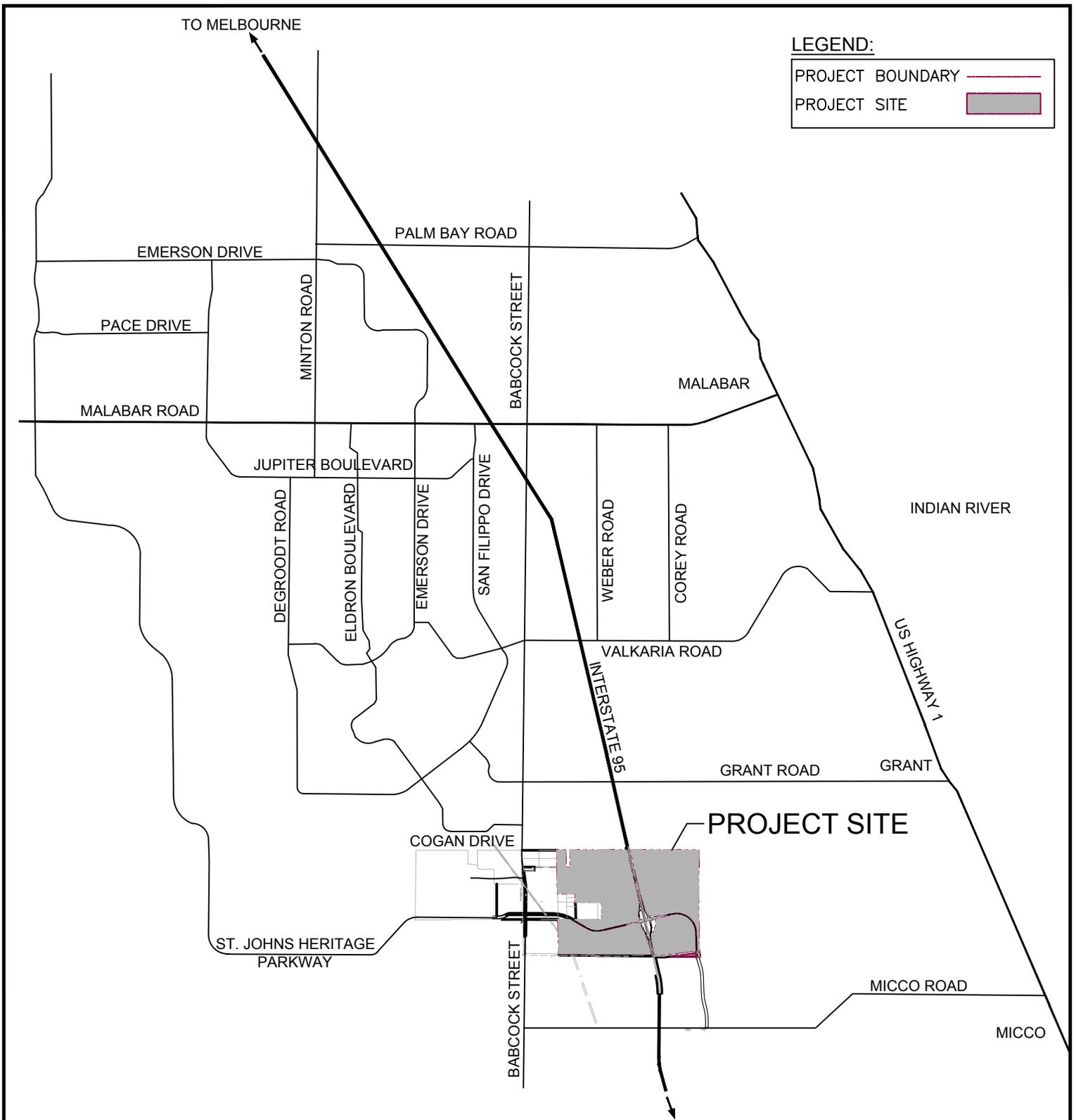


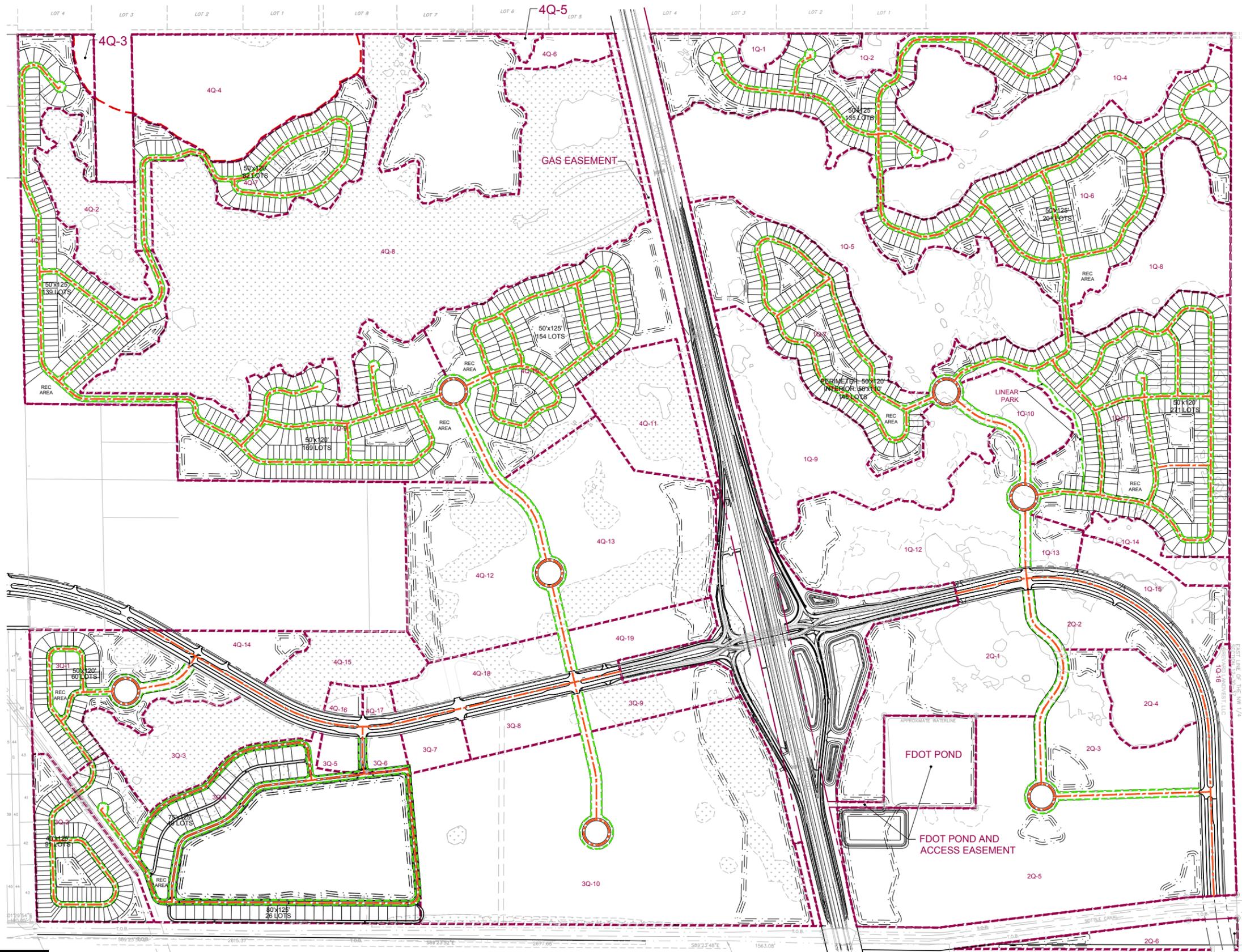
EXHIBIT A
EMERALD LAKES - LOCATION MAP
 NTS



9/17/18 EX-A



CONSTRUCTION ENGINEERING GROUP
 tel. 321.253.1221
 www.ceengineering.com
 consulting engineers license #0008097



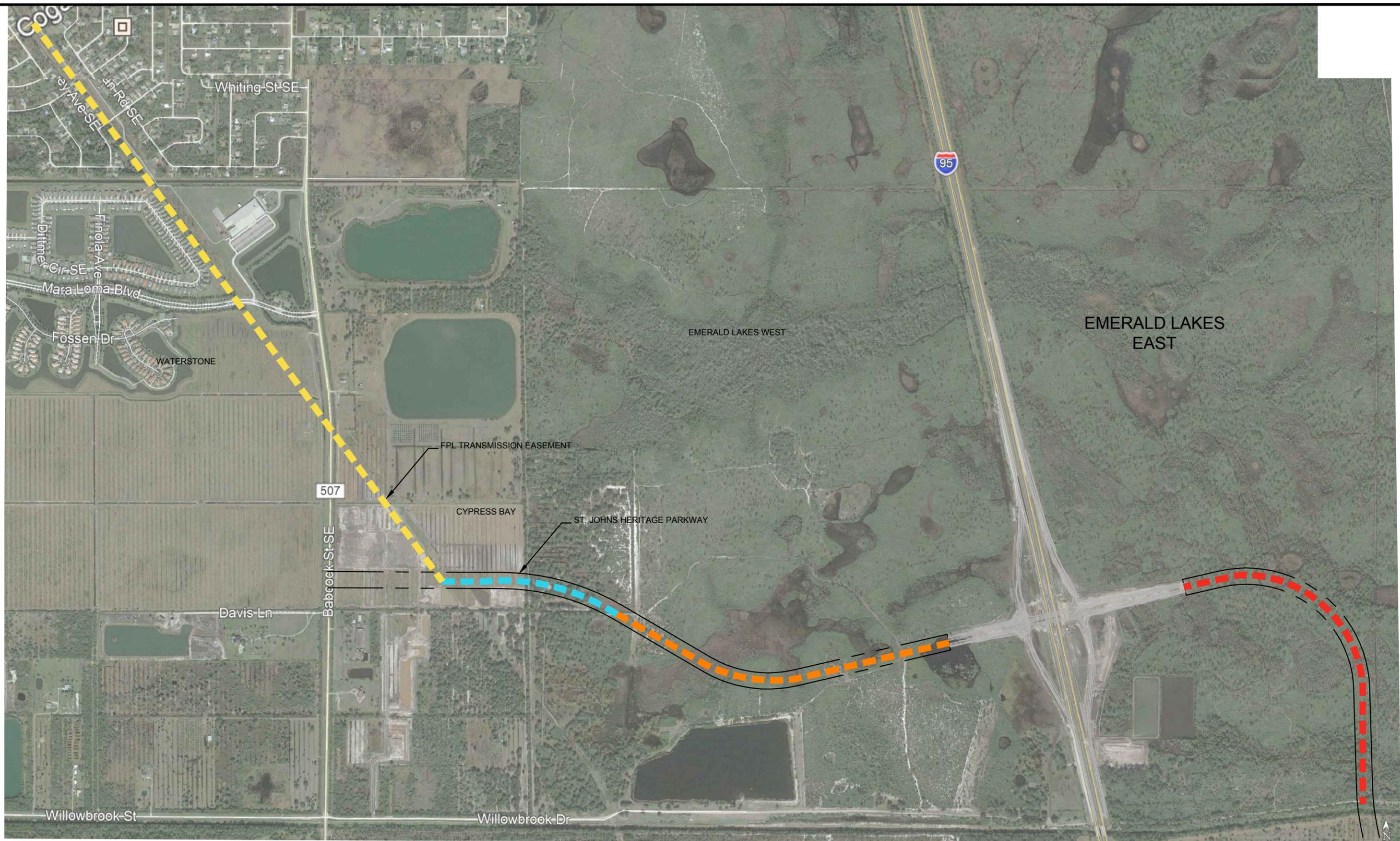


EXHIBIT C
EMERALD LAKES MASTER UTILITY EXHIBIT
 NTS



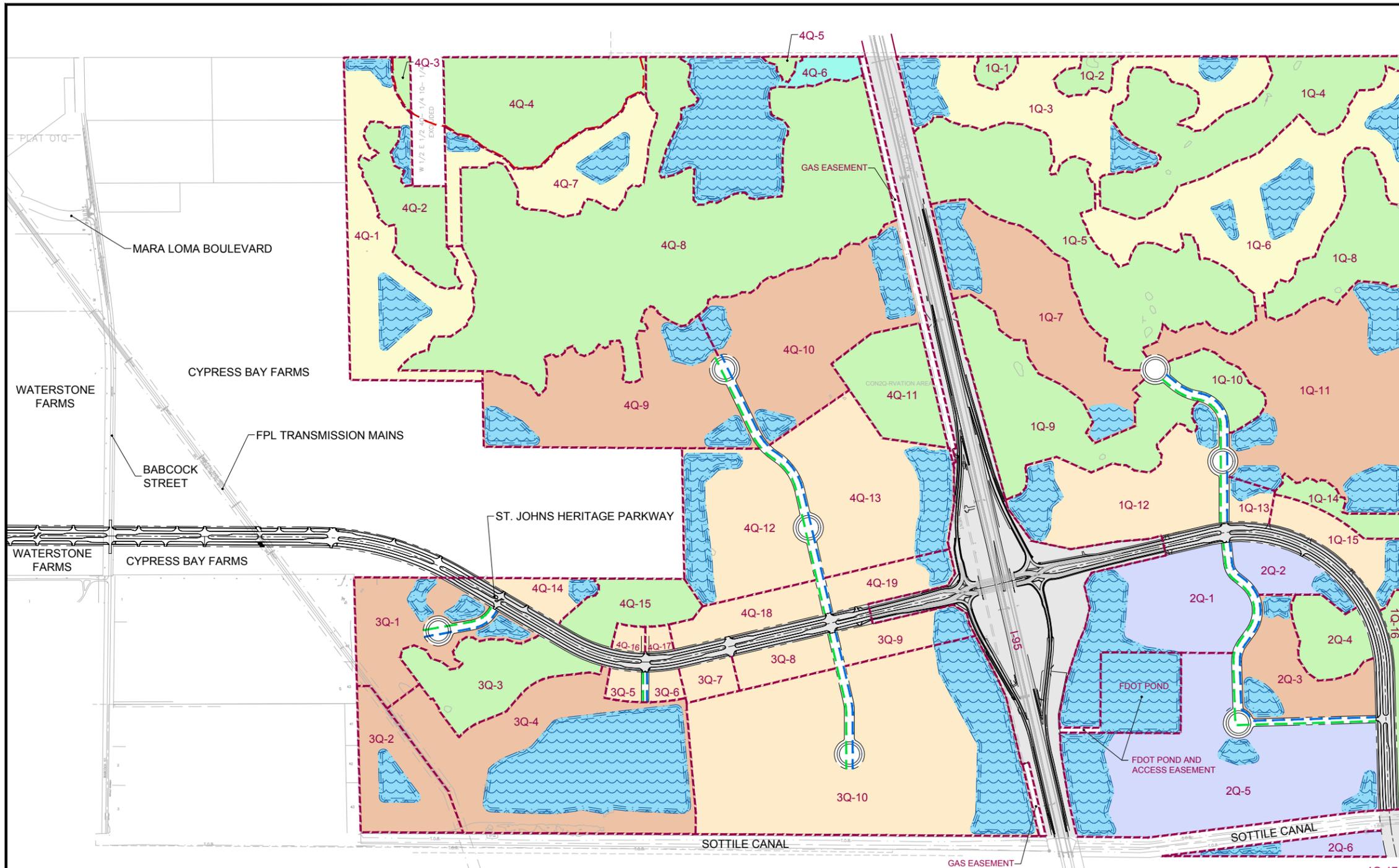
LEGEND:

FPL TRANSMISSION EASEMENT	
UTILITY MAINS (OPEN CUT)	
SEGMENT 1 UTILITY MAINS SJHP	
SEGMENT 2 UTILITY MAINS SJHP	
SEGMENT 3 UTILITY MAINS SJHP	



9/17/18 EX-C





EAST PARCEL SUMMARY		
PARCEL ID:	SIZE:	ANTICIPATED USE:
1Q-1	2.4 AC	PRESERVATION
1Q-2	4.0 AC	PRESERVATION
1Q-3	49.3 AC	SFR
1Q-4	46.5 AC	PRESERVATION
1Q-5	68.2 AC	PRESERVATION
1Q-6	62.6 AC	SFR
1Q-7	45.3 AC	SFR/MULTI
1Q-8	24.7 AC	PRESERVATION
1Q-9	41.4 AC	PRESERVATION
1Q-10	8.7 AC	PRESERVATION
1Q-11	75.9 AC	SFR/MULTI
1Q-12	38.8 AC	COM
1Q-13	3.8 AC	COM
1Q-14	6.6 AC	PRESERVATION
1Q-15	12.5 AC	COM
1Q-16	5.7 AC	PRESERVATION
1Q-17	0.4 AC	PRESERVATION
2Q-1	39.4 AC	COM/IND
2Q-2	9.8 AC	COM/IND
2Q-3	21.0 AC	SFR/MULTI
2Q-4	11.6 AC	PRESERVATION
2Q-5	77.7 AC	COM/IND
2Q-6	6.9 AC	COM/IND
TOTAL	663.2 AC	-

WEST PARCEL SUMMARY		
PARCEL ID:	SIZE:	ANTICIPATED USE:
3Q-1	25.4 AC	SFR/MULTI
3Q-2	21.10 AC	SFR/MULTI
3Q-3	21.7 AC	PRESERVATION
3Q-4	81.3 AC	SFR/MULTI
3Q-5	2.4 AC	COM
3Q-6	2.3 AC	COM
3Q-7	4.4 AC	COM
3Q-8	7.9 AC	COM
3Q-9	10.3 AC	COM
3Q-10	120.9 AC	COM
4Q-1	46.9 AC	SFR
4Q-2	17.3 AC	PRESERVATION
4Q-3	1.8 AC	PRESERVATION
4Q-4	37.5 AC	PRESERVATION
4Q-5	1.1 AC	PRESERVATION
4Q-6	35.3 AC	STORMWATER
4Q-7	27.6 AC	SFR
4Q-8	155.5 AC	PRESERVATION
4Q-9	54.7 AC	SFR/MULTI
4Q-10	54.3 AC	SFR/MULTI
4Q-11	20.0 AC	PRESERVATION
4Q-12	37.5 AC	COM
4Q-13	46.7 AC	COM
4Q-14	6.5 AC	COM
4Q-15	13.4 AC	PRESERVATION
4Q-16	1.8 AC	COM
4Q-17	1.5 AC	COM
4Q-18	11.5 AC	COM
4Q-19	10.1 AC	COM
TOTAL	878.7 AC	-

LEGEND:

- I-95 AND PARKWAY
- PRESERVATION (488.5 AC)
- SFR/MULTI (384.3 AC)
- COM (313.6 AC)
- SFR (186.4 AC)
- COM/IND (133.8 AC)
- STORMWATER TREATMENT (35.3 AC)
- STORMWATER POND (204 AC)
- PROPOSED VEHICULAR ACCESS
- PARCEL PERIMETER
- WATER MAIN
- WASTEWATER FORCE MAIN
- SCRUB JAY FAMILY

NOTES:

1. FINAL WETLANDS TO BE DETERMINED.
2. POND IN PARCEL 4Q-6 INTENDED FOR FILL ONLY.
3. UTILITIES WITHIN PARKWAY ARE TO BE DETERMINED.

EXHIBIT D
EMERALD LAKES BASE MASTER PLAN
 1"=500'



9/17/18 EX-D

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EXHIBIT E
EMERALD LAKES COMMUNITY DEVELOPMENT DISTRICT
OPINION OF PROBABLE COST OVERALL MASTER IMPROVEMENTS
AND PARCEL/SUBDIVISION IMPROVEMENTS

Description	Total
MASTER IMPROVEMENTS	
ROADWAYS	\$ 8,066,500.00
EARTHWORK, STORMWATER AND SURFACE WATER MANAGEMENT	\$ 7,728,760.00
CONSERVATION AREAS, MITIGATION AREAS AND WILDLIFE HABITAT	\$ 13,463,304.00
WATER AND WASTEWATER	\$ 10,836,720.00
LANDSCAPING, HARDSCAPING, SIGNAGE, IRRIGATION AND LIGHTING	\$ 4,184,000.00
IMPACT FEES CREDIT	\$ 2,900,000.00
RECREATION FACILITIES	\$ 5,850,000.00
RESIDENTIAL LAGOON	\$ 10,000,000.00
SUBTOTAL	\$ 63,029,284.00
PARCEL/SUBDIVISION IMPROVEMENTS	
1Q-3 (SFR 135 LOTS)	
PUBLIC ROADWAYS	\$ 834,130.00
EARTHWORK, STORMWATER AND SURFACE WATER MANAGEMENT	\$ 982,982.80
WATER AND WASTEWATER	\$ 581,500.00
SUBTOTAL	\$ 2,398,612.80
1Q-6 (SFR 201 LOTS)	
PUBLIC ROADWAYS	\$ 1,167,933.33
EARTHWORK, STORMWATER AND SURFACE WATER MANAGEMENT	\$ 1,258,285.47
WATER AND WASTEWATER	\$ 823,100.00
SUBTOTAL	\$ 3,249,318.80
1Q-7 (SFR 145 LOTS)	
ROADWAYS	\$ 828,300.00
EARTHWORK, STORMWATER AND SURFACE WATER MANAGEMENT	\$ 973,621.82
WATER AND WASTEWATER	\$ 585,600.00
SUBTOTAL	\$ 2,387,521.82
1Q-11 (SFR 271 LOTS)	
PUBLIC ROADWAYS	\$ 1,757,333.33
EARTHWORK, STORMWATER AND SURFACE WATER MANAGEMENT	\$ 1,606,288.52
WATER AND WASTEWATER	\$ 1,214,750.00
SUBTOTAL	\$ 4,578,371.86
1Q-12 (COM)	
EARTHWORK, STORMWATER AND SURFACE WATER MANAGEMENT	\$ 218,048.00
SUBTOTAL	\$ 218,048.00
1Q-15 (COM)	
EARTHWORK, STORMWATER AND SURFACE WATER MANAGEMENT	\$ 49,158.00
SUBTOTAL	\$ 49,158.00
2Q-1 AND 2Q-5 (COM)	
EARTHWORK, STORMWATER AND SURFACE WATER MANAGEMENT	\$ 41,502.00
SUBTOTAL	\$ 41,502.00
2Q-3 (COM)	
EARTHWORK, STORMWATER AND SURFACE WATER MANAGEMENT	\$ 101,504.00
SUBTOTAL	\$ 101,504.00

EXHIBIT E
EMERALD LAKES COMMUNITY DEVELOPMENT DISTRICT
OPINION OF PROBABLE COST OVERALL MASTER IMPROVEMENTS
AND PARCEL/SUBDIVISION IMPROVEMENTS

Description	Total
2Q-6 (COM)	
EARTHWORK, STORMWATER AND SURFACE WATER MANAGEMENT	\$ 27,396.00
SUBTOTAL	\$ 27,396.00
3Q-1 (SFR 60 LOTS)	
PUBLIC ROADWAYS	\$ 354,000.00
EARTHWORK, STORMWATER AND SURFACE WATER MANAGEMENT	\$ 409,896.58
WATER AND WASTEWATER	\$ 237,000.00
SUBTOTAL	\$ 1,000,896.58
3Q-2 (SFR 91 LOTS)	
PUBLIC ROADWAYS	\$ 357,133.33
EARTHWORK, STORMWATER AND SURFACE WATER MANAGEMENT	\$ 358,949.33
WATER AND WASTEWATER	\$ 273,950.00
SUBTOTAL	\$ 990,032.67
3Q-4 (SFR 75 LOTS)	
PUBLIC ROADWAYS	\$ 1,818,300.00
EARTHWORK, STORMWATER AND SURFACE WATER MANAGEMENT	\$ 1,148,763.24
WATER AND WASTEWATER	\$ 844,200.00
SUBTOTAL	\$ 3,811,263.24
3Q-5 AND 3Q-6 (COM)	
EARTHWORK, STORMWATER AND SURFACE WATER MANAGEMENT	\$ 99,099.72
SUBTOTAL	\$ 99,099.72
3Q-10 (COM)	
EARTHWORK, STORMWATER AND SURFACE WATER MANAGEMENT	\$ 776,390.11
SUBTOTAL	\$ 776,390.11
4Q-1 (SFR 139 LOTS)	
PUBLIC ROADWAYS	\$ 984,766.67
EARTHWORK, STORMWATER AND SURFACE WATER MANAGEMENT	\$ 927,543.38
WATER AND WASTEWATER	\$ 671,200.00
SUBTOTAL	\$ 2,583,510.04
4Q-7 (SFR 82 LOTS)	
PUBLIC ROADWAYS	\$ 640,533.33
EARTHWORK, STORMWATER AND SURFACE WATER MANAGEMENT	\$ 565,722.31
WATER AND WASTEWATER	\$ 430,400.00
SUBTOTAL	\$ 1,636,655.64
4Q-9 (SFR 169 LOTS)	
PUBLIC ROADWAYS	\$ 923,000.00
EARTHWORK, STORMWATER AND SURFACE WATER MANAGEMENT	\$ 1,162,283.74
WATER AND WASTEWATER	\$ 658,850.00
SUBTOTAL	\$ 2,744,133.74

**EMERALD LAKES COMMUNITY DEVELOPMENT DISTRICT
OPINION OF PROBABLE COST OVERALL MASTER IMPROVEMENTS
AND PARCEL/SUBDIVISION IMPROVEMENTS**

4Q-10 (SFR 154 LOTS)	
PUBLIC ROADWAYS	\$ 894,466.67
EARTHWORK, STORMWATER AND SURFACE WATER MANAGEMENT	\$ 1,022,768.95
WATER AND WASTEWATER	\$ 631,450.00
SUBTOTAL	\$ 2,548,685.62
4Q-12 AND 4Q-13 (COM)	
EARTHWORK, STORMWATER AND SURFACE WATER MANAGEMENT	\$ 607,727.43
SUBTOTAL	\$ 607,727.43
4Q-14 (COM)	
EARTHWORK, STORMWATER AND SURFACE WATER MANAGEMENT	\$ 27,758.00
SUBTOTAL	\$ 27,758.00
4Q-16 AND 4Q-17 (COM)	
EARTHWORK, STORMWATER AND SURFACE WATER MANAGEMENT	\$ 31,944.00
SUBTOTAL	\$ 31,944.00
4Q-18 AND 4Q-19 (COM)	
EARTHWORK, STORMWATER AND SURFACE WATER MANAGEMENT	\$ 12,476.58
SUBTOTAL	\$ 12,476.58
TOTAL	\$ 92,951,290.65
9% CONTINGENCY & SOFT COSTS	\$ 8,365,616.16
TOTAL WITH CONTINGENCY	\$ 101,316,906.81

**EXHIBIT F
EMERALD LAKES COMMUNITY DEVELOPMENT DISTRICT
SITE PERMITTING, DEVELOPMENT AND ZONING APPROVALS**

SITE PERMIT	AGENCY	PERMIT STATUS
Master Plan	City of Palm Bay	
Site Plan	City of Palm Bay	
Subdivision	City of Palm Bay	
Tree Removal	City of Palm Bay	
Preliminary Plat	City of Palm Bay	
Final Plat	City of Palm Bay	
Rezoning	City of Palm Bay	
Sewer	City of Palm Bay	
Water	City of Palm Bay	
Preliminary School Concurrency	Brevard County School District	
Final School Concurrency	Brevard County School District	
Sottile Canal	Brevard County	
Stormwater ERP	St. John's River Water Management District	
Protected Species	U.S. Fish and Wildlife	
Mitigation	Army Corp of Engineers	
Power	Florida Power & Light	
Water & Sewer	Florida Department of Environmental Protection	
Erosion/ Sediment Control Notice of Intent	Florida Department of Environmental Protection	
FDOT Driveway	Florida Department of Transportation	
FDOT Drainage	Florida Department of Transportation	

Exhibit B

Emerald Lakes Community Development District

Master
Special Assessment
Methodology Report

November 2, 2018



Provided by:

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1.0 Introduction

The Emerald Lakes Community Development District (the “District”) is a +/- 1,561-acre community development district located within the City of Palm Bay, Brevard County, Florida. Development within the District boundaries is anticipated to include 3,744 residential units, 2,670,000 square feet of commercial uses and 700 hotel rooms. The District plans to issue up to \$129,320,000 in special assessment bonds in one or more series (the “Bonds”) for the purpose of financing certain infrastructure improvements, as more particularly described in the Engineer’s Report Infrastructure Improvements dated October 12, 2018 prepared by Construction Engineering Group as may be amended and supplemented from time to time (the “Engineer’s Report” and the plan of improvements set forth therein, the “Capital Improvement Plan”).

1.1 Purpose

This Master Special Assessment Methodology Report (the “Assessment Report”) provides for an assessment methodology for allocating the debt to be incurred by the District and applied to benefiting properties within the District. This Assessment Report allocates the debt to properties based on the special benefits each receives from the Capital Improvement Plan. This Assessment Report will be supplemented with one or more supplemental methodology reports to reflect the actual terms and conditions at the time of the issuance of each series of bonds. This Assessment Report is designed to conform to the requirements of Chapters 190 and 170, Florida Statutes, with respect to special assessments and is consistent with our understanding of case law on this subject.

The District intends to impose non-ad valorem special assessments on the benefited lands within the District based on this Assessment Report. It is anticipated that all of the proposed special assessments will be collected through the Uniform Method of Collection described in Chapter 197.3632, Florida Statutes, or any other legal means available to the District. It is not the intent of this Assessment Report to address any other assessments, if applicable, that may be levied by the District, a homeowner’s association, or any other unit of government; provided however, the District may choose to rely on this general methodology for the allocation of operation and maintenance assessments.

1.2 Scope of the Assessment Report

This Assessment Report presents the projections for financing the District's Capital Improvement Plan described in the Engineer's

Report, and describes the method for the allocation of special benefits and the apportionment of special assessments resulting from the provision and funding of the Capital Improvement Plan.

1.3 Special Benefits and General Benefits

Improvements undertaken and funded by the District as part of the Capital Improvement Plan create special benefits and peculiar benefits, different in kind and degree than general benefits, for properties within the District or specific subdivision, as well as general benefits to the areas outside the District and outside non affected subdivisions within the District and to the public at large. However, as discussed within this Assessment Report, these general benefits are incidental in nature and are readily distinguishable from the special benefits which accrue to peculiar property within the District as the Capital Improvement Plan enables properties within the boundaries of the District to be developed.

There is no doubt that the general public and property owners outside the District will benefit from the provision of the Capital Improvement Plan. However, these benefits are only incidental since the Capital Improvement Plan is designed to provide special benefits peculiar to property within the District, including but not limited to allowing the development of property therein. Properties within the District are directly served by the Capital Improvement Plan and depend upon the Capital Improvement Plan to satisfy the requirements of their development entitlements. This fact alone clearly demonstrates the special benefits which the properties located within the District receive.

The Capital Improvement Plan will provide the public infrastructure improvements necessary to make the lands within the District developable and saleable. The installation of such improvements will cause the value of the developable and saleable lands within the District to increase by more than the sum of the financed costs of the individual components of the Capital Improvement Plan. Even though the exact value of the special benefits provided by the Capital Improvement Plan is hard to estimate at this point, it is nevertheless greater than the costs associated with providing the same.

1.4 Requirements of a Valid Assessment Methodology

There are two requirements under Florida law for a valid special assessment:

- 1) The properties must receive a special benefit from the improvements being paid for.
- 2) The assessments must be fairly and reasonably allocated to the properties being assessed.

Florida law provides for a wide application of special assessments that meet these two characteristics of special assessments.

1.5 Special Benefits Exceed the Costs Allocated

The special benefits provided to the property owners within the District are greater than the costs associated with providing these benefits. As set forth in the Engineer's Report, the District Engineer estimates that the District's Capital Improvement Plan that is necessary to support full development of property within the District will cost approximately \$101,316,906.80. The District projects that financing costs required to fund the infrastructure improvements, including costs associated with the Capital Improvement Plan, the cost of issuance of the Bonds, the funding of debt service reserves and capitalized interest, will be \$129,320,000. Additional funding not financed with the Bonds and necessary to complete the Capital Improvement Plan may be funded by the Developer (hereinafter defined) or its affiliates or assigns pursuant to a Completion Agreement entered into between the District and the Developer. Without the Capital Improvement Plan, the property would not be able to be fully developed and occupied by future residents of the community.

1.6 Organization of the Report

Section Two describes the development program as proposed by the Developer, as defined in *Section 2* below.

Section Three provides a summary of the Capital Improvement Plan as set forth in the Engineer's Report.

Section Four discusses the master financing program for the District.

Section Five sets out the master special assessment methodology for the District.

Section 6 contains additional stipulations.

Section 7 incorporates the Appendix.

2.0 Development Program

2.1 Overview

The District will serve the Emerald Lakes Development and is generally located east of Babcock Street (State Road 507), south of Grant Road, west of US Highway 1, and north of Micco Road in the City of Palm Bay, Florida. The land within the District consists of approximately 1,561 +/- acres.

2.2 The Development Program

The development of land within the District is anticipated to be conducted by Emerald Investment Holdings, LLC or its affiliates (the "Developer"). Based upon the information provided by the Developer and the District Engineer, the current development plan within the District includes a total of approximately 1,522 single-family detached residential units, 386 townhome residential units and 1,836 multi-family residential units, as well as 2,670,000 square feet of commercial uses and 700 hotel rooms all projected to be developed in multiple phases, although land use types and unit numbers may change throughout the development period. Table 1 in the *Appendix* illustrates the most current development plan for the land within the District.

3.0 The Capital Improvement Plan

3.1 Overview

The public infrastructure costs to be funded by the District are described by the District Engineer in the Engineer's Report. Only public infrastructure that may qualify for bond financing by the District under Chapter 190, Florida Statutes, as amended, was included in these estimates. The categories and costs of the public infrastructure anticipated to be undertaken by the District are described in the Engineer's Report (the components described therein hereinafter called the "Improvements").

3.2 Summary of the Capital Improvement Plan

The District's Capital Improvement Plan, as more particularly depicted in the Engineer's Report, is projected to consist of two basic components: (1) master improvements consisting of roadways, earthwork, stormwater and surface water management, water and wastewater, landscaping, hardscaping, signage,

irrigation, lighting, recreational facilities, conservation areas, mitigation areas, and wildlife habitat, all of which are designed to provide infrastructure and services which will serve all of the lands in the District (the "Master Infrastructure Improvements"), and (2) various additional parcel/subdivision improvements that are designed to provide infrastructure which will serve the specific subdivisions identified by number and consistent with the layout depicted in Exhibit D in the Engineer's Report (the "Parcel/Subdivision Infrastructure Improvements" and collectively with the Master Infrastructure Improvements the "Improvements").

The Master Infrastructure Improvements portion of the Capital Improvement Plan are planned, designed, and will be permitted to function as one interrelated and integrated system of improvements benefiting all of the lands to be developed within the District.

The Parcel/Subdivision Infrastructure Improvements are components of the Capital Improvement Plan only benefitting certain portions of the lands within the District. The Parcel/Subdivision Improvements are described in more detail in the Engineer's Report and are necessary to develop all units anticipated within the District.

The Engineer's Report provides cost estimates for (1) the Master Infrastructure Improvements at an estimated total cost of approximately \$63,029,284.00 or \$68,701,919.56 with a 9% allowance for contingency and soft costs, and (2) the Parcel/Subdivision Infrastructure Improvements at an estimated total cost of approximately \$29,922,006.64 or \$32,614,987.24 with a 9% allowance for contingency and soft costs. Accordingly, the total estimated cost of the Capital Improvement Plan for the District has been estimated by the District Engineer at \$101,316,906.80.

Table 2 in the *Appendix* sets out the components of the Capital Improvement Plan as outlined by the District Engineer in the Engineer's Report. Table 2 additionally provides the proposed method of allocating special benefits accruing to the assessable properties within the boundaries of the District or to specific subdivisions as a result of implementation of each component of the Master Infrastructure Improvements and the Parcel/Subdivision Infrastructure Improvements.

4.0 Financing Program

4.1 Overview

As noted above, the District is embarking on a program of financing the Improvements which will facilitate development of lands within the District. Generally, construction of public improvements is funded directly by the District or either funded by the Developer or the Developer and then acquired by the District, depending on several factors. The District may also fund or partially fund improvements to be constructed or conveyed to other government units to satisfy certain infrastructure requirements of the District.

The District is planning to issue up to \$87,690,000 in bonds intended to finance the costs of the Master Infrastructure Improvements (the “Master Infrastructure Bonds”) and up to \$41,630,000 in bonds intended to finance the costs of the Parcel/Subdivision Infrastructure Improvements (the “Parcel /Subdivision Infrastructure Bonds”) for a total amount of up to \$129,320,000 in Bonds to fund the District’s Capital Improvement Plan, provide for capitalized interest, a debt service reserve account and cost of issuance. It is the purpose of this Assessment Report to allocate the \$129,320,000 in debt to the properties benefiting from the Capital Improvement Plan.

Please note that the purpose of this Assessment Report is to allocate the benefit derived from delivery of the Improvements to the various land uses in the District and based on such benefit allocation to apportion the maximum amount of debt necessary to fund the Capital Improvement Plan. The discussion of the structure and size of the indebtedness is based on various estimates and is subject to change.

4.2 Types of Bonds Proposed

The proposed master financing plan for the District provides for the issuance of the Bonds in the approximate principal amount of \$129,320,000 to finance approximately \$101,316,906.80 in Capital Improvement Plan costs. The Bonds as projected under this master financing plan would be structured to be amortized in not more than 30 annual installments of principal and may allow for a capitalized interest period. Interest payments on the Bonds are expected to be made every May 1 and November 1, and principal payments on the Bonds are expected to be made every May 1. The District may also choose to issue shorter term bonds with different repayment structures.

Preliminary sources and uses of funding for the Bonds are presented in Table 3 in the *Appendix*.

Please note that the structure of the Bonds as presented in this Assessment Report is preliminary and may change due to changes in the Capital Improvement Plan, development program, market conditions, timing of installation of the Improvements, and timing of issuance(s) as well as for other reasons. The District maintains complete flexibility as to the structure of the Bonds and reserves the right to modify the financing plan as may be necessary.

5.0 Assessment Methodology

5.1 Overview

The issuance of the Bonds provides the District with funds necessary to carry out the Capital Improvement Plan as described in more detail in the Engineer's Report. The Improvements provide special and general benefits, with special benefits accruing to the assessable properties within the boundaries of the District or specific subdivision and general benefits accruing to areas outside of the District and outside non affected subdivisions within the District, which benefits are only incidental in nature. The debt incurred in financing the Improvements set forth in the Capital Improvement Plan will be paid off by assessing properties that derive special benefits from the Improvements. Notwithstanding exceptions described below, all properties that receive special benefits from the Improvements will be assessed for their share, as determined by this Assessment Report, of the debt issued in order to finance all or a portion of the Capital Improvement Plan.

5.2 Benefit Allocation

The current development plan anticipates the development of approximately 1,522 single-family detached residential units, 386 townhome residential units and 1,836 multi-family residential units, as well as 2,670,000 square feet of commercial uses and 700 hotel rooms, although unit numbers and land use types may change throughout the development period.

As indicated in the Engineer's Report, the Master Infrastructure Improvements portion of the Capital Improvement Plan is planned, designed, and will be permitted to function as one interrelated and integrated system of improvements benefiting the lands to be

developed within the District. Components of the system are necessary to develop all units anticipated within the District. The improvements that make up the Master Infrastructure Improvements portion of the Capital Improvement Plan will serve the entire District and such improvements are interrelated such that they will reinforce one another. The Parcel/Subdivision Infrastructure Improvements provide additional infrastructure improvements to specific parcels/subdivisions and will generally connect with the Master Infrastructure Improvements to complete the Capital Improvement Plan.

The Capital Improvement Plan has a logical connection to the special benefits received by property within the District, as without such Improvements, the development of the property within the District would not be possible. Based upon the logical connection between the Improvements and the special benefits to the property within the District, the District can assign or allocate a portion of the District's debt through the imposition of non-ad valorem special assessments to the property receiving such special benefits. Even though these special benefits are real and ascertainable (for example added use of the property, added enjoyment of the property, decreased insurance premiums, development of the property and increased marketability and value of the property), the precise amount of the benefit cannot yet be calculated with mathematical certainty. However the special benefit derived from the Improvements on the particular property exceeds the cost that the property will be paying for such special benefits. In the event that developable lands that derive special benefit from the Capital Improvement Plan are added to the District boundaries, the special assessments will be allocated to such lands pursuant to the methodology described herein.

The benefit associated with construction or acquisition of the Master Infrastructure Improvements portion of the Capital Improvement Plan is proposed to be allocated to the different land use types in proportion to the density of development and/or intensity of use of the different Improvements as measured by standard units called Equivalent Residential Units ("ERUs"). As identified in Table 2 in the *Appendix*, the benefits associated with roadway, landscaping, hardscaping, signage, irrigation and lighting improvements all reasonably relate to and are associated with travel utilizing District roadways. Further, the benefit derived from such improvements is directly proportional to the amount of likely travel. Consequently, reasonable estimates of trip generation are used to allocate the benefit of such Improvements and used as basis for the Trip Generation ERU factors.

The benefits associated with earthwork, stormwater and surface water management, conservation areas, mitigation areas and wildlife habitat, as well as impact fees all reasonably relate to and are associated with land size and density of development. Further, the benefit derived from such improvements is directly proportional to the size of one's parcel of land. Consequently, reasonable estimates of density of development are used to allocate the benefit of such Improvements and used as basis for the Density of Development ERU factors.

The benefits associated with water and wastewater all reasonably relate to and are associated with water and wastewater utility usage. Further, the benefit derived from such improvements is directly proportional to the amount of usage of water and wastewater. Consequently, reasonable estimates of water and wastewater usage are used to allocate the benefit of such Improvements and used as basis for the W&W Utility Usage ERU factors.

Lastly, the benefits associated with recreation facilities and residential lagoon all reasonably relate to and are associated with the number of persons who may potentially utilize the recreation facilities and residential lagoon. Further, the benefit derived from such improvements is directly proportional to the number of persons who may utilize the recreation facilities and residential lagoon. As the number of persons is nearly impossible to project, each housing unit is assumed to be reasonably capable of containing an identical number of persons who may potentially utilize the recreation facilities and residential lagoon, and consequently, reasonable estimate of identical utilization of the recreation facilities and residential lagoon is used as a basis of the Recreation Unit ERU factor. Please note that non-residential land use types do not benefit from the provision of recreation facilities and residential lagoon due to no direct link between persons, either employees or customers of businesses located within non-residential uses, and likely no sustained and long-term utilization of the recreation facilities and residential lagoon. Consequently non-residential land use types are proposed not to be included in the determination and allocation of the benefits associated with recreation facilities and residential lagoon.

Table 4 in the *Appendix* provides the proposed allocation of the benefit derived by the different land uses in the District from provision of the implementation of each component of the Master Infrastructure Improvements.

The rationale for the factors proposed in Table 4 is that generally and on average different land uses may be expected to produce different numbers of vehicular trips, produce different amounts of stormwater runoff, require different water and wastewater system capacity, etc., with larger residential units (which will generally and on average be constructed on larger-sized lots) as well as non-residential land uses having a higher intensity of use of certain of the Improvements, as on average larger residential units or non-residential land uses will use and benefit from the Improvements more than smaller residential units. For instance, generally and on average, larger residential units and non-residential uses produce more storm water runoff, may produce more vehicular trips, and may need more water and wastewater capacity than smaller residential units. Additionally, the value of the larger residential units and non-residential land uses is likely to appreciate more than that of the smaller residential units as a result of the implementation of the Improvements. As a more precise determination of the amount of the special benefit is not possible to be calculated at this time, the use of the ERU factors serves as a reasonable approximation of the relative amount of benefit received from the Improvements.

Table 5 in the *Appendix* presents the apportionment of the assessments associated with the Master Infrastructure Improvements and repayment of the Master Infrastructure Bonds (the “Master Assessments”) in accordance with the ERU benefit allocation method presented in Table 4 and described in the preceding paragraphs.

Table 6 in the *Appendix* provides the proposed allocation of the benefit derived by the different land uses in the District from provision of the implementation of each component of the Parcel/Subdivision Infrastructure Improvements by utilizing the allocation of benefits of different components of the Parcel/Subdivision Infrastructure Improvements to the specific subdivisions. Appropriate Trip Generation, Density of Development or W&W Utility Usage ERU factors illustrated in Table 4 are utilized to allocate the benefit of Parcel/Subdivision Infrastructure Improvements when multiple land uses are planned for the same neighborhood. If any neighborhood is planned to be developed with a single land use, full benefit of the Parcel/Subdivision Infrastructure Improvements for that neighborhood is allocated to that neighborhood without further division. Please note that where the benefit of roadway improvements are allocated, Trip Generation ERU factors are utilized, where stormwater management (SWM) improvements are allocated, Density of Development ERU factors

are utilized, and where water and wastewater (W&W) improvements are allocated, W&W Utility Usage ERU factors are utilized.

Table 7 in the *Appendix* presents the apportionment of the assessments associated with the Parcel/Subdivision Infrastructure Improvements and repayment of the Parcel/Subdivision Infrastructure Bonds (the “Parcel/Subdivision Assessments”) in accordance with the ERU benefit allocation method presented in Table 6 and described in the preceding paragraph.

Finally, Tables 8 and 9 in the *Appendix* present the apportionment of the combined Master Assessments and Parcel/Subdivision Assessments and Annual Debt Service (DS) Payment on the Master Assessments and Parcel/Subdivision Assessments.

Table 10 in the *Appendix* presents the apportionment of the Master Assessments to the nine (9) parcels benefitting from the Master Infrastructure Improvements funded with proceeds of the Master Infrastructure Bonds. Additionally, Table 10 presents the apportionment of the Parcel/Subdivision Assessments to the nine (9) parcels benefitting from the Parcel/Subdivision Infrastructure Improvements funded with proceeds of the Parcel/Subdivision Infrastructure Bonds based on current development plans.

Table 10 is the Preliminary Assessment Roll for the nine existing parcels within the District.

5.3 Assigning Assessment

The Master Assessments will initially be levied on an equal gross acre basis to all acres within each of the nine (9) parcels shown in Table 10 in *Appendix*.

Once platting (for residential land uses) and/or development site approval (for non-residential land uses) has begun, the Master Assessments will be levied on properties based on the benefits they receive consistent with the methodology set forth herein and on a first platted-first assigned basis based on the planned use for that parcel as reflected in Table 5 in the *Appendix*. Such allocation will reduce the amount of the remaining Master Assessments on unplatted gross acres within each of the nine (9) parcels shown in Table 10 in *Appendix*, which will continue to be assessed on a per acre basis.

The Parcel/Subdivision Assessments specific to a subdivision is proposed to be levied only on the developed and developable lands within such subdivision. However, platting has not yet begun and thus a final allocation of the benefit for Parcel/Subdivision Infrastructure is premature. Therefore, there will be a two-step process for allocating these assessments.

First, some subdivisions are planned to be located in just one of the nine existing parcels. For those subdivisions, the Parcel/Subdivision Assessment for that subdivision will initially be apportioned 100% to the existing parcel. The other subdivisions are planned to be located in more than one of the nine (9) parcels shown in Table 10 in *Appendix*. For those subdivisions, the Parcel/Subdivision Assessments will initially be apportioned based on the estimated percentage of acreage within the subdivision and within a parcel compared to the percentage of acreage within the subdivision located in other parcels. For example, if 60% of the acreage within a planned subdivision is located in Parcel A, and 40% of the acreage within the same planned subdivision is located in Parcel B, Parcel A will receive 60% of that parcel's Parcel/Subdivision Assessments apportionment and Parcel B will receive 40% of that parcel's Parcel/Subdivision Assessments apportionment.

The estimates in this Assessment Report illustrate the proportionate benefit received by each parcel from Parcel/Subdivision Infrastructure Improvements based on the current development plan, and therefore are subject to change as the residential lots are platted and/or site plans approved.

Once platting (for residential land uses) and/or development or site approval (for non-residential land uses) has begun, the Parcel/Subdivision Assessment will be levied on properties within the subdivision based on the benefits they receive consistent with the methodology set forth herein and on a first platted-first assigned basis. Such allocation will reduce the amount of the remaining Parcel/Subdivision Assessments on unplatted gross acres within the parcel which will continue to be assessed on a per acre basis.

Further, to the extent that any properties in the District are sold to unaffiliated third party buyers, the District may assign to such properties an amount of Master Assessments and, if applicable, the Parcel/Subdivision Assessments equal to the development rights transferred with such property from seller to buyer based on the location of such properties as signified by Parcel Number (together, "Remaining Assessments").

5.4 Lienability Test: Special and Peculiar Benefit to the Property

As first discussed in *Section 1.3*, Special Benefits and General Benefits, the delivery of the Improvements that make up the Capital Improvement Plan creates special benefits to property within the District. Construction and/or acquisition of the Improvements will provide several types of systems, facilities and services for District residents and landowners. The details of such systems, facilities and services are set forth in the Engineer's Report. These Improvements accrue in differing amounts and are dependent on the type of land use and location receiving the special benefits peculiar to those properties, which flow from the logical relationship of the Improvements to said properties.

Once these determinations are made, they are reviewed in light of the special benefits peculiar to the property, which flow to the properties as a result of their logical connection from the Improvements in fact actually provided.

For the provision of the Improvements set forth in the Capital Improvement Plan, the special and peculiar benefits include, but are not limited to:

- a. added use of the property;
- b. added enjoyment of the property;
- c. decreased insurance premiums;
- d. increased marketability and value of the property; and
- e. full development of the property within the District.

The provision of the Capital Improvement Plan makes the land within the District developable and saleable and provides special benefits to benefitting property in the District which are greater than the benefits of any single improvement. These special benefits are real and ascertainable, but not yet capable of being calculated and assessed in terms of numerical value; however, such benefits are more valuable than either the cost of, or the actual assessment levied for, the improvement or debt as allocated.

5.5 Lienability Test: Reasonable and Fair Apportionment of the Duty to Pay Assessments

A reasonable estimate of the proportion of special and peculiar benefits received from the Improvements is delineated in Table 4 (expressed as ERU factors) in the *Appendix*.

The apportionment of the special assessments is fair and reasonable because it was conducted on the basis of consistent application of the methodology described in *Section 5.2* across all assessable property within the District according to reasonable estimates of the special benefits derived from the acquisition and/or construction of the Improvements by different land uses within the District.

Accordingly, no acre or parcel of property within the District will be liened for the payment of any non-ad valorem special assessment more than the determined special benefit peculiar to that property and therefore, the debt allocation will not be increased by more than the debt allocation set forth in this Assessment Report.

In accordance with the benefit allocation suggested for the land uses in Table 4 in the *Appendix*, a Master Assessments per Unit/1,000 Sq. Ft/Hotel Room and Parcel/Subdivision Assessments per unit per Unit/1,000 Sq. Ft/Hotel Room have been calculated for each land use based on the location of each specific parcel in Table 8 in the *Appendix*. These amounts represent the preliminary anticipated debt allocation assuming all anticipated units are built and sold as planned, and the entire proposed Capital Improvement Plan is constructed or acquired and financed by the District.

5.6 True-Up Mechanism

The Assessment Methodology described herein is based on conceptual information obtained from the Developer prior to construction. As development occurs it is possible that the development plan may change. In addition, the boundaries of the planned subdivisions may change as development progresses. The mechanism for maintaining the methodology over the changes is referred to as true-up.

Although the District does not process plats, site plans or revisions thereto, it does have an important role to play during the course of platting and site planning. Whenever a plat or site plan is processed, the District must allocate a portion of its Master Assessments and, if applicable, all or a portion of its Parcel/Subdivision Assessments to the property according to this Assessment Report. In addition, the District must also prevent any buildup of Master Assessments and Parcel/Subdivision Assessments on unplatted property or property that did not obtain site plan approval. Otherwise, the land could be fully developed and/or platted without all of the Master Assessments and Parcel/Subdivision Assessments being allocated to developed

lands. To preclude this, at the time of platting for residential properties or development or site plan approval for non-residential properties, the District will determine the amount of anticipated Master Assessments and Parcel/ Subdivision Assessment that remains on the properties that have not yet been platted or have not yet received their site plan approval, taking into account the proposed plat, or site plan approval.

If the Master Assessments that remains on unplatted property or property that did not obtain site plan approval is equal to the levels in Table 5 in the *Appendix* then no adjustment is required. If the Master Assessments that remains on unplatted property or property that did not obtain site plan approval is more than the levels in Table 5 in the *Appendix* then a debt reduction or true-up payment by the Developer (or its assigns) in the amount necessary to reduce the par amount of the outstanding Master Bonds to a level that would be consistent with the levels in Table 5 in the *Appendix* will be required. In the event that developable lands that derive benefit from delivery of the Capital Improvement Plan are added to the District boundaries or there is an increase in density, the Master Assessments will be allocated to such lands pursuant to the methodology described herein thereby reducing the Master Assessments for all units in the District on a pro-rata basis.

If the Parcel/Subdivision Assessments that remains on unplatted property or property that did not obtain site plan approval within a particular subdivision is equal to the levels in Table 7 in the *Appendix* then no adjustment is required. If the Parcel/Subdivision Assessments that remains on unplatted property or property that did not obtain site plan approval within a particular subdivision is more than it is anticipated by this methodology, then a debt reduction or true-up payment by the Developer in the amount necessary to reduce the par amount of the outstanding Parcel/Subdivision Bonds to a level that would be at or below the levels in Table 7 in the *Appendix* will be required. In the event that developable lands that derive benefit from delivery of the Capital Improvement Plan are added to a subdivision or there is an increase in density within a subdivision, the Parcel/Subdivision Assessments will be allocated to such lands pursuant to the methodology described herein thereby reducing the Parcel/Subdivision Assessments for all units in the subdivision on a pro-rata basis.

Further, each future supplemental methodology shall apply a "true up" test, to ensure that, due to the level of development on any one parcel of land, the Master Assessments and, if applicable,

Parcel/Subdivision Assessments on any other parcel of land cannot exceed the special and peculiar benefit which can be apportioned to such parcel in accordance with any then-applicable assessment methodology.

5.7 Assessment Roll

The District will initially distribute the liens across all property within the District boundaries in accordance with this methodology. Total Assessment of \$129,320,000 is proposed to be levied over the area described in Table 10 in the *Appendix*. Excluding any capitalized interest period, the Master Annual DS Payment and Parcel/Subdivision Assessment Annual DS Payment shall be paid in not more than thirty (30) annual installments of principal.

6.0 Additional Stipulations

6.1 Overview

Wrathell, Hunt and Associates, LLC was retained by the District to prepare a methodology to fairly allocate the special assessments related to the District's Capital Improvement Program. Certain financing, development and engineering data was provided by members of District Staff and/or the Developer. The allocation Methodology described herein was based on information provided by those professionals. Wrathell, Hunt and Associates, LLC makes no representations regarding said information transactions beyond restatement of the factual information necessary for compilation of this report. For additional information on the Bond structure and related items, please refer to the Offering Statement associated with this transaction.

Wrathell, Hunt and Associates, LLC does not represent the District as a Municipal Advisor or Securities Broker nor is Wrathell, Hunt and Associates, LLC registered to provide such services as described in Section 15B of the Securities and Exchange Act of 1934, as amended. Similarly, Wrathell, Hunt and Associates, LLC does not provide the District with financial advisory services or offer investment advice in any form.

7.0 Appendix

Table 1

Emerald Lakes

Community Development District

Plan of Development - Summary

Land Use	Unit of Measurement	Number of Units/Sq. Ft./Hotel Rooms
Residential		
SFD 40'	Unit	308
SFD 50'	Unit	1,139
SFD 75'	Unit	75
TH	Unit	386
MF	Unit	1,836
Total Residential		3,744
Non-Residential		
Commercial/Retail/Office	Sq. Ft.	2,670,000
Hotel	Hotel Room	700

Plan of Development - Parcel Detail

Subdivision Number	Land Use	SFD 40'	SFD 50'	SFD 75'	TH	MF	Commercial /Retail/Office	Hotel
1Q-3	SFD 40'	135	0	0	0	0	0	0
1Q-6	SFD 50'	0	201	0	0	0	0	0
1Q-7	SFD 50'	0	145	0	0	0	0	0
1Q-11	SFD 50'	0	271	0	0	0	0	0
1Q-12	Commercial/Retail/Office	0	0	0	0	0	144,000	0
1Q-12	Hotel	0	0	0	0	0	0	200
1Q-13	Commercial/Retail/Office	0	0	0	0	0	11,500	0
1Q-15	Commercial/Retail/Office	0	0	0	0	0	57,500	0
Sub-Total		135	617	0	0	0	213,000	200
2Q-1	Commercial/Retail/Office	0	0	0	0	0	321,000	0
2Q-1	Hotel	0	0	0	0	0	0	200
2Q-2	Commercial/Retail/Office	0	0	0	0	0	41,500	0
2Q-3	MF	0	0	0	0	419	0	0
2Q-5	Commercial/Retail/Office	0	0	0	0	0	677,000	0
2Q-6	Commercial/Retail/Office	0	0	0	0	0	59,000	0
Sub-Total		0	0	0	0	419	1,098,500	200
3Q-1	SFD 50'	0	60	0	0	0	0	0
3Q-2	SFD 40'	91	0	0	0	0	0	0
3Q-4	SFD 75'	0	0	75	0	0	0	0
3Q-5	Commercial/Retail/Office	0	0	0	0	0	12,000	0
3Q-6	Commercial/Retail/Office	0	0	0	0	0	11,500	0
3Q-7	Commercial/Retail/Office	0	0	0	0	0	22,000	0
3Q-8	Commercial/Retail/Office	0	0	0	0	0	79,000	0
3Q-9	Commercial/Retail/Office	0	0	0	0	0	109,500	0
3Q-10	Commercial/Retail/Office	0	0	0	0	0	538,500	0
3Q-10	Hotel	0	0	0	0	0	0	200
3Q-10	TH	0	0	0	120	0	0	0
3Q-10	MF	0	0	0	0	1,167	0	0
Sub-Total		91	60	75	120	1,167	772,500	200
4Q-1	SFD 50'	0	139	0	0	0	0	0
4Q-7	SFD 40'	82	0	0	0	0	0	0
4Q-9	SFD 50'	0	169	0	0	0	0	0
4Q-10	SFD 50'	0	154	0	0	0	0	0
4Q-10	TH	0	0	0	200	0	0	0
4Q-12	Commercial/Retail/Office	0	0	0	0	0	175,000	0
4Q-12	MF	0	0	0	0	250	0	0
4Q-13	Commercial/Retail/Office	0	0	0	0	0	309,000	0
4Q-14	TH	0	0	0	66	0	0	0
4Q-16	Commercial/Retail/Office	0	0	0	0	0	9,000	0
4Q-17	Commercial/Retail/Office	0	0	0	0	0	7,500	0
4Q-18	Commercial/Retail/Office	0	0	0	0	0	57,500	0
4Q-19	Commercial/Retail/Office	0	0	0	0	0	28,000	0
4Q-19	Hotel	0	0	0	0	0	0	100
Sub-Total		82	462	0	266	250	586,000	100
Total		308	1,139	75	386	1,836	2,670,000	700

Table 2

Emerald Lakes

Community Development District

Capital Improvement Plan

Master Infrastructure Improvements

Improvement Category	Method of Benefit Allocation	Percent of	
		Total	Cost
Roadways	Trip Generation	12.80%	\$8,066,500.00
Earthwork, Stormwater and Surface Water Management (SWM)	Density of Development	12.26%	\$7,728,760.00
Conservation Areas, Mitigation Areas and Wildlife Habitat	Density of Development	21.36%	\$13,463,304.00
Water and Wastewater (W&W)	W&W Utility Usage	17.19%	\$10,836,720.00
Landscaping, Hardscaping, Signage, Irrigation and Lighting	Trip Generation	6.64%	\$4,184,000.00
Impact Fees	Density of Development	4.60%	\$2,900,000.00
Recreation Facilities	Recreation Unit	9.28%	\$5,850,000.00
Residential Lagoon	Recreation Unit	15.87%	\$10,000,000.00
Sub-Total Master Infrastructure Improvements		100.00%	\$63,029,284.00
9% Contingency & Soft Costs			\$5,672,635.56
Total Master Infrastructure Improvements			\$68,701,919.56

Parcel/Subdivision Infrastructure Improvements

Subdivision Number	Improvement Category	Method of Benefit Allocation	Percent of Total	Cost
1Q-3	Roadways	Trip Generation	34.78%	\$834,130.00
	Earthwork, Stormwater and Surface Water Management (SWM)	Density of Development	40.98%	\$982,982.80
	Water and Wastewater (W&W)	W&W Utility Usage	24.24%	\$581,500.00
	Sub-Total		100.00%	\$2,398,612.80
1Q-6	Roadways	Trip Generation	35.94%	\$1,167,933.33
	Earthwork, Stormwater and Surface Water Management (SWM)	Density of Development	38.72%	\$1,258,285.47
	Water and Wastewater (W&W)	W&W Utility Usage	25.33%	\$823,100.00
	Sub-Total		100.00%	\$3,249,318.80
1Q-7	Roadways	Trip Generation	34.69%	\$828,300.00
	Earthwork, Stormwater and Surface Water Management (SWM)	Density of Development	40.78%	\$973,621.82
	Water and Wastewater (W&W)	W&W Utility Usage	24.53%	\$585,600.00
	Sub-Total		100.00%	\$2,387,521.82
1Q-11	Roadways	Trip Generation	38.38%	\$1,757,333.33
	Earthwork, Stormwater and Surface Water Management (SWM)	Density of Development	35.08%	\$1,606,288.52
	Water and Wastewater (W&W)	W&W Utility Usage	26.53%	\$1,214,750.00
	Sub-Total		100.00%	\$4,578,371.85
1Q-12	Earthwork, Stormwater and Surface Water Management (SWM)	Density of Development	100.00%	\$218,048.00
	Sub-Total		100.00%	\$218,048.00
1Q-15	Earthwork, Stormwater and Surface Water Management (SWM)	Density of Development	100.00%	\$49,158.00
	Sub-Total		100.00%	\$49,158.00
2Q-1 and 2Q-5	Earthwork, Stormwater and Surface Water Management (SWM)	Density of Development	100.00%	\$41,502.00
	Sub-Total		100.00%	\$41,502.00
2Q-3	Earthwork, Stormwater and Surface Water Management (SWM)	Density of Development	100.00%	\$101,504.00
	Sub-Total		100.00%	\$101,504.00
2Q-6	Earthwork, Stormwater and Surface Water Management (SWM)	Density of Development	100.00%	\$27,396.00
	Sub-Total		100.00%	\$27,396.00
3Q-1	Roadways	Trip Generation	35.37%	\$354,000.00
	Earthwork, Stormwater and Surface Water Management (SWM)	Density of Development	40.95%	\$409,896.58
	Water and Wastewater (W&W)	W&W Utility Usage	23.68%	\$237,000.00
	Sub-Total		100.00%	\$1,000,896.58
3Q-2	Roadways	Trip Generation	36.07%	\$357,133.33
	Earthwork, Stormwater and Surface Water Management (SWM)	Density of Development	36.26%	\$358,949.33
	Water and Wastewater (W&W)	W&W Utility Usage	27.67%	\$273,950.00
	Sub-Total		100.00%	\$990,032.66
3Q-4	Roadways	Trip Generation	47.71%	\$1,818,300.00
	Earthwork, Stormwater and Surface Water Management (SWM)	Density of Development	30.14%	\$1,148,763.24
	Water and Wastewater (W&W)	W&W Utility Usage	22.15%	\$844,200.00
	Sub-Total		100.00%	\$3,811,263.24
3Q-5 and 3Q-6	Earthwork, Stormwater and Surface Water Management (SWM)	Density of Development	100.00%	\$99,099.72
	Sub-Total		100.00%	\$99,099.72

Table 2 - Continued

Emerald Lakes

Community Development District

Capital Improvement Plan

Parcel/Subdivision Infrastructure Improvements

Subdivision Number	Improvement Category			Cost
3Q-10	Earthwork, Stormwater and Surface Water Management (SWM)	Density of Development	100.00%	\$776,390.11
	Sub-Total		100.00%	\$776,390.11
4Q-1	Roadways	Trip Generation	38.12%	\$984,766.67
	Earthwork, Stormwater and Surface Water Management (SWM)	Density of Development	35.90%	\$927,543.38
	Water and Wastewater (W&W)	W&W Utility Usage	25.98%	\$671,200.00
	Sub-Total		100.00%	\$2,583,510.05
4Q-7	Roadways	Trip Generation	39.14%	\$640,533.33
	Earthwork, Stormwater and Surface Water Management (SWM)	Density of Development	34.57%	\$565,722.31
	Water and Wastewater (W&W)	W&W Utility Usage	26.30%	\$430,400.00
	Sub-Total		100.00%	\$1,636,655.64
4Q-9	Roadways	Trip Generation	33.64%	\$923,000.00
	Earthwork, Stormwater and Surface Water Management (SWM)	Density of Development	42.36%	\$1,162,283.74
	Water and Wastewater (W&W)	W&W Utility Usage	24.01%	\$658,850.00
	Sub-Total		100.00%	\$2,744,133.74
4Q-10	Roadways	Trip Generation	35.10%	\$894,466.67
	Earthwork, Stormwater and Surface Water Management (SWM)	Density of Development	40.13%	\$1,022,768.95
	Water and Wastewater (W&W)	W&W Utility Usage	24.78%	\$631,450.00
	Sub-Total		100.00%	\$2,548,685.62
4Q-12 and 4Q-13	Earthwork, Stormwater and Surface Water Management (SWM)	Density of Development	100.00%	\$607,727.43
	Sub-Total		100.00%	\$607,727.43
4Q-14	Earthwork, Stormwater and Surface Water Management (SWM)	Density of Development	100.00%	\$27,758.00
	Sub-Total		100.00%	\$27,758.00
4Q-16 and 4Q-17	Earthwork, Stormwater and Surface Water Management (SWM)	Density of Development	100.00%	\$31,944.00
	Sub-Total		100.00%	\$31,944.00
4Q-18 and 4Q-19	Earthwork, Stormwater and Surface Water Management (SWM)	Density of Development	100.00%	\$12,476.58
	Sub-Total		100.00%	\$12,476.58
Sub-Total Parcel/Subdivision Infrastructure Improvements				\$29,922,006.64
9% Contingency & Soft Costs				\$2,692,980.60
Total Parcel/Subdivision Infrastructure Improvements				\$32,614,987.24
Total All Costs				\$101,316,906.80

Table 3

Emerald Lakes
Community Development District

Preliminary Sources and Uses of Funds

		Master Infrastructure Bonds	Parcel/ Subdivision Infrastructure Bonds	Total Bonds
Sources				
	Bond Proceeds: Par Amount	\$87,690,000.00	\$41,630,000.00	\$129,320,000.00
Total Sources		\$87,690,000.00	\$41,630,000.00	\$129,320,000.00
Uses				
	Project Fund Deposits: Project Fund	\$68,701,919.56	\$32,614,987.24	\$101,316,906.80
	Other Fund Deposits: Debt Service Reserve Fund	\$6,370,583.05	\$3,024,374.19	\$9,394,957.23
	Capitalized Interest Fund	\$10,522,800.00	\$4,995,600.00	\$15,518,400.00
		\$16,893,383.05	\$8,019,974.19	\$24,913,357.23
	Delivery Date Expenses: Costs of Issuance	\$339,000.00	\$161,000.00	\$500,000.00
	Underwriter's Discount	\$1,753,800.00	\$832,600.00	\$2,586,400.00
		\$2,092,800.00	\$993,600.00	\$3,086,400.00
	Rounding	\$1,897.39	\$1,438.58	\$3,335.97
Total Uses		\$87,690,000.00	\$41,630,000.00	\$129,320,000.00

Table 4

Emerald Lakes

Community Development District

Master Infrastructure Cost Benefit Allocation - Costs with Benefit Allocated Based on Trip Generation

Land Use	Number of Units/Sq. Ft./Hotel Rooms	Trip Generation ERU Factor per Unit/1,000 Sq.Ft./Hotel Room	Trip Generation ERUs	Master Infrastructure Cost Benefit Allocation	Master Infrastructure Cost Benefit Allocation with Soft Costs & Contingency
Residential					
SFD 40'	308	1.00	308.00	\$403,370.73	\$524,381.95
SFD 50'	1,139	1.00	1,139.00	\$1,491,685.91	\$1,939,191.68
SFD 75'	75	1.00	75.00	\$98,223.39	\$127,690.41
TH	386	0.61	235.46	\$308,369.06	\$400,879.78
MF	1,836	0.70	1,285.20	\$1,683,156.04	\$2,188,102.85
Total Residential	3,744		3,042.66	\$3,984,805.14	\$5,180,246.68
Non-Residential					
Commercial/Retail/Office	2,670,000	2.12	5,660.40	\$7,413,115.82	\$9,637,050.57
Hotel	700	0.93	651.00	\$852,579.04	\$1,108,352.75
Total Non-Residential			6,311.40	\$8,265,694.86	\$10,745,403.32
Total			9,354.06	\$12,250,500.00	\$15,925,650.00

Master Infrastructure Cost Benefit Allocation - Costs with Benefit Allocated Based on Density of Development

Land Use	Number of Units/Sq. Ft./Hotel Rooms	Density of Development ERU Factor per Unit/1,000 Sq.Ft./Hotel Room	Density of Development ERUs	Master Infrastructure Cost Benefit Allocation	Master Infrastructure Cost Benefit Allocation with Soft Costs & Contingency
Residential					
SFD 40'	308	0.80	246.40	\$1,298,178.48	\$1,687,632.02
SFD 50'	1,139	1.00	1,139.00	\$6,000,914.30	\$7,801,188.59
SFD 75'	75	1.50	112.50	\$592,715.42	\$770,530.04
TH	386	0.50	193.00	\$1,016,836.22	\$1,321,887.09
MF	1,836	0.33	605.88	\$3,192,128.14	\$4,149,766.59
Total Residential			2,296.78	\$12,100,772.56	\$15,731,004.33
Non-Residential					
Commercial/Retail/Office	2,670,000	0.80	2,136.00	\$11,253,690.03	\$14,629,797.04
Hotel	700	0.20	140.00	\$737,601.41	\$958,881.83
Total Non-Residential			2,276.00	\$11,991,291.44	\$15,588,678.87
Total			4,572.78	\$24,092,064.00	\$31,319,683.20

Master Infrastructure Cost Benefit Allocation - Costs with Benefit Allocated Based on W&W Utility Usage

Land Use	Number of Units/Sq. Ft./Hotel Rooms	W&W Utility Usage ERU Factor per Unit/1,000 Sq.Ft./Hotel Room	W&W Utility Usage ERUs	Master Infrastructure Cost Benefit Allocation	Master Infrastructure Cost Benefit Allocation with Soft Costs & Contingency
Residential					
SFD 40'	308	1.00	308.00	\$769,057.55	\$999,774.81
SFD 50'	1,139	1.00	1,139.00	\$2,844,014.76	\$3,697,219.19
SFD 75'	75	1.50	112.50	\$280,905.76	\$365,177.49
TH	386	1.00	386.00	\$963,818.88	\$1,252,964.54
MF	1,836	0.75	1,377.00	\$3,438,286.51	\$4,469,772.46
Total Residential			3,322.50	\$8,296,083.46	\$10,784,908.49
Non-Residential					
Commercial/Retail/Office	2,670,000	0.25	667.50	\$1,666,707.51	\$2,166,719.76
Hotel	700	0.50	350.00	\$873,929.03	\$1,136,107.74
Total Non-Residential			1,017.50	\$2,540,636.54	\$3,302,827.51
Total			4,340.00	\$10,836,720.00	\$14,087,736.00

Table 4 - Continued

Emerald Lakes

Community Development District

Master Infrastructure Cost Benefit Allocation - Costs with Benefit Allocated Based on Recreation Unit

Land Use	Number of Units/Sq. Ft./Hotel Rooms	Recreation Unit ERU Factor per Unit/1,000 Sq.Ft./Hotel Room	Recreation Unit ERUs	Master Infrastructure Cost Benefit Allocation	Master Infrastructure Cost Benefit Allocation with Soft Costs & Contingency
Residential					
SFD 40'	308	1.00	308.00	\$1,303,899.57	\$1,695,069.44
SFD 50'	1,139	1.00	1,139.00	\$4,821,888.35	\$6,268,454.86
SFD 75'	75	1.00	75.00	\$317,508.01	\$412,760.42
TH	386	1.00	386.00	\$1,634,107.91	\$2,124,340.28
MF	1,836	1.00	1,836.00	\$7,772,596.15	\$10,104,375.00
Total Residential			3,744.00	\$15,850,000.00	\$20,605,000.00
Non-Residential					
Commercial/Retail/Office	2,670,000	0.00	0.00	\$0.00	\$0.00
Hotel	700	0.00	0.00	\$0.00	\$0.00
Total Non-Residential			0.00	\$0.00	\$0.00
Total			3,744.00	\$15,850,000.00	\$20,605,000.00

Master Infrastructure Cost Benefit Allocation - Summary for All Costs

Land Use	Number of Units/Sq. Ft./Hotel Rooms	Master Infrastructure Cost Benefit Allocation - Costs with Benefit Allocated Based on Trip Generation	Master Infrastructure Cost Benefit Allocation - Costs with Benefit Allocated Based on Density of Development	Master Infrastructure Cost Benefit Allocation - Costs with Benefit Allocated Based on W&W Utility Usage	Master Infrastructure Cost Benefit Allocation - Costs with Benefit Allocated Based on Recreation Unit	Total Master Infrastructure Cost Benefit Allocation	Total Master Infrastructure Cost Benefit Allocation with Soft Costs & Contingency
Residential							
SFD 40'	308	\$403,370.73	\$1,298,178.48	\$769,057.55	\$1,303,899.57	\$3,774,506.33	\$4,114,211.89
SFD 50'	1,139	\$1,491,685.91	\$6,000,914.30	\$2,844,014.76	\$4,821,888.35	\$15,158,503.33	\$16,522,768.63
SFD 75'	75	\$98,223.39	\$592,715.42	\$280,905.76	\$317,508.01	\$1,289,352.58	\$1,405,394.31
TH	386	\$308,369.06	\$1,016,836.22	\$963,818.88	\$1,634,107.91	\$3,923,132.07	\$4,276,213.96
MF	1,836	\$1,683,156.04	\$3,192,128.14	\$3,438,286.51	\$7,772,596.15	\$16,086,166.85	\$17,533,921.86
Total Residential	3,744	\$3,984,805.14	\$12,100,772.56	\$8,296,083.46	\$15,850,000.00	\$40,231,661.15	\$43,852,510.66
Non-Residential							
Commercial/Retail/Office	2,670,000	\$7,413,115.82	\$11,253,690.03	\$1,666,707.51	\$0.00	\$20,333,513.37	\$22,163,529.57
Hotel	700	\$852,579.04	\$737,601.41	\$873,929.03	\$0.00	\$2,464,109.48	\$2,685,879.33
Total Non-Residential		\$8,265,694.86	\$11,991,291.44	\$2,540,636.54	\$0.00	\$22,797,622.85	\$24,849,408.90
Total		\$12,250,500.00	\$24,092,064.00	\$10,836,720.00	\$15,850,000.00	\$63,029,284.00	\$68,701,919.56

Table 5

Emerald Lakes

Community Development District

Master Assessments Apportionment

Land Use	Number of Units/Sq. Ft./Hotel Rooms	Total Master Assessments	Master Assessments per Unit/1,000 Sq.Ft./Hotel Room	Total Master Assessments Annual DS Payment*	Total Master Assessments Payment per Unit/1,000 Sq.Ft./Hotel Room*	Total Master Assessments Payment per Unit/1,000 Sq.Ft./Hotel Room**
Residential						
SFD 40'	308	\$5,251,312.38	\$17,049.72	\$381,502.13	\$1,238.64	\$1,346.35
SFD 50'	1,139	\$21,089,390.08	\$18,515.71	\$1,532,121.23	\$1,345.15	\$1,462.12
SFD 75'	75	\$1,793,822.18	\$23,917.63	\$130,319.23	\$1,737.59	\$1,888.68
TH	386	\$5,458,089.15	\$14,140.13	\$396,524.24	\$1,027.26	\$1,116.59
MF	1,836	\$22,380,009.44	\$12,189.55	\$1,625,883.32	\$885.56	\$962.56
Total Residential	3,744	\$55,972,623.24		\$4,066,350.15		
Non-Residential						
Commercial/Retail/Office	2,670,000	\$28,289,164.56	\$10,595.19	\$2,055,177.01	\$769.73	\$836.66
Hotel	700	\$3,428,212.20	\$4,897.45	\$249,055.88	\$355.79	\$386.73
Total Non-Residential		\$31,717,376.76		\$2,304,232.90		
Total		\$87,690,000.00		\$6,370,583.05		

* Does not include costs of collection

** Includes allocation for early payment discount and costs of collection

Table 6

Emerald Lakes

Community Development District

Parcel/Subdivision Infrastructure Cost Benefit Allocation

Subdivision Number	Land Use	Number of Units/Sq. Ft./Hotel Rooms	Improvement Category	ERU Factor	Total ERU	Parcel/Subdivision Infrastructure Cost Benefit Allocation	Parcel/Subdivision Infrastructure Cost Benefit Allocation with Soft Costs & Contingency
1Q-3	SFD 40'	135	Roadways, SWM and W&W			\$2,398,612.80	\$3,118,196.64
1Q-6	SFD 50'	201	Roadways, SWM and W&W			\$3,249,318.80	\$4,224,114.44
1Q-7	SFD 50'	145	Roadways, SWM and W&W			\$2,387,521.82	\$3,103,778.37
1Q-11	SFD 50'	271	Roadways, SWM and W&W			\$4,578,371.85	\$5,951,883.41
1Q-12	Commercial/Retail/Office	144,000	SWM	0.80	115.20	\$161,850.06	\$210,405.08
1Q-12	Hotel	200	SWM	0.20	40.00	\$56,197.94	\$73,057.32
					155.20	\$218,048.00	\$283,462.40
1Q-13	Commercial/Retail/Office	11,500				\$0.00	\$0.00
1Q-15	Commercial/Retail/Office	57,500	SWM			\$49,158.00	\$63,905.40
2Q-1	Commercial/Retail/Office	321,000	SWM	0.80	256.80	\$12,711.97	\$16,525.56
2Q-1	Hotel	200	SWM	0.20	40.00	\$1,980.06	\$2,574.07
2Q-5	Commercial/Retail/Office	677,000	SWM	0.80	541.60	\$26,809.98	\$34,852.97
					838.40	\$41,502.00	\$53,952.60
2Q-2	Commercial/Retail/Office	41,500				\$0.00	\$0.00
2Q-3	MF	419	SWM			\$101,504.00	\$131,955.20
2Q-6	Commercial/Retail/Office	59,000	SWM			\$27,396.00	\$35,614.80
3Q-1	SFD 50'	60	Roadways, SWM and W&W			\$1,000,896.58	\$1,301,165.55
3Q-2	SFD 40'	91	Roadways, SWM and W&W			\$990,032.66	\$1,287,042.46
3Q-4	SFD 75'	75	Roadways, SWM and W&W			\$3,811,263.24	\$4,954,642.21
3Q-5	Commercial/Retail/Office	12,000	SWM	0.80	9.60	\$50,604.11	\$65,785.35
3Q-6	Commercial/Retail/Office	11,500	SWM	0.80	9.20	\$48,495.61	\$63,044.29
					18.80	\$99,099.72	\$128,829.64
3Q-7	Commercial/Retail/Office	22,000				\$0.00	\$0.00
3Q-8	Commercial/Retail/Office	79,000				\$0.00	\$0.00
3Q-9	Commercial/Retail/Office	109,500				\$0.00	\$0.00
3Q-10	Commercial/Retail/Office	538,500	SWM	0.80	430.80	\$365,176.56	\$474,729.52
3Q-10	Hotel	200	SWM	0.20	40.00	\$33,906.83	\$44,078.88
3Q-10	TH	120	SWM	0.50	60.00	\$50,860.24	\$66,118.32
3Q-10	MF	1,167	SWM	0.33	385.11	\$326,446.48	\$424,380.42
					915.91	\$776,390.11	\$1,009,307.14
4Q-1	SFD 50'	139	Roadways, SWM and W&W			\$2,583,510.05	\$3,358,563.07
4Q-7	SFD 40'	82	Roadways, SWM and W&W			\$1,636,655.64	\$2,127,652.33
4Q-9	SFD 50'	169	Roadways, SWM and W&W			\$2,744,133.74	\$3,567,373.86

Table 6 - Continued

Emerald Lakes

Community Development District

Parcel/Subdivision Infrastructure Cost Benefit Allocation

Subdivision Number	Land Use	Number of Units/Sq. Ft./Hotel Rooms	Improvement Category	ERU Factor	Total ERU	Parcel/Subdivision Infrastructure Cost Benefit Allocation	Parcel/Subdivision Infrastructure Cost Benefit Allocation with Soft Costs & Contingency
4Q-10	SFD 50'	154	Roadways	1.00	154.00	\$499,086.48	\$648,812.42
4Q-10	TH	200	Roadways	0.61	122.00	\$395,380.19	\$513,994.25
					276.00	\$894,466.67	\$1,162,806.67
4Q-10	SFD 50'	154	SWM	1.00	154.00	\$620,104.01	\$806,135.21
4Q-10	TH	200	SWM	0.50	100.00	\$402,664.94	\$523,464.42
					254.00	\$1,022,768.95	\$1,329,599.64
4Q-10	SFD 50'	154	W&W	1.00	154.00	\$274,698.59	\$357,108.16
4Q-10	TH	200	W&W	1.00	200.00	\$356,751.41	\$463,776.84
					354.00	\$631,450.00	\$820,885.00
4Q-12	Commercial/Retail/Office	175,000	SWM	0.80	140.00	\$181,140.81	\$235,483.06
4Q-12	MF	250	SWM	0.33	82.50	\$106,743.69	\$138,766.80
4Q-13	Commercial/Retail/Office	309,000	SWM	0.80	247.20	\$319,842.92	\$415,795.80
					469.70	\$607,727.43	\$790,045.66
4Q-14	TH	66	SWM			\$27,758.00	\$36,085.40
4Q-16	Commercial/Retail/Office	9,000	SWM	0.80	7.20	\$17,424.00	\$22,651.20
4Q-17	Commercial/Retail/Office	7,500	SWM	0.80	6.00	\$14,520.00	\$18,876.00
					13.20	\$31,944.00	\$41,527.20
4Q-18	Commercial/Retail/Office	57,500	SWM	0.80	46.00	\$6,492.34	\$8,440.04
4Q-19	Commercial/Retail/Office	28,000	SWM	0.80	22.40	\$3,161.49	\$4,109.93
4Q-19	Hotel	100	SWM	0.20	20.00	\$2,822.76	\$3,669.58
					88.40	\$12,476.58	\$16,219.55
Total						\$29,922,006.64	\$38,898,608.63

Table 7

Emerald Lakes

Community Development District

Parcel/Subdivision Assessments Apportionment

Subdivision Number	Land Use	Number of Units/Sq. Ft./Hotel Rooms	Total Parcel/ Subdivision Assessments	Parcel/ Subdivision Assessments per Unit/1,000 Sq.Ft./Hotel Room	Total Parcel/ Subdivision Assessments Annual DS Payment*	Parcel/ Subdivision Assessments Annual DS Payment per Unit/1,000 Sq.Ft./Hotel Room*	Parcel/ Subdivision Assessments Annual DS Payment per Unit/1,000 Sq.Ft./Hotel Room**
1Q-3	SFD 40'	135	\$3,337,150.88	\$24,719.64	\$242,440.38	\$1,795.85	\$1,952.02
1Q-6	SFD 50'	201	\$4,520,724.27	\$22,491.17	\$328,425.70	\$1,633.96	\$1,776.04
1Q-7	SFD 50'	145	\$3,321,720.18	\$22,908.42	\$241,319.36	\$1,664.27	\$1,808.99
1Q-11	SFD 50'	271	\$6,369,814.11	\$23,504.85	\$462,760.06	\$1,707.60	\$1,856.09
1Q-12	Commercial/Retail/Office	144,000	\$225,179.35	\$1,563.75	\$16,359.03	\$113.60	\$123.48
1Q-12	Hotel	200	\$78,187.28	\$390.94	\$5,680.22	\$28.40	\$30.87
1Q-13	Commercial/Retail/Office	11,500	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
1Q-15	Commercial/Retail/Office	57,500	\$68,392.72	\$1,189.44	\$4,968.66	\$86.41	\$93.93
Sub-Total			\$17,921,168.80		\$1,301,953.41		
2Q-1	Commercial/Retail/Office	321,000	\$17,685.95	\$55.10	\$1,284.87	\$4.00	\$4.35
2Q-1	Hotel	200	\$2,754.82	\$13.77	\$200.13	\$1.00	\$1.09
2Q-2	Commercial/Retail/Office	41,500	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2Q-3	MF	419	\$141,220.86	\$337.04	\$10,259.54	\$24.49	\$26.61
2Q-5	Commercial/Retail/Office	677,000	\$37,300.28	\$55.10	\$2,709.82	\$4.00	\$4.35
2Q-6	Commercial/Retail/Office	59,000	\$38,115.61	\$646.03	\$2,769.06	\$46.93	\$51.01
Sub-Total			\$237,077.52		\$17,223.42		
3Q-1	SFD 50'	60	\$1,392,531.09	\$23,208.85	\$101,165.87	\$1,686.10	\$1,832.72
3Q-2	SFD 40'	91	\$1,377,416.30	\$15,136.44	\$100,067.79	\$1,099.65	\$1,195.27
3Q-4	SFD 75'	75	\$5,302,548.41	\$70,700.65	\$385,224.37	\$5,136.32	\$5,582.96
3Q-5	Commercial/Retail/Office	12,000	\$70,404.68	\$5,867.06	\$5,114.82	\$426.24	\$463.30
3Q-6	Commercial/Retail/Office	11,500	\$67,471.15	\$5,867.06	\$4,901.71	\$426.24	\$463.30
3Q-7	Commercial/Retail/Office	22,000	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
3Q-8	Commercial/Retail/Office	79,000	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
3Q-9	Commercial/Retail/Office	109,500	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
3Q-10	Commercial/Retail/Office	538,500	\$508,064.19	\$943.48	\$36,910.31	\$68.54	\$74.50
3Q-10	Hotel	200	\$47,174.02	\$235.87	\$3,427.14	\$17.14	\$18.63
3Q-10	TH	120	\$70,761.03	\$589.68	\$5,140.71	\$42.84	\$46.56
3Q-10	MF	1,167	\$454,179.66	\$389.19	\$32,995.66	\$28.27	\$30.73
Sub-Total			\$9,290,550.53		\$674,948.38		
4Q-1	SFD 50'	139	\$3,594,395.41	\$25,858.96	\$261,128.91	\$1,878.63	\$2,041.98
4Q-7	SFD 40'	82	\$2,277,052.31	\$27,768.93	\$165,425.37	\$2,017.38	\$2,192.81
4Q-9	SFD 50'	169	\$3,817,868.53	\$22,590.94	\$277,363.99	\$1,641.21	\$1,783.92
4Q-10	SFD 50'	154	\$1,939,295.14	\$12,592.83	\$140,887.68	\$914.86	\$994.41
4Q-10	TH	200	\$1,606,649.61	\$8,033.25	\$116,721.35	\$583.61	\$634.36
4Q-12	Commercial/Retail/Office	175,000	\$252,018.26	\$1,440.10	\$18,308.85	\$104.62	\$113.72
4Q-12	MF	250	\$148,510.76	\$594.04	\$10,789.15	\$43.16	\$46.91
4Q-13	Commercial/Retail/Office	309,000	\$444,992.24	\$1,440.10	\$32,328.20	\$104.62	\$113.72
4Q-14	TH	66	\$38,619.25	\$585.14	\$2,805.65	\$42.51	\$46.21
4Q-16	Commercial/Retail/Office	9,000	\$24,241.73	\$2,693.53	\$1,761.14	\$195.68	\$212.70
4Q-17	Commercial/Retail/Office	7,500	\$20,201.44	\$2,693.53	\$1,467.61	\$195.68	\$212.70
4Q-18	Commercial/Retail/Office	57,500	\$9,032.68	\$157.09	\$656.21	\$11.41	\$12.40
4Q-19	Commercial/Retail/Office	28,000	\$4,398.52	\$157.09	\$319.55	\$11.41	\$12.40
4Q-19	Hotel	100	\$3,927.25	\$39.27	\$285.31	\$2.85	\$3.10
Sub-Total			\$14,181,203.15		\$1,030,248.97		
Total			\$41,630,000.00		\$3,024,374.19		

* Does not include costs of collection

** Includes allocation for early payment discount and costs of collection

Table 8

Emerald Lakes

Community Development District

Master Assessments and Parcel/Subdivision Assessments Apportionment

Subdivision Number	Land Use	Number of Units/Sq. Ft./Hotel Rooms	Total Master Assessments	Total Parcel/ Subdivision Assessments	Sum of Master Assessments and Parcel/ Subdivision Assessments	Master Assessments per Unit/1,000 Sq.Ft./Hotel Room	Parcel/ Subdivision Assessments per Unit/1,000 Sq.Ft./Hotel Room	Sum of Master and Parcel/ Subdivision Assessments per Unit/1,000 Sq. Ft./Hotel Room
					Assessments	Assessments	Assessments	
1Q-3	SFD 40'	135	\$2,301,711.60	\$3,337,150.88	\$5,638,862.48	\$17,049.72	\$24,719.64	\$41,769.35
1Q-6	SFD 50'	201	\$3,721,657.07	\$4,520,724.27	\$8,242,381.34	\$18,515.71	\$22,491.17	\$41,006.87
1Q-7	SFD 50'	145	\$2,684,777.49	\$3,321,720.18	\$6,006,497.67	\$18,515.71	\$22,908.42	\$41,424.12
1Q-11	SFD 50'	271	\$5,017,756.55	\$6,369,814.11	\$11,387,570.66	\$18,515.71	\$23,504.85	\$42,020.56
1Q-12	Commercial/Retail/Office	144,000	\$1,525,707.75	\$225,179.35	\$1,750,887.10	\$10,595.19	\$1,563.75	\$12,158.94
1Q-12	Hotel	200	\$979,489.20	\$78,187.28	\$1,057,676.47	\$4,897.45	\$390.94	\$5,288.38
1Q-13	Commercial/Retail/Office	11,500	\$121,844.72	\$0.00	\$121,844.72	\$10,595.19	\$0.00	\$10,595.19
1Q-15	Commercial/Retail/Office	57,500	\$609,223.58	\$68,392.72	\$677,616.31	\$10,595.19	\$1,189.44	\$11,784.63
Sub-Total			\$16,962,167.96	\$17,921,168.80	\$34,883,336.76			
2Q-1	Commercial/Retail/Office	321,000	\$3,401,056.86	\$17,685.95	\$3,418,742.82	\$10,595.19	\$55.10	\$10,650.29
2Q-1	Hotel	200	\$979,489.20	\$2,754.82	\$982,244.02	\$4,897.45	\$13.77	\$4,911.22
2Q-2	Commercial/Retail/Office	41,500	\$439,700.50	\$0.00	\$439,700.50	\$10,595.19	\$0.00	\$10,595.19
2Q-3	MF	419	\$5,107,420.45	\$141,220.86	\$5,248,641.31	\$12,189.55	\$337.04	\$12,526.59
2Q-5	Commercial/Retail/Office	677,000	\$7,172,945.47	\$37,300.28	\$7,210,245.75	\$10,595.19	\$55.10	\$10,650.29
2Q-6	Commercial/Retail/Office	59,000	\$625,116.37	\$38,115.61	\$663,231.98	\$10,595.19	\$646.03	\$11,241.22
Sub-Total			\$17,725,728.86	\$237,077.52	\$17,962,806.38			
3Q-1	SFD 50'	60	\$1,110,942.41	\$1,392,531.09	\$2,503,473.50	\$18,515.71	\$23,208.85	\$41,724.56
3Q-2	SFD 40'	91	\$1,551,524.11	\$1,377,416.30	\$2,928,940.41	\$17,049.72	\$15,136.44	\$32,186.16
3Q-4	SFD 75'	75	\$1,793,822.18	\$5,302,548.41	\$7,096,370.59	\$23,917.63	\$70,700.65	\$94,618.27
3Q-5	Commercial/Retail/Office	12,000	\$127,142.31	\$70,404.68	\$197,546.99	\$10,595.19	\$5,867.06	\$16,462.25
3Q-6	Commercial/Retail/Office	11,500	\$121,844.72	\$67,471.15	\$189,315.86	\$10,595.19	\$5,867.06	\$16,462.25
3Q-7	Commercial/Retail/Office	22,000	\$233,094.24	\$0.00	\$233,094.24	\$10,595.19	\$0.00	\$10,595.19
3Q-8	Commercial/Retail/Office	79,000	\$837,020.22	\$0.00	\$837,020.22	\$10,595.19	\$0.00	\$10,595.19
3Q-9	Commercial/Retail/Office	109,500	\$1,160,173.60	\$0.00	\$1,160,173.60	\$10,595.19	\$0.00	\$10,595.19
3Q-10	Commercial/Retail/Office	538,500	\$5,705,511.28	\$508,064.19	\$6,213,575.47	\$10,595.19	\$943.48	\$11,538.67
3Q-10	Hotel	200	\$979,489.20	\$47,174.02	\$1,026,663.22	\$4,897.45	\$235.87	\$5,133.32
3Q-10	TH	120	\$1,696,815.28	\$70,761.03	\$1,767,576.31	\$14,140.13	\$589.68	\$14,729.80
3Q-10	MF	1,167	\$14,225,202.08	\$454,179.66	\$14,679,381.74	\$12,189.55	\$389.19	\$12,578.73
Sub-Total			\$29,542,581.64	\$9,290,550.53	\$38,833,132.17			
4Q-1	SFD 50'	139	\$2,573,683.25	\$3,594,395.41	\$6,168,078.66	\$18,515.71	\$25,858.96	\$44,374.67
4Q-7	SFD 40'	82	\$1,398,076.67	\$2,277,052.31	\$3,675,128.98	\$17,049.72	\$27,768.93	\$44,818.65
4Q-9	SFD 50'	169	\$3,129,154.46	\$3,817,868.53	\$6,947,022.99	\$18,515.71	\$22,590.94	\$41,106.64
4Q-10	SFD 50'	154	\$2,851,418.85	\$1,939,295.14	\$4,790,713.99	\$18,515.71	\$12,592.83	\$31,108.53
4Q-10	TH	200	\$2,828,025.47	\$1,606,649.61	\$4,434,675.08	\$14,140.13	\$8,033.25	\$22,173.38
4Q-12	Commercial/Retail/Office	175,000	\$1,854,158.73	\$252,018.26	\$2,106,176.99	\$10,595.19	\$1,440.10	\$12,035.30
4Q-12	MF	250	\$3,047,386.91	\$148,510.76	\$3,195,897.67	\$12,189.55	\$594.04	\$12,783.59
4Q-13	Commercial/Retail/Office	309,000	\$3,273,914.55	\$444,992.24	\$3,718,906.79	\$10,595.19	\$1,440.10	\$12,035.30
4Q-14	TH	66	\$933,248.40	\$38,619.25	\$971,867.66	\$14,140.13	\$585.14	\$14,725.27
4Q-16	Commercial/Retail/Office	9,000	\$95,356.73	\$24,241.73	\$119,598.46	\$10,595.19	\$2,693.53	\$13,288.72
4Q-17	Commercial/Retail/Office	7,500	\$79,463.95	\$20,201.44	\$99,665.38	\$10,595.19	\$2,693.53	\$13,288.72
4Q-18	Commercial/Retail/Office	57,500	\$609,223.58	\$9,032.68	\$618,256.27	\$10,595.19	\$157.09	\$10,752.28
4Q-19	Commercial/Retail/Office	28,000	\$296,665.40	\$4,398.52	\$301,063.92	\$10,595.19	\$157.09	\$10,752.28
4Q-19	Hotel	100	\$489,744.60	\$3,927.25	\$493,671.85	\$4,897.45	\$39.27	\$4,936.72
Sub-Total			\$23,459,521.54	\$14,181,203.15	\$37,640,724.69			
Total			\$87,690,000.00	\$41,630,000.00	\$129,320,000.00			

Table 9

Emerald Lakes

Community Development District

Master and Parcel/Subdivision Assessments Annual DS Payment Apportionment

Subdivision Number	Land Use	Total Master Assessments Annual DS Payment*	Total Parcel/ Subdivision Assessments Annual DS Payment*	Sum of Master and Parcel/ Subdivision Assessments Annual DS Payment*	Master Assessments Annual DS Payment per Unit/1,000 Sq.Ft./Hotel Room*	Parcel/ Subdivision Assessments Annual DS Payment per Unit/1,000 Sq.Ft./Hotel Room*	Sum of Master and Parcel/ Subdivision Assessments Annual DS Payment per Unit/1,000 Sq.Ft./Hotel Room*	Sum of Master and Parcel/ Subdivision Assessments Annual DS Payment per Unit/1,000 Sq.Ft./Hotel Room**
1Q-3	SFD 40'	\$167,216.84	\$242,440.38	\$409,657.22	\$1,238.64	\$1,795.85	\$3,034.50	\$3,298.37
1Q-6	SFD 50'	\$270,374.34	\$328,425.70	\$598,800.03	\$1,345.15	\$1,633.96	\$2,979.10	\$3,238.16
1Q-7	SFD 50'	\$195,046.16	\$241,319.36	\$436,365.52	\$1,345.15	\$1,664.27	\$3,009.42	\$3,271.11
1Q-11	SFD 50'	\$364,534.55	\$462,760.06	\$827,294.61	\$1,345.15	\$1,707.60	\$3,052.75	\$3,318.20
1Q-12	Commercial/Retail/Office	\$110,841.01	\$16,359.03	\$127,200.04	\$769.73	\$113.60	\$883.33	\$960.15
1Q-12	Hotel	\$71,158.82	\$5,680.22	\$76,839.04	\$355.79	\$28.40	\$384.20	\$417.60
1Q-13	Commercial/Retail/Office	\$8,851.89	\$0.00	\$8,851.89	\$769.73	\$0.00	\$769.73	\$836.66
1Q-15	Commercial/Retail/Office	\$44,259.43	\$4,968.66	\$49,228.09	\$769.73	\$86.41	\$856.14	\$930.59
Sub-Total		\$1,232,283.04	\$1,301,953.41	\$2,534,236.44				
2Q-1	Commercial/Retail/Office	\$247,083.08	\$1,284.87	\$248,367.94	\$769.73	\$4.00	\$773.73	\$841.01
2Q-1	Hotel	\$71,158.82	\$200.13	\$71,358.96	\$355.79	\$1.00	\$356.79	\$387.82
2Q-2	Commercial/Retail/Office	\$31,943.76	\$0.00	\$31,943.76	\$769.73	\$0.00	\$769.73	\$836.66
2Q-3	MF	\$371,048.54	\$10,259.54	\$381,308.08	\$885.56	\$24.49	\$910.04	\$989.18
2Q-5	Commercial/Retail/Office	\$521,106.68	\$2,709.82	\$523,816.51	\$769.73	\$4.00	\$773.73	\$841.01
2Q-6	Commercial/Retail/Office	\$45,414.02	\$2,769.06	\$48,183.08	\$769.73	\$46.93	\$816.66	\$887.68
Sub-Total		\$1,287,754.91	\$17,223.42	\$1,304,978.33				
3Q-1	SFD 50'	\$80,708.76	\$101,165.87	\$181,874.62	\$1,345.15	\$1,686.10	\$3,031.24	\$3,294.83
3Q-2	SFD 40'	\$112,716.54	\$100,067.79	\$212,784.33	\$1,238.64	\$1,099.65	\$2,338.29	\$2,541.62
3Q-4	SFD 75'	\$130,319.23	\$385,224.37	\$515,543.60	\$1,737.59	\$5,136.32	\$6,873.91	\$7,471.65
3Q-5	Commercial/Retail/Office	\$9,236.75	\$5,114.82	\$14,351.57	\$769.73	\$426.24	\$1,195.96	\$1,299.96
3Q-6	Commercial/Retail/Office	\$8,851.89	\$4,901.71	\$13,753.59	\$769.73	\$426.24	\$1,195.96	\$1,299.96
3Q-7	Commercial/Retail/Office	\$16,934.04	\$0.00	\$16,934.04	\$769.73	\$0.00	\$769.73	\$836.66
3Q-8	Commercial/Retail/Office	\$60,808.61	\$0.00	\$60,808.61	\$769.73	\$0.00	\$769.73	\$836.66
3Q-9	Commercial/Retail/Office	\$84,285.35	\$0.00	\$84,285.35	\$769.73	\$0.00	\$769.73	\$836.66
3Q-10	Commercial/Retail/Office	\$414,499.18	\$36,910.31	\$451,409.49	\$769.73	\$68.54	\$838.27	\$911.17
3Q-10	Hotel	\$71,158.82	\$3,427.14	\$74,585.97	\$355.79	\$17.14	\$372.93	\$405.36
3Q-10	TH	\$123,271.78	\$5,140.71	\$128,412.49	\$1,027.26	\$42.84	\$1,070.10	\$1,163.16
3Q-10	MF	\$1,033,445.45	\$32,995.66	\$1,066,441.10	\$885.56	\$28.27	\$913.83	\$993.29
Sub-Total		\$2,146,236.40	\$674,948.38	\$2,821,184.78				
4Q-1	SFD 50'	\$186,975.29	\$261,128.91	\$448,104.20	\$1,345.15	\$1,878.63	\$3,223.77	\$3,504.10
4Q-7	SFD 40'	\$101,568.75	\$165,425.37	\$266,994.12	\$1,238.64	\$2,017.38	\$3,256.03	\$3,539.16
4Q-9	SFD 50'	\$227,329.67	\$277,363.99	\$504,693.66	\$1,345.15	\$1,641.21	\$2,986.35	\$3,246.04
4Q-10	SFD 50'	\$207,152.48	\$140,887.68	\$348,040.16	\$1,345.15	\$914.86	\$2,260.00	\$2,456.52
4Q-10	TH	\$205,452.97	\$116,721.35	\$322,174.32	\$1,027.26	\$583.61	\$1,610.87	\$1,750.95
4Q-12	Commercial/Retail/Office	\$134,702.61	\$18,308.85	\$153,011.47	\$769.73	\$104.62	\$874.35	\$950.38
4Q-12	MF	\$221,389.34	\$10,789.15	\$232,178.49	\$885.56	\$43.16	\$928.71	\$1,009.47
4Q-13	Commercial/Retail/Office	\$237,846.33	\$32,328.20	\$270,174.53	\$769.73	\$104.62	\$874.35	\$950.38
4Q-14	TH	\$67,799.48	\$2,805.65	\$70,605.13	\$1,027.26	\$42.51	\$1,069.77	\$1,162.80
4Q-16	Commercial/Retail/Office	\$6,927.56	\$1,761.14	\$8,688.70	\$769.73	\$195.68	\$965.41	\$1,049.36
4Q-17	Commercial/Retail/Office	\$5,772.97	\$1,467.61	\$7,240.58	\$769.73	\$195.68	\$965.41	\$1,049.36
4Q-18	Commercial/Retail/Office	\$44,259.43	\$656.21	\$44,915.64	\$769.73	\$11.41	\$781.14	\$849.07
4Q-19	Commercial/Retail/Office	\$21,552.42	\$319.55	\$21,871.97	\$769.73	\$11.41	\$781.14	\$849.07
4Q-19	Hotel	\$35,579.41	\$285.31	\$35,864.72	\$355.79	\$2.85	\$358.65	\$389.83
Sub-Total		\$1,704,308.70	\$1,030,248.97	\$2,734,557.67				
Total		\$6,370,583.05	\$3,024,374.19	\$9,394,957.23				

* Does not include costs of collection

** Includes allocation for early payment discount and costs of collection

Table 10

Emerald Lakes

Community Development District

Preliminary Assessment Roll

Parcel Number	Owner	Total Master Assessments	Total Parcel/ Subdivision Assessments	Sum of Master Assessments and Parcel/ Subdivision Assessments
30-37-03-00-751	Emerald Investment Holdings LLC	\$1,046,987.02	\$898,598.85	\$1,945,585.87
30-37-03-00-1	Emerald Investment Holdings LLC	\$9,781,911.57	\$6,312,520.06	\$16,094,431.62
30-37-02-00-2	Emerald Investment Holdings LLC	\$18,811,368.40	\$6,793,720.44	\$25,605,088.84
30-37-10-00-1	Emerald Investment Holdings LLC	\$8,062,015.03	\$6,283,501.01	\$14,345,516.03
30-37-11-00-1	Emerald Investment Holdings LLC	\$13,060,464.35	\$3,183,413.32	\$16,243,877.66
30-37-02-00-1	Emerald Investment Holdings LLC	\$11,770,541.94	\$6,095,646.04	\$17,866,187.98
30-37-01-00-250	Emerald Investment Holdings LLC	\$16,481,446.06	\$11,821,749.61	\$28,303,195.66
30-37-11-00-2	Emerald Investment Holdings LLC	\$1,715,596.80	\$18,523.42	\$1,734,120.22
30-37-12-00-250	Emerald Investment Holdings LLC	\$6,959,668.84	\$222,327.26	\$7,181,996.10
Total		\$87,690,000.00	\$41,630,000.00	\$129,320,000.00

EMERALD LAKES
COMMUNITY DEVELOPMENT DISTRICT

4C

**ENGINEER'S REPORT
INFRASTRUCTURE IMPROVEMENTS**

**EMERALD LAKES COMMUNITY
DEVELOPMENT DISTRICT**

**PREPARED FOR:
BOARD OF SUPERVISORS
EMERALD LAKES CDD**

November 2, 2018

PREPARED BY:



**CONSTRUCTION
ENGINEERING
GROUP**

consulting engineers

**2651 W. Eau Gallie Blvd.
Melbourne, FL 32935**

Board of Professional Engineering License No. 0008097

**JAKE T. WISE, P. E.
FL PE #55405
CEG No. 180004**

I. **BACKGROUND**

The Emerald Lakes Community Development District (District) is an independent unit of special purpose local government authorized to plan, finance, construct, operate and maintain community-wide infrastructure within the District, consisting of approximately 1,561 acres located in the City of Palm Bay, Florida. Emerald Investment Holdings, LLC (Developer) currently owns a majority of the property and will act as the developer of the Master Plan described below.

The District is located east of Babcock Street (State Road 507), south of Grant Road, west of US Highway 1, and north of Micco Road in the City of Palm Bay, Florida. It is located in all four quadrants of a new I-95 interchange. The attached Exhibit A depicts the boundary of the District.

The Developer's conceptual Master Plan includes development of public improvement infrastructure to support approximately 3,744 residential units, 2,670,000 square feet of retail and office space and 700 hotel rooms. The ultimate build-out is expected to occur over a 20-year period.

The capital improvements discussed herein represent the present intentions of the Developer and the District. The implementation of any improvements discussed in this report requires the final approval by multiple regulatory and permitting agencies. The actual improvements may vary from the capital improvements in this report, and therefore it may be amended in the future.

All provided cost estimates are based on recent projects, the area of the project, and information available at the time of the estimate. The actual costs may vary from the cost estimates presented.

II. OBJECTIVE

This Engineer's Report for Infrastructure Improvements has been prepared to assist with the financing and construction of the public infrastructure that will support the development within the District. This report presents a description of the major components of infrastructure and the associated Engineer's cost estimates for completing the District improvements necessary to support the project development.

III. TRANSPORTATION IMPROVEMENTS

The primary roadway improvements include six major ingress and egress points throughout the development that will also serve as collector roads to support the future residential and commercial development. The ingress and egress points will be accessed using St. John's Heritage Parkway (SJHP). SJHP West of I-95 is to be completed by the City of Palm Bay and SJHP East of I-95 is to be completed by the District. The roadway improvements include funding intersection improvements to SJHP and also include the interior roadways required to safely access all development within the District. Attached Exhibit B depicts the major and interior roadways that will be constructed to facilitate District improvements.

All roads constructed by the District will be publicly accessible and will consist of a minimum of two lanes of pavement with curbing, sidewalk, and landscaping. The District planned improvements to SJHP includes landscaping sidewalks, irrigation, and a multi-use path. The City will own and be responsible for operating and maintaining SJHP, all public roadways and sidewalks. The District will own and be responsible for operating and maintaining irrigation, multi-use paths, and landscaping, including the landscaping within the SJHP right-of-way.

IV. POTABLE WATER AND SANITARY SEWER FACILITIES

The potable water distribution system will include multiple interconnected and looped water mains that run from SJHP through the six major access points and provide distribution across the District. The potable water supply will be an extension of the major distribution system from the City of Palm Bay. The potable water distribution system will serve as a source for potable water and fire protection to all of the development within the District. The potable water system improvements will be funded by the District and are anticipated to be dedicated to the City for operation and maintenance.

The sanitary sewer collection system will include a network of gravity collection systems, wastewater lift stations, and sanitary sewer force mains that connect to the proposed force main along the SJHP that will be owned and operated by the City of Palm Bay. The proposed sewer infrastructure will provide collection and distribution for all development within the District. All sanitary sewer systems will be constructed within the roadways identified in Exhibit B. The sanitary sewer system improvements will be funded by the District and are anticipated to be dedicated to the City for operation and maintenance.

Off-site potable water, sanitary sewer, water tank and a regional lift station are to be completed by the City of Palm Bay. Potable water and sanitary sewer infrastructure to be constructed off-site and along SJHP are depicted in Exhibit C. The offsite potable water system and sanitary sewer system improvements will be funded by City of Palm Bay, with prepaid impact fee contribution by Developer and are anticipated to be owned, operated and maintained by the City.

V. STREET LIGHTING, UNDERGROUNDING OF ELECTRIC LINES AND RELATED INFRASTRUCTURE

The roadways will include PVC pipe conduit sleeves throughout for electrical conduits, communication conduits, and street lighting across the District. The

conduits will provide for distribution of electric power, communications, and street lighting to all areas of the District. These conduits will be in the right-of-way or separate easements and are to be constructed in conjunction with the roadway improvements and network of street lighting for availability and use by electrical and communications placement that will occur further into project development to avoid disturbing constructed roadways. The District will fund the street lighting, undergrounding of electric utility lines and related infrastructure. The District will own, operate and maintain the street lighting and conduit.

The proposed electrical network will be supplied by Florida Power & Light and the communications network will be supplied by Spectrum (Charter Communications). With the exception of street lighting, undergrounding of electric utility lines and conduit, neither the electrical network nor the communications network will be funded by the District.

VI. STORMWATER MANAGEMENT FACILITIES

The development includes a master stormwater management facility to serve the proposed buildout of the District. The master stormwater management system will consist of multiple interconnected detention ponds for treatment and attenuation of all stormwater runoff from the improvements. There will be an interconnected stormwater conveyance piping network within the roadways to direct runoff from improvements into the stormwater treatment ponds. The stormwater management system will be designed and operated in accordance with the regulatory criteria established and mandated by the St. John's River Water Management District. The majority of the stormwater management system will be funded by the District. Depending on eventual land ownership, components of the stormwater management system will be owned, operated and maintained either by the City or the District.

VII. RECREATION FACILITIES

Recreation facilities are planned across the District within the areas designated for the use of the community and the general public. Several lakes and recreation facilities are proposed within the residential areas and along lake and wetland edges for indoor and outdoor recreational and cultural and uses. A multi-use path is proposed along SJHP. There will be a series of interconnected sidewalks along the right-of-way with perimeter landscaping, street lighting, and irrigation systems. The improvements include streetscape, landscape, hardscape, water features and recreational centers that foster a sense of community within the District. The recreation facilities will be funded, owned, operated and maintained by the District.

VIII. CONSERVATION, MITIGATION AND WILDLIFE

Conservation, mitigation and wildlife areas will be created, preserved, and managed in accordance with the regulatory criteria established and mandated by St. John's River Water Management District. There will be areas designated within the project for conservation as well as mitigation. The conservation and mitigation areas will be funded, owned, operated and maintained by the District.

IX. COST ESTIMATES, DESIGN, PERMITTING AND CONTINGENCY

The design costs associated with the infrastructure improvements described in this Engineer's Report are provided in the attached Exhibit E Opinion of Probable Costs. There are soft costs associated with the development including surveying, design and engineering, legal fees, regulatory permitting, environmental consulting and materials testing. Construction operations will need to be monitored to ensure safe and secure site development during infrastructure placement until completion or dedication to the City of Palm Bay. The costs have been categorized as being either Master Improvements or Parcel/Subdivision Improvements. The Master Improvements provide

infrastructure as well as benefiting all of the land in the District and Parcel/Subdivision Improvements provide infrastructure and services specific to portions of the District identified by Parcel number consistent with the layout depicted in Exhibit D. A contingency estimate is provided as well for possible changes. Emerald Lakes Community Development District may purchase impact fee credits and prepaid impact fees from the Developer.

A chart identifying the status of major permits and development and zoning approvals is attached hereto as Exhibit F.

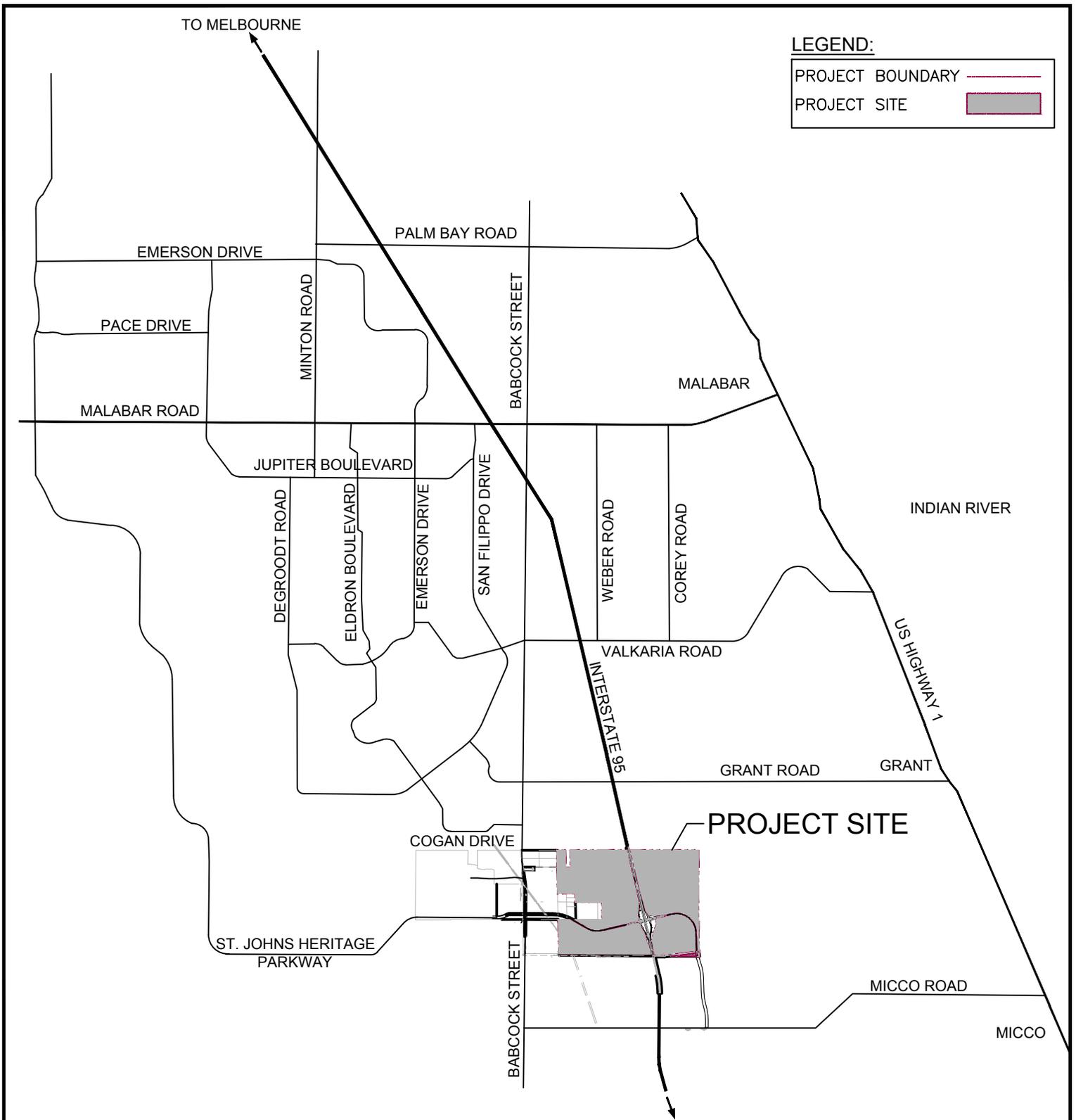


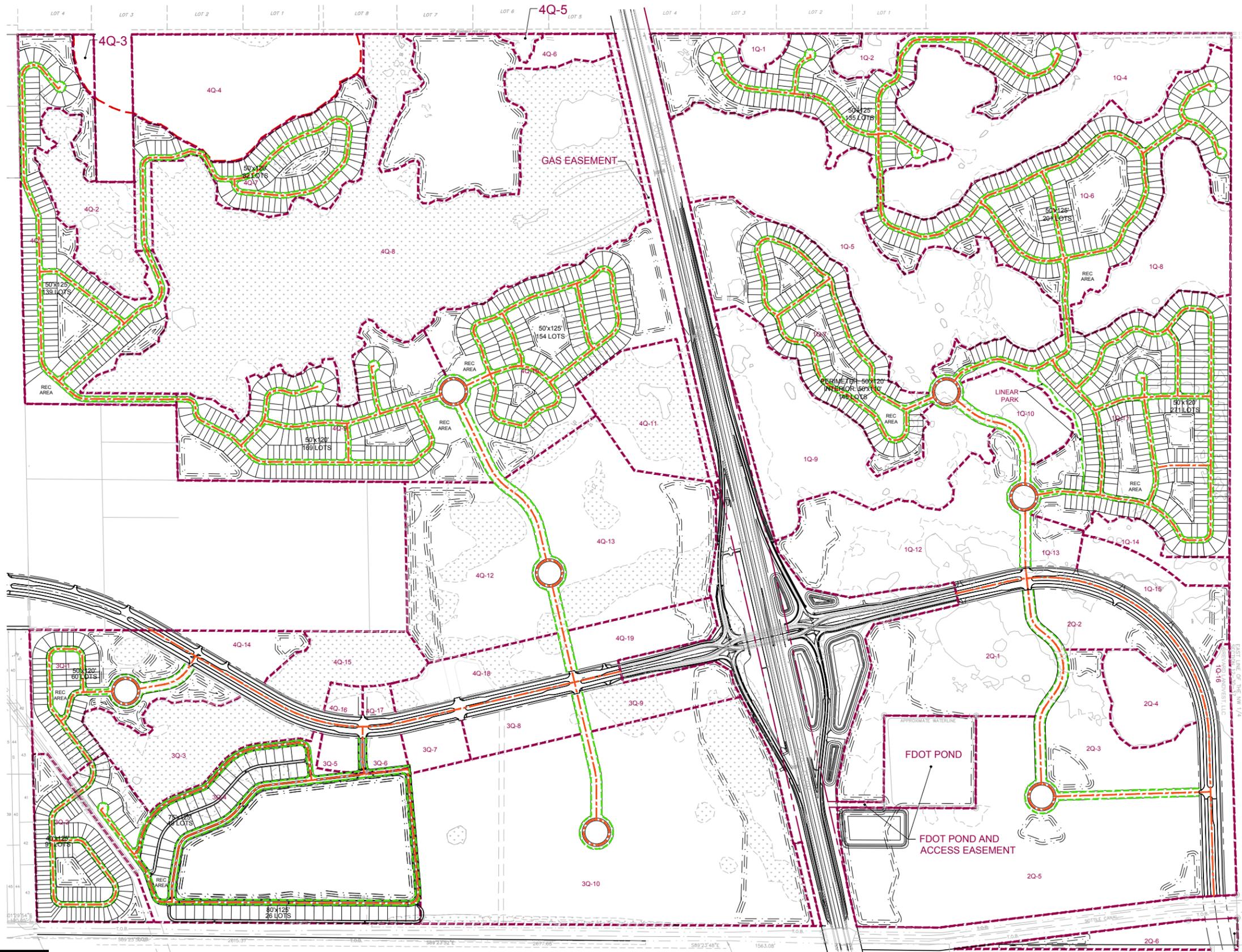
EXHIBIT A
EMERALD LAKES - LOCATION MAP
 NTS



9/17/18 EX-A

ZONS
DEVELOPMENT

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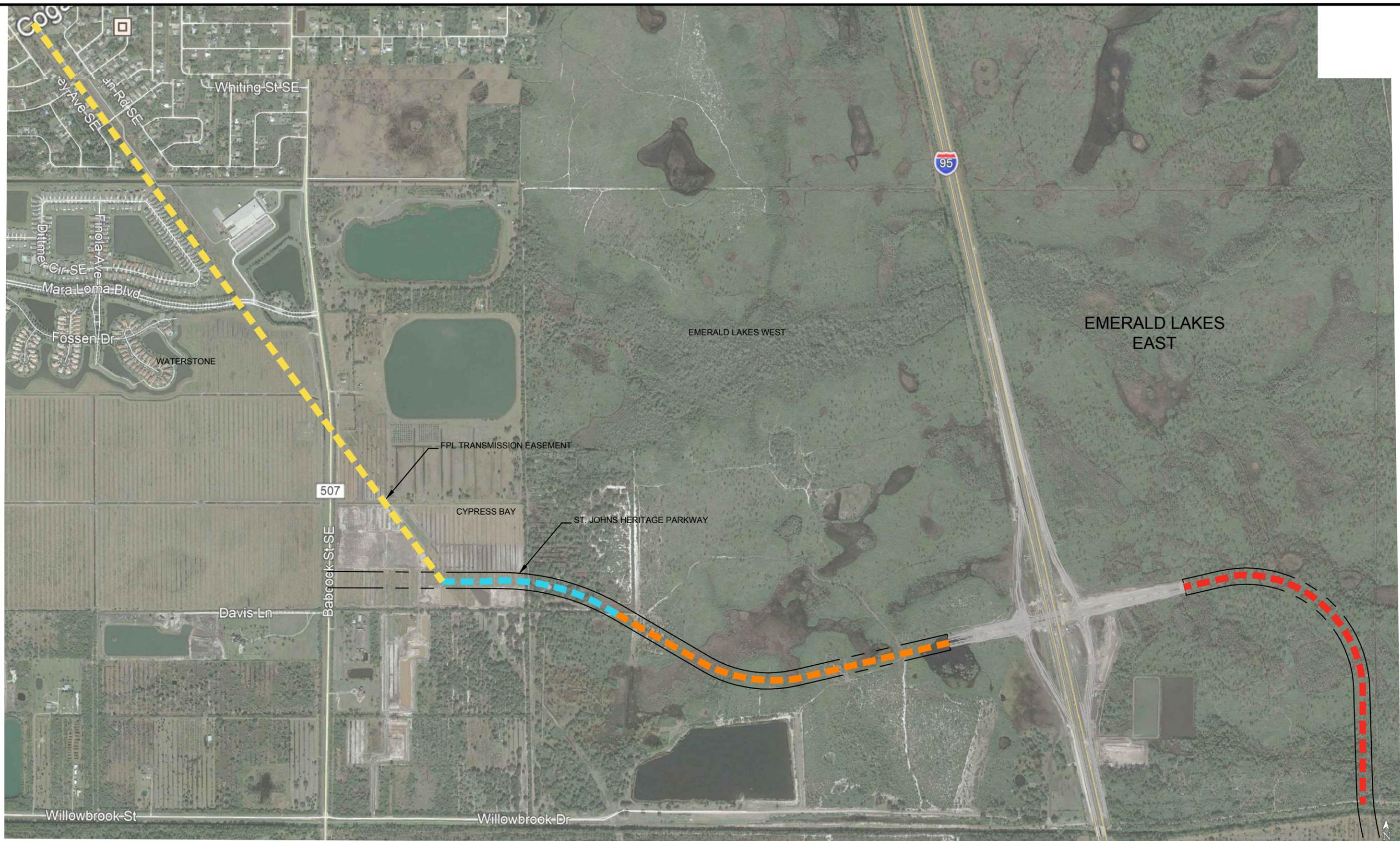


EXHIBIT C
EMERALD LAKES MASTER UTILITY EXHIBIT
 NTS



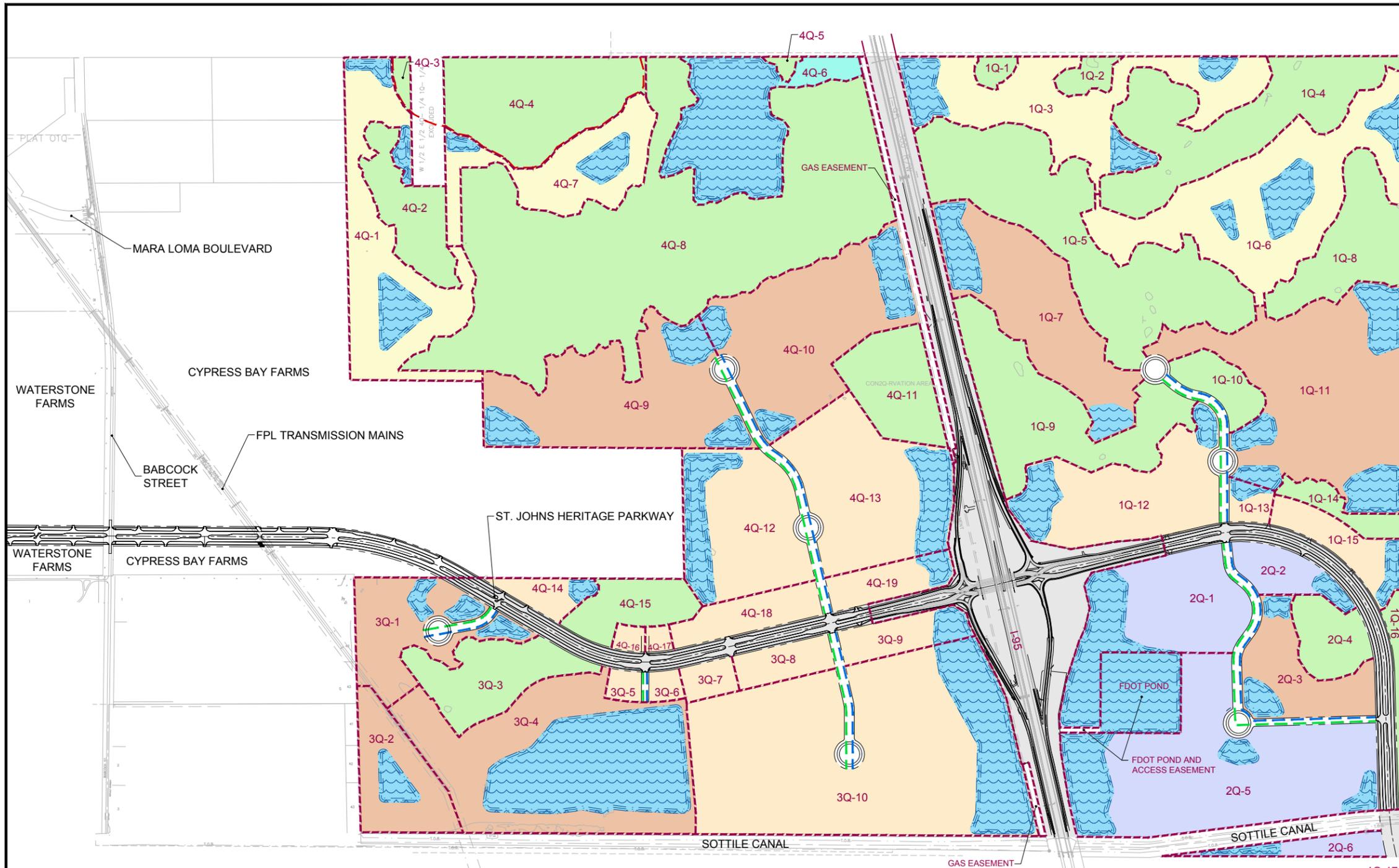
LEGEND:

FPL TRANSMISSION EASEMENT	
UTILITY MAINS (OPEN CUT)	
SEGMENT 1 UTILITY MAINS SJHP	
SEGMENT 2 UTILITY MAINS SJHP	
SEGMENT 3 UTILITY MAINS SJHP	



9/17/18 EX-C





EAST PARCEL SUMMARY		
PARCEL ID:	SIZE:	ANTICIPATED USE:
1Q-1	2.4 AC	PRESERVATION
1Q-2	4.0 AC	PRESERVATION
1Q-3	49.3 AC	SFR
1Q-4	46.5 AC	PRESERVATION
1Q-5	68.2 AC	PRESERVATION
1Q-6	62.6 AC	SFR
1Q-7	45.3 AC	SFR/MULTI
1Q-8	24.7 AC	PRESERVATION
1Q-9	41.4 AC	PRESERVATION
1Q-10	8.7 AC	PRESERVATION
1Q-11	75.9 AC	SFR/MULTI
1Q-12	38.8 AC	COM
1Q-13	3.8 AC	COM
1Q-14	6.6 AC	PRESERVATION
1Q-15	12.5 AC	COM
1Q-16	5.7 AC	PRESERVATION
1Q-17	0.4 AC	PRESERVATION
2Q-1	39.4 AC	COM/IND
2Q-2	9.8 AC	COM/IND
2Q-3	21.0 AC	SFR/MULTI
2Q-4	11.6 AC	PRESERVATION
2Q-5	77.7 AC	COM/IND
2Q-6	6.9 AC	COM/IND
TOTAL	663.2 AC	-

WEST PARCEL SUMMARY		
PARCEL ID:	SIZE:	ANTICIPATED USE:
3Q-1	25.4 AC	SFR/MULTI
3Q-2	21.10 AC	SFR/MULTI
3Q-3	21.7 AC	PRESERVATION
3Q-4	81.3 AC	SFR/MULTI
3Q-5	2.4 AC	COM
3Q-6	2.3 AC	COM
3Q-7	4.4 AC	COM
3Q-8	7.9 AC	COM
3Q-9	10.3 AC	COM
3Q-10	120.9 AC	COM
4Q-1	46.9 AC	SFR
4Q-2	17.3 AC	PRESERVATION
4Q-3	1.8 AC	PRESERVATION
4Q-4	37.5 AC	PRESERVATION
4Q-5	1.1 AC	PRESERVATION
4Q-6	35.3 AC	STORMWATER
4Q-7	27.6 AC	SFR
4Q-8	155.5 AC	PRESERVATION
4Q-9	54.7 AC	SFR/MULTI
4Q-10	54.3 AC	SFR/MULTI
4Q-11	20.0 AC	PRESERVATION
4Q-12	37.5 AC	COM
4Q-13	46.7 AC	COM
4Q-14	6.5 AC	COM
4Q-15	13.4 AC	PRESERVATION
4Q-16	1.8 AC	COM
4Q-17	1.5 AC	COM
4Q-18	11.5 AC	COM
4Q-19	10.1 AC	COM
TOTAL	878.7 AC	-

LEGEND:

- I-95 AND PARKWAY
- PRESERVATION (488.5 AC)
- SFR/MULTI (384.3 AC)
- COM (313.6 AC)
- SFR (186.4 AC)
- COM/IND (133.8 AC)
- STORMWATER TREATMENT (35.3 AC)
- STORMWATER POND (204 AC)
- PROPOSED VEHICULAR ACCESS
- PARCEL PERIMETER
- WATER MAIN
- WASTEWATER FORCE MAIN
- SCRUB JAY FAMILY

NOTES:

1. FINAL WETLANDS TO BE DETERMINED.
2. POND IN PARCEL 4Q-6 INTENDED FOR FILL ONLY.
3. UTILITIES WITHIN PARKWAY ARE TO BE DETERMINED.

EXHIBIT D
EMERALD LAKES BASE MASTER PLAN
 1"=500'



9/17/18 EX-D

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EXHIBIT E
EMERALD LAKES COMMUNITY DEVELOPMENT DISTRICT
OPINION OF PROBABLE COST OVERALL MASTER IMPROVEMENTS
AND PARCEL/SUBDIVISION IMPROVEMENTS

Description	Total
MASTER IMPROVEMENTS	
ROADWAYS	\$ 8,066,500.00
EARTHWORK, STORMWATER AND SURFACE WATER MANAGEMENT	\$ 7,728,760.00
CONSERVATION AREAS, MITIGATION AREAS AND WILDLIFE HABITAT	\$ 13,463,304.00
WATER AND WASTEWATER	\$ 10,836,720.00
LANDSCAPING, HARDSCAPING, SIGNAGE, IRRIGATION AND LIGHTING	\$ 4,184,000.00
IMPACT FEES CREDIT	\$ 2,900,000.00
RECREATION FACILITIES	\$ 5,850,000.00
RESIDENTIAL LAGOON	\$ 10,000,000.00
SUBTOTAL	\$ 63,029,284.00
PARCEL/SUBDIVISION IMPROVEMENTS	
1Q-3 (SFR 135 LOTS)	
PUBLIC ROADWAYS	\$ 834,130.00
EARTHWORK, STORMWATER AND SURFACE WATER MANAGEMENT	\$ 982,982.80
WATER AND WASTEWATER	\$ 581,500.00
SUBTOTAL	\$ 2,398,612.80
1Q-6 (SFR 201 LOTS)	
PUBLIC ROADWAYS	\$ 1,167,933.33
EARTHWORK, STORMWATER AND SURFACE WATER MANAGEMENT	\$ 1,258,285.47
WATER AND WASTEWATER	\$ 823,100.00
SUBTOTAL	\$ 3,249,318.80
1Q-7 (SFR 145 LOTS)	
ROADWAYS	\$ 828,300.00
EARTHWORK, STORMWATER AND SURFACE WATER MANAGEMENT	\$ 973,621.82
WATER AND WASTEWATER	\$ 585,600.00
SUBTOTAL	\$ 2,387,521.82
1Q-11 (SFR 271 LOTS)	
PUBLIC ROADWAYS	\$ 1,757,333.33
EARTHWORK, STORMWATER AND SURFACE WATER MANAGEMENT	\$ 1,606,288.52
WATER AND WASTEWATER	\$ 1,214,750.00
SUBTOTAL	\$ 4,578,371.86
1Q-12 (COM)	
EARTHWORK, STORMWATER AND SURFACE WATER MANAGEMENT	\$ 218,048.00
SUBTOTAL	\$ 218,048.00
1Q-15 (COM)	
EARTHWORK, STORMWATER AND SURFACE WATER MANAGEMENT	\$ 49,158.00
SUBTOTAL	\$ 49,158.00
2Q-1 AND 2Q-5 (COM)	
EARTHWORK, STORMWATER AND SURFACE WATER MANAGEMENT	\$ 41,502.00
SUBTOTAL	\$ 41,502.00
2Q-3 (COM)	
EARTHWORK, STORMWATER AND SURFACE WATER MANAGEMENT	\$ 101,504.00
SUBTOTAL	\$ 101,504.00

**EXHIBIT E
EMERALD LAKES COMMUNITY DEVELOPMENT DISTRICT
OPINION OF PROBABLE COST OVERALL MASTER IMPROVEMENTS
AND PARCEL/SUBDIVISION IMPROVEMENTS**

Description	Total
2Q-6 (COM)	
EARTHWORK, STORMWATER AND SURFACE WATER MANAGEMENT	\$ 27,396.00
SUBTOTAL	\$ 27,396.00
3Q-1 (SFR 60 LOTS)	
PUBLIC ROADWAYS	\$ 354,000.00
EARTHWORK, STORMWATER AND SURFACE WATER MANAGEMENT	\$ 409,896.58
WATER AND WASTEWATER	\$ 237,000.00
SUBTOTAL	\$ 1,000,896.58
3Q-2 (SFR 91 LOTS)	
PUBLIC ROADWAYS	\$ 357,133.33
EARTHWORK, STORMWATER AND SURFACE WATER MANAGEMENT	\$ 358,949.33
WATER AND WASTEWATER	\$ 273,950.00
SUBTOTAL	\$ 990,032.67
3Q-4 (SFR 75 LOTS)	
PUBLIC ROADWAYS	\$ 1,818,300.00
EARTHWORK, STORMWATER AND SURFACE WATER MANAGEMENT	\$ 1,148,763.24
WATER AND WASTEWATER	\$ 844,200.00
SUBTOTAL	\$ 3,811,263.24
3Q-5 AND 3Q-6 (COM)	
EARTHWORK, STORMWATER AND SURFACE WATER MANAGEMENT	\$ 99,099.72
SUBTOTAL	\$ 99,099.72
3Q-10 (COM)	
EARTHWORK, STORMWATER AND SURFACE WATER MANAGEMENT	\$ 776,390.11
SUBTOTAL	\$ 776,390.11
4Q-1 (SFR 139 LOTS)	
PUBLIC ROADWAYS	\$ 984,766.67
EARTHWORK, STORMWATER AND SURFACE WATER MANAGEMENT	\$ 927,543.38
WATER AND WASTEWATER	\$ 671,200.00
SUBTOTAL	\$ 2,583,510.04
4Q-7 (SFR 82 LOTS)	
PUBLIC ROADWAYS	\$ 640,533.33
EARTHWORK, STORMWATER AND SURFACE WATER MANAGEMENT	\$ 565,722.31
WATER AND WASTEWATER	\$ 430,400.00
SUBTOTAL	\$ 1,636,655.64
4Q-9 (SFR 169 LOTS)	
PUBLIC ROADWAYS	\$ 923,000.00
EARTHWORK, STORMWATER AND SURFACE WATER MANAGEMENT	\$ 1,162,283.74
WATER AND WASTEWATER	\$ 658,850.00
SUBTOTAL	\$ 2,744,133.74

**EMERALD LAKES COMMUNITY DEVELOPMENT DISTRICT
OPINION OF PROBABLE COST OVERALL MASTER IMPROVEMENTS
AND PARCEL/SUBDIVISION IMPROVEMENTS**

4Q-10 (SFR 154 LOTS)	
PUBLIC ROADWAYS	\$ 894,466.67
EARTHWORK, STORMWATER AND SURFACE WATER MANAGEMENT	\$ 1,022,768.95
WATER AND WASTEWATER	\$ 631,450.00
SUBTOTAL	\$ 2,548,685.62
4Q-12 AND 4Q-13 (COM)	
EARTHWORK, STORMWATER AND SURFACE WATER MANAGEMENT	\$ 607,727.43
SUBTOTAL	\$ 607,727.43
4Q-14 (COM)	
EARTHWORK, STORMWATER AND SURFACE WATER MANAGEMENT	\$ 27,758.00
SUBTOTAL	\$ 27,758.00
4Q-16 AND 4Q-17 (COM)	
EARTHWORK, STORMWATER AND SURFACE WATER MANAGEMENT	\$ 31,944.00
SUBTOTAL	\$ 31,944.00
4Q-18 AND 4Q-19 (COM)	
EARTHWORK, STORMWATER AND SURFACE WATER MANAGEMENT	\$ 12,476.58
SUBTOTAL	\$ 12,476.58
TOTAL	\$ 92,951,290.65
9% CONTINGENCY & SOFT COSTS	\$ 8,365,616.16
TOTAL WITH CONTINGENCY	\$ 101,316,906.81

**EXHIBIT F
EMERALD LAKES COMMUNITY DEVELOPMENT DISTRICT
SITE PERMITTING, DEVELOPMENT AND ZONING APPROVALS**

SITE PERMIT	AGENCY	PERMIT STATUS
Master Plan	City of Palm Bay	
Site Plan	City of Palm Bay	
Subdivision	City of Palm Bay	
Tree Removal	City of Palm Bay	
Preliminary Plat	City of Palm Bay	
Final Plat	City of Palm Bay	
Rezoning	City of Palm Bay	
Sewer	City of Palm Bay	
Water	City of Palm Bay	
Preliminary School Concurrency	Brevard County School District	
Final School Concurrency	Brevard County School District	
Sottile Canal	Brevard County	
Stormwater ERP	St. John's River Water Management District	
Protected Species	U.S. Fish and Wildlife	
Mitigation	Army Corp of Engineers	
Power	Florida Power & Light	
Water & Sewer	Florida Department of Environmental Protection	
Erosion/ Sediment Control Notice of Intent	Florida Department of Environmental Protection	
FDOT Driveway	Florida Department of Transportation	
FDOT Drainage	Florida Department of Transportation	

EMERALD LAKES
COMMUNITY DEVELOPMENT DISTRICT

4D

Emerald Lakes Community Development District

Master
Special Assessment
Methodology Report

November 2, 2018



Provided by:

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1.0 Introduction

The Emerald Lakes Community Development District (the “District”) is a +/- 1,561-acre community development district located within the City of Palm Bay, Brevard County, Florida. Development within the District boundaries is anticipated to include 3,744 residential units, 2,670,000 square feet of commercial uses and 700 hotel rooms. The District plans to issue up to \$129,320,000 in special assessment bonds in one or more series (the “Bonds”) for the purpose of financing certain infrastructure improvements, as more particularly described in the Engineer’s Report Infrastructure Improvements dated October 12, 2018 prepared by Construction Engineering Group as may be amended and supplemented from time to time (the “Engineer’s Report” and the plan of improvements set forth therein, the “Capital Improvement Plan”).

1.1 Purpose

This Master Special Assessment Methodology Report (the “Assessment Report”) provides for an assessment methodology for allocating the debt to be incurred by the District and applied to benefiting properties within the District. This Assessment Report allocates the debt to properties based on the special benefits each receives from the Capital Improvement Plan. This Assessment Report will be supplemented with one or more supplemental methodology reports to reflect the actual terms and conditions at the time of the issuance of each series of bonds. This Assessment Report is designed to conform to the requirements of Chapters 190 and 170, Florida Statutes, with respect to special assessments and is consistent with our understanding of case law on this subject.

The District intends to impose non-ad valorem special assessments on the benefited lands within the District based on this Assessment Report. It is anticipated that all of the proposed special assessments will be collected through the Uniform Method of Collection described in Chapter 197.3632, Florida Statutes, or any other legal means available to the District. It is not the intent of this Assessment Report to address any other assessments, if applicable, that may be levied by the District, a homeowner’s association, or any other unit of government; provided however, the District may choose to rely on this general methodology for the allocation of operation and maintenance assessments.

1.2 Scope of the Assessment Report

This Assessment Report presents the projections for financing the District's Capital Improvement Plan described in the Engineer's

Report, and describes the method for the allocation of special benefits and the apportionment of special assessments resulting from the provision and funding of the Capital Improvement Plan.

1.3 Special Benefits and General Benefits

Improvements undertaken and funded by the District as part of the Capital Improvement Plan create special benefits and peculiar benefits, different in kind and degree than general benefits, for properties within the District or specific subdivision, as well as general benefits to the areas outside the District and outside non affected subdivisions within the District and to the public at large. However, as discussed within this Assessment Report, these general benefits are incidental in nature and are readily distinguishable from the special benefits which accrue to peculiar property within the District as the Capital Improvement Plan enables properties within the boundaries of the District to be developed.

There is no doubt that the general public and property owners outside the District will benefit from the provision of the Capital Improvement Plan. However, these benefits are only incidental since the Capital Improvement Plan is designed to provide special benefits peculiar to property within the District, including but not limited to allowing the development of property therein. Properties within the District are directly served by the Capital Improvement Plan and depend upon the Capital Improvement Plan to satisfy the requirements of their development entitlements. This fact alone clearly demonstrates the special benefits which the properties located within the District receive.

The Capital Improvement Plan will provide the public infrastructure improvements necessary to make the lands within the District developable and saleable. The installation of such improvements will cause the value of the developable and saleable lands within the District to increase by more than the sum of the financed costs of the individual components of the Capital Improvement Plan. Even though the exact value of the special benefits provided by the Capital Improvement Plan is hard to estimate at this point, it is nevertheless greater than the costs associated with providing the same.

1.4 Requirements of a Valid Assessment Methodology

There are two requirements under Florida law for a valid special assessment:

- 1) The properties must receive a special benefit from the improvements being paid for.
- 2) The assessments must be fairly and reasonably allocated to the properties being assessed.

Florida law provides for a wide application of special assessments that meet these two characteristics of special assessments.

1.5 Special Benefits Exceed the Costs Allocated

The special benefits provided to the property owners within the District are greater than the costs associated with providing these benefits. As set forth in the Engineer's Report, the District Engineer estimates that the District's Capital Improvement Plan that is necessary to support full development of property within the District will cost approximately \$101,316,906.80. The District projects that financing costs required to fund the infrastructure improvements, including costs associated with the Capital Improvement Plan, the cost of issuance of the Bonds, the funding of debt service reserves and capitalized interest, will be \$129,320,000. Additional funding not financed with the Bonds and necessary to complete the Capital Improvement Plan may be funded by the Developer (hereinafter defined) or its affiliates or assigns pursuant to a Completion Agreement entered into between the District and the Developer. Without the Capital Improvement Plan, the property would not be able to be fully developed and occupied by future residents of the community.

1.6 Organization of the Report

Section Two describes the development program as proposed by the Developer, as defined in *Section 2* below.

Section Three provides a summary of the Capital Improvement Plan as set forth in the Engineer's Report.

Section Four discusses the master financing program for the District.

Section Five sets out the master special assessment methodology for the District.

Section 6 contains additional stipulations.

Section 7 incorporates the Appendix.

2.0 Development Program

2.1 Overview

The District will serve the Emerald Lakes Development and is generally located east of Babcock Street (State Road 507), south of Grant Road, west of US Highway 1, and north of Micco Road in the City of Palm Bay, Florida. The land within the District consists of approximately 1,561 +/- acres.

2.2 The Development Program

The development of land within the District is anticipated to be conducted by Emerald Investment Holdings, LLC or its affiliates (the "Developer"). Based upon the information provided by the Developer and the District Engineer, the current development plan within the District includes a total of approximately 1,522 single-family detached residential units, 386 townhome residential units and 1,836 multi-family residential units, as well as 2,670,000 square feet of commercial uses and 700 hotel rooms all projected to be developed in multiple phases, although land use types and unit numbers may change throughout the development period. Table 1 in the *Appendix* illustrates the most current development plan for the land within the District.

3.0 The Capital Improvement Plan

3.1 Overview

The public infrastructure costs to be funded by the District are described by the District Engineer in the Engineer's Report. Only public infrastructure that may qualify for bond financing by the District under Chapter 190, Florida Statutes, as amended, was included in these estimates. The categories and costs of the public infrastructure anticipated to be undertaken by the District are described in the Engineer's Report (the components described therein hereinafter called the "Improvements").

3.2 Summary of the Capital Improvement Plan

The District's Capital Improvement Plan, as more particularly depicted in the Engineer's Report, is projected to consist of two basic components: (1) master improvements consisting of roadways, earthwork, stormwater and surface water management, water and wastewater, landscaping, hardscaping, signage,

irrigation, lighting, recreational facilities, conservation areas, mitigation areas, and wildlife habitat, all of which are designed to provide infrastructure and services which will serve all of the lands in the District (the "Master Infrastructure Improvements"), and (2) various additional parcel/subdivision improvements that are designed to provide infrastructure which will serve the specific subdivisions identified by number and consistent with the layout depicted in Exhibit D in the Engineer's Report (the "Parcel/Subdivision Infrastructure Improvements" and collectively with the Master Infrastructure Improvements the "Improvements").

The Master Infrastructure Improvements portion of the Capital Improvement Plan are planned, designed, and will be permitted to function as one interrelated and integrated system of improvements benefiting all of the lands to be developed within the District.

The Parcel/Subdivision Infrastructure Improvements are components of the Capital Improvement Plan only benefitting certain portions of the lands within the District. The Parcel/Subdivision Improvements are described in more detail in the Engineer's Report and are necessary to develop all units anticipated within the District.

The Engineer's Report provides cost estimates for (1) the Master Infrastructure Improvements at an estimated total cost of approximately \$63,029,284.00 or \$68,701,919.56 with a 9% allowance for contingency and soft costs, and (2) the Parcel/Subdivision Infrastructure Improvements at an estimated total cost of approximately \$29,922,006.64 or \$32,614,987.24 with a 9% allowance for contingency and soft costs. Accordingly, the total estimated cost of the Capital Improvement Plan for the District has been estimated by the District Engineer at \$101,316,906.80.

Table 2 in the *Appendix* sets out the components of the Capital Improvement Plan as outlined by the District Engineer in the Engineer's Report. Table 2 additionally provides the proposed method of allocating special benefits accruing to the assessable properties within the boundaries of the District or to specific subdivisions as a result of implementation of each component of the Master Infrastructure Improvements and the Parcel/Subdivision Infrastructure Improvements.

4.0 Financing Program

4.1 Overview

As noted above, the District is embarking on a program of financing the Improvements which will facilitate development of lands within the District. Generally, construction of public improvements is funded directly by the District or either funded by the Developer or the Developer and then acquired by the District, depending on several factors. The District may also fund or partially fund improvements to be constructed or conveyed to other government units to satisfy certain infrastructure requirements of the District.

The District is planning to issue up to \$87,690,000 in bonds intended to finance the costs of the Master Infrastructure Improvements (the “Master Infrastructure Bonds”) and up to \$41,630,000 in bonds intended to finance the costs of the Parcel/Subdivision Infrastructure Improvements (the “Parcel /Subdivision Infrastructure Bonds”) for a total amount of up to \$129,320,000 in Bonds to fund the District’s Capital Improvement Plan, provide for capitalized interest, a debt service reserve account and cost of issuance. It is the purpose of this Assessment Report to allocate the \$129,320,000 in debt to the properties benefiting from the Capital Improvement Plan.

Please note that the purpose of this Assessment Report is to allocate the benefit derived from delivery of the Improvements to the various land uses in the District and based on such benefit allocation to apportion the maximum amount of debt necessary to fund the Capital Improvement Plan. The discussion of the structure and size of the indebtedness is based on various estimates and is subject to change.

4.2 Types of Bonds Proposed

The proposed master financing plan for the District provides for the issuance of the Bonds in the approximate principal amount of \$129,320,000 to finance approximately \$101,316,906.80 in Capital Improvement Plan costs. The Bonds as projected under this master financing plan would be structured to be amortized in not more than 30 annual installments of principal and may allow for a capitalized interest period. Interest payments on the Bonds are expected to be made every May 1 and November 1, and principal payments on the Bonds are expected to be made every May 1. The District may also choose to issue shorter term bonds with different repayment structures.

Preliminary sources and uses of funding for the Bonds are presented in Table 3 in the *Appendix*.

Please note that the structure of the Bonds as presented in this Assessment Report is preliminary and may change due to changes in the Capital Improvement Plan, development program, market conditions, timing of installation of the Improvements, and timing of issuance(s) as well as for other reasons. The District maintains complete flexibility as to the structure of the Bonds and reserves the right to modify the financing plan as may be necessary.

5.0 Assessment Methodology

5.1 Overview

The issuance of the Bonds provides the District with funds necessary to carry out the Capital Improvement Plan as described in more detail in the Engineer's Report. The Improvements provide special and general benefits, with special benefits accruing to the assessable properties within the boundaries of the District or specific subdivision and general benefits accruing to areas outside of the District and outside non affected subdivisions within the District, which benefits are only incidental in nature. The debt incurred in financing the Improvements set forth in the Capital Improvement Plan will be paid off by assessing properties that derive special benefits from the Improvements. Notwithstanding exceptions described below, all properties that receive special benefits from the Improvements will be assessed for their share, as determined by this Assessment Report, of the debt issued in order to finance all or a portion of the Capital Improvement Plan.

5.2 Benefit Allocation

The current development plan anticipates the development of approximately 1,522 single-family detached residential units, 386 townhome residential units and 1,836 multi-family residential units, as well as 2,670,000 square feet of commercial uses and 700 hotel rooms, although unit numbers and land use types may change throughout the development period.

As indicated in the Engineer's Report, the Master Infrastructure Improvements portion of the Capital Improvement Plan is planned, designed, and will be permitted to function as one interrelated and integrated system of improvements benefiting the lands to be

developed within the District. Components of the system are necessary to develop all units anticipated within the District. The improvements that make up the Master Infrastructure Improvements portion of the Capital Improvement Plan will serve the entire District and such improvements are interrelated such that they will reinforce one another. The Parcel/Subdivision Infrastructure Improvements provide additional infrastructure improvements to specific parcels/subdivisions and will generally connect with the Master Infrastructure Improvements to complete the Capital Improvement Plan.

The Capital Improvement Plan has a logical connection to the special benefits received by property within the District, as without such Improvements, the development of the property within the District would not be possible. Based upon the logical connection between the Improvements and the special benefits to the property within the District, the District can assign or allocate a portion of the District's debt through the imposition of non-ad valorem special assessments to the property receiving such special benefits. Even though these special benefits are real and ascertainable (for example added use of the property, added enjoyment of the property, decreased insurance premiums, development of the property and increased marketability and value of the property), the precise amount of the benefit cannot yet be calculated with mathematical certainty. However the special benefit derived from the Improvements on the particular property exceeds the cost that the property will be paying for such special benefits. In the event that developable lands that derive special benefit from the Capital Improvement Plan are added to the District boundaries, the special assessments will be allocated to such lands pursuant to the methodology described herein.

The benefit associated with construction or acquisition of the Master Infrastructure Improvements portion of the Capital Improvement Plan is proposed to be allocated to the different land use types in proportion to the density of development and/or intensity of use of the different Improvements as measured by standard units called Equivalent Residential Units ("ERUs"). As identified in Table 2 in the *Appendix*, the benefits associated with roadway, landscaping, hardscaping, signage, irrigation and lighting improvements all reasonably relate to and are associated with travel utilizing District roadways. Further, the benefit derived from such improvements is directly proportional to the amount of likely travel. Consequently, reasonable estimates of trip generation are used to allocate the benefit of such Improvements and used as basis for the Trip Generation ERU factors.

The benefits associated with earthwork, stormwater and surface water management, conservation areas, mitigation areas and wildlife habitat, as well as impact fees all reasonably relate to and are associated with land size and density of development. Further, the benefit derived from such improvements is directly proportional to the size of one's parcel of land. Consequently, reasonable estimates of density of development are used to allocate the benefit of such Improvements and used as basis for the Density of Development ERU factors.

The benefits associated with water and wastewater all reasonably relate to and are associated with water and wastewater utility usage. Further, the benefit derived from such improvements is directly proportional to the amount of usage of water and wastewater. Consequently, reasonable estimates of water and wastewater usage are used to allocate the benefit of such Improvements and used as basis for the W&W Utility Usage ERU factors.

Lastly, the benefits associated with recreation facilities and residential lagoon all reasonably relate to and are associated with the number of persons who may potentially utilize the recreation facilities and residential lagoon. Further, the benefit derived from such improvements is directly proportional to the number of persons who may utilize the recreation facilities and residential lagoon. As the number of persons is nearly impossible to project, each housing unit is assumed to be reasonably capable of containing an identical number of persons who may potentially utilize the recreation facilities and residential lagoon, and consequently, reasonable estimate of identical utilization of the recreation facilities and residential lagoon is used as a basis of the Recreation Unit ERU factor. Please note that non-residential land use types do not benefit from the provision of recreation facilities and residential lagoon due to no direct link between persons, either employees or customers of businesses located within non-residential uses, and likely no sustained and long-term utilization of the recreation facilities and residential lagoon. Consequently non-residential land use types are proposed not to be included in the determination and allocation of the benefits associated with recreation facilities and residential lagoon.

Table 4 in the *Appendix* provides the proposed allocation of the benefit derived by the different land uses in the District from provision of the implementation of each component of the Master Infrastructure Improvements.

The rationale for the factors proposed in Table 4 is that generally and on average different land uses may be expected to produce different numbers of vehicular trips, produce different amounts of stormwater runoff, require different water and wastewater system capacity, etc., with larger residential units (which will generally and on average be constructed on larger-sized lots) as well as non-residential land uses having a higher intensity of use of certain of the Improvements, as on average larger residential units or non-residential land uses will use and benefit from the Improvements more than smaller residential units. For instance, generally and on average, larger residential units and non-residential uses produce more storm water runoff, may produce more vehicular trips, and may need more water and wastewater capacity than smaller residential units. Additionally, the value of the larger residential units and non-residential land uses is likely to appreciate more than that of the smaller residential units as a result of the implementation of the Improvements. As a more precise determination of the amount of the special benefit is not possible to be calculated at this time, the use of the ERU factors serves as a reasonable approximation of the relative amount of benefit received from the Improvements.

Table 5 in the *Appendix* presents the apportionment of the assessments associated with the Master Infrastructure Improvements and repayment of the Master Infrastructure Bonds (the “Master Assessments”) in accordance with the ERU benefit allocation method presented in Table 4 and described in the preceding paragraphs.

Table 6 in the *Appendix* provides the proposed allocation of the benefit derived by the different land uses in the District from provision of the implementation of each component of the Parcel/Subdivision Infrastructure Improvements by utilizing the allocation of benefits of different components of the Parcel/Subdivision Infrastructure Improvements to the specific subdivisions. Appropriate Trip Generation, Density of Development or W&W Utility Usage ERU factors illustrated in Table 4 are utilized to allocate the benefit of Parcel/Subdivision Infrastructure Improvements when multiple land uses are planned for the same neighborhood. If any neighborhood is planned to be developed with a single land use, full benefit of the Parcel/Subdivision Infrastructure Improvements for that neighborhood is allocated to that neighborhood without further division. Please note that where the benefit of roadway improvements are allocated, Trip Generation ERU factors are utilized, where stormwater management (SWM) improvements are allocated, Density of Development ERU factors

are utilized, and where water and wastewater (W&W) improvements are allocated, W&W Utility Usage ERU factors are utilized.

Table 7 in the *Appendix* presents the apportionment of the assessments associated with the Parcel/Subdivision Infrastructure Improvements and repayment of the Parcel/Subdivision Infrastructure Bonds (the “Parcel/Subdivision Assessments”) in accordance with the ERU benefit allocation method presented in Table 6 and described in the preceding paragraph.

Finally, Tables 8 and 9 in the *Appendix* present the apportionment of the combined Master Assessments and Parcel/Subdivision Assessments and Annual Debt Service (DS) Payment on the Master Assessments and Parcel/Subdivision Assessments.

Table 10 in the *Appendix* presents the apportionment of the Master Assessments to the nine (9) parcels benefitting from the Master Infrastructure Improvements funded with proceeds of the Master Infrastructure Bonds. Additionally, Table 10 presents the apportionment of the Parcel/Subdivision Assessments to the nine (9) parcels benefitting from the Parcel/Subdivision Infrastructure Improvements funded with proceeds of the Parcel/Subdivision Infrastructure Bonds based on current development plans.

Table 10 is the Preliminary Assessment Roll for the nine existing parcels within the District.

5.3 Assigning Assessment

The Master Assessments will initially be levied on an equal gross acre basis to all acres within each of the nine (9) parcels shown in Table 10 in *Appendix*.

Once platting (for residential land uses) and/or development site approval (for non-residential land uses) has begun, the Master Assessments will be levied on properties based on the benefits they receive consistent with the methodology set forth herein and on a first platted-first assigned basis based on the planned use for that parcel as reflected in Table 5 in the *Appendix*. Such allocation will reduce the amount of the remaining Master Assessments on unplatted gross acres within each of the nine (9) parcels shown in Table 10 in *Appendix*, which will continue to be assessed on a per acre basis.

The Parcel/Subdivision Assessments specific to a subdivision is proposed to be levied only on the developed and developable lands within such subdivision. However, platting has not yet begun and thus a final allocation of the benefit for Parcel/Subdivision Infrastructure is premature. Therefore, there will be a two-step process for allocating these assessments.

First, some subdivisions are planned to be located in just one of the nine existing parcels. For those subdivisions, the Parcel/Subdivision Assessment for that subdivision will initially be apportioned 100% to the existing parcel. The other subdivisions are planned to be located in more than one of the nine (9) parcels shown in Table 10 in *Appendix*. For those subdivisions, the Parcel/Subdivision Assessments will initially be apportioned based on the estimated percentage of acreage within the subdivision and within a parcel compared to the percentage of acreage within the subdivision located in other parcels. For example, if 60% of the acreage within a planned subdivision is located in Parcel A, and 40% of the acreage within the same planned subdivision is located in Parcel B, Parcel A will receive 60% of that parcel's Parcel/Subdivision Assessments apportionment and Parcel B will receive 40% of that parcel's Parcel/Subdivision Assessments apportionment.

The estimates in this Assessment Report illustrate the proportionate benefit received by each parcel from Parcel/Subdivision Infrastructure Improvements based on the current development plan, and therefore are subject to change as the residential lots are platted and/or site plans approved.

Once platting (for residential land uses) and/or development or site approval (for non-residential land uses) has begun, the Parcel/Subdivision Assessment will be levied on properties within the subdivision based on the benefits they receive consistent with the methodology set forth herein and on a first platted-first assigned basis. Such allocation will reduce the amount of the remaining Parcel/Subdivision Assessments on unplatted gross acres within the parcel which will continue to be assessed on a per acre basis.

Further, to the extent that any properties in the District are sold to unaffiliated third party buyers, the District may assign to such properties an amount of Master Assessments and, if applicable, the Parcel/Subdivision Assessments equal to the development rights transferred with such property from seller to buyer based on the location of such properties as signified by Parcel Number (together, "Remaining Assessments").

5.4 Lienability Test: Special and Peculiar Benefit to the Property

As first discussed in *Section 1.3*, Special Benefits and General Benefits, the delivery of the Improvements that make up the Capital Improvement Plan creates special benefits to property within the District. Construction and/or acquisition of the Improvements will provide several types of systems, facilities and services for District residents and landowners. The details of such systems, facilities and services are set forth in the Engineer's Report. These Improvements accrue in differing amounts and are dependent on the type of land use and location receiving the special benefits peculiar to those properties, which flow from the logical relationship of the Improvements to said properties.

Once these determinations are made, they are reviewed in light of the special benefits peculiar to the property, which flow to the properties as a result of their logical connection from the Improvements in fact actually provided.

For the provision of the Improvements set forth in the Capital Improvement Plan, the special and peculiar benefits include, but are not limited to:

- a. added use of the property;
- b. added enjoyment of the property;
- c. decreased insurance premiums;
- d. increased marketability and value of the property; and
- e. full development of the property within the District.

The provision of the Capital Improvement Plan makes the land within the District developable and saleable and provides special benefits to benefitting property in the District which are greater than the benefits of any single improvement. These special benefits are real and ascertainable, but not yet capable of being calculated and assessed in terms of numerical value; however, such benefits are more valuable than either the cost of, or the actual assessment levied for, the improvement or debt as allocated.

5.5 Lienability Test: Reasonable and Fair Apportionment of the Duty to Pay Assessments

A reasonable estimate of the proportion of special and peculiar benefits received from the Improvements is delineated in Table 4 (expressed as ERU factors) in the *Appendix*.

The apportionment of the special assessments is fair and reasonable because it was conducted on the basis of consistent application of the methodology described in *Section 5.2* across all assessable property within the District according to reasonable estimates of the special benefits derived from the acquisition and/or construction of the Improvements by different land uses within the District.

Accordingly, no acre or parcel of property within the District will be liened for the payment of any non-ad valorem special assessment more than the determined special benefit peculiar to that property and therefore, the debt allocation will not be increased by more than the debt allocation set forth in this Assessment Report.

In accordance with the benefit allocation suggested for the land uses in Table 4 in the *Appendix*, a Master Assessments per Unit/1,000 Sq. Ft/Hotel Room and Parcel/Subdivision Assessments per unit per Unit/1,000 Sq. Ft/Hotel Room have been calculated for each land use based on the location of each specific parcel in Table 8 in the *Appendix*. These amounts represent the preliminary anticipated debt allocation assuming all anticipated units are built and sold as planned, and the entire proposed Capital Improvement Plan is constructed or acquired and financed by the District.

5.6 True-Up Mechanism

The Assessment Methodology described herein is based on conceptual information obtained from the Developer prior to construction. As development occurs it is possible that the development plan may change. In addition, the boundaries of the planned subdivisions may change as development progresses. The mechanism for maintaining the methodology over the changes is referred to as true-up.

Although the District does not process plats, site plans or revisions thereto, it does have an important role to play during the course of platting and site planning. Whenever a plat or site plan is processed, the District must allocate a portion of its Master Assessments and, if applicable, all or a portion of its Parcel/Subdivision Assessments to the property according to this Assessment Report. In addition, the District must also prevent any buildup of Master Assessments and Parcel/Subdivision Assessments on unplatted property or property that did not obtain site plan approval. Otherwise, the land could be fully developed and/or platted without all of the Master Assessments and Parcel/Subdivision Assessments being allocated to developed

lands. To preclude this, at the time of platting for residential properties or development or site plan approval for non-residential properties, the District will determine the amount of anticipated Master Assessments and Parcel/ Subdivision Assessment that remains on the properties that have not yet been platted or have not yet received their site plan approval, taking into account the proposed plat, or site plan approval.

If the Master Assessments that remains on unplatted property or property that did not obtain site plan approval is equal to the levels in Table 5 in the *Appendix* then no adjustment is required. If the Master Assessments that remains on unplatted property or property that did not obtain site plan approval is more than the levels in Table 5 in the *Appendix* then a debt reduction or true-up payment by the Developer (or its assigns) in the amount necessary to reduce the par amount of the outstanding Master Bonds to a level that would be consistent with the levels in Table 5 in the *Appendix* will be required. In the event that developable lands that derive benefit from delivery of the Capital Improvement Plan are added to the District boundaries or there is an increase in density, the Master Assessments will be allocated to such lands pursuant to the methodology described herein thereby reducing the Master Assessments for all units in the District on a pro-rata basis.

If the Parcel/Subdivision Assessments that remains on unplatted property or property that did not obtain site plan approval within a particular subdivision is equal to the levels in Table 7 in the *Appendix* then no adjustment is required. If the Parcel/Subdivision Assessments that remains on unplatted property or property that did not obtain site plan approval within a particular subdivision is more than it is anticipated by this methodology, then a debt reduction or true-up payment by the Developer in the amount necessary to reduce the par amount of the outstanding Parcel/Subdivision Bonds to a level that would be at or below the levels in Table 7 in the *Appendix* will be required. In the event that developable lands that derive benefit from delivery of the Capital Improvement Plan are added to a subdivision or there is an increase in density within a subdivision, the Parcel/Subdivision Assessments will be allocated to such lands pursuant to the methodology described herein thereby reducing the Parcel/Subdivision Assessments for all units in the subdivision on a pro-rata basis.

Further, each future supplemental methodology shall apply a "true up" test, to ensure that, due to the level of development on any one parcel of land, the Master Assessments and, if applicable,

Parcel/Subdivision Assessments on any other parcel of land cannot exceed the special and peculiar benefit which can be apportioned to such parcel in accordance with any then-applicable assessment methodology.

5.7 Assessment Roll

The District will initially distribute the liens across all property within the District boundaries in accordance with this methodology. Total Assessment of \$129,320,000 is proposed to be levied over the area described in Table 10 in the *Appendix*. Excluding any capitalized interest period, the Master Annual DS Payment and Parcel/Subdivision Assessment Annual DS Payment shall be paid in not more than thirty (30) annual installments of principal.

6.0 Additional Stipulations

6.1 Overview

Wrathell, Hunt and Associates, LLC was retained by the District to prepare a methodology to fairly allocate the special assessments related to the District's Capital Improvement Program. Certain financing, development and engineering data was provided by members of District Staff and/or the Developer. The allocation Methodology described herein was based on information provided by those professionals. Wrathell, Hunt and Associates, LLC makes no representations regarding said information transactions beyond restatement of the factual information necessary for compilation of this report. For additional information on the Bond structure and related items, please refer to the Offering Statement associated with this transaction.

Wrathell, Hunt and Associates, LLC does not represent the District as a Municipal Advisor or Securities Broker nor is Wrathell, Hunt and Associates, LLC registered to provide such services as described in Section 15B of the Securities and Exchange Act of 1934, as amended. Similarly, Wrathell, Hunt and Associates, LLC does not provide the District with financial advisory services or offer investment advice in any form.

7.0 Appendix

Table 1

Emerald Lakes

Community Development District

Plan of Development - Summary

Land Use	Unit of Measurement	Number of Units/Sq. Ft./Hotel Rooms
Residential		
SFD 40'	Unit	308
SFD 50'	Unit	1,139
SFD 75'	Unit	75
TH	Unit	386
MF	Unit	1,836
Total Residential		3,744
Non-Residential		
Commercial/Retail/Office	Sq. Ft.	2,670,000
Hotel	Hotel Room	700

Plan of Development - Parcel Detail

Subdivision Number	Land Use	SFD 40'	SFD 50'	SFD 75'	TH	MF	Commercial /Retail/Office	Hotel
1Q-3	SFD 40'	135	0	0	0	0	0	0
1Q-6	SFD 50'	0	201	0	0	0	0	0
1Q-7	SFD 50'	0	145	0	0	0	0	0
1Q-11	SFD 50'	0	271	0	0	0	0	0
1Q-12	Commercial/Retail/Office	0	0	0	0	0	144,000	0
1Q-12	Hotel	0	0	0	0	0	0	200
1Q-13	Commercial/Retail/Office	0	0	0	0	0	11,500	0
1Q-15	Commercial/Retail/Office	0	0	0	0	0	57,500	0
Sub-Total		135	617	0	0	0	213,000	200
2Q-1	Commercial/Retail/Office	0	0	0	0	0	321,000	0
2Q-1	Hotel	0	0	0	0	0	0	200
2Q-2	Commercial/Retail/Office	0	0	0	0	0	41,500	0
2Q-3	MF	0	0	0	0	419	0	0
2Q-5	Commercial/Retail/Office	0	0	0	0	0	677,000	0
2Q-6	Commercial/Retail/Office	0	0	0	0	0	59,000	0
Sub-Total		0	0	0	0	419	1,098,500	200
3Q-1	SFD 50'	0	60	0	0	0	0	0
3Q-2	SFD 40'	91	0	0	0	0	0	0
3Q-4	SFD 75'	0	0	75	0	0	0	0
3Q-5	Commercial/Retail/Office	0	0	0	0	0	12,000	0
3Q-6	Commercial/Retail/Office	0	0	0	0	0	11,500	0
3Q-7	Commercial/Retail/Office	0	0	0	0	0	22,000	0
3Q-8	Commercial/Retail/Office	0	0	0	0	0	79,000	0
3Q-9	Commercial/Retail/Office	0	0	0	0	0	109,500	0
3Q-10	Commercial/Retail/Office	0	0	0	0	0	538,500	0
3Q-10	Hotel	0	0	0	0	0	0	200
3Q-10	TH	0	0	0	120	0	0	0
3Q-10	MF	0	0	0	0	1,167	0	0
Sub-Total		91	60	75	120	1,167	772,500	200
4Q-1	SFD 50'	0	139	0	0	0	0	0
4Q-7	SFD 40'	82	0	0	0	0	0	0
4Q-9	SFD 50'	0	169	0	0	0	0	0
4Q-10	SFD 50'	0	154	0	0	0	0	0
4Q-10	TH	0	0	0	200	0	0	0
4Q-12	Commercial/Retail/Office	0	0	0	0	0	175,000	0
4Q-12	MF	0	0	0	0	250	0	0
4Q-13	Commercial/Retail/Office	0	0	0	0	0	309,000	0
4Q-14	TH	0	0	0	66	0	0	0
4Q-16	Commercial/Retail/Office	0	0	0	0	0	9,000	0
4Q-17	Commercial/Retail/Office	0	0	0	0	0	7,500	0
4Q-18	Commercial/Retail/Office	0	0	0	0	0	57,500	0
4Q-19	Commercial/Retail/Office	0	0	0	0	0	28,000	0
4Q-19	Hotel	0	0	0	0	0	0	100
Sub-Total		82	462	0	266	250	586,000	100
Total		308	1,139	75	386	1,836	2,670,000	700

Table 2

Emerald Lakes

Community Development District

Capital Improvement Plan

Master Infrastructure Improvements

Improvement Category	Method of Benefit Allocation	Percent of Total	Cost
Roadways	Trip Generation	12.80%	\$8,066,500.00
Earthwork, Stormwater and Surface Water Management (SWM)	Density of Development	12.26%	\$7,728,760.00
Conservation Areas, Mitigation Areas and Wildlife Habitat	Density of Development	21.36%	\$13,463,304.00
Water and Wastewater (W&W)	W&W Utility Usage	17.19%	\$10,836,720.00
Landscaping, Hardscaping, Signage, Irrigation and Lighting	Trip Generation	6.64%	\$4,184,000.00
Impact Fees	Density of Development	4.60%	\$2,900,000.00
Recreation Facilities	Recreation Unit	9.28%	\$5,850,000.00
Residential Lagoon	Recreation Unit	15.87%	\$10,000,000.00
Sub-Total Master Infrastructure Improvements		100.00%	\$63,029,284.00
9% Contingency & Soft Costs			\$5,672,635.56
Total Master Infrastructure Improvements			\$68,701,919.56

Parcel/Subdivision Infrastructure Improvements

Subdivision Number	Improvement Category	Method of Benefit Allocation	Percent of Total	Cost
1Q-3	Roadways	Trip Generation	34.78%	\$834,130.00
	Earthwork, Stormwater and Surface Water Management (SWM)	Density of Development	40.98%	\$982,982.80
	Water and Wastewater (W&W)	W&W Utility Usage	24.24%	\$581,500.00
	Sub-Total		100.00%	\$2,398,612.80
1Q-6	Roadways	Trip Generation	35.94%	\$1,167,933.33
	Earthwork, Stormwater and Surface Water Management (SWM)	Density of Development	38.72%	\$1,258,285.47
	Water and Wastewater (W&W)	W&W Utility Usage	25.33%	\$823,100.00
	Sub-Total		100.00%	\$3,249,318.80
1Q-7	Roadways	Trip Generation	34.69%	\$828,300.00
	Earthwork, Stormwater and Surface Water Management (SWM)	Density of Development	40.78%	\$973,621.82
	Water and Wastewater (W&W)	W&W Utility Usage	24.53%	\$585,600.00
	Sub-Total		100.00%	\$2,387,521.82
1Q-11	Roadways	Trip Generation	38.38%	\$1,757,333.33
	Earthwork, Stormwater and Surface Water Management (SWM)	Density of Development	35.08%	\$1,606,288.52
	Water and Wastewater (W&W)	W&W Utility Usage	26.53%	\$1,214,750.00
	Sub-Total		100.00%	\$4,578,371.85
1Q-12	Earthwork, Stormwater and Surface Water Management (SWM)	Density of Development	100.00%	\$218,048.00
	Sub-Total		100.00%	\$218,048.00
1Q-15	Earthwork, Stormwater and Surface Water Management (SWM)	Density of Development	100.00%	\$49,158.00
	Sub-Total		100.00%	\$49,158.00
2Q-1 and 2Q-5	Earthwork, Stormwater and Surface Water Management (SWM)	Density of Development	100.00%	\$41,502.00
	Sub-Total		100.00%	\$41,502.00
2Q-3	Earthwork, Stormwater and Surface Water Management (SWM)	Density of Development	100.00%	\$101,504.00
	Sub-Total		100.00%	\$101,504.00
2Q-6	Earthwork, Stormwater and Surface Water Management (SWM)	Density of Development	100.00%	\$27,396.00
	Sub-Total		100.00%	\$27,396.00
3Q-1	Roadways	Trip Generation	35.37%	\$354,000.00
	Earthwork, Stormwater and Surface Water Management (SWM)	Density of Development	40.95%	\$409,896.58
	Water and Wastewater (W&W)	W&W Utility Usage	23.68%	\$237,000.00
	Sub-Total		100.00%	\$1,000,896.58
3Q-2	Roadways	Trip Generation	36.07%	\$357,133.33
	Earthwork, Stormwater and Surface Water Management (SWM)	Density of Development	36.26%	\$358,949.33
	Water and Wastewater (W&W)	W&W Utility Usage	27.67%	\$273,950.00
	Sub-Total		100.00%	\$990,032.66
3Q-4	Roadways	Trip Generation	47.71%	\$1,818,300.00
	Earthwork, Stormwater and Surface Water Management (SWM)	Density of Development	30.14%	\$1,148,763.24
	Water and Wastewater (W&W)	W&W Utility Usage	22.15%	\$844,200.00
	Sub-Total		100.00%	\$3,811,263.24
3Q-5 and 3Q-6	Earthwork, Stormwater and Surface Water Management (SWM)	Density of Development	100.00%	\$99,099.72
	Sub-Total		100.00%	\$99,099.72

Table 2 - Continued

Emerald Lakes

Community Development District

Capital Improvement Plan

Parcel/Subdivision Infrastructure Improvements

Subdivision Number	Improvement Category			Cost
3Q-10	Earthwork, Stormwater and Surface Water Management (SWM)	Density of Development	100.00%	\$776,390.11
	Sub-Total		100.00%	\$776,390.11
4Q-1	Roadways	Trip Generation	38.12%	\$984,766.67
	Earthwork, Stormwater and Surface Water Management (SWM)	Density of Development	35.90%	\$927,543.38
	Water and Wastewater (W&W)	W&W Utility Usage	25.98%	\$671,200.00
	Sub-Total		100.00%	\$2,583,510.05
4Q-7	Roadways	Trip Generation	39.14%	\$640,533.33
	Earthwork, Stormwater and Surface Water Management (SWM)	Density of Development	34.57%	\$565,722.31
	Water and Wastewater (W&W)	W&W Utility Usage	26.30%	\$430,400.00
	Sub-Total		100.00%	\$1,636,655.64
4Q-9	Roadways	Trip Generation	33.64%	\$923,000.00
	Earthwork, Stormwater and Surface Water Management (SWM)	Density of Development	42.36%	\$1,162,283.74
	Water and Wastewater (W&W)	W&W Utility Usage	24.01%	\$658,850.00
	Sub-Total		100.00%	\$2,744,133.74
4Q-10	Roadways	Trip Generation	35.10%	\$894,466.67
	Earthwork, Stormwater and Surface Water Management (SWM)	Density of Development	40.13%	\$1,022,768.95
	Water and Wastewater (W&W)	W&W Utility Usage	24.78%	\$631,450.00
	Sub-Total		100.00%	\$2,548,685.62
4Q-12 and 4Q-13	Earthwork, Stormwater and Surface Water Management (SWM)	Density of Development	100.00%	\$607,727.43
	Sub-Total		100.00%	\$607,727.43
4Q-14	Earthwork, Stormwater and Surface Water Management (SWM)	Density of Development	100.00%	\$27,758.00
	Sub-Total		100.00%	\$27,758.00
4Q-16 and 4Q-17	Earthwork, Stormwater and Surface Water Management (SWM)	Density of Development	100.00%	\$31,944.00
	Sub-Total		100.00%	\$31,944.00
4Q-18 and 4Q-19	Earthwork, Stormwater and Surface Water Management (SWM)	Density of Development	100.00%	\$12,476.58
	Sub-Total		100.00%	\$12,476.58
Sub-Total Parcel/Subdivision Infrastructure Improvements				\$29,922,006.64
9% Contingency & Soft Costs				\$2,692,980.60
Total Parcel/Subdivision Infrastructure Improvements				\$32,614,987.24
Total All Costs				\$101,316,906.80

Table 3

Emerald Lakes
Community Development District

Preliminary Sources and Uses of Funds

		Master Infrastructure Bonds	Parcel/ Subdivision Infrastructure Bonds	Total Bonds
Sources				
	Bond Proceeds: Par Amount	\$87,690,000.00	\$41,630,000.00	\$129,320,000.00
Total Sources		\$87,690,000.00	\$41,630,000.00	\$129,320,000.00
Uses				
	Project Fund Deposits: Project Fund	\$68,701,919.56	\$32,614,987.24	\$101,316,906.80
	Other Fund Deposits: Debt Service Reserve Fund	\$6,370,583.05	\$3,024,374.19	\$9,394,957.23
	Capitalized Interest Fund	\$10,522,800.00	\$4,995,600.00	\$15,518,400.00
		\$16,893,383.05	\$8,019,974.19	\$24,913,357.23
	Delivery Date Expenses: Costs of Issuance	\$339,000.00	\$161,000.00	\$500,000.00
	Underwriter's Discount	\$1,753,800.00	\$832,600.00	\$2,586,400.00
		\$2,092,800.00	\$993,600.00	\$3,086,400.00
	Rounding	\$1,897.39	\$1,438.58	\$3,335.97
Total Uses		\$87,690,000.00	\$41,630,000.00	\$129,320,000.00

Table 4

Emerald Lakes

Community Development District

Master Infrastructure Cost Benefit Allocation - Costs with Benefit Allocated Based on Trip Generation

Land Use	Number of Units/Sq. Ft./Hotel Rooms	Trip Generation ERU Factor per Unit/1,000 Sq.Ft./Hotel Room	Trip Generation ERUs	Master Infrastructure Cost Benefit Allocation	Master Infrastructure Cost Benefit Allocation with Soft Costs & Contingency
Residential					
SFD 40'	308	1.00	308.00	\$403,370.73	\$524,381.95
SFD 50'	1,139	1.00	1,139.00	\$1,491,685.91	\$1,939,191.68
SFD 75'	75	1.00	75.00	\$98,223.39	\$127,690.41
TH	386	0.61	235.46	\$308,369.06	\$400,879.78
MF	1,836	0.70	1,285.20	\$1,683,156.04	\$2,188,102.85
Total Residential	3,744		3,042.66	\$3,984,805.14	\$5,180,246.68
Non-Residential					
Commercial/Retail/Office	2,670,000	2.12	5,660.40	\$7,413,115.82	\$9,637,050.57
Hotel	700	0.93	651.00	\$852,579.04	\$1,108,352.75
Total Non-Residential			6,311.40	\$8,265,694.86	\$10,745,403.32
Total			9,354.06	\$12,250,500.00	\$15,925,650.00

Master Infrastructure Cost Benefit Allocation - Costs with Benefit Allocated Based on Density of Development

Land Use	Number of Units/Sq. Ft./Hotel Rooms	Density of Development ERU Factor per Unit/1,000 Sq.Ft./Hotel Room	Density of Development ERUs	Master Infrastructure Cost Benefit Allocation	Master Infrastructure Cost Benefit Allocation with Soft Costs & Contingency
Residential					
SFD 40'	308	0.80	246.40	\$1,298,178.48	\$1,687,632.02
SFD 50'	1,139	1.00	1,139.00	\$6,000,914.30	\$7,801,188.59
SFD 75'	75	1.50	112.50	\$592,715.42	\$770,530.04
TH	386	0.50	193.00	\$1,016,836.22	\$1,321,887.09
MF	1,836	0.33	605.88	\$3,192,128.14	\$4,149,766.59
Total Residential			2,296.78	\$12,100,772.56	\$15,731,004.33
Non-Residential					
Commercial/Retail/Office	2,670,000	0.80	2,136.00	\$11,253,690.03	\$14,629,797.04
Hotel	700	0.20	140.00	\$737,601.41	\$958,881.83
Total Non-Residential			2,276.00	\$11,991,291.44	\$15,588,678.87
Total			4,572.78	\$24,092,064.00	\$31,319,683.20

Master Infrastructure Cost Benefit Allocation - Costs with Benefit Allocated Based on W&W Utility Usage

Land Use	Number of Units/Sq. Ft./Hotel Rooms	W&W Utility Usage ERU Factor per Unit/1,000 Sq.Ft./Hotel Room	W&W Utility Usage ERUs	Master Infrastructure Cost Benefit Allocation	Master Infrastructure Cost Benefit Allocation with Soft Costs & Contingency
Residential					
SFD 40'	308	1.00	308.00	\$769,057.55	\$999,774.81
SFD 50'	1,139	1.00	1,139.00	\$2,844,014.76	\$3,697,219.19
SFD 75'	75	1.50	112.50	\$280,905.76	\$365,177.49
TH	386	1.00	386.00	\$963,818.88	\$1,252,964.54
MF	1,836	0.75	1,377.00	\$3,438,286.51	\$4,469,772.46
Total Residential			3,322.50	\$8,296,083.46	\$10,784,908.49
Non-Residential					
Commercial/Retail/Office	2,670,000	0.25	667.50	\$1,666,707.51	\$2,166,719.76
Hotel	700	0.50	350.00	\$873,929.03	\$1,136,107.74
Total Non-Residential			1,017.50	\$2,540,636.54	\$3,302,827.51
Total			4,340.00	\$10,836,720.00	\$14,087,736.00

Table 4 - Continued

Emerald Lakes

Community Development District

Master Infrastructure Cost Benefit Allocation - Costs with Benefit Allocated Based on Recreation Unit

Land Use	Number of Units/Sq. Ft./Hotel Rooms	Recreation Unit ERU Factor per Unit/1,000 Sq.Ft./Hotel Room	Recreation Unit ERUs	Master Infrastructure Cost Benefit Allocation	Master Infrastructure Cost Benefit Allocation with Soft Costs & Contingency
Residential					
SFD 40'	308	1.00	308.00	\$1,303,899.57	\$1,695,069.44
SFD 50'	1,139	1.00	1,139.00	\$4,821,888.35	\$6,268,454.86
SFD 75'	75	1.00	75.00	\$317,508.01	\$412,760.42
TH	386	1.00	386.00	\$1,634,107.91	\$2,124,340.28
MF	1,836	1.00	1,836.00	\$7,772,596.15	\$10,104,375.00
Total Residential			3,744.00	\$15,850,000.00	\$20,605,000.00
Non-Residential					
Commercial/Retail/Office	2,670,000	0.00	0.00	\$0.00	\$0.00
Hotel	700	0.00	0.00	\$0.00	\$0.00
Total Non-Residential			0.00	\$0.00	\$0.00
Total			3,744.00	\$15,850,000.00	\$20,605,000.00

Master Infrastructure Cost Benefit Allocation - Summary for All Costs

Land Use	Number of Units/Sq. Ft./Hotel Rooms	Master Infrastructure Cost Benefit Allocation - Costs with Benefit Allocated Based on Trip Generation	Master Infrastructure Cost Benefit Allocation - Costs with Benefit Allocated Based on Density of Development	Master Infrastructure Cost Benefit Allocation - Costs with Benefit Allocated Based on W&W Utility Usage	Master Infrastructure Cost Benefit Allocation - Costs with Benefit Allocated Based on Recreation Unit	Total Master Infrastructure Cost Benefit Allocation	Total Master Infrastructure Cost Benefit Allocation with Soft Costs & Contingency
Residential							
SFD 40'	308	\$403,370.73	\$1,298,178.48	\$769,057.55	\$1,303,899.57	\$3,774,506.33	\$4,114,211.89
SFD 50'	1,139	\$1,491,685.91	\$6,000,914.30	\$2,844,014.76	\$4,821,888.35	\$15,158,503.33	\$16,522,768.63
SFD 75'	75	\$98,223.39	\$592,715.42	\$280,905.76	\$317,508.01	\$1,289,352.58	\$1,405,394.31
TH	386	\$308,369.06	\$1,016,836.22	\$963,818.88	\$1,634,107.91	\$3,923,132.07	\$4,276,213.96
MF	1,836	\$1,683,156.04	\$3,192,128.14	\$3,438,286.51	\$7,772,596.15	\$16,086,166.85	\$17,533,921.86
Total Residential	3,744	\$3,984,805.14	\$12,100,772.56	\$8,296,083.46	\$15,850,000.00	\$40,231,661.15	\$43,852,510.66
Non-Residential							
Commercial/Retail/Office	2,670,000	\$7,413,115.82	\$11,253,690.03	\$1,666,707.51	\$0.00	\$20,333,513.37	\$22,163,529.57
Hotel	700	\$852,579.04	\$737,601.41	\$873,929.03	\$0.00	\$2,464,109.48	\$2,685,879.33
Total Non-Residential		\$8,265,694.86	\$11,991,291.44	\$2,540,636.54	\$0.00	\$22,797,622.85	\$24,849,408.90
Total		\$12,250,500.00	\$24,092,064.00	\$10,836,720.00	\$15,850,000.00	\$63,029,284.00	\$68,701,919.56

Table 5

Emerald Lakes

Community Development District

Master Assessments Apportionment

Land Use	Number of Units/Sq. Ft./Hotel Rooms	Total Master Assessments	Master Assessments per Unit/1,000 Sq.Ft./Hotel Room	Total Master Assessments Annual DS Payment*	Total Master Assessments Payment per Unit/1,000 Sq.Ft./Hotel Room*	Total Master Assessments Payment per Unit/1,000 Sq.Ft./Hotel Room**
Residential						
SFD 40'	308	\$5,251,312.38	\$17,049.72	\$381,502.13	\$1,238.64	\$1,346.35
SFD 50'	1,139	\$21,089,390.08	\$18,515.71	\$1,532,121.23	\$1,345.15	\$1,462.12
SFD 75'	75	\$1,793,822.18	\$23,917.63	\$130,319.23	\$1,737.59	\$1,888.68
TH	386	\$5,458,089.15	\$14,140.13	\$396,524.24	\$1,027.26	\$1,116.59
MF	1,836	\$22,380,009.44	\$12,189.55	\$1,625,883.32	\$885.56	\$962.56
Total Residential	3,744	\$55,972,623.24		\$4,066,350.15		
Non-Residential						
Commercial/Retail/Office	2,670,000	\$28,289,164.56	\$10,595.19	\$2,055,177.01	\$769.73	\$836.66
Hotel	700	\$3,428,212.20	\$4,897.45	\$249,055.88	\$355.79	\$386.73
Total Non-Residential		\$31,717,376.76		\$2,304,232.90		
Total		\$87,690,000.00		\$6,370,583.05		

* Does not include costs of collection

** Includes allocation for early payment discount and costs of collection

Table 6

Emerald Lakes

Community Development District

Parcel/Subdivision Infrastructure Cost Benefit Allocation

Subdivision Number	Land Use	Number of Units/Sq. Ft./Hotel Rooms	Improvement Category	ERU Factor	Total ERU	Parcel/ Subdivision Infrastructure Cost Benefit Allocation	Parcel/ Subdivision Infrastructure Cost Benefit Allocation with Soft Costs & Contingency
1Q-3	SFD 40'	135	Roadways, SWM and W&W			\$2,398,612.80	\$3,118,196.64
1Q-6	SFD 50'	201	Roadways, SWM and W&W			\$3,249,318.80	\$4,224,114.44
1Q-7	SFD 50'	145	Roadways, SWM and W&W			\$2,387,521.82	\$3,103,778.37
1Q-11	SFD 50'	271	Roadways, SWM and W&W			\$4,578,371.85	\$5,951,883.41
1Q-12	Commercial/Retail/Office	144,000	SWM	0.80	115.20	\$161,850.06	\$210,405.08
1Q-12	Hotel	200	SWM	0.20	40.00	\$56,197.94	\$73,057.32
					155.20	\$218,048.00	\$283,462.40
1Q-13	Commercial/Retail/Office	11,500				\$0.00	\$0.00
1Q-15	Commercial/Retail/Office	57,500	SWM			\$49,158.00	\$63,905.40
2Q-1	Commercial/Retail/Office	321,000	SWM	0.80	256.80	\$12,711.97	\$16,525.56
2Q-1	Hotel	200	SWM	0.20	40.00	\$1,980.06	\$2,574.07
2Q-5	Commercial/Retail/Office	677,000	SWM	0.80	541.60	\$26,809.98	\$34,852.97
					838.40	\$41,502.00	\$53,952.60
2Q-2	Commercial/Retail/Office	41,500				\$0.00	\$0.00
2Q-3	MF	419	SWM			\$101,504.00	\$131,955.20
2Q-6	Commercial/Retail/Office	59,000	SWM			\$27,396.00	\$35,614.80
3Q-1	SFD 50'	60	Roadways, SWM and W&W			\$1,000,896.58	\$1,301,165.55
3Q-2	SFD 40'	91	Roadways, SWM and W&W			\$990,032.66	\$1,287,042.46
3Q-4	SFD 75'	75	Roadways, SWM and W&W			\$3,811,263.24	\$4,954,642.21
3Q-5	Commercial/Retail/Office	12,000	SWM	0.80	9.60	\$50,604.11	\$65,785.35
3Q-6	Commercial/Retail/Office	11,500	SWM	0.80	9.20	\$48,495.61	\$63,044.29
					18.80	\$99,099.72	\$128,829.64
3Q-7	Commercial/Retail/Office	22,000				\$0.00	\$0.00
3Q-8	Commercial/Retail/Office	79,000				\$0.00	\$0.00
3Q-9	Commercial/Retail/Office	109,500				\$0.00	\$0.00
3Q-10	Commercial/Retail/Office	538,500	SWM	0.80	430.80	\$365,176.56	\$474,729.52
3Q-10	Hotel	200	SWM	0.20	40.00	\$33,906.83	\$44,078.88
3Q-10	TH	120	SWM	0.50	60.00	\$50,860.24	\$66,118.32
3Q-10	MF	1,167	SWM	0.33	385.11	\$326,446.48	\$424,380.42
					915.91	\$776,390.11	\$1,009,307.14
4Q-1	SFD 50'	139	Roadways, SWM and W&W			\$2,583,510.05	\$3,358,563.07
4Q-7	SFD 40'	82	Roadways, SWM and W&W			\$1,636,655.64	\$2,127,652.33
4Q-9	SFD 50'	169	Roadways, SWM and W&W			\$2,744,133.74	\$3,567,373.86

Table 6 - Continued

Emerald Lakes

Community Development District

Parcel/Subdivision Infrastructure Cost Benefit Allocation

Subdivision Number	Land Use	Number of Units/Sq. Ft./Hotel Rooms	Improvement Category	ERU Factor	Total ERU	Parcel/Subdivision Infrastructure Cost Benefit Allocation	Parcel/Subdivision Infrastructure Cost Benefit Allocation with Soft Costs & Contingency
4Q-10	SFD 50'	154	Roadways	1.00	154.00	\$499,086.48	\$648,812.42
4Q-10	TH	200	Roadways	0.61	122.00	\$395,380.19	\$513,994.25
					276.00	\$894,466.67	\$1,162,806.67
4Q-10	SFD 50'	154	SWM	1.00	154.00	\$620,104.01	\$806,135.21
4Q-10	TH	200	SWM	0.50	100.00	\$402,664.94	\$523,464.42
					254.00	\$1,022,768.95	\$1,329,599.64
4Q-10	SFD 50'	154	W&W	1.00	154.00	\$274,698.59	\$357,108.16
4Q-10	TH	200	W&W	1.00	200.00	\$356,751.41	\$463,776.84
					354.00	\$631,450.00	\$820,885.00
4Q-12	Commercial/Retail/Office	175,000	SWM	0.80	140.00	\$181,140.81	\$235,483.06
4Q-12	MF	250	SWM	0.33	82.50	\$106,743.69	\$138,766.80
4Q-13	Commercial/Retail/Office	309,000	SWM	0.80	247.20	\$319,842.92	\$415,795.80
					469.70	\$607,727.43	\$790,045.66
4Q-14	TH	66	SWM			\$27,758.00	\$36,085.40
4Q-16	Commercial/Retail/Office	9,000	SWM	0.80	7.20	\$17,424.00	\$22,651.20
4Q-17	Commercial/Retail/Office	7,500	SWM	0.80	6.00	\$14,520.00	\$18,876.00
					13.20	\$31,944.00	\$41,527.20
4Q-18	Commercial/Retail/Office	57,500	SWM	0.80	46.00	\$6,492.34	\$8,440.04
4Q-19	Commercial/Retail/Office	28,000	SWM	0.80	22.40	\$3,161.49	\$4,109.93
4Q-19	Hotel	100	SWM	0.20	20.00	\$2,822.76	\$3,669.58
					88.40	\$12,476.58	\$16,219.55
Total						\$29,922,006.64	\$38,898,608.63

Table 7

Emerald Lakes

Community Development District

Parcel/Subdivision Assessments Apportionment

Subdivision Number	Land Use	Number of Units/Sq. Ft./Hotel Rooms	Total Parcel/ Subdivision Assessments	Parcel/ Subdivision Assessments	Total Parcel/ Subdivision Assessments	Parcel/ Subdivision Assessments	Parcel/ Subdivision Assessments
				per Unit/1,000 Sq.Ft./Hotel Room	Annual DS Payment*	Annual DS Payment per Unit/1,000 Sq.Ft./Hotel Room*	Annual DS Payment per Unit/1,000 Sq.Ft./Hotel Room**
1Q-3	SFD 40'	135	\$3,337,150.88	\$24,719.64	\$242,440.38	\$1,795.85	\$1,952.02
1Q-6	SFD 50'	201	\$4,520,724.27	\$22,491.17	\$328,425.70	\$1,633.96	\$1,776.04
1Q-7	SFD 50'	145	\$3,321,720.18	\$22,908.42	\$241,319.36	\$1,664.27	\$1,808.99
1Q-11	SFD 50'	271	\$6,369,814.11	\$23,504.85	\$462,760.06	\$1,707.60	\$1,856.09
1Q-12	Commercial/Retail/Office	144,000	\$225,179.35	\$1,563.75	\$16,359.03	\$113.60	\$123.48
1Q-12	Hotel	200	\$78,187.28	\$390.94	\$5,680.22	\$28.40	\$30.87
1Q-13	Commercial/Retail/Office	11,500	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
1Q-15	Commercial/Retail/Office	57,500	\$68,392.72	\$1,189.44	\$4,968.66	\$86.41	\$93.93
Sub-Total			\$17,921,168.80		\$1,301,953.41		
2Q-1	Commercial/Retail/Office	321,000	\$17,685.95	\$55.10	\$1,284.87	\$4.00	\$4.35
2Q-1	Hotel	200	\$2,754.82	\$13.77	\$200.13	\$1.00	\$1.09
2Q-2	Commercial/Retail/Office	41,500	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2Q-3	MF	419	\$141,220.86	\$337.04	\$10,259.54	\$24.49	\$26.61
2Q-5	Commercial/Retail/Office	677,000	\$37,300.28	\$55.10	\$2,709.82	\$4.00	\$4.35
2Q-6	Commercial/Retail/Office	59,000	\$38,115.61	\$646.03	\$2,769.06	\$46.93	\$51.01
Sub-Total			\$237,077.52		\$17,223.42		
3Q-1	SFD 50'	60	\$1,392,531.09	\$23,208.85	\$101,165.87	\$1,686.10	\$1,832.72
3Q-2	SFD 40'	91	\$1,377,416.30	\$15,136.44	\$100,067.79	\$1,099.65	\$1,195.27
3Q-4	SFD 75'	75	\$5,302,548.41	\$70,700.65	\$385,224.37	\$5,136.32	\$5,582.96
3Q-5	Commercial/Retail/Office	12,000	\$70,404.68	\$5,867.06	\$5,114.82	\$426.24	\$463.30
3Q-6	Commercial/Retail/Office	11,500	\$67,471.15	\$5,867.06	\$4,901.71	\$426.24	\$463.30
3Q-7	Commercial/Retail/Office	22,000	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
3Q-8	Commercial/Retail/Office	79,000	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
3Q-9	Commercial/Retail/Office	109,500	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
3Q-10	Commercial/Retail/Office	538,500	\$508,064.19	\$943.48	\$36,910.31	\$68.54	\$74.50
3Q-10	Hotel	200	\$47,174.02	\$235.87	\$3,427.14	\$17.14	\$18.63
3Q-10	TH	120	\$70,761.03	\$589.68	\$5,140.71	\$42.84	\$46.56
3Q-10	MF	1,167	\$454,179.66	\$389.19	\$32,995.66	\$28.27	\$30.73
Sub-Total			\$9,290,550.53		\$674,948.38		
4Q-1	SFD 50'	139	\$3,594,395.41	\$25,858.96	\$261,128.91	\$1,878.63	\$2,041.98
4Q-7	SFD 40'	82	\$2,277,052.31	\$27,768.93	\$165,425.37	\$2,017.38	\$2,192.81
4Q-9	SFD 50'	169	\$3,817,868.53	\$22,590.94	\$277,363.99	\$1,641.21	\$1,783.92
4Q-10	SFD 50'	154	\$1,939,295.14	\$12,592.83	\$140,887.68	\$914.86	\$994.41
4Q-10	TH	200	\$1,606,649.61	\$8,033.25	\$116,721.35	\$583.61	\$634.36
4Q-12	Commercial/Retail/Office	175,000	\$252,018.26	\$1,440.10	\$18,308.85	\$104.62	\$113.72
4Q-12	MF	250	\$148,510.76	\$594.04	\$10,789.15	\$43.16	\$46.91
4Q-13	Commercial/Retail/Office	309,000	\$444,992.24	\$1,440.10	\$32,328.20	\$104.62	\$113.72
4Q-14	TH	66	\$38,619.25	\$585.14	\$2,805.65	\$42.51	\$46.21
4Q-16	Commercial/Retail/Office	9,000	\$24,241.73	\$2,693.53	\$1,761.14	\$195.68	\$212.70
4Q-17	Commercial/Retail/Office	7,500	\$20,201.44	\$2,693.53	\$1,467.61	\$195.68	\$212.70
4Q-18	Commercial/Retail/Office	57,500	\$9,032.68	\$157.09	\$656.21	\$11.41	\$12.40
4Q-19	Commercial/Retail/Office	28,000	\$4,398.52	\$157.09	\$319.55	\$11.41	\$12.40
4Q-19	Hotel	100	\$3,927.25	\$39.27	\$285.31	\$2.85	\$3.10
Sub-Total			\$14,181,203.15		\$1,030,248.97		
Total			\$41,630,000.00		\$3,024,374.19		

* Does not include costs of collection

** Includes allocation for early payment discount and costs of collection

Table 8

Emerald Lakes

Community Development District

Master Assessments and Parcel/Subdivision Assessments Apportionment

Subdivision Number	Land Use	Number of Units/Sq. Ft./Hotel Rooms	Total Master Assessments	Total Parcel/ Subdivision Assessments	Sum of Master Assessments and Parcel/ Subdivision Assessments	Master Assessments per Unit/1,000 Sq.Ft./Hotel Room	Parcel/ Subdivision Assessments per Unit/1,000 Sq.Ft./Hotel Room	Sum of Master and Parcel/ Subdivision Assessments per Unit/1,000 Sq. Ft./Hotel Room
1Q-3	SFD 40'	135	\$2,301,711.60	\$3,337,150.88	\$5,638,862.48	\$17,049.72	\$24,719.64	\$41,769.35
1Q-6	SFD 50'	201	\$3,721,657.07	\$4,520,724.27	\$8,242,381.34	\$18,515.71	\$22,491.17	\$41,006.87
1Q-7	SFD 50'	145	\$2,684,777.49	\$3,321,720.18	\$6,006,497.67	\$18,515.71	\$22,908.42	\$41,424.12
1Q-11	SFD 50'	271	\$5,017,756.55	\$6,369,814.11	\$11,387,570.66	\$18,515.71	\$23,504.85	\$42,020.56
1Q-12	Commercial/Retail/Office	144,000	\$1,525,707.75	\$225,179.35	\$1,750,887.10	\$10,595.19	\$1,563.75	\$12,158.94
1Q-12	Hotel	200	\$979,489.20	\$78,187.28	\$1,057,676.47	\$4,897.45	\$390.94	\$5,288.38
1Q-13	Commercial/Retail/Office	11,500	\$121,844.72	\$0.00	\$121,844.72	\$10,595.19	\$0.00	\$10,595.19
1Q-15	Commercial/Retail/Office	57,500	\$609,223.58	\$68,392.72	\$677,616.31	\$10,595.19	\$1,189.44	\$11,784.63
Sub-Total			\$16,962,167.96	\$17,921,168.80	\$34,883,336.76			
2Q-1	Commercial/Retail/Office	321,000	\$3,401,056.86	\$17,685.95	\$3,418,742.82	\$10,595.19	\$55.10	\$10,650.29
2Q-1	Hotel	200	\$979,489.20	\$2,754.82	\$982,244.02	\$4,897.45	\$13.77	\$4,911.22
2Q-2	Commercial/Retail/Office	41,500	\$439,700.50	\$0.00	\$439,700.50	\$10,595.19	\$0.00	\$10,595.19
2Q-3	MF	419	\$5,107,420.45	\$141,220.86	\$5,248,641.31	\$12,189.55	\$337.04	\$12,526.59
2Q-5	Commercial/Retail/Office	677,000	\$7,172,945.47	\$37,300.28	\$7,210,245.75	\$10,595.19	\$55.10	\$10,650.29
2Q-6	Commercial/Retail/Office	59,000	\$625,116.37	\$38,115.61	\$663,231.98	\$10,595.19	\$646.03	\$11,241.22
Sub-Total			\$17,725,728.86	\$237,077.52	\$17,962,806.38			
3Q-1	SFD 50'	60	\$1,110,942.41	\$1,392,531.09	\$2,503,473.50	\$18,515.71	\$23,208.85	\$41,724.56
3Q-2	SFD 40'	91	\$1,551,524.11	\$1,377,416.30	\$2,928,940.41	\$17,049.72	\$15,136.44	\$32,186.16
3Q-4	SFD 75'	75	\$1,793,822.18	\$5,302,548.41	\$7,096,370.59	\$23,917.63	\$70,700.65	\$94,618.27
3Q-5	Commercial/Retail/Office	12,000	\$127,142.31	\$70,404.68	\$197,546.99	\$10,595.19	\$5,867.06	\$16,462.25
3Q-6	Commercial/Retail/Office	11,500	\$121,844.72	\$67,471.15	\$189,315.86	\$10,595.19	\$5,867.06	\$16,462.25
3Q-7	Commercial/Retail/Office	22,000	\$233,094.24	\$0.00	\$233,094.24	\$10,595.19	\$0.00	\$10,595.19
3Q-8	Commercial/Retail/Office	79,000	\$837,020.22	\$0.00	\$837,020.22	\$10,595.19	\$0.00	\$10,595.19
3Q-9	Commercial/Retail/Office	109,500	\$1,160,173.60	\$0.00	\$1,160,173.60	\$10,595.19	\$0.00	\$10,595.19
3Q-10	Commercial/Retail/Office	538,500	\$5,705,511.28	\$508,064.19	\$6,213,575.47	\$10,595.19	\$943.48	\$11,538.67
3Q-10	Hotel	200	\$979,489.20	\$47,174.02	\$1,026,663.22	\$4,897.45	\$235.87	\$5,133.32
3Q-10	TH	120	\$1,696,815.28	\$70,761.03	\$1,767,576.31	\$14,140.13	\$589.68	\$14,729.80
3Q-10	MF	1,167	\$14,225,202.08	\$454,179.66	\$14,679,381.74	\$12,189.55	\$389.19	\$12,578.73
Sub-Total			\$29,542,581.64	\$9,290,550.53	\$38,833,132.17			
4Q-1	SFD 50'	139	\$2,573,683.25	\$3,594,395.41	\$6,168,078.66	\$18,515.71	\$25,858.96	\$44,374.67
4Q-7	SFD 40'	82	\$1,398,076.67	\$2,277,052.31	\$3,675,128.98	\$17,049.72	\$27,768.93	\$44,818.65
4Q-9	SFD 50'	169	\$3,129,154.46	\$3,817,868.53	\$6,947,022.99	\$18,515.71	\$22,590.94	\$41,106.64
4Q-10	SFD 50'	154	\$2,851,418.85	\$1,939,295.14	\$4,790,713.99	\$18,515.71	\$12,592.83	\$31,108.53
4Q-10	TH	200	\$2,828,025.47	\$1,606,649.61	\$4,434,675.08	\$14,140.13	\$8,033.25	\$22,173.38
4Q-12	Commercial/Retail/Office	175,000	\$1,854,158.73	\$252,018.26	\$2,106,176.99	\$10,595.19	\$1,440.10	\$12,035.30
4Q-12	MF	250	\$3,047,386.91	\$148,510.76	\$3,195,897.67	\$12,189.55	\$594.04	\$12,783.59
4Q-13	Commercial/Retail/Office	309,000	\$3,273,914.55	\$444,992.24	\$3,718,906.79	\$10,595.19	\$1,440.10	\$12,035.30
4Q-14	TH	66	\$933,248.40	\$38,619.25	\$971,867.66	\$14,140.13	\$585.14	\$14,725.27
4Q-16	Commercial/Retail/Office	9,000	\$95,356.73	\$24,241.73	\$119,598.46	\$10,595.19	\$2,693.53	\$13,288.72
4Q-17	Commercial/Retail/Office	7,500	\$79,463.95	\$20,201.44	\$99,665.38	\$10,595.19	\$2,693.53	\$13,288.72
4Q-18	Commercial/Retail/Office	57,500	\$609,223.58	\$9,032.68	\$618,256.27	\$10,595.19	\$157.09	\$10,752.28
4Q-19	Commercial/Retail/Office	28,000	\$296,665.40	\$4,398.52	\$301,063.92	\$10,595.19	\$157.09	\$10,752.28
4Q-19	Hotel	100	\$489,744.60	\$3,927.25	\$493,671.85	\$4,897.45	\$39.27	\$4,936.72
Sub-Total			\$23,459,521.54	\$14,181,203.15	\$37,640,724.69			
Total			\$87,690,000.00	\$41,630,000.00	\$129,320,000.00			

Table 9

Emerald Lakes

Community Development District

Master and Parcel/Subdivision Assessments Annual DS Payment Apportionment

Subdivision Number	Land Use	Total Master Assessments Annual DS	Total Parcel/ Subdivision Assessments Annual DS	Sum of Master and Parcel/ Subdivision Assessments Annual DS	Master Assessments Annual DS Payment per Unit/1,000 Sq.Ft./Hotel Room*	Parcel/ Subdivision Assessments Annual DS Payment per Unit/1,000 Sq.Ft./Hotel Room*	Sum of Master and Parcel/ Subdivision Assessments Annual DS Payment per Unit/1,000 Sq.Ft./Hotel Room*	Sum of Master and Parcel/ Subdivision Assessments Annual DS Payment per Unit/1,000 Sq.Ft./Hotel Room**
		Payment*	Payment*	Payment*				
1Q-3	SFD 40'	\$167,216.84	\$242,440.38	\$409,657.22	\$1,238.64	\$1,795.85	\$3,034.50	\$3,298.37
1Q-6	SFD 50'	\$270,374.34	\$328,425.70	\$598,800.03	\$1,345.15	\$1,633.96	\$2,979.10	\$3,238.16
1Q-7	SFD 50'	\$195,046.16	\$241,319.36	\$436,365.52	\$1,345.15	\$1,664.27	\$3,009.42	\$3,271.11
1Q-11	SFD 50'	\$364,534.55	\$462,760.06	\$827,294.61	\$1,345.15	\$1,707.60	\$3,052.75	\$3,318.20
1Q-12	Commercial/Retail/Office	\$110,841.01	\$16,359.03	\$127,200.04	\$769.73	\$113.60	\$883.33	\$960.15
1Q-12	Hotel	\$71,158.82	\$5,680.22	\$76,839.04	\$355.79	\$28.40	\$384.20	\$417.60
1Q-13	Commercial/Retail/Office	\$8,851.89	\$0.00	\$8,851.89	\$769.73	\$0.00	\$769.73	\$836.66
1Q-15	Commercial/Retail/Office	\$44,259.43	\$4,968.66	\$49,228.09	\$769.73	\$86.41	\$856.14	\$930.59
Sub-Total		\$1,232,283.04	\$1,301,953.41	\$2,534,236.44				
2Q-1	Commercial/Retail/Office	\$247,083.08	\$1,284.87	\$248,367.94	\$769.73	\$4.00	\$773.73	\$841.01
2Q-1	Hotel	\$71,158.82	\$200.13	\$71,358.96	\$355.79	\$1.00	\$356.79	\$387.82
2Q-2	Commercial/Retail/Office	\$31,943.76	\$0.00	\$31,943.76	\$769.73	\$0.00	\$769.73	\$836.66
2Q-3	MF	\$371,048.54	\$10,259.54	\$381,308.08	\$885.56	\$24.49	\$910.04	\$989.18
2Q-5	Commercial/Retail/Office	\$521,106.68	\$2,709.82	\$523,816.51	\$769.73	\$4.00	\$773.73	\$841.01
2Q-6	Commercial/Retail/Office	\$45,414.02	\$2,769.06	\$48,183.08	\$769.73	\$46.93	\$816.66	\$887.68
Sub-Total		\$1,287,754.91	\$17,223.42	\$1,304,978.33				
3Q-1	SFD 50'	\$80,708.76	\$101,165.87	\$181,874.62	\$1,345.15	\$1,686.10	\$3,031.24	\$3,294.83
3Q-2	SFD 40'	\$112,716.54	\$100,067.79	\$212,784.33	\$1,238.64	\$1,099.65	\$2,338.29	\$2,541.62
3Q-4	SFD 75'	\$130,319.23	\$385,224.37	\$515,543.60	\$1,737.59	\$5,136.32	\$6,873.91	\$7,471.65
3Q-5	Commercial/Retail/Office	\$9,236.75	\$5,114.82	\$14,351.57	\$769.73	\$426.24	\$1,195.96	\$1,299.96
3Q-6	Commercial/Retail/Office	\$8,851.89	\$4,901.71	\$13,753.59	\$769.73	\$426.24	\$1,195.96	\$1,299.96
3Q-7	Commercial/Retail/Office	\$16,934.04	\$0.00	\$16,934.04	\$769.73	\$0.00	\$769.73	\$836.66
3Q-8	Commercial/Retail/Office	\$60,808.61	\$0.00	\$60,808.61	\$769.73	\$0.00	\$769.73	\$836.66
3Q-9	Commercial/Retail/Office	\$84,285.35	\$0.00	\$84,285.35	\$769.73	\$0.00	\$769.73	\$836.66
3Q-10	Commercial/Retail/Office	\$414,499.18	\$36,910.31	\$451,409.49	\$769.73	\$68.54	\$838.27	\$911.17
3Q-10	Hotel	\$71,158.82	\$3,427.14	\$74,585.97	\$355.79	\$17.14	\$372.93	\$405.36
3Q-10	TH	\$123,271.78	\$5,140.71	\$128,412.49	\$1,027.26	\$42.84	\$1,070.10	\$1,163.16
3Q-10	MF	\$1,033,445.45	\$32,995.66	\$1,066,441.10	\$885.56	\$28.27	\$913.83	\$993.29
Sub-Total		\$2,146,236.40	\$674,948.38	\$2,821,184.78				
4Q-1	SFD 50'	\$186,975.29	\$261,128.91	\$448,104.20	\$1,345.15	\$1,878.63	\$3,223.77	\$3,504.10
4Q-7	SFD 40'	\$101,568.75	\$165,425.37	\$266,994.12	\$1,238.64	\$2,017.38	\$3,256.03	\$3,539.16
4Q-9	SFD 50'	\$227,329.67	\$277,363.99	\$504,693.66	\$1,345.15	\$1,641.21	\$2,986.35	\$3,246.04
4Q-10	SFD 50'	\$207,152.48	\$140,887.68	\$348,040.16	\$1,345.15	\$914.86	\$2,260.00	\$2,456.52
4Q-10	TH	\$205,452.97	\$116,721.35	\$322,174.32	\$1,027.26	\$583.61	\$1,610.87	\$1,750.95
4Q-12	Commercial/Retail/Office	\$134,702.61	\$18,308.85	\$153,011.47	\$769.73	\$104.62	\$874.35	\$950.38
4Q-12	MF	\$221,389.34	\$10,789.15	\$232,178.49	\$885.56	\$43.16	\$928.71	\$1,009.47
4Q-13	Commercial/Retail/Office	\$237,846.33	\$32,328.20	\$270,174.53	\$769.73	\$104.62	\$874.35	\$950.38
4Q-14	TH	\$67,799.48	\$2,805.65	\$70,605.13	\$1,027.26	\$42.51	\$1,069.77	\$1,162.80
4Q-16	Commercial/Retail/Office	\$6,927.56	\$1,761.14	\$8,688.70	\$769.73	\$195.68	\$965.41	\$1,049.36
4Q-17	Commercial/Retail/Office	\$5,772.97	\$1,467.61	\$7,240.58	\$769.73	\$195.68	\$965.41	\$1,049.36
4Q-18	Commercial/Retail/Office	\$44,259.43	\$656.21	\$44,915.64	\$769.73	\$11.41	\$781.14	\$849.07
4Q-19	Commercial/Retail/Office	\$21,552.42	\$319.55	\$21,871.97	\$769.73	\$11.41	\$781.14	\$849.07
4Q-19	Hotel	\$35,579.41	\$285.31	\$35,864.72	\$355.79	\$2.85	\$358.65	\$389.83
Sub-Total		\$1,704,308.70	\$1,030,248.97	\$2,734,557.67				
Total		\$6,370,583.05	\$3,024,374.19	\$9,394,957.23				

* Does not include costs of collection

** Includes allocation for early payment discount and costs of collection

Table 10

Emerald Lakes

Community Development District

Preliminary Assessment Roll

Parcel Number	Owner	Total Master Assessments	Total Parcel/ Subdivision Assessments	Sum of Master Assessments and Parcel/ Subdivision Assessments
30-37-03-00-751	Emerald Investment Holdings LLC	\$1,046,987.02	\$898,598.85	\$1,945,585.87
30-37-03-00-1	Emerald Investment Holdings LLC	\$9,781,911.57	\$6,312,520.06	\$16,094,431.62
30-37-02-00-2	Emerald Investment Holdings LLC	\$18,811,368.40	\$6,793,720.44	\$25,605,088.84
30-37-10-00-1	Emerald Investment Holdings LLC	\$8,062,015.03	\$6,283,501.01	\$14,345,516.03
30-37-11-00-1	Emerald Investment Holdings LLC	\$13,060,464.35	\$3,183,413.32	\$16,243,877.66
30-37-02-00-1	Emerald Investment Holdings LLC	\$11,770,541.94	\$6,095,646.04	\$17,866,187.98
30-37-01-00-250	Emerald Investment Holdings LLC	\$16,481,446.06	\$11,821,749.61	\$28,303,195.66
30-37-11-00-2	Emerald Investment Holdings LLC	\$1,715,596.80	\$18,523.42	\$1,734,120.22
30-37-12-00-250	Emerald Investment Holdings LLC	\$6,959,668.84	\$222,327.26	\$7,181,996.10
Total		\$87,690,000.00	\$41,630,000.00	\$129,320,000.00

EMERALD LAKES
COMMUNITY DEVELOPMENT DISTRICT

4E

RESOLUTION 2019-28

A RESOLUTION OF THE EMERALD LAKES COMMUNITY DEVELOPMENT DISTRICT AUTHORIZING DISTRICT PROJECTS FOR CONSTRUCTION AND/OR ACQUISITION OF INFRASTRUCTURE IMPROVEMENTS; EQUALIZING, APPROVING, CONFIRMING, AND LEVYING SPECIAL ASSESSMENTS ON PROPERTY SPECIALLY BENEFITED BY SUCH PROJECTS TO PAY THE COST THEREOF; PROVIDING FOR THE PAYMENT AND THE COLLECTION OF SUCH SPECIAL ASSESSMENTS BY THE METHODS PROVIDED FOR BY CHAPTERS 170, 190 AND 197, *FLORIDA STATUTES*; CONFIRMING THE DISTRICT'S INTENTION TO ISSUE SPECIAL ASSESSMENT BONDS; MAKING PROVISIONS FOR TRANSFERS OF REAL PROPERTY TO HOMEOWNERS ASSOCIATIONS, PROPERTY OWNERS ASSOCIATIONS AND/OR GOVERNMENTAL ENTITIES; PROVIDING FOR THE RECORDING OF AN ASSESSMENT NOTICE; PROVIDING FOR SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.

WHEREAS, the Emerald Lakes Community Development District (the "District") previously indicated its intention to construct certain types of infrastructure improvements and to finance such infrastructure improvements through the issuance of bonds, which bonds would be repaid by the imposition of special assessments on benefited property within the District; and

WHEREAS, the District Board of Supervisors ("Board") noticed and conducted a public hearing pursuant to Chapters 170, 190 and 197, *Florida Statutes*, relating to the imposition, levy, collection and enforcement of such assessments.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE EMERALD LAKES COMMUNITY DEVELOPMENT DISTRICT AS FOLLOWS:

SECTION 1. AUTHORITY FOR THIS RESOLUTION. This Resolution is adopted pursuant to Chapters 170, 190 and 197, *Florida Statutes*, including without limitation, Section 170.08, *Florida Statutes*.

SECTION 2. FINDINGS. The Board hereby finds and determines as follows:

A. The District is a local unit of special-purpose government organized and existing under and pursuant to Chapter 190, *Florida Statutes*, as amended.

B. The District is authorized by Chapter 190, *Florida Statutes*, to finance, fund, plan, establish, acquire, install, equip, operate, extend, construct, or reconstruct road right-of-ways and improvements, water and waste water, utilities, stormwater systems, recreational improvements, conservation and mitigation areas, wildlife habitat and other infrastructure projects and services necessitated by the development of, and serving lands within, the District.

C. The District is authorized by Chapter 190, *Florida Statutes*, to levy and impose special assessments to pay all, or any part of, the cost of such infrastructure projects and services and to issue Special Assessment Bonds payable from such special assessments as provided in Chapters 170, 190 and 197, *Florida Statutes*.

D. It is necessary to the public health, safety and welfare and in the best interests of the District that: (i) the District provide the Project (“Project”), the nature and location of which was initially described in Resolution 2019-26 and is shown in the *Engineer’s Report*, dated November 2, 2018 (“Engineer’s Report”), and which Project’s plans and specifications are on file in the District’s records office at Wrathell, Hunt and Associates, LLC, 2300 Glades Road, Suite 410W, Boca Raton, Florida 3343; Ph, (561) 571-0010 (ii) the cost of such Project be assessed against the lands specially benefited by such Project; and (iii) the District issue bonds to provide funds for such purposes pending the receipt of such special assessments and other revenues which the District may establish.

E. The provision of said Project, the levying of such Special Assessments (hereinafter defined) and the sale and issuance of such bonds serves a proper, essential, and valid public purpose and is in the best interests of the District, its landowners and residents.

F. In order to provide funds with which to pay a portion of the costs of the Project which are to be assessed against the benefitted properties, pending the collection of such Special Assessments, it is necessary for the District from time to time to sell and issue its Special Assessment Bonds or Bond Anticipation Notes, in one or more series (collectively, “Bonds”).

G. By Resolution 2019-26, the Board determined to provide the Project and to defray the costs thereof by making Special Assessments on benefitted property and expressed an intention to issue Bonds to provide a portion of the funds needed for the Project prior to the collection of such Special Assessments. Resolution 2019-26 was adopted in compliance with the requirements of section 170.03, *Florida Statutes*, and prior to the time it was adopted, the requirements of section 170.04, *Florida Statutes*, had been met.

H. As directed by Resolution 2019-26, said Resolution 2019-26 was published as required by section 170.05, *Florida Statutes*, and a copy of the publisher’s affidavit of publication is on file with the Secretary of the Board.

I. As directed by Resolution 2019-26, a preliminary assessment roll was adopted and filed with the Board as required by section 170.06, *Florida Statutes*.

J. As required by section 170.07, *Florida Statutes*, upon completion of the preliminary assessment roll, the Board adopted Resolution 2019-27 fixing the time and place of a public hearing at which owners of the property to be assessed and other persons interested therein may appear before the Board and be heard as to: (i) the propriety and advisability of making the infrastructure improvements constituting the Project, (ii) the cost thereof, (iii) the manner of payment therefore, and (iv) the amount thereof to be assessed against each specially benefited property or parcel and provided for publication of notice of such public hearing and individual mailed notice in accordance with Chapters 170, 190 and 197, *Florida Statutes*.

K. Notice of such public hearing was given by publication and also by mail as required by section 170.07, *Florida Statutes*. Affidavits as to such publications and mailings are on file in the office of the Secretary of the Board.

L. On December 13, 2018, at the time and place specified in Resolution 2019-27, and notice referred to in paragraph (K) above, the Board met as an equalizing Board and heard and considered all complaints and testimony as to the matters described in paragraph (J) above. The Board has made such modifications in the preliminary assessment roll as it deems necessary, just and right in the making of the final assessment roll.

M. Having considered the estimated costs of the Project, estimates of financing costs and all complaints and evidence presented at such public hearing, the Board further finds and determines:

- i.** that the estimated costs of the Project are as specified in the Engineer's Report (attached as **Exhibit A** hereto and incorporated herein by this reference), and that the amount of such costs is reasonable and proper; and
- ii.** it is reasonable, proper, just and right to assess the cost of such Project against the properties within the District specially benefited thereby using the method determined by the Board set forth in the *Master Special Assessment Methodology Report*, dated November 2, 2018 ("Assessment Report") attached hereto as **Exhibit B** and incorporated herein by this reference, which results in allocation of assessments in the manner set forth in the final assessment roll included therein ("Special Assessments"); and
- iii.** it is hereby declared that the Project will constitute a special benefit to all parcels of real property listed on said final assessment roll and that the benefit, in the case of each such parcel, will be equal to or in excess of the Special Assessments thereon when allocated as set forth in **Exhibit B**; and
- iv.** it is in the best interests of the District that the Special Assessments be paid and collected as provided herein.

SECTION 3. AUTHORIZATION OF THE DISTRICT PROJECT. That certain Project for construction of infrastructure improvements initially described in Resolution 2019-26, and more specifically identified and described in **Exhibit A** attached hereto, is hereby authorized and approved and the proper officers, employees and/or agents of the District are hereby authorized and directed to take such further action as may be necessary or desirable to cause the same to be made.

SECTION 4. ESTIMATED COST OF IMPROVEMENTS. The total estimated costs of the Project and the costs to be paid by Special Assessments on all specially benefited property are set forth in **Exhibits A** and **B**, respectively, hereto.

SECTION 5. EQUALIZATION, APPROVAL, CONFIRMATION AND LEVY OF SPECIAL ASSESSMENTS. The Special Assessments on parcels specially benefited by the Project, all as specified in the final assessment roll set forth in **Exhibit B**, attached hereto, are hereby equalized, approved, confirmed and levied. Immediately following the adoption of this Resolution, these Special Assessments, as reflected in **Exhibit B**, attached hereto, shall be recorded by the Secretary of the Board of the District in a special book, to be known as the "Improvement Lien Book." The Special Assessments against each respective parcel shown on such final assessment roll and interest, costs and penalties thereon, as hereafter provided, shall be and shall remain a legal, valid and binding first lien on such parcel until paid and such lien shall be coequal with the lien of all state, county, district, municipal or other governmental taxes and superior in dignity to all other liens, titles, and claims, except liens and claims imposed by the federal government. Prior to the issuance of any Bonds, including refunding bonds, the District may, by subsequent resolution, adjust the acreage assigned to particular parcel identification numbers listed on the final assessment roll to reflect accurate apportionment of acreage within the District amongst individual parcel identification numbers. The District may make any other such acreage and boundary adjustments to parcels listed on the final assessment roll as may be necessary in the best interests of the District as determined by the Board by subsequent resolution. Any such adjustment in the assessment roll shall be consistent with the requirements of law. In the event the issuance of Bonds, including refunding bonds, by the District would result in a decrease of the Special Assessments, then the District shall by subsequent resolution, adopted within sixty (60) days of the sale of such Bonds at a publicly noticed meeting and without the need for further public hearing, evidence such a decrease and amend the final assessment roll as shown in the Improvement Lien Book to reflect such a decrease.

SECTION 6. FINALIZATION OF SPECIAL ASSESSMENTS. When the entire Project has both been constructed or otherwise provided to the satisfaction of the Board, the Board shall adopt a resolution accepting the same and determining the actual costs (including financing costs) thereof, as required by sections 170.08 and 170.09, *Florida Statutes*. Pursuant to the provisions of section 170.08, *Florida Statutes*, regarding completion of the portion of the Project funded by a particular series of Bonds, the District shall credit to each Special Assessment the difference, if any, between the Special Assessment as hereby made, approved and confirmed and the actual costs incurred in completing the Project. In making such credits, no credit shall be given for bond financing costs, capitalized interest, funded reserves or bond discounts. Such credits, if any, shall be entered in the Improvement Lien Book. Once the final amount of Special Assessments for the entire Project has been determined, the term "Special Assessment" shall, with respect to each parcel, mean the sum of the costs of the Project.

SECTION 7. PAYMENT OF SPECIAL ASSESSMENTS AND METHOD OF COLLECTION.

A. The Special Assessments may be paid in not more than thirty (30) annual installments of principal and interest (excluding any capitalized interest). The Special Assessments may be paid in full without interest at any time within thirty (30) days after the completion of the Project and the adoption by the Board of a resolution accepting the Project; provided, however,

that the Board shall at any time make such adjustments by resolution, at a noticed meeting of the Board, to that payment schedule as may be necessary and in the best interests of the District to account for changes in long and short term debt as actually issued by the District. At any time subsequent to thirty (30) days after the Project has been completed and a resolution accepting the Project has been adopted by the Board, the Special Assessments may be prepaid in full including interest to the next succeeding interest payment date or to the second succeeding interest payment date if such a prepayment is made within forty-five (45) calendar days before an interest payment date. The owner of property subject to Special Assessments may prepay all or a portion of the remaining balance of the Special Assessment at any time if there is also paid, plus accrued interest to the next succeeding interest payment date (or the second succeeding interest payment date) if such prepayment is made within 45 calendar days before an interest payment date. Prepayment of Special Assessments does not entitle the property owner to any discounts for early payment.

B. The District may elect to use the method of collecting Special Assessments authorized by sections 197.3632 and 197.3635, *Florida Statutes* (“Uniform Method”). The District has taken the necessary actions to comply with the provisions of said sections 197.3632 and 197.3635, *Florida Statutes*. Such Special Assessments may be subject to all of the collection provisions of Chapter 197, *Florida Statutes*. Notwithstanding the above, in the event the Uniform Method of collecting its special or non-ad valorem assessments is not available to the District in any year, or if determined by the District to be in its best interest, the Special Assessments may be collected as is otherwise permitted by law. The District may, in its sole discretion, collect Special Assessments by directly assessing landowner(s) and enforcing said collection in any manner authorized by law. Such Special Assessments shall at all times be collected in a manner consistent with applicable trust indenture.

C. For each year the District uses the Uniform Method, the District shall have entered into an agreement with the Tax Collector of Brevard County who may notify each owner of a lot or parcel within the District of the amount of the Special Assessments, including interest thereon, in the manner provided in section 197.3635, *Florida Statutes*.

SECTION 8. APPLICATION OF TRUE-UP PAYMENTS.

A. There may be required from time to time certain true-up payments as specified the Assessment Report and in supplemental assessment methodology reports. As parcels of land or lots are platted or included in a site plan for approval, the Special Assessments securing the Bonds shall be allocated as set forth in such reports. In furtherance thereof, at such time as parcels or land or lots are platted or included in a site plan for approval, it shall be an express condition of the lien established by this Resolution that any and all initial plats or site plans of any portion of the lands within the District, as the District’s boundaries may be amended from time to time, shall be presented to the District Manager for review, approval and calculation of the percentage of acres and numbers of units which will be, after the plat or site plan, considered to be developed. No further action by the Board shall be required. The District’s review shall be limited solely to this function and the enforcement of the lien established by this Resolution. The District Manager shall

cause the Special Assessments to be reallocated to the units being platted or included in a site plan and the remaining property in accordance with such the Assessment Report and supplemental assessment methodology reports, cause such reallocation to be recorded in the District's Improvement Lien Book, and shall perform the true-up calculations described in **Exhibit B**, which process is incorporated herein as if fully set forth. Any resulting true-up payment shall become due and payable that tax year by the landowner(s) of record of the remaining property, in addition to the regular assessment installment payable with respect to the remaining developable acres.

B. The District will take all necessary steps to ensure that true-up payments are made in a timely fashion to ensure its debt service obligations are met. The District shall record all true-up payments in its Improvement Lien Book.

C. The foregoing is based on the District's understanding with Emerald Investment Holdings, LLC, ("Developer") that it intends to develop the unit numbers and types shown in **Exhibit B**, on the net developable acres and is intended to provide a formula to ensure that the appropriate ratio of the Special Assessments to developable acres is maintained if fewer units are developed. However, no action by the District prohibits more than the maximum units shown in **Exhibit B** from being developed. In no event shall the District collect Special Assessments pursuant to this Resolution in excess of the total debt service related to the Project, including all costs of financing and interest. The District recognizes that such events as regulatory requirements and market conditions may affect the timing and scope of the development in the District. If the strict application of the True-Up Methodology to any assessment reallocation pursuant to this paragraph would result in Special Assessments collected in excess of the District's total debt service obligation for the Project, the Board shall by resolution take appropriate action to equitably reallocate the Special Assessments. Further, upon the District's review of the final plat or site plan for the developable acres, any unallocated Special Assessments shall become due and payable and must be paid prior to the District's approval of that plat or site plan. The District may suspend any true-up obligations if Developer sufficiently demonstrates to the District Engineer and District Manager that the property remaining to be developed has sufficient density and/or development potential to ensure that appropriate ratio of the Special Assessments shall be maintained.

D. The application of the monies received from true-up payments or assessments to the actual debt service obligations of the District, whether long term or short term, shall be set forth in the supplemental assessment resolution adopted for each series of Bonds actually issued. Such subsequent resolution shall be adopted at a noticed meeting of the District, and shall set forth the actual amounts financed, costs of issuance, expected costs of collection, and the total amount of the assessments pledged to that issue, which amount shall be consistent with the lien imposed by this Resolution.

SECTION 9. PROPERTY OWNED BY HOMEOWNERS ASSOCIATIONS, PROPERTY OWNERS ASSOCIATIONS OR GOVERNMENTAL ENTITIES. Property owned by units of local, state, and federal government shall not be subject to the Special Assessments without specific consent thereto. In addition, property owned by a property owners association or homeowners association that is exempt from special assessments under Florida law shall not be subject to the Special

Assessments. If at any time, any real property on which Special Assessments are imposed by this Resolution is sold or otherwise transferred to a unit of local, state, or federal government (without consent of such governmental unit to the imposition of Special Assessments thereon), all future unpaid Special Assessments for such tax parcel shall become due and payable immediately prior to such transfer without any further action of the District.

SECTION 10. ASSESSMENT NOTICE. The District's Secretary is hereby directed to record a general Notice of Assessments in the Official Records of Brevard County, Florida, which shall be updated from time to time in a manner consistent with changes in the boundaries of the District.

SECTION 11. SEVERABILITY. If any section or part of a section of this Resolution be declared invalid or unconstitutional, the validity, force and effect of any other section or part of a section of this Resolution shall not thereby be affected or impaired unless it clearly appears that such other section or part of a section of this Resolution is wholly or necessarily dependent upon the section or part of a section so held to be invalid or unconstitutional.

SECTION 12. CONFLICTS. All resolutions or parts thereof in conflict herewith are, to the extent of such conflict, superseded and repealed.

SECTION 13. EFFECTIVE DATE. This Resolution shall become effective upon its adoption.

[Remainder of this page left intentionally blank]

APPROVED AND ADOPTED this 13th day of December 2018.

**EMERALD LAKES COMMUNITY
DEVELOPMENT DISTRICT**

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

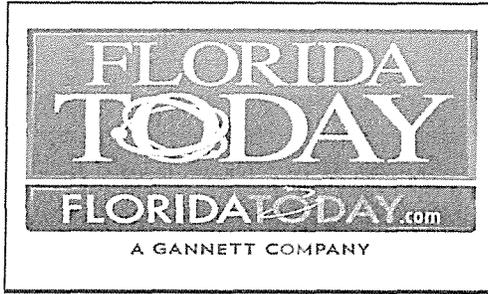
Exhibit A: *Engineer's Report*, dated November 2, 2018

Exhibit B: *Master Special Assessment Methodology Report*, dated November 2, 2018

EMERALD LAKES
COMMUNITY DEVELOPMENT DISTRICT

5A

A Daily Publication By:



EMERALD LAKES CDD
2300 GLADES ROAD, SUITE 410W

BOCA RATON, FL 33431

AD#3251185, 11/15, 11/22, 11/29, 12/6/18
EMERALD LAKES COMMUNITY
DEVELOPMENT DISTRICT

NOTICE OF THE DISTRICT'S INTENT TO
USE THE UNIFORM METHOD OF
COLLECTION OF NON-AD VALOREM
SPECIAL ASSESSMENTS

NOV 20 2018

STATE OF FLORIDA COUNTY OF BREVARD:
Before the undersigned authority personally appeared,
who on oath says that he or she is a Legal Advertising
Representative of the **FLORIDA TODAY**, a daily newspaper
published in Brevard County, Florida that the attached copy
of advertisement, being a Legal Ad in the matter of

Notice Public Hearing

as published in **FLORIDA TODAY** in the issue(s) of:

11/15/18, 11/22/18, 11/29/18, 12/06/18

Affiant further says that the said **FLORIDA TODAY** is a
newspaper in said Brevard County, Florida and that the
said newspaper has heretofore been continuously
published in said Brevard County, Florida each day and has
been entered as periodicals matter at the post office in
MELBOURNE in said Brevard County, Florida, for a period of
one year next preceding the first publication of the attached
copy of advertisement; and affiant further says that he or
she has never paid nor promised any person, firm or
corporation any discount, rebate, commission or refund for
the purpose of securing this advertisement for publication
in the said newspaper.

Sworn to and Subscribed before me this 15th of November
2018, by who is personally known to me

Notice is hereby given that the Emerald
Lakes Community Development District
(the "District") intends to use the uni-
form method of collecting non-ad
valorem special assessments to be levied
by the District pursuant to section
197.3632, Florida Statutes. The Board of
Supervisors of the District will conduct a
public hearing on December 13, 2018, at
1:00 p.m. at the offices of the Construc-
tion Engineering Group, 2651 West Eau
Gallie Boulevard, Suite A, Melbourne,
Florida 32935.

The purpose of the public hearing is to
consider the adoption of a resolution
authorizing the District to use the uni-
form method of collecting non-ad
valorem special assessments (the
"Uniform Method") to be levied by the
District on properties located on land in-
cluded in, or to be added to, the District.

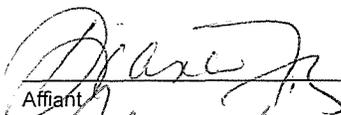
The District may levy non-ad valorem
special assessments for the purpose of fi-
nancing, acquiring, maintaining and/or
operating community development fa-
cilities, services and improvements with-
in and without the boundaries of the
District, to consist of, among other
things, road right-of-ways and improve-
ments, utilities, stormwater systems, re-
creational improvements and other im-
provements, and any other lawful im-
provements or services of the District.

Owners of the properties to be assessed
and other interested parties may appear
at the public hearing and be heard re-
garding the use of the Uniform Method.
This hearing is open to the public and
will be conducted in accordance with
the provisions of Florida law. The public
hearing may be continued to a date,
time, and location to be specified on the
record at the hearing. There may be oc-
casions when Supervisors or District Staff
may participate by speaker telephone.

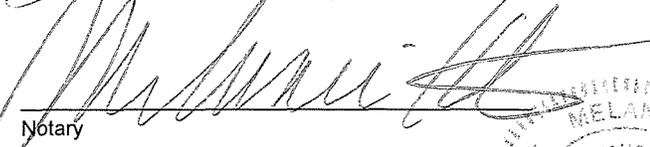
Pursuant to provisions of the Americans
with Disabilities Act, any person requir-
ing special accommodations at this
meeting because of a disability or phys-
ical impairment should contact the
District Office at (407) 841-5524 at least
48 hours prior to the meeting. If you are
hearing or speech impaired, please con-
tact the Florida Relay Service by dialing
7-1-1, or 1-800-955-8771 (TTY) / 1-800-
955-8770 (Voice), for aid in contacting
the District Office.

A person who decides to appeal any de-
cision made at the meeting with respect
to any matter considered at the meeting
is advised that person will need a record
of the proceedings and that accordingly,
the person may need to ensure that a
verbatim record of the proceedings is
made, including the testimony and evi-
dence upon which such appeal is to be
based.

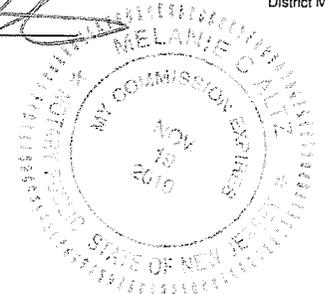
Craig Wrathell
District Manager



Affiant



Notary



Publication Cost: \$1,107.72
Ad No: 0003251185
Customer No: 5615710010EMER

EMERALD LAKES
COMMUNITY DEVELOPMENT DISTRICT

5B

RESOLUTION 2019-29

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE EMERALD LAKES COMMUNITY DEVELOPMENT DISTRICT EXPRESSING ITS INTENT TO UTILIZE THE UNIFORM METHOD OF LEVYING, COLLECTING, AND ENFORCING NON-AD VALOREM ASSESSMENTS WHICH MAY BE LEVIED BY THE EMERALD LAKES COMMUNITY DEVELOPMENT DISTRICT IN ACCORDANCE WITH SECTION 197.3632, FLORIDA STATUTES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Emerald Lakes Community Development District (“District”) was established pursuant to the provisions of Chapter 190, *Florida Statutes*, which authorizes the District to levy certain assessments, including benefit and maintenance assessments and further authorizes the District to levy special assessments pursuant to Chapter 170, *Florida Statutes*, for the acquisition, construction, or reconstruction of assessable improvements authorized by Chapter 190, *Florida Statutes*; and

WHEREAS, the above referenced assessments are non-ad valorem in nature and, therefore, may be collected under the provisions of section 197.3632, *Florida Statutes*, in which the State of Florida has provided a uniform method for the levying, collecting, and enforcing such non-ad valorem assessments; and

WHEREAS, pursuant to section 197.3632, *Florida Statutes*, the District has caused notice of a public hearing to be advertised weekly in a newspaper of general circulation within Brevard County for four (4) consecutive weeks prior to such hearing.

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

SECTION 1. The Emerald Lakes Community Development District, upon conducting its public hearing as required by section 197.3632, *Florida Statutes*, hereby expresses its intent to use the uniform method of collecting assessments imposed by the District as provided in Chapters 170 and 190, *Florida Statutes*, each of which are non-ad valorem assessments which may be collected annually pursuant to the provisions of Chapter 190, *Florida Statutes*, for the purpose of paying principal and interest on any and all of its indebtedness and for the purpose of paying the cost of operating and maintaining its assessable improvements. The legal description of the boundaries of the real property subject to a levy of assessments is attached and made a part of this resolution as **Exhibit A**. The non-ad valorem assessments and the District’s use of the uniform method of collecting its non-ad valorem assessment(s) may continue in any given year when the Board of Supervisors determines that use of the uniform method for that year is in the best interests of the District.

SECTION 2. The District's Secretary is authorized to provide the Property Appraiser and Tax Collector of Brevard County and the Department of Revenue of the State of Florida with a copy of this resolution and enter into any agreements with the Property Appraiser and/or Tax Collector as they may be necessary to carry out the provisions of this Resolution.

SECTION 3. If any provision of this resolution is held to be illegal or invalid, the other provisions shall remain in full force and effect.

SECTION 4. This resolution shall become effective upon its passage and shall remain in effect unless rescinded or repealed.

PASSED AND ADOPTED this 13th day of December, 2018.

ATTEST:

**EMERALD LAKES COMMUNITY
DEVELOPMENT DISTRICT**

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

Exhibit A Legal Description

Exhibit A

LEGAL DESCRIPTION:

6 PARCELS OF LAND SITUATED IN SECTIONS 1, 2, 3, 10, 11 AND 12, TOWNSHIP 30 SOUTH, RANGE 37 EAST IN BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL 1:

BEGINNING AT THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 30 SOUTH, RANGE 37 EAST, BREVARD COUNTY FLORIDA; THENCE RUN N89°55'05"E A DISTANCE OF 659.99; THENCE S01°06'06"E A DISTANCE OF 1280.53 FEET; THENCE S89°43'42"E A DISTANCE OF 329.77 FEET; THENCE RUN N01°05'23"W A DISTANCE OF 1282.56 FEET; THENCE RUN N89°55'05"E ALONG THE NORTH LINE OF THE NORTHEAST 1/4 OF SECTION 3 A DISTANCE OF 1649.98 FEET TO THE NORTHWEST CORNER OF THE NORTHWEST 1/4 OF SECTION 2, TOWNSHIP 30 SOUTH, RANGE 37 EAST; THENCE RUN N89°55'18"E ALONG THE NORTH LINE OF THE NORTHWEST 1/4 OF SECTION 2 A DISTANCE OF 2555.70 FEET TO THE WEST RIGHT OF WAY LINE OF INTERSTATE HIGHWAY NO. 95; THENCE RUN S13°03'20"E ALONG SAID WESTERLY RIGHT OF WAY LINE A DISTANCE OF 3500.33 FEET TO THE INTERSECTION WITH THE NORTH LINE OF INTERCHANGE PARCEL 101 DESCRIBED IN OFFICIAL RECORDS BOOK 7532, PAGE 2932 AND ST. JOHNS HERITAGE PARKWAY DESCRIBED IN OFFICIAL RECORDS BOOK 7533, PAGE 171; THENCE RUN S09°03'35"E ALONG SAID NORTH LINE A DISTANCE OF 518.51 FEET; THENCE RUN S03°30'59"E A DISTANCE OF 168.84 FEET; THENCE RUN S00°29'36"E A DISTANCE OF 196.60 FEET; THENCE RUN S00°58'01"W A DISTANCE OF 157.82 FEET; THENCE RUN S08°52'16"W A DISTANCE OF 393.34 FEET; THENCE RUN S13°03'20"E A DISTANCE OF 313.63 FEET; THENCE RUN S31°56'46"W A DISTANCE OF 141.42 FEET; THENCE RUN S76°56'47"W A DISTANCE OF 2763.58 FEET TO A POINT OF INTERSECTION WITH A TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 1402.00 FEET: THENCE RUN NORTHWESTERLY A DISTANCE OF 1060.52 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 43°20'26" AND HAVING A CHORD WHICH BEARS N81°23'01"W A DISTANCE OF 1035.42 FEET TO A POINT OF INTERSECTION WITH A TANGENT LINE; THENCE RUN N59°42'48"W A DISTANCE OF 1081.00 FEET TO THE SOUTH LINE OF SAID SECTION 3; THENCE S89°42'39"E A DISTANCE OF 1369.88 FEET TO THE SOUTHEAST CORNER OF THE SOUTHEAST 1/4 OF SECTION 3, TOWNSHIP 30 SOUTH, RANGE 37 EAST; THENCE S89°42'59"E A DISTANCE OF 657.82 FEET; THENCE N01°00'06"W A DISTANCE OF 1300.35 FEET; THENCE N89°40'28"W A DISTANCE OF 658.49 FEET; THENCE N89°32'33"W A DISTANCE OF 1317.05 FEET; THENCE N01°04'42"W A DISTANCE OF 1304.74 FEET; THENCE N89°22'27"W A DISTANCE 1318.24 FEET TO THE NORTHWEST CORNER OF THE SOUTHEAST 1/4 OF SAID SECTION 3; THENCE N01°07'32"W A DISTANCE OF 2552.94 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH:

PARCEL 2:

BEGINNING AT THE INTERSECTION OF THE WEST RIGHT OF WAY LINE OF INTERSTATE HIGHWAY NO. 95 AND THE NORTH LINE OF THE SOTTILE CANAL (WIDTH VARIES); THENCE N89°40'36"W ALONG AFOREMENTIONED NORTH LINE A DISTANCE OF 6827.92 FEET TO THE WEST LINE OF THE NORTHEAST 1/4 OF AFOREMENTIONED SECTION 10, TOWNSHIP 30 SOUTH, RANGE 37 EAST; THENCE N01°29'54"W

Exhibit A Continued

ALONG SAID WEST LINE 2548.89 FEET TO THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF SECTION 10; THENCE S89°42'39"E A DISTANCE OF 852.49 FEET TO A POINT OF INTERSECTION WITH A NON TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 2798.00 FEET ON THE SOUTH RIGHT OF WAY LINE OF ST. JOHNS HERITAGE PARKWAY DESCRIBED IN OFFICIAL RECORDS BOOK 7533, PAGE 171 AND INTERCHANGE PARCEL 101 DESCRIBED IN OFFICIAL RECORDS BOOK 7532, PAGE 2932; THENCE RUN SOUTHEASTERLY A DISTANCE OF 161.80 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 03°18'48" AND HAVING A CHORD WHICH BEARS S61°22'12"E A DISTANCE OF 161.78 FEET TO A POINT OF INTERSECTION WITH A TANGENT LINE; THENCE RUN S59°42'48"E A DISTANCE OF 1273.83 FEET TO A POINT OF INTERSECTION WITH A TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 1602.00 FEET; THENCE RUN SOUTHEASTERLY A DISTANCE OF 1211.81 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 43°20'26" AND HAVING A CHORD WHICH BEARS S81°23'01"E A DISTANCE OF 1183.12 FEET TO A POINT OF TANGENCY; THENCE RUN N76°56'47"E A DISTANCE OF 2776.03 FEET; THENCE RUN S58°03'06"E A DISTANCE OF 158.98 FEET; THENCE RUN S13°03'35"E A DISTANCE OF 103.60 FEET; THENCE RUN S27°21'19"E A DISTANCE OF 646.10 FEET; THENCE RUN S23°50'26"E A DISTANCE OF 174.39 FEET; THENCE RUN S13°03'35"E A DISTANCE OF 684.89 FEET; THENCE RUN N76°56'25"E A DISTANCE OF 75.00 FEET TO THE WESTERLY RIGHT OF WAY LINE OF INTERSTATE HIGHWAY NO. 95; THENCE RUN S13°03'33"E A DISTANCE OF 763.16 FEET TO THE POINT OF BEGINNING.

PARCEL 3:

BEGINNING AT THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF SECTION 1, TOWNSHIP 30 SOUTH, RANGE 37 EAST, BREVARD COUNTY FLORIDA; THENCE RUN S00°12'10"W A DISTANCE OF 5255.24 FEET TO THE SOUTHEAST CORNER OF THE SOUTHWEST 1/4 OF AFOREMENTIONED SECTION 1; THENCE RUN S01°39'31"E A DISTANCE OF 2240.34 FEET TO THE NORTH LINE OF THE SOTTILE CANAL (WIDTH VARIES); THENCE RUN S87°06'07"W ALONG THE NORTH LINE OF SAID CANAL A DISTANCE OF 95.39 FEET TO A POINT OF INTERSECTION WITH A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 2900.00 FEET ON THE NORTH RIGHT OF WAY LINE OF ST. JOHNS HERITAGE PARKWAY DESCRIBED IN OFFICIAL RECORDS BOOK 7533, PAGE 202; THENCE RUN NORTHWESTERLY A DISTANCE OF 162.03 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 03°12'04" AND HAVING A CHORD WHICH BEARS N03°15'34"W A DISTANCE 162.01 FEET; THENCE RUN N01°39'31"W A DISTANCE OF 1223.63 FEET TO A POINT OF INTERSECTION WITH A TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 1532.00 FEET; THENCE RUN NORTHWESTERLY A DISTANCE OF 2711.15 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 101°23'42" AND HAVING A CHORD WHICH BEARS N52°21'23"W FOR A DISTANCE OF 2370.96 FEET TO A POINT OF TANGENCY; THENCE RUN S76°56'47"W A DISTANCE OF 595.55 FEET; THENCE RUN S85°19'23"W ALONG SAID NORTH RIGHT OF WAY LINE, ALSO THE NORTH LINE OF INTERCHANGE PARCEL 102 DESCRIBED IN OFFICIAL RECORDS BOOK 7533, PAGE 103 A DISTANCE OF 307.45 FEET; THENCE RUN S80°45'39"W ALONG SAID NORTH LINE A DISTANCE OF 467.93 FEET; THENCE RUN N78°15'58"W A DISTANCE OF 398.01 FEET; THENCE RUN N36°19'13"W A DISTANCE OF 398.02 FEET; THENCE RUN N15°09'26"W A DISTANCE OF 1542.67 FEET; THENCE RUN S76°56'40"W A DISTANCE OF 11.84 FEET TO THE EAST RIGHT OF WAY LINE OF INTERSTATE HIGHWAY NO. 95; THENCE RUN N13°03'02"W ALONG THE AFOREMENTIONED EAST RIGHT OF WAY LINE A DISTANCE OF 3088.34 FEET; THENCE N89°55'28"E ALONG THE NORTH LINE OF THE NORTHEAST 1/4 OF SECTION 2, TOWNSHIP 30 SOUTH, RANGE 37 EAST, A DISTANCE OF 2419.70

Exhibit A Continued

FEET TO THE NORTHEAST CORNER OF AFOREMENTIONED SECTION 2; THENCE N89°58'04"E A DISTANCE OF 2637.51 FEET TO THE POINT OF BEGINNING.

PARCEL 4:

BEGINNING AT THE INTERSECTION OF THE EAST RIGHT OF WAY LINE OF INTERSTATE HIGHWAY NO. 95 AND THE NORTH LINE OF THE SOTTILE CANAL (WIDTH VARIES); THENCE RUN N13°03'35"W ALONG SAID EAST RIGHT OF WAY LINE A DISTANCE OF 1071.80 FEET TO THE HAUL ROUTE FROM BORROW PIT NO. 5; THENCE RUN S89°42'06"E A DISTANCE OF 1274.48 FEET; THENCE RUN N00°17'54"E A DISTANCE OF 800 FEET; THENCE RUN N89°42'06"W A DISTANCE OF 800 FEET; THENCE RUN S00°17'54"W A DISTANCE OF 750 FEET; THENCE RUN N89°42'06"W A DISTANCE OF 404.43 FEET TO THE SOUTH LINE OF INTERCHANGE PARCEL 102 DESCRIBED IN OFFICIAL RECORDS BOOK 7533, PAGE 103; THENCE RUN N02°23'20"W ALONG SAID SOUTH LINE A DISTANCE OF 120.18 FEET; THENCE RUN N11°14'49"E A DISTANCE OF 352.17 FEET; THENCE RUN N18°00'57"E A DISTANCE OF 415.68 FEET; THENCE RUN N25°12'14"E A DISTANCE OF 130.81 FEET; THENCE RUN N13°33'28"E A DISTANCE OF 210.54 FEET; THENCE RUN N13°03'35"W A DISTANCE OF 240.15 FEET; THENCE RUN N31°57'06"E A DISTANCE OF 141.43 FEET; THENCE RUN N76°56'46"E A DISTANCE OF 760.74 FEET; THENCE RUN N76°56'48"E ALONG PREVIOUSLY MENTIONED SOUTH LINE, ALSO THE SOUTH RIGHT OF WAY LINE OF ST. JOHNS HERITAGE PARKWAY DESCRIBED IN OFFICIAL RECORDS BOOK 7533, PAGE 202 A DISTANCE OF 455.97 FEET TO A POINT OF INTERSECTION WITH A TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 1332.00 FEET; THENCE RUN SOUTHEASTERLY A DISTANCE OF 2357.21 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 101°23'42" AND HAVING A CHORD WHICH BEARS S52°21'23"E A DISTANCE OF 2061.44 FEET; THENCE RUN S01°39'31"E ALONG SAID SOUTH RIGHT OF WAY LINE A DISTANCE OF 1223.63 FEET TO A POINT OF INTERSECTION WITH A TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 3100.00 FEET; THENCE RUN SOUTHEASTERLY A DISTANCE OF 166.35 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 03°04'29" AND HAVING A CHORD WHICH BEARS S03°11'46"E A DISTANCE OF 166.33 FEET TO THE NORTH LINE OF AFOREMENTIONED SOTTILE CANAL; THENCE RUN S87°06'07" W ALONG SAID NORTH LINE A DISTANCE OF 284.41 FEET; THENCE RUN S83°04'26"W A DISTANCE OF 2084.05 FEET; THENCE RUN N89°19'58"W A DISTANCE OF 655.41 TO THE AFOREMENTIONED EAST RIGHT OF WAY LINE AND THE POINT OF BEGINNING.

PARCEL 5:

COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHWEST 1/4 OF SECTION 12, TOWNSHIP 30 SOUTH, RANGE 37 EAST, BREVARD COUNTY FLORIDA; THENCE RUN S89°49'46"E A DISTANCE OF 124.66 FEET TO THE INTERSECTION WITH THE SOUTH LINE OF THE SOTTILE CANAL (WIDTH VARIES) AND POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE RUN N83°04'26"E ALONG SAID SOUTH LINE A DISTANCE OF 1824.85 FEET; THENCE RUN N87°06'07"E A DISTANCE OF 288.56 FEET TO THE WEST RIGHT OF WAY LINE OF ST. JOHNS HERITAGE PARKWAY DESCRIBED IN OFFICIAL RECORDS BOOK 7533, PAGE 202 AND A POINT OF INTERSECTION WITH A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 3100.00 FEET; THENCE RUN SOUTHEASTERLY A DISTANCE OF 244.92 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 04°31'36" AND HAVING A CHORD WHICH BEARS S10°08'41"E A DISTANCE OF 244.85 FEET TO THE SOUTH LINE OF THE NORTHWEST 1/4 OF SAID SECTION 12; THENCE RUN N89°49'46"W A DISTANCE OF 2142.86 FEET TO THE POINT OF BEGINNING.

Exhibit A Continued

PARCEL 6:

BEGINNING AT THE SOUTHEAST CORNER OF THE NORTHWEST 1/4 OF SECTION 12, TOWNSHIP 30 SOUTH, RANGE 37 EAST, BREVARD COUNTY FLORIDA; THENCE RUN N89°49'46"W ALONG THE SOUTH LINE OF THE NORTHWEST 1/4 OF AFOREMENTIONED SECTION 12 A DISTANCE OF 40.35 FEET TO A POINT OF INTERSECTION WITH A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 2900.00 FEET; THENCE RUN NORTHWESTERLY A DISTANCE OF 256.38 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 05°03'55" AND HAVING A CHORD WHICH BEARS N10°45'31"W A DISTANCE OF 256.29 FEET TO THE SOUTH LINE OF THE SOTTILE CANAL (WIDTH VARIES); THENCE RUN N87°06'07"E ALONG SAID SOUTH LINE A DISTANCE OF 80.88 FEET TO THE EAST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 12; THENCE RUN S01°39'31"E A DISTANCE OF 256.11 FEET TO THE POINT OF BEGINNING.

EMERALD LAKES
COMMUNITY DEVELOPMENT DISTRICT

6A

Florida Today

Nov. 26, 2018

Miscellaneous Notices

AD#3265974, 11/26, 12/3/2018 EMERALD LAKES COMMUNITY DEVELOPMENT DISTRICT NOTICE OF PUBLIC HEARING TO CONSIDER THE ADOPTION OF THE BUDGET FOR THE FISCAL YEAR 2018/2019; AND NOTICE OF REGULAR BOARD OF SUPERVISORS' MEETING. The Board of Supervisors ("Board") of the Emerald Lakes Community Development District ("District") will hold a public hearing on December 13, 2018 at 1:00 p.m., at 2651 W. Eau Gallie Boulevard, Suite A, Melbourne, Florida 32935 for the purpose of hearing comments and objections on the adoption of the proposed budget ("Proposed Budget") of the District for the fiscal year beginning October 1, 2018 and ending September 30, 2019 ("Fiscal Year 2018/2019"). A regular board meeting of the District will also be held at that time where the Board may consider any other business that may properly come before it. A copy of the agenda and Proposed Budget may be obtained at the offices of the District Manager, 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431, Ph: (561) 571-0010 ("District Manager's Office"), during normal business hours. The public hearing and meeting are open to the public and will be conducted in accordance with the provisions of Florida law. The public hearing and meeting may be continued to a date, time, and place to be specified on the record at the meeting. There may be occasions when Board Supervisors or District Staff may participate by speaker telephone. Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the District Manager's Office at least forty-eight (48) hours prior to the meeting. If you are hearing or speech impaired, please contact the Florida Relay Service by dialing 7-1-1, or 1-800-955-8771 (TTY) / 1-800-955-8770 (Voice), for aid in contacting the District Manager's Office. Each person who decides to appeal any decision made by the Board with respect to any matter considered at the public hearing or meeting is advised that person will need a record of proceedings and that accordingly, the person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which such appeal is to be based. District Manager

Show results beginning at page:

EMERALD LAKES
COMMUNITY DEVELOPMENT DISTRICT

6B

RESOLUTION 2019-30

THE ANNUAL APPROPRIATION RESOLUTION OF THE EMERALD LAKES COMMUNITY DEVELOPMENT DISTRICT RELATING TO THE ANNUAL APPROPRIATIONS AND ADOPTING THE BUDGET FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2019; AUTHORIZING BUDGET AMENDMENTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the District Manager has submitted to the Board of Supervisors (“Board”) of the Emerald Lakes Community Development District (the “District”) proposed budget (“Proposed Budget”) for the fiscal year ending September 30, 2019 (“Fiscal Year 2018/2019”) along with an explanatory and complete financial plan for each fund of the District, pursuant to the provisions of section 190.008(2)(a), *Florida Statutes*; and

WHEREAS, at least sixty (60) days prior to the adoption of the Proposed Budget, the District filed a copy of the Proposed Budget with the local governing authorities having jurisdiction over the area included in the District pursuant to the provisions of section 190.008(2)(b), *Florida Statutes*; and

WHEREAS, the Board set a public hearing thereon and caused notice of such public hearing to be given by publication pursuant to section 190.008(2)(a), *Florida Statutes*; and

WHEREAS, the District Manager posted the Proposed Budget on the District’s website at least two days before the public hearing; and

WHEREAS, section 190.008(2)(a), *Florida Statutes*, requires that the Board, by passage of the Annual Appropriation Resolution, shall adopt a budget for the ensuing fiscal year and appropriate such sums of money as the Board deems necessary to defray all expenditures of the District during the ensuing fiscal year; and

WHEREAS, the District Manager has prepared a Proposed Budget, whereby the budget shall project the cash receipts and disbursements anticipated during a given time period, including reserves for contingencies for emergency or other unanticipated expenditures during the fiscal year.

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

SECTION 1. BUDGET

- a. The Board has reviewed the Proposed Budget, a copy of which is on file with the office of the District Manager and at the District’s Local Records Office, and hereby approves certain amendments thereto, as shown in Section 2 below.
- b. The Proposed Budget, attached hereto as **Exhibit A** as amended by the Board, is hereby adopted in accordance with the provisions of section 190.008(2)(a), *Florida Statutes* (“Adopted Budget”), and incorporated herein by reference;

provided, however, that the comparative figures contained in the Adopted Budget may be subsequently revised as deemed necessary by the District Manager to reflect actual revenues and expenditures.

- c. The Adopted Budget, as amended, shall be maintained in the office of the District Manager and at the District’s Local Records Office and identified as “The Budget for the Emerald Lakes Community Development District for the Fiscal Year Ending September 30, 2019.”
- d. The Adopted Budget shall be posted by the District Manager on the District’s official website within thirty (30) days after adoption, and shall remain on the website for at least 2 years.

SECTION 2. APPROPRIATIONS

There is hereby appropriated out of the revenues of the District, for Fiscal Year 2018/2019, the sum of \$119,744 to be raised by the levy of assessments and/or otherwise, which sum is deemed by the Board to be necessary to defray all expenditures of the District during said budget year, to be divided and appropriated in the following fashion:

TOTAL GENERAL FUND	<u>\$ 119,744</u>
TOTAL ALL FUNDS	\$ 119,744

SECTION 3. BUDGET AMENDMENTS

Pursuant to section 189.016, *Florida Statutes*, the District at any time within Fiscal Year 2018/2019 or within 60 days following the end of the Fiscal Year 2018/2019 may amend its Adopted Budget for that fiscal year as follows:

- a. The Board may authorize an increase or decrease in line item appropriations within a fund by motion recorded in the minutes if the total appropriations of the fund do not increase.
- b. The District Manager or Treasurer may authorize an increase or decrease in line item appropriations within a fund if the total appropriations of the fund do not increase and if the aggregate change in the original appropriation item does not exceed \$10,000 or 10% of the original appropriation.
- c. By resolution, the Board may increase any appropriation item and/or fund to reflect receipt of any additional unbudgeted monies and make the corresponding change to appropriations or the unappropriated balance.
- d. Any other budget amendments shall be adopted by resolution and consistent with Florida law.

The District Manager or Treasurer must establish administrative procedures to ensure that any budget amendments are in compliance with this Section 3 and section 189.016, *Florida Statutes*, among other applicable laws. Among other procedures, the District Manager or

Treasurer must ensure that any amendments to budget under subparagraphs c. and d. above are posted on the District's website within 5 days after adoption and remain on the website for at least 2 years.

SECTION 4. EFFECTIVE DATE. This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED this 13th day of December, 2018.

ATTEST:

**EMERALD LAKES COMMUNITY
DEVELOPMENT DISTRICT**

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

Exhibit A Fiscal Year 2018/2019 Budget

Exhibit A

Fiscal Year 2018/2019 Budget

[See attached]

**EMERALD LAKES
COMMUNITY DEVELOPMENT DISTRICT
PROPOSED BUDGET
FISCAL YEAR 2019
PREPARED OCTOBER 10, 2018**

**EMERALD LAKES
COMMUNITY DEVELOPMENT DISTRICT
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Description	Page Number(s)
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Definitions of General Fund Expenditures	2 - 3

**EMERALD LAKES
COMMUNITY DEVELOPMENT DISTRICT
GENERAL FUND BUDGETS
FISCAL YEAR 2019**

	Proposed Budget FY 2019
REVENUES	
Landowner contributions	\$ 119,744
B bond impact fee processing	-
Total revenues	119,744
EXPENDITURES	
Professional & administration	
Supervisors	12,000
FICA	918
District engineer	7,500
District counsel	35,000
District management ¹	38,667
Printing & binding	500
Legal advertising	6,500
Postage	700
Accounting & assessment rolls ²	
Series 1 Bond DSF	7,292
Series 2 Bond DSF	-
Dissemination agent ²	
Series 1 bond	2,042
Series 2 bond	-
Trustee ²	
Series 1 bond	-
Series 2 bond	-
Arbitrage rebate calculation ²	
Series 1 bond	-
Series 2 bond	-
Audit	-
Insurance - GL, POL	5,500
Insurance - property	-
Miscellaneous- bank charges	750
Website	
Hosting & development	1,350
ADA compliance	350
Annual district filing fee	175
Office supplies	500
Total expenditures	119,744
Excess/(deficiency) of revenues over/(under) expenditures	-
Fund balances - beginning	-
Fund Balances - ending	\$ -

¹During the 'dormancy' period WHA will charge an annual management fee of \$20,000. This fee will revert to \$48,000 when the District goes 'active'.

²These items will become applicable when bonds are issued.

**EMERALD LAKES
COMMUNITY DEVELOPMENT DISTRICT
DEFINITIONS OF GENERAL FUND EXPENDITURES**

EXPENDITURES

Supervisors	\$ 12,000
Statutorily set at \$200 per Supervisor for each meeting of the Board of Supervisors not to exceed \$4,800 for each fiscal year.	
FICA	918
As per federal law, this expenditure is currently 7.65% of gross wages.	
District engineer	7,500
The District engineer will provide engineering, consulting and construction services to the District while crafting solutions with sustainability for the long-term interests of the community while recognizing the needs of government, the environment and maintenance of the District's facilities.	
District counsel	35,000
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.	
District management ¹	38,667
Wrathell, Hunt and Associates, LLC specializes in managing special districts in the State of Florida by combining the knowledge, skills and experience of a team of professionals to ensure compliance with all governmental requirements of the District, develops financing programs, administers the issuance of tax exempt bond financings and operates and maintains the assets of the District.	
Printing & binding	500
Letterhead, envelopes, copies, agenda packages, etc.	
Legal advertising	6,500
The District advertises for monthly meetings, special meetings, public hearings, public bids, etc. After bonds are issued, many of the required public hearings will be completed.	
Postage	700
Mailing of agenda packages, overnight deliveries, correspondence, etc.	
Accounting & assessment rolls ²	
Wrathell, Hunt and Associates, LLC , will perform the District's debt service fund accounting function and administer the District's lien book & the assessment collection process.	
Series 1 Bond DSF	7,292
Series 2 Bond DSF	-
Dissemination agent ²	
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.	
Series 1 bond	2,042
Series 2 bond	-
Trustee ²	
Annual fees paid for services provided as trustee, paying agent and registrar.	
Series 1 bond	-
Series 2 bond	-
Arbitrage rebate calculation ²	-
To ensure the District's compliance with all tax regulations, annual computations are necessary to calculate the arbitrage rebate liability.	
Audit	-
The District is required to undertake an independent examination of its books, records and accounting procedures each year. This audit is conducted pursuant to Florida State Law and the Rules of the Auditor General.	

**EMERALD LAKES
COMMUNITY DEVELOPMENT DISTRICT
DEFINITIONS OF GENERAL FUND EXPENDITURES**

EXPENDITURES (continued)

Insurance - GL, POL	5,500
The District carries general liability and public officials liability insurance. The limit of liability is set at \$1,000,000 for general liability and \$1,000,000 for public officials liability.	
Miscellaneous- bank charges	750
Bank charges and other miscellaneous expenses incurred during the year.	
Website	
Hosting & development	1,350
ADA compliance	350
Annual district filing fee	175
Annual fee paid to the Florida Department of Economic Opportunity.	
Office supplies	500
Total expenditures	119,744

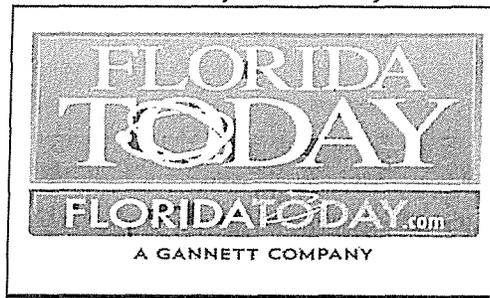
¹During the 'dormancy' period WHA will charge an annual management fee of \$20,000. This fee will revert to \$48,000 when the District goes 'active'.

²These items will become applicable when bonds are issued.

EMERALD LAKES
COMMUNITY DEVELOPMENT DISTRICT

7A

A Daily Publication By:



EMERALD LAKES CDD
2300 GLADES ROAD, SUITE 410W

BOCA RATON, FL 33431

STATE OF FLORIDA COUNTY OF BREVARD:
Before the undersigned authority personally appeared ,
who on oath says that he or she is a Legal Advertising
Representative of the FLORIDA TODAY , a daily newspaper
published in Brevard County, Florida that the attached copy
of advertisement, being a Legal Ad in the matter of

Legal Notices

as published in FLORIDA TODAY in the issue(s) of:

11/12/18

Affiant further says that the said FLORIDA TODAY is a
newspaper in said Brevard County, Florida and that the
said newspaper has heretofore been continuously
published in said Brevard County, Florida each day and has
been entered as periodicals matter at the post office in
MELBOURNE in said Brevard County, Florida, for a period of
one year next preceding the first publication of the attached
copy of advertisement; and affiant further says that he or
she has never paid nor promised any person, firm or
coporation any discount, rebate, commission or refund for
the purpose of securing this advertisement for publication
in the said newspaper.

Sworn to and Subscribed before me this 12th of November
2018, by who is personally known to me

[Signature]
Affiant

[Signature]
Notary

AD#3248221, 11/12/2018
NOTICE OF RULE DEVELOPMENT BY THE
EMERALD LAKES COMMUNITY
DEVELOPMENT DISTRICT

In accord with Chapters 120 and 190,
Florida Statutes, the Emerald Lakes Com-
munity Development District ("District")
hereby gives notice of its intention to
develop Rules of Procedure to govern
the operations of the District.

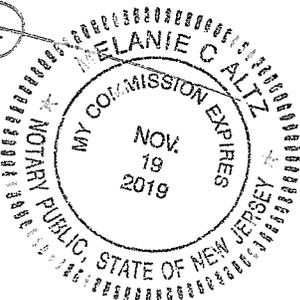
The Rules of Procedure address such
areas as the Board of Supervisors, offi-
cers and voting, district offices, public in-
formation and inspection of records,
policies, public meetings, hearings and
workshops, rulemaking proceedings and
competitive purchase including proce-
dure under the Consultants Competitive
Negotiation Act, procedure regarding
auditor selection, purchase of insurance,
pre-qualification, construction contracts,
goods, supplies and materials, mainte-
nance services, contractual services and
protests with respect to proceedings, as
well as any other area of the general op-
eration of the District.

The purpose and effect of the Rules of
Procedure is to provide for efficient and
effective District operations. The legal
authority for the adoption of the pro-
posed Rules of Procedure includes Sec-
tions 190.011(5), 190.011(15) and
190.035, Florida Statutes (2018). The spe-
cific laws implemented in the Rules of
Procedure include, but are not limited
to, Sections 112.08, 112.3143, 119.07,
189.053, 190.006, 190.007, 190.008,
190.011(3), 190.011(5), 190.011(15),
190.033, 190.035, 218.391, 255.05,
255.0518, 255.0525, 255.20, 286.0105,
286.011, 286.0114, 287.017, 287.055 and
287.084, Florida Statutes (2018).

A copy of the proposed Rules of Proce-
dure may be obtained by contacting the
District Manager, 2300 Glades Road,
Suite 410W, Boca Raton, Florida 33431,
Ph: (561) 571-0010.

Craig Wrathell, District Manager
Emerald Lakes Community Development
District

Publication Cost: \$185.09
Ad No: 0003248221
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Ad#3243795 11/13/18 Notice is hereby given that the undersigned intend(s) to register the fictitious name of: Trinetics Group, Business Name as provided by Section 865.09 Florida Statutes: Stern Brands Inc Name(s) of Owner(s) or Director(s) Sara Stern, Eric Stern, James Stern Physical Address (No Post Office Boxes) 4290 Parkway Drive Melbourne, FL 32934

AD#3248285, 11/13, 11/20/2018 Extra Space Storage will hold a public auction to sell personal property described below belonging to those individuals listed below at the location indicated: Extra Space Storage, 270 Malabar Rd SW, Palm Bay, FL 32907 November, 29, 2018 @ 12:30 PM

Felicia Glover Household Goods, Ebony Rivera Household Items, Jomayne Johnson Household Goods, Yries Mateo Business Supplies, Deanna Chase Household Items, goods, Patrick Smith Household, Evens Francois Household items, Chesters, Misorski Household Goods, Gayle Archer Household Goods, Sabrina Windsor Butler Household Goods, Paul Hubbard Household Items, Sarah Brown Household Items, Justin Peacock Household Goods, Richard Wittington Household Items, Timothy Phillips tools, auto equipment, Glenn Goreski Household items, Jessica Dow Household Goods, Kevin Ferguson Household items, misc boxes, Christina Ross Household Items, Melinda Sloan Household, Chelsea Harris Household

Purchases must be made with cash only and paid at the above referenced facility in order to complete the transaction. Extra Space Storage may refuse any bid and may rescind any purchase up until the winning bidder takes possession of the personal property.

AD#3240394, 11/7, 11/8, 11/9, 11/10, 11/11, 11/12, 11/13/2018

PUBLIC NOTICE
 The Commander, Seventh Coast Guard District, has received an application from Wood Environment & Infrastructure Solutions, Inc., on behalf of Brightline Trains, LLC, requesting approval of the location and plans for the construction of a dual track railway bridge across Eau Gallie River, mile 0.74, at Eau Gallie/Melbourne, Brevard County, FL. The project proposes replacing the existing fixed-span Florida East Coast (FEC) Railway Bridge crossing Eau Gallie River along the same alignment at Lat/Long: 28.1240, -80.6338 as part of a larger intercity passenger rail project. A public notice which gives details on the project and explains how to provide comments concerning the project is available at <http://www.navcen.uscg.gov/D78N>. The Coast Guard project officer is Mr. Randall Overton and may be contacted at (305) 415-6736, or by email at randall.d.overton@uscg.mil.

AD#3248276, 11/13/2018 NOTICE OF RULEMAKING REGARDING THE RULES OF PROCEDURE OF THE EMERALD LAKES COMMUNITY DEVELOPMENT DISTRICT

A public hearing will be conducted by the Board of Supervisors ("Board") of the Emerald Lakes Community Development District ("District") on December 13, 2018 at 1:00 p.m., at 2651 W. Eau Gallie Boulevard, Suite A, Melbourne, Florida 32935.

In accord with Chapters 120 and 190, Florida Statutes, the District hereby gives the public notice of its intent to adopt its proposed Rules of Procedure.

The purpose and effect of the proposed Rules of Procedure is to provide for efficient and effective District operations. Prior notice of rule development was published in the Florida Today on November 12, 2018.

The Rules of Procedure address such areas as the Board of Supervisors, officers and voting, district offices, public information and inspection of records, policies, public meetings, hearings and workshops, rulemaking proceedings and competitive purchase including procedure under the Consultants Competitive Negotiation Act, procedure regarding auditor selection, purchase of insurance, pre-qualification, construction contracts, goods, supplies and materials, maintenance services, contractual services and protests with respect to proceedings, as well as any other area of the general operation of the District.

The purpose and effect of the Rules of Procedure is to provide for efficient and effective District operations. The legal authority for the adoption of the proposed Rules of Procedure includes Sections 190.011(5), 190.011(15) and 190.035, Florida Statutes (2018). The specific laws implemented in the Rules of Procedure include, but are not limited to, Sections 112.08, 112.3143, 119.07, 189.053, 190.006, 190.007, 190.008, 190.011(3), 190.011(5), 190.033, 190.035, 218.391, 255.05, 255.0518, 255.0525, 255.20, 286.0105, 286.011, 286.0114, 287.017, 287.055 and 287.084, Florida Statutes (2018).

Any person who wishes to provide the District with a proposal for a lower cost regulatory alternative as provided by Section 120.541(1), Florida Statutes, must do so in writing within twenty-one (21) days after publication of this notice to the District Manager, c/o Wrathell, Hunt and Associates, LLC, 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431, Ph: (561) 571-0010.

This public hearing may be continued to a date, time, and place to be specified on the record at the hearing. If anyone chooses to appeal any decision of the Board with respect to any matter considered at a public hearing, such person will need a record of the proceedings and should accordingly ensure that a verbatim record of the proceedings is made which includes the testimony and evidence upon which such appeal is to be based. At the hearing, staff or supervisors may participate in the public hearing by speaker telephone.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the District Office at (561) 571-0010, at least forty-eight (48) hours prior to the meeting. If you are hearing or speech impaired, please contact the Florida Relay Service at 1-800-955-8770, for aid in contacting the District Office.

A copy of the proposed Rules of Procedure may be obtained by contacting the District Manager, 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431, Ph: (561) 571-0010.

Craig Wrathell, District Manager
 Emerald Lakes Community Development District

AD#3249165, 11/13/2018 LEGAL NOTICE OF PUBLIC MEETINGS 09/06/18 - 09/19/18

Wednesday, November 14, 2018 1:00 p.m. Brevard Construction Advisory Committee; Viera Government Center, 2725 Judge Fran Jamieson Way, Viera, FL Bldg. C, 2nd Floor, Space Coast Room, Contact 633-2058 5:00 p.m. District 2 Merritt Island / Beaches Recreation Advisory Board, Kiwanis Island Park, 951 Kiwanis Island Park Rd., Merritt Island, FL, Contact 633-1874

Thursday, November 15, 2018 9:00 a.m. Code Enforcement Special Magistrate Hearing; Viera Government Center, 2725 Judge Fran Jamieson Way, Viera, FL, Bldg. C, 2nd Floor, Space Coast Room, Contact 633-2086. 1:00 p.m. EEL Program Selection and Management Committee, EEL Program Office, 91 East Drive, Melbourne, FL, Contact 255-4466 6:00 p.m. Brevard Marine Advisory Council, Viera Government Center, Space Coast Room, 2725 Judge Fran Jamieson Way, Viera, FL Bldg. C, 2nd Floor, Space Coast Room, Contact 633-2016

Friday, November 16, 2018 8:30 a.m. Save Our Indian River Lagoon Citizen Oversight Committee, Viera Government Center, 2725 Judge Fran Jamieson Way, Viera, Bldg. C, 1st Floor, Commission Chambers, Contact 633-2016

Tuesday, November 20, 2018 5:00 p.m. Organization Meeting of the Brevard County Board of County Commissioners; Governing Board of the Brevard Mosquito Control District; Governing Board of the Barefoot Bay Water and Sewer District, Viera Government Center, 2725 Judge Fran Jamieson Way, Viera, FL, Bldg. C, 1st Floor, Commission Chambers, Contact 633-2001. 7:00 p.m. North Brevard Library District Board, Titusville, Public Library, 2121 S. Hopkins Ave., Titusville, FL, Study Room 2, Contact 264-5026

Wednesday, November 21, 2018 9:00 a.m. Unlicensed / Licensed Contractor Special Magistrate Hearing, Viera Government Center, 2725 Judge Fran Jamieson Way, Viera, Bldg. C, 1st Floor Commission Room, Contact 633-2058 6:30 p.m. Contractor Licensing Board/Construction Board of Adjustments and Appeals; Viera Government Center, 2725 Judge Fran Jamieson Way, Viera, FL, Bldg. C, 2nd Floor, Space Coast Room, Contact 633-2058

Tuesday, December 4, 2018 9:00 a.m. Brevard County Board of County Commissioners; Governing Board of the Brevard Mosquito Control District; Governing Board of the Barefoot Bay Water and Sewer District, Viera Government Center, 2725 Judge Fran Jamieson Way, Viera, FL, Bldg. C, 1st Floor, Commission Chambers, Contact 633-2001.

Wednesday, December 5, 2018 6:00 p.m. D2 Dredge Committee, Kiwanis Island Park, 951 Kiwanis Island Park Rd., Merritt Island, FL, Rood Community Bldg., Contact 633-2016

Thursday, December 6, 2018 5:00 p.m. Brevard County Board of County Commissioners; Governing Board of the Brevard Mosquito Control District; Governing Board of the Barefoot Bay Water and Sewer District, Zoning, Viera Government Center, 2725 Judge Fran Jamieson Way, Viera, FL, Bldg. C, 1st Floor, Commission Chambers, Contact 633-2001.

If a person desires to appeal any decision made by this Commission with respect to any matter considered at this meeting or hearing, such person will need a record of this proceeding and that, for such purposes, such person may need to ensure that a verbatim record of this proceeding is made, at his/her own expense, which record includes testimony and evidence upon which any such appeal is to be based. The needs of the hearing and/or visually impaired persons shall be met if the department sponsoring the meeting/hearing is presented with such a request no later than 48 hours prior to the meeting.

AD#3182554, 10/23, 10/30, 11/6, 11/13/18 dba Active Counseling closure 11/30/18 Records held 2 yrs post-closure, future contact POBox 33693 Indialantic FL 32902

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EMERALD LAKES
COMMUNITY DEVELOPMENT DISTRICT

7B

RESOLUTION 2019-31

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE EMERALD LAKES COMMUNITY DEVELOPMENT DISTRICT ADOPTING RULES OF PROCEDURE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, Chapter 190, *Florida Statutes*, authorizes the District to adopt rules to govern the administration of the District and to adopt resolutions as may be necessary for the conduct of District business; and

WHEREAS, the Board of Supervisors finds that it is in the best interests of the District to adopt by resolution the Rules of Procedure attached hereto as **Exhibit A** for immediate use and application; and

WHEREAS, the Board of Supervisors has complied with applicable Florida law concerning rule development and adoption.

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

SECTION 1. The attached Rules of Procedure are hereby adopted pursuant to this resolution as necessary for the conduct of District business. These Rules of Procedure shall stay in full force and effect until such time as the Board of Supervisors may amend these rules in accordance with Chapter 190, *Florida Statutes*.

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 13th day of December, 2018.

ATTEST

**EMERALD LAKES COMMUNITY
DEVELOPMENT DISTRICT**

Secretary

Chair/Vice Chair, Board of Supervisors

Exhibit A: Rules of Procedure

Exhibit A: Rules of Procedure

**RULES OF PROCEDURE
EMERALD LAKES COMMUNITY DEVELOPMENT DISTRICT**

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Rule 1.0 General.

- (1) The Emerald Lakes Community Development District (the “District”) was created pursuant to the provisions of Chapter 190 of the Florida Statutes, and was established to provide for the ownership, operation, maintenance, and provision of various capital facilities and services within its jurisdiction. The purpose of these rules (the “Rules”) is to describe the general operations of the District.
- (2) Definitions located within any section of these Rules shall be applicable within all other sections, unless specifically stated to the contrary.
- (3) Unless specifically permitted by a written agreement with the District, the District does not accept documents filed by electronic mail or facsimile transmission. Filings are only accepted during normal business hours.
- (4) A Rule of the District shall be effective upon adoption by affirmative vote of the District Board. After a Rule becomes effective, it may be repealed or amended only through the rulemaking procedures specified in these Rules. Notwithstanding, the District may immediately suspend the application of a Rule if the District determines that the Rule conflicts with Florida law. In the event that a Rule conflicts with Florida law and its application has not been suspended by the District, such Rule should be interpreted in the manner that best effectuates the intent of the Rule while also complying with Florida law. If the intent of the Rule absolutely cannot be effectuated while complying with Florida law, the Rule shall be automatically suspended.

Specific Authority: §§ 190.011(5), 190.011(15), Fla. Stat.

Law Implemented: §§ 190.011(5), 190.011(15), Fla. Stat.

Rule 1.1 Board of Supervisors; Officers and Voting.

- (1) Board of Supervisors. The Board of Supervisors of the District (the “Board”) shall consist of five (5) members. Members of the Board (“Supervisors”) appointed by ordinance or rule or elected by landowners must be citizens of the United States of America and residents of the State of Florida. Supervisors elected by resident electors must be citizens of the United States of America, residents of the State of Florida and of the District, registered to vote with the Supervisor of Elections of the county in which the District is located, and qualified. The Board shall exercise the powers granted to the District under Florida law.
 - (a) Supervisors shall hold office for the term specified by Section 190.006 of the Florida Statutes. If, during the term of office, any Board member(s) vacates their office, the remaining member(s) of the Board shall fill the vacancies by appointment for the remainder of the term(s). If three or more vacancies exist at the same time, a quorum, as defined herein, shall not be required to appoint replacement Board members.
 - (b) Three (3) members of the Board shall constitute a quorum for the purposes of conducting business, exercising powers and all other purposes. A Board member shall be counted toward the quorum if physically present at the meeting, regardless of whether such Board member is prohibited from, or abstains from, participating in discussion or voting on a particular item.
 - (c) Action taken by the Board shall be upon a majority vote of the members present, unless otherwise provided in the Rules or required by law. Subject to Rule 1.3(10), a Board member participating in the Board meeting by teleconference or videoconference shall be entitled to vote and take all other action as though physically present.
 - (d) Unless otherwise provided for by an act of the Board, any one Board member may attend a mediation session on behalf of the Board. Any agreement resulting from such mediation session must be approved pursuant to subsection (1)(c) of this Rule.
- (2) Officers. At the first Board meeting held after each election where the newly elected members take office, the Board shall select a Chairperson, Vice-Chairperson, Secretary, Assistant Secretary, and Treasurer.
 - (a) The Chairperson must be a member of the Board. If the Chairperson resigns from that office or ceases to be a member of the Board, the Board shall select a Chairperson. The Chairperson serves at the pleasure of the Board. The Chairperson shall be authorized to execute resolutions and

contracts on the District's behalf. The Chairperson shall convene and conduct all meetings of the Board. In the event the Chairperson is unable to attend a meeting, the Vice-Chairperson shall convene and conduct the meeting. The Chairperson or Vice-Chairperson may delegate the responsibility of conducting the meeting to the District's manager ("District Manager") or District Counsel, in whole or in part.

- (b) The Vice-Chairperson shall be a member of the Board and shall have such duties and responsibilities as specifically designated by the Board from time to time. The Vice-Chairperson has the authority to execute resolutions and contracts on the District's behalf in the absence of the Chairperson. If the Vice-Chairperson resigns from office or ceases to be a member of the Board, the Board shall select a Vice-Chairperson. The Vice-Chairperson serves at the pleasure of the Board.
- (c) The Secretary of the Board serves at the pleasure of the Board and need not be a member of the Board. The Secretary shall be responsible for maintaining the minutes of Board meetings and may have other duties assigned by the Board from time to time. An employee of the District Manager may serve as Secretary. The Secretary shall be bonded by a reputable and qualified bonding company in at least the amount of one million dollars (\$1,000,000), or have in place a fidelity bond, employee theft insurance policy, or a comparable product in the amount of one million dollars (\$1,000,000) that names the District as an additional insured.
- (d) The Treasurer need not be a member of the Board but must be a resident of the State of Florida. The Treasurer shall perform duties described in Section 190.007(2) and (3) of the Florida Statutes, as well as those assigned by the Board from time to time. The Treasurer shall serve at the pleasure of the Board. The Treasurer shall either be bonded by a reputable and qualified bonding company in at least the amount of one million dollars (\$1,000,000), or have in place a fidelity bond, employee theft insurance policy, or a comparable product in the amount of one million dollars (\$1,000,000) that names the District as an additional insured.
- (e) In the event that both the Chairperson and Vice-Chairperson are absent from a Board meeting and a quorum is present, the Board may designate one of its members or a member of District staff to convene and conduct the meeting. In such circumstances, any of the Board members present are authorized to execute agreements, resolutions, and other documents approved by the Board at such meeting. In the event that the Chairperson and Vice-Chairperson are both unavailable to execute a

document previously approved by the Board, the Secretary or any Assistant Secretary may execute such document.

- (f) The Board may assign additional duties to District officers from time to time, which include, but are not limited to, executing documents on behalf of the District.
 - (g) The Chairperson, Vice-Chairperson, and any other person authorized by District Resolution may sign checks and warrants for the District, countersigned by the Treasurer or other persons authorized by the Board.
- (3) Committees. The Board may establish committees of the Board, either on a permanent or temporary basis, to perform specifically designated functions. Committees may include individuals who are not members of the Board. Such functions may include, but are not limited to, review of bids, proposals, and qualifications, contract negotiations, personnel matters, and budget preparation.
- (4) Record Book. The Board shall keep a permanent record book entitled "Record of Proceedings," in which shall be recorded minutes of all meetings, resolutions, proceedings, certificates, and corporate acts. The Records of Proceedings shall be located at a District office and shall be available for inspection by the public.
- (5) Meetings. For each fiscal year, the Board shall establish a schedule of regular meetings, which shall be published in a newspaper of general circulation in the county in which the District is located and filed with the local general-purpose governments within whose boundaries the District is located. All meetings of the Board and Committees serving an advisory function shall be open to the public in accordance with the provisions of Chapter 286 of the Florida Statutes.
- (6) Voting Conflict of Interest. The Board shall comply with Section 112.3143 of the Florida Statutes, so as to ensure the proper disclosure of conflicts of interest on matters coming before the Board for a vote. For the purposes of this section, "voting conflict of interest" shall be governed by Chapters 112 and 190 of the Florida Statutes, as amended from time to time. Generally, a voting conflict exists when a Board member is called upon to vote on an item which would inure to the Board member's special private gain or loss or the Board member knows would inure to the special private gain or loss of a principal by whom the Board member is retained, the parent organization or subsidiary of a corporate principal, a business associate, or a relative including only a father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law.

- (a) When a Board member knows the member has a conflict of interest on a matter coming before the Board, the member should notify the Board's Secretary prior to participating in any discussion with the Board on the matter. The member shall publicly announce the conflict of interest at the meeting. This announcement shall appear in the minutes.

If the Board member was elected at a landowner's election or appointed to fill a vacancy of a seat last filled at a landowner's election, the Board member may vote or abstain from voting on the matter at issue. If the Board member was elected by electors residing within the District, the Board member is prohibited from voting on the matter at issue. In the event that the Board member intends to abstain or is prohibited from voting, such Board member shall not participate in the discussion on the item subject to the vote.

The Board's Secretary shall prepare a Memorandum of Voting Conflict (Form 8B) which shall then be signed by the Board member, filed with the Board's Secretary, and provided for attachment to the minutes of the meeting within fifteen (15) days of the meeting.

- (b) If a Board member inadvertently votes on a matter and later learns he or she has a conflict on the matter, the member shall immediately notify the Board's Secretary. Within fifteen (15) days of the notification, the member shall file the appropriate Memorandum of Voting Conflict, which will be attached to the minutes of the Board meeting during which the vote on the matter occurred. The Memorandum of Voting Conflict shall immediately be provided to other Board members and shall be read publicly at the next meeting held subsequent to the filing of the Memorandum of Voting Conflict. The Board member's vote is unaffected by this filing.
- (c) It is not a conflict of interest for a Board member, the District Manager, or an employee of the District to be a stockholder, officer or employee of a landowner or of an entity affiliated with a landowner.
- (d) In the event that a Board member elected at a landowner's election or appointed to fill a vacancy of a seat last filled at a landowner's election, has a continuing conflict of interest, such Board member is permitted to file a Memorandum of Voting Conflict at any time in which it shall state the nature of the continuing conflict. Only one such continuing Memorandum of Voting Conflict shall be required to be filed for each term the Board member is in office.

Specific Authority: §§ 190.011(5), 190.011(15), Fla. Stat.

Law Implemented: §§ 112.3143, 190.006, 190.007, Fla. Stat.

Rule 1.2 District Offices; Public Information and Inspection of Records; Policies; Service Contract Requirements.

- (1) District Offices. Unless otherwise designated by the Board, the official District office shall be the District Manager's office identified by the District Manager. If the District Manager's office is not located within the county in which the District is located, the Board shall designate a local records office within such county which shall at a minimum contain, but not be limited to, the following documents:
- (a) Agenda packages for prior 24 months and next meeting;
 - (b) Official minutes of meetings, including adopted resolutions of the Board;
 - (c) Names and addresses of current Board members and District Manager, unless such addresses are protected from disclosure by law;
 - (d) Adopted engineer's reports;
 - (e) Adopted assessment methodologies/reports;
 - (f) Adopted disclosure of public financing;
 - (g) Limited Offering Memorandum for each financing undertaken by the District;
 - (h) Proceedings, certificates, bonds given by all employees, and any and all corporate acts;
 - (i) District policies and rules;
 - (j) Fiscal year end audits; and
 - (k) Adopted budget for the current fiscal year.

The District Manager shall ensure that each District records office contains the documents required by Florida law.

- (2) Public Records. District public records include all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of the physical form, characteristics, or means of transmission, made or received in connection with the transaction of official business of the District. All District public records not otherwise restricted by law may be copied or inspected at the District Manager's office

during regular business hours. Certain District records can also be inspected and copied at the District's local records office during regular business hours. All written public records requests shall be directed to the Secretary who by these rules is appointed as the District's records custodian. Regardless of the form of the request, any Board member or staff member who receives a public records request shall immediately forward or communicate such request to the Secretary for coordination of a prompt response. The Secretary, after consulting with District Counsel as to the applicability of any exceptions under the public records laws, shall be responsible for responding to the public records request. At no time can the District be required to create records or summaries of records, or prepare opinions regarding District policies, in response to a public records request.

- (3) Service Contracts. Any contract for services, regardless of cost, shall include provisions required by law that require the contractor to comply with public records laws. The District Manager shall be responsible for initially enforcing all contract provisions related to a contractor's duty to comply with public records laws.

- (4) Fees; Copies. Copies of public records shall be made available to the requesting person at a charge of \$0.15 per page for one-sided copies and \$0.20 per page for two-sided copies if not more than 8 ½ by 14 inches. For copies of public records in excess of the sizes listed in this section and for outside duplication services, the charge shall be equal to the actual cost of reproduction. Certified copies of public records shall be made available at a charge of one dollar (\$1.00) per page. If the nature or volume of records requested requires extensive use of information technology resources or extensive clerical or supervisory assistance, the District may charge, in addition to the duplication charge, a special service charge that is based on the cost the District incurs to produce the records requested. This charge may include, but is not limited to, the cost of information technology resource, employee labor, and fees charged to the District by consultants employed in fulfilling the request. In cases where the special service charge is based in whole or in part on the costs incurred by the District due to employee labor, consultant fees, or other forms of labor, those portions of the charge shall be calculated based on the lowest labor cost of an individual who is qualified to perform the labor. For purposes of this Rule, the word "extensive" shall mean that it will take more than 15 minutes to locate, review for confidential information, copy and re-file the requested material. In cases where extensive personnel time is determined by the District to be necessary to safeguard original records being inspected, the special service charge provided for in the section shall apply. If the total fees, including but not limited to special service charges, are anticipated to exceed twenty-five dollars (\$25.00), then, prior to commencing work on the request, the District will inform the person making the public records request of the estimated cost, with the understanding

that the final cost may vary from that estimate. If the person making the public records request decides to proceed with the request, payment of the estimated cost is required in advance. After the request has been fulfilled, additional payments or credits may be due.

- (5) Records Retention. The Secretary of the District shall be responsible for retaining the District's records in accordance with applicable Florida law.
- (6) Policies. The Board may adopt policies related to the conduct of its business and the provision of services either by resolution or motion.

Specific Authority: §§ 190.011(5), 190.011(15), Fla. Stat.

Law Implemented: §§ 119.07, 119.0701, 190.006, Fla. Stat.

Rule 1.3 Public Meetings, Hearings, and Workshops.

- (1) Notice. Except in emergencies, or as otherwise required by statute or these Rules, at least seven (7) days, but no more than thirty (30) days public notice shall be given of any public meeting, hearing or workshop of the Board. Public notice shall be given by publication in a newspaper of general circulation in the District and in the county in which the District is located. "General circulation" means a publication that is printed and published at least once a week for the preceding year, offering at least 25% of its words in the English language, qualifies as a periodicals material for postal purposes in the county in which the District is located, is for sale to the public generally, is available to the public generally for the publication of official or other notices, and is customarily containing information of a public character or of interest or of value to the residents or owners of property in the county where published, or of interest or of value to the general public. The annual meeting notice required to be published by Section 189.015 of the Florida Statutes, shall be published in a newspaper not of limited subject matter, which is published at least five days a week, unless the only newspaper in the county is published less than five days a week. Each Notice shall state, as applicable:
- (a) The date, time and place of the meeting, hearing or workshop;
 - (b) A brief description of the nature, subjects, and purposes of the meeting, hearing, or workshop;
 - (c) The District office address for the submission of requests for copies of the agenda, as well as a contact name and telephone number for verbal requests for copies of the agenda; and
 - (d) The following language: "Pursuant to provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting/hearing/workshop is asked to advise the District Office at least forty-eight (48) hours before the meeting/hearing/workshop by contacting the District Manager at Wrathell, Hunt and Associates, LLC, 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431 or (561) 571-0010. If you are hearing or speech impaired, please contact the Florida Relay Service at 1 (800) 955-8770, who can aid you in contacting the District Office."
 - (e) The following language: "A person who decides to appeal any decision made at the meeting/hearing/workshop with respect to any matter considered at the meeting/hearing/workshop is advised that person will need a record of the proceedings and that accordingly, the person may need to ensure that a verbatim record of the proceedings is made

including the testimony and evidence upon which the appeal is to be based.”

- (f) The following language: “The meeting [or hearing or workshop] may be continued in progress without additional notice to a time, date, and location stated on the record.”
- (2) Mistake. In the event that a meeting is held under the incorrect assumption that notice required by law and these Rules has been given, the Board at its next properly noticed meeting shall cure such defect by considering the agenda items from the prior meeting individually and anew.
- (3) Agenda. The District Manager, under the guidance of District Counsel and the Chairperson or Vice-Chairperson, shall prepare a notice and an agenda of the meeting/hearing/workshop. The notice and agenda shall be available to the public at least seventy-two (72) hours before the meeting/hearing/workshop except in an emergency. For good cause, the agenda may be changed after it is first made available for distribution. The requirement of good cause shall be liberally construed to allow the District to efficiently conduct business and to avoid the expenses associated with special meetings.

The District may, but is not required to, use the following format in preparing its agenda for its regular meetings:

- Call to order
- Roll call
- Public comment
- Organizational matters
- Review of minutes
- Specific items of old business
- Specific items of new business
- Staff reports
 - (a) District Counsel
 - (b) District Engineer
 - (c) District Manager
 - 1. Financial Report
 - 2. Approval of Expenditures
- Supervisor’s requests and comments
- Public comment
- Adjournment

- (4) Minutes. The Secretary shall be responsible for preparing and keeping the minutes of each meeting of the Board. Minutes shall be corrected and approved

by the Board at a subsequent meeting. The Secretary may work with other staff members in preparing draft minutes for the Board's consideration.

- (5) Special Requests. Persons wishing to receive, by mail, notices or agendas of meetings, may so advise the District Manager or Secretary at the District Office. Such persons shall furnish a mailing address in writing and shall be required to pre-pay the cost of the copying and postage.
- (6) Emergency Meetings. The Chairperson, or Vice-Chairperson if the Chairperson is unavailable, may convene an emergency meeting of the Board without first having complied with sections (1) and (3) of this Rule, to act on emergency matters that may affect the public health, safety, or welfare. Whenever possible, the District Manager shall make reasonable efforts to provide public notice and notify all Board members of an emergency meeting twenty-four (24) hours in advance. Reasonable efforts may include telephone notification. Notice of the emergency meeting must be provided both before and after the meeting on the District's website, if it has one. Whenever an emergency meeting is called, the District Manager shall be responsible for notifying at least one newspaper of general circulation in the District. After an emergency meeting, the Board shall publish in a newspaper of general circulation in the District, the time, date and place of the emergency meeting, the reasons why an emergency meeting was necessary and a description of the action taken. Actions taken at an emergency meeting may be ratified by the Board at a regularly noticed meeting subsequently held.
- (7) Public Comment. The Board shall set aside a reasonable amount of time at each meeting for public comment and members of the public shall be permitted to provide comment on any proposition before the Board. The portion of the meeting generally reserved for public comment shall be identified in the agenda. Policies governing public comment may be adopted by the Board in accordance with Florida law.
- (8) Budget Hearing. Notice of hearing on the annual budget(s) shall be in accord with Section 190.008 of the Florida Statutes. Once adopted in accord with Section 190.008 of the Florida Statutes, the annual budget(s) may be amended from time to time by action of the Board. Approval of invoices by the Board in excess of the funds allocated to a particular budgeted line item shall serve to amend the budgeted line item.
- (9) Public Hearings. Notice of required public hearings shall contain the information required by applicable Florida law and by these Rules applicable to meeting notices and shall be mailed and published as required by Florida law. The District Manager shall ensure that all such notices, whether mailed or published, contain the information required by Florida law and these Rules and are mailed

and published as required by Florida law. Public hearings may be held during Board meetings when the agenda includes such public hearing.

- (10) Participation by Teleconference/Videoconference. District staff may participate in Board meetings by teleconference or videoconference. Board members may also participate in Board meetings by teleconference or videoconference if in the good judgment of the Board extraordinary circumstances exist; provided however, at least three Board members must be physically present at the meeting location to establish a quorum. Such extraordinary circumstances shall be presumed when a Board member participates by teleconference or videoconference, unless a majority of the Board members physically present determines that extraordinary circumstances do not exist.
- (11) Board Authorization. The District has not adopted Robert's Rules of Order. For each agenda item, there shall be discussion permitted among the Board members during the meeting. Approval or disapproval of resolutions and other proposed Board actions shall be in the form of a motion by one Board member, a second by another Board member, and an affirmative vote by the majority of the Board members present. Any Board member, including the Chairperson, can make or second a motion.
- (12) Continuances. Any meeting or public hearing of the Board may be continued without re-notice or re-advertising provided that:
 - (a) The Board identifies on the record at the original meeting a reasonable need for a continuance;
 - (b) The continuance is to a specified date, time, and location publicly announced at the original meeting; and
 - (c) The public notice for the original meeting states that the meeting may be continued to a date and time and states that the date, time, and location of any continuance shall be publicly announced at the original meeting and posted at the District Office immediately following the original meeting.
- (13) Attorney-Client Sessions. An Attorney-Client Session is permitted when the District's attorneys deem it necessary to meet in private with the Board to discuss pending litigation to which the District is a party before a court or administrative agency or as may be authorized by law. The District's attorneys must request such session at a public meeting. Prior to holding the Attorney-Client Session, the District must give reasonable public notice of the time and date of the session and the names of the persons anticipated to attend the session. The session must commence at an open meeting in which the

Chairperson or Vice-Chairperson announces the commencement of the session, the estimated length of the session, and the names of the persons who will be attending the session. The discussion during the session is confined to settlement negotiations or strategy related to litigation expenses or as may be authorized by law. Only the Board, the District's attorneys (including outside counsel), the District Manager, and the court reporter may attend an Attorney-Client Session. During the session, no votes may be taken and no final decisions concerning settlement can be made. Upon the conclusion of the session, the public meeting is reopened and the Chairperson or Vice-Chairperson must announce that the session has concluded. The session must be transcribed by a court-reporter and the transcript of the session filed with the District Secretary within a reasonable time after the session. The transcript shall not be available for public inspection until after the conclusion of the litigation.

Specific Authority: §§ 190.011(5), 190.011(15), Fla. Stat.

Law Implemented: §§ 190.006, 190.007, 190.008, 286.0105, 286.011, 286.0114, Fla. Stat.

Rule 2.0 Rulemaking Proceedings.

- (1) Commencement of Proceedings. Proceedings held for adoption, amendment, or repeal of a District rule shall be conducted according to these Rules. Rulemaking proceedings shall be deemed to have been initiated upon publication of notice by the District. A “rule” is a District statement of general applicability that implements, interprets, or prescribes law or policy, or describes the procedure or practice requirements of the District (“Rule”). Nothing herein shall be construed as requiring the District to consider or adopt rules unless required by Chapter 190 of the Florida Statutes. Policies adopted by the District which do not consist of rates, fees, rentals or other monetary charges may be, but are not required to be, implemented through rulemaking proceedings.
- (2) Notice of Rule Development.
 - (a) Except when the intended action is the repeal of a Rule, the District shall provide notice of the development of a proposed rule by publication of a Notice of Rule Development in a newspaper of general circulation in the District before providing notice of a proposed rule as required by section (3) of this Rule. Consequently, the Notice of Rule Development shall be published at least twenty-nine (29) days prior to the public hearing on the proposed Rule. The Notice of Rule Development shall indicate the subject area to be addressed by rule development, provide a short, plain explanation of the purpose and effect of the proposed rule, cite the specific legal authority for the proposed rule, and include a statement of how a person may promptly obtain, without cost, a copy of any preliminary draft, if available.
 - (b) All rules as drafted shall be consistent with Sections 120.54(1)(g) and 120.54(2)(b) of the Florida Statutes.
- (3) Notice of Proceedings and Proposed Rules.
 - (a) Prior to the adoption, amendment, or repeal of any rule other than an emergency rule, the District shall give notice of its intended action, setting forth a short, plain explanation of the purpose and effect of the proposed action, a reference to the specific rulemaking authority pursuant to which the rule is adopted, and a reference to the section or subsection of the Florida Statutes being implemented, interpreted, or made specific. The notice shall include a summary of the District’s statement of the estimated regulatory costs, if one has been prepared, based on the factors set forth in Section 120.541(2) of the Florida Statutes, and a statement that any person who wishes to provide the District with a lower cost regulatory alternative as provided by Section

120.541(1), must do so in writing within twenty-one (21) days after publication of the notice. The notice shall additionally include a statement that any affected person may request a public hearing by submitting a written request within twenty-one (21) days after the date of publication of the notice. Except when intended action is the repeal of a rule, the notice shall include a reference to both the date on which and the place where the Notice of Rule Development required by section (2) of this Rule appeared.

- (b) The notice shall be published in a newspaper of general circulation in the District and each county in which the District is located not less than twenty-eight (28) days prior to the intended action. The proposed rule shall be available for inspection and copying by the public at the time of the publication of notice.
 - (c) The notice shall be mailed to all persons named in the proposed rule and to all persons who, at least fourteen (14) days prior to such mailing, have made requests of the District for advance notice of its rulemaking proceedings. Any person may file a written request with the District Manager to receive notice by mail of District proceedings to adopt, amend, or repeal a rule. Such persons must furnish a mailing address and may be required to pay the cost of copying and mailing. Notice will then be mailed to all persons whom, at least fourteen (14) days prior to such mailing, have made requests of the District for advance notice of its proceedings.
- (4) Rule Development Workshops. Whenever requested in writing by any affected person, the District must either conduct a rule development workshop prior to proposing rules for adoption or the Chairperson must explain in writing why a workshop is unnecessary. The District may initiate a rule development workshop but is not required to do so.
- (5) Petitions to Initiate Rulemaking. All Petitions to Initiate Rulemaking proceedings must contain the name, address, and telephone number of the petitioner, the specific action requested, the specific reason for adoption, amendment, or repeal, the date submitted, the text of the proposed rule, and the facts showing that the petitioner is regulated by the District, or has substantial interest in the rulemaking. Not later than sixty (60) calendar days following the date of filing a petition, the Board shall initiate rulemaking proceedings or deny the petition with a written statement of its reasons for the denial. If the petition is directed to an existing policy that the District has not formally adopted as a rule, the District may, in its discretion, notice and hold a public hearing on the petition to consider the comments of the public directed to the policy, its scope and application, and to consider whether the public interest is served adequately by

the application of the policy on a case-by-case basis, as contrasted with its formal adoption as a rule. However, this section shall not be construed as requiring the District to adopt a rule to replace a policy.

- (6) Rulemaking Materials. After the publication of the notice referenced in section (3) of this Rule, the Board shall make available for public inspection and shall provide, upon request and payment of the cost of copies, the following materials:
- (a) The text of the proposed rule, or any amendment or repeal of any existing rules;
 - (b) A detailed written statement of the facts and circumstances justifying the proposed rule;
 - (c) A copy of the statement of estimated regulatory costs if required by Section 120.541 of the Florida Statutes; and
 - (d) The published notice.
- (7) Hearing. The District may, or, upon the written request of any affected person received within twenty-one (21) days after the date of publication of the notice described in section (3) of this Rule, shall, provide a public hearing for the presentation of evidence, argument, and oral statements, within the reasonable conditions and limitations imposed by the District to avoid duplication, irrelevant comments, unnecessary delay, or disruption of the proceedings. The District shall publish notice of the public hearing in a newspaper of general circulation within the District either in the text of the notice described in section (3) of this Rule or in a separate publication at least seven (7) days before the scheduled public hearing. The notice shall specify the date, time, and location of the public hearing, and the name, address, and telephone number of the District contact person who can provide information about the public hearing. Written statements may be submitted by any person prior to or at the public hearing. All timely submitted written statements shall be considered by the District and made part of the rulemaking record.
- (8) Emergency Rule Adoption. The Board may adopt an emergency rule if it finds that immediate danger to the public health, safety, or welfare exists which requires immediate action. Prior to the adoption of an emergency rule, the District Manager shall make reasonable efforts to notify a newspaper of general circulation in the District. Notice of emergency rules shall be published as soon as possible in a newspaper of general circulation in the District. The District may use any procedure which is fair under the circumstances in the adoption of an

emergency rule as long as it protects the public interest as determined by the District and otherwise complies with these provisions.

- (9) Negotiated Rulemaking. The District may use negotiated rulemaking in developing and adopting rules pursuant to Section 120.54(2)(d) of the Florida Statutes, except that any notices required under Section 120.54(2)(d) of the Florida Statutes, may be published in a newspaper of general circulation in the county in which the District is located.
- (10) Rulemaking Record. In all rulemaking proceedings, the District shall compile and maintain a rulemaking record. The record shall include, if applicable:
 - (a) The texts of the proposed rule and the adopted rule;
 - (b) All notices given for a proposed rule;
 - (c) Any statement of estimated regulatory costs for the rule;
 - (d) A written summary of hearings, if any, on the proposed rule;
 - (e) All written comments received by the District and responses to those written comments; and
 - (f) All notices and findings pertaining to an emergency rule.
- (11) Petitions to Challenge Existing Rules.
 - (a) Any person substantially affected by a rule may seek an administrative determination of the invalidity of the rule on the ground that the rule is an invalid exercise of the District's authority.
 - (b) The petition seeking an administrative determination must state with particularity the provisions alleged to be invalid with sufficient explanation of the facts or grounds for the alleged invalidity and facts sufficient to show that the person challenging a rule is substantially affected by it.
 - (c) The petition shall be filed with the District. Within 10 days after receiving the petition, the Chairperson shall, if the petition complies with the requirements of subsection (b) of this section, designate any member of the Board (including the Chairperson), District Manager, District Counsel, or other person as a hearing officer who shall conduct a hearing within 30 days thereafter, unless the petition is withdrawn or a continuance is granted by agreement of the parties. The failure of the District to follow

the applicable rulemaking procedures or requirements in this Rule shall be presumed to be material; however, the District may rebut this presumption by showing that the substantial interests of the petitioner and the fairness of the proceedings have not been impaired.

- (d) Within 30 days after the hearing, the hearing officer shall render a decision and state the reasons therefor in writing.
 - (e) Hearings held under this section shall be de novo in nature. The petitioner has a burden of proving by a preponderance of the evidence that the existing rule is an invalid exercise of District authority as to the objections raised. The hearing officer may:
 - (i) Administer oaths and affirmations;
 - (ii) Rule upon offers of proof and receive relevant evidence;
 - (iii) Regulate the course of the hearing, including any pre-hearing matters;
 - (iv) Enter orders; and
 - (v) Make or receive offers of settlement, stipulation, and adjustment.
 - (f) The petitioner and the District shall be adverse parties. Other substantially affected persons may join the proceedings as intervenors on appropriate terms which shall not unduly delay the proceedings.
- (12) Variances and Waivers. A “variance” means a decision by the District to grant a modification to all or part of the literal requirements of a rule to a person who is subject to the rule. A “waiver” means a decision by the District not to apply all or part of a rule to a person who is subject to the rule. Variances and waivers from District rules may be granted subject to the following:
- (a) Variances and waivers shall be granted when the person subject to the rule demonstrates that the purpose of the underlying statute will be or has been achieved by other means by the person, and when application of the rule would create a substantial hardship or would violate principles of fairness. For purposes of this section, "substantial hardship" means a demonstrated economic, technological, legal, or other type of hardship to the person requesting the variance or waiver. For purposes of this section, "principles of fairness" are violated when the literal application of a rule affects a particular person in a manner significantly different

from the way it affects other similarly situated persons who are subject to the rule.

- (b) A person who is subject to regulation by a District Rule may file a petition with the District, requesting a variance or waiver from the District's Rule. Each petition shall specify:
 - (i) The rule from which a variance or waiver is requested;
 - (ii) The type of action requested;
 - (iii) The specific facts that would justify a waiver or variance for the petitioner; and
 - (iv) The reason why the variance or the waiver requested would serve the purposes of the underlying statute.
 - (c) The District shall review the petition and may request only that information needed to clarify the petition or to answer new questions raised by or directly related to the petition. If the petitioner asserts that any request for additional information is not authorized by law or by Rule of the District, the District shall proceed, at the petitioner's written request, to process the petition.
 - (d) The Board shall grant or deny a petition for variance or waiver, and shall announce such disposition at a publicly held meeting of the Board, within sixty (60) days after receipt of the original petition, the last item of timely requested additional material, or the petitioner's written request to finish processing the petition. The District's statement granting or denying the petition shall contain a statement of the relevant facts and reasons supporting the District's action.
- (13) Rates, Fees, Rentals and Other Charges. All rates, fees, rentals, or other charges shall be subject to rulemaking proceedings. Policies adopted by the District which do not consist of rates, fees, rentals or other charges may be, but are not required to be, implemented through rulemaking proceedings.

Specific Authority: §§ 190.011(5), 190.011(15), 190.035, Fla. Stat.
Law Implemented: §§ 190.011(5), 190.035(2), Fla. Stat.

Rule 3.0 Competitive Purchase.

- (1) Purpose and Scope. In order to comply with Sections 190.033(1) through (3), 287.055 and 287.017 of the Florida Statutes, the following provisions shall apply to the purchase of Professional Services, insurance, construction contracts, design-build services, goods, supplies, and materials, Contractual Services, and maintenance services.
- (2) Board Authorization. Except in cases of an Emergency Purchase, a competitive purchase governed by these Rules shall only be undertaken after authorization by the Board.
- (3) Definitions.
 - (a) “Competitive Solicitation” means a formal, advertised procurement process, other than an Invitation to Bid, Request for Proposals, or Invitation to Negotiate, approved by the Board to purchase commodities and/or services which affords vendors fair treatment in the competition for award of a District purchase contract.
 - (b) “Continuing Contract” means a contract for Professional Services entered into in accordance with Section 287.055 of the Florida Statutes, between the District and a firm, whereby the firm provides Professional Services to the District for projects in which the costs do not exceed one million dollars (\$1,000,000), for a study activity when the fee for such Professional Services to the District does not exceed fifty thousand dollars (\$50,000), or for work of a specified nature as outlined in the contract with the District, with no time limitation except that the contract must provide a termination clause (for example, a contract for general District engineering services). Firms providing Professional Services under Continuing Contracts shall not be required to bid against one another.
 - (c) “Contractual Service” means the rendering by a contractor of its time and effort rather than the furnishing of specific commodities. The term applies only to those services rendered by individuals and firms who are independent contractors. Contractual Services do not include auditing services, Maintenance Services, or Professional Services as defined in Section 287.055(2)(a) of the Florida Statutes, and these Rules. Contractual Services also do not include any contract for the furnishing of labor or materials for the construction, renovation, repair, modification, or demolition of any facility, building, portion of building, utility, park, parking lot, or structure or other improvement to real property entered into pursuant to Chapter 255 of the Florida Statutes, and Rules 3.5 or 3.6.

- (d) “Design-Build Contract” means a single contract with a Design-Build Firm for the design and construction of a public construction project.
- (e) “Design-Build Firm” means a partnership, corporation or other legal entity that:
 - (i) Is certified under Section 489.119 of the Florida Statutes, to engage in contracting through a certified or registered general contractor or a certified or registered building contractor as the qualifying agent; or
 - (ii) Is certified under Section 471.023 of the Florida Statutes, to practice or to offer to practice engineering; certified under Section 481.219 of the Florida Statutes, to practice or to offer to practice architecture; or certified under Section 481.319 of the Florida Statutes, to practice or to offer to practice landscape architecture.
- (f) “Design Criteria Package” means concise, performance-oriented drawings or specifications for a public construction project. The purpose of the Design Criteria Package is to furnish sufficient information to permit Design-Build Firms to prepare a bid or a response to the District’s Request for Proposals, or to permit the District to enter into a negotiated Design-Build Contract. The Design Criteria Package must specify performance-based criteria for the public construction project, including the legal description of the site, survey information concerning the site, interior space requirements, material quality standards, schematic layouts and conceptual design criteria of the project, cost or budget estimates, design and construction schedules, site development requirements, provisions for utilities, stormwater retention and disposal, and parking requirements applicable to the project. Design Criteria Packages shall require firms to submit information regarding the qualifications, availability, and past work of the firms, including the partners and members thereof.
- (g) “Design Criteria Professional” means a firm who holds a current certificate of registration under Chapter 481 of the Florida Statutes, to practice architecture or landscape architecture, or a firm who holds a current certificate as a registered engineer under Chapter 471 of the Florida Statutes, to practice engineering, and who is employed by or under contract to the District to provide professional architect services, landscape architect services, or engineering services in connection with the preparation of the Design Criteria Package.

- (h) “Emergency Purchase” means a purchase necessitated by a sudden unexpected turn of events (for example, acts of God, riot, fires, floods, hurricanes, accidents, or any circumstances or cause beyond the control of the Board in the normal conduct of its business), where the Board finds that the delay incident to competitive purchase would be detrimental to the interests of the District. This includes, but is not limited to, instances where the time to competitively award the project will jeopardize the funding for the project, will materially increase the cost of the project, or will create an undue hardship on the public health, safety, or welfare.
- (i) “Invitation to Bid” is a written solicitation for sealed bids with the title, date, and hour of the public bid opening designated specifically and defining the commodity or service involved. It includes printed instructions prescribing conditions for bidding, qualification, evaluation criteria, and provides for a manual signature of an authorized representative. It may include one or more bid alternates.
- (j) “Invitation to Negotiate” means a written solicitation for competitive sealed replies to select one or more vendors with which to commence negotiations for the procurement of commodities or services.
- (k) “Negotiate” means to conduct legitimate, arm’s length discussions and conferences to reach an agreement on a term or price.
- (l) “Professional Services” means those services within the scope of the practice of architecture, professional engineering, landscape architecture, or registered surveying and mapping, as defined by the laws of Florida, or those services performed by any architect, professional engineer, landscape architect, or registered surveyor and mapper, in connection with the firm's or individual's professional employment or practice.
- (m) “Proposal (or Reply or Response) Most Advantageous to the District” means, as determined in the sole discretion of the Board, the proposal, reply, or response that is:
 - (i) Submitted by a person or firm capable and qualified in all respects to perform fully the contract requirements, who has the integrity and reliability to assure good faith performance;

- (ii) The most responsive to the Request for Proposals, Invitation to Negotiate, or Competitive Solicitation as determined by the Board; and
 - (iii) For a cost to the District deemed by the Board to be reasonable.
- (n) “Purchase” means acquisition by sale, rent, lease, lease/purchase, or installment sale. It does not include transfer, sale, or exchange of goods, supplies, or materials between the District and any federal, state, regional or local governmental entity or political subdivision of the State of Florida.
- (o) “Request for Proposals” or “RFP” is a written solicitation for sealed proposals with the title, date, and hour of the public opening designated and requiring the manual signature of an authorized representative. It may provide general information, applicable laws and rules, statement of work, functional or general specifications, qualifications, proposal instructions, work detail analysis, and evaluation criteria as necessary.
- (p) “Responsive and Responsible Bidder” means an entity or individual that has submitted a bid that conforms in all material respects to the Invitation to Bid and has the capability in all respects to fully perform the contract requirements and the integrity and reliability that will assure good faith performance. “Responsive and Responsible Vendor” means an entity or individual that has submitted a proposal, reply, or response that conforms in all material respects to the Request for Proposals, Invitation to Negotiate, or Competitive Solicitation and has the capability in all respects to fully perform the contract requirements and the integrity and reliability that will assure good faith performance. In determining whether an entity or individual is a Responsive and Responsible Bidder (or Vendor), the District may consider, in addition to factors described in the Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation, the following:
 - (i) The ability and adequacy of the professional personnel employed by the entity/individual;
 - (ii) The past performance of the entity/individual for the District and in other professional employment;
 - (iii) The willingness of the entity/individual to meet time and budget requirements;

- (iv) The geographic location of the entity's/individual's headquarters or office in relation to the project;
 - (v) The recent, current, and projected workloads of the entity/individual;
 - (vi) The volume of work previously awarded to the entity/individual;
 - (vii) Whether the cost components of the bid or proposal are appropriately balanced; and
 - (viii) Whether the entity/individual is a certified minority business enterprise.
- (q) "Responsive Bid," "Responsive Proposal," "Responsive Reply," and "Responsive Response" all mean a bid, proposal, reply, or response which conforms in all material respects to the specifications and conditions in the Invitation to Bid, Request for Proposals, Invitations to Negotiate, or Competitive Solicitation document and these Rules, and the cost components of which, if any, are appropriately balanced. A bid, proposal, reply or response is not responsive if the person or firm submitting it fails to meet any material requirement relating to the qualifications, financial stability, or licensing of the bidder.

Specific Authority: §§ 190.011(5), 190.011(15), Fla. Stat.
Law Implemented: §§ 190.033, 255.20, 287.055, Fla. Stat.

Rule 3.1 Procedure Under The Consultants' Competitive Negotiations Act.

- (1) Scope. The following procedures are adopted for the selection of firms or individuals to provide Professional Services exceeding the thresholds herein described, for the negotiation of such contracts, and to provide for protest of actions of the Board under this Rule. As used in this Rule, "Project" means that fixed capital outlay study or planning activity when basic construction cost is estimated by the District to exceed the threshold amount provided in Section 287.017 of the Florida Statutes, for CATEGORY FIVE, or for a planning study activity when the fee for Professional Services is estimated by the District to exceed the threshold amount provided in Section 287.017 for CATEGORY TWO, as such categories may be amended or adjusted from time to time.

- (2) Qualifying Procedures. In order to be eligible to provide Professional Services to the District, a consultant must, at the time of receipt of the firm's qualification submittal:
 - (a) Hold all required applicable federal licenses in good standing, if any;
 - (b) Hold all required applicable state professional licenses in good standing;
 - (c) Hold a current and active Florida corporate charter or be authorized to do business in the State of Florida in accordance with Chapter 607 of the Florida Statutes, if the consultant is a corporation; and
 - (d) Meet any qualification requirements set forth in the District's Request for Qualifications.

Evidence of compliance with this Rule may be submitted with the qualifications, if requested by the District. In addition, evidence of compliance must be submitted any time requested by the District.

- (3) Public Announcement. Except in cases of valid public emergencies as certified by the Board, the District shall announce each occasion when Professional Services are required for a Project or a Continuing Contract by publishing a notice providing a general description of the Project, or the nature of the Continuing Contract, and the method for interested consultants to apply for consideration. The notice shall appear in at least one (1) newspaper of general circulation in the District and in such other places as the District deems appropriate. The notice must allow at least fourteen (14) days for submittal of qualifications from the date of publication. The District may maintain lists of consultants interested in receiving such notices. These consultants are encouraged to submit annually statements of qualifications and performance data. Consultants who provide their name and address to the District Manager for inclusion on the list shall

receive notices by mail. The Board has the right to reject any and all qualifications, and such reservation shall be included in the published notice. Consultants not receiving a contract award shall not be entitled to recover from the District any costs of qualification package preparation or submittal.

(4) Competitive Selection.

- (a) The Board shall review and evaluate the data submitted in response to the notice described in section (3) of this Rule regarding qualifications and performance ability, as well as any statements of qualifications on file. The Board shall conduct discussions with, and may require public presentation by consultants regarding their qualifications, approach to the Project, and ability to furnish the required services. The Board shall then select and list the consultants, in order of preference, deemed to be the most highly capable and qualified to perform the required Professional Services, after considering these and other appropriate criteria:
 - (i) The ability and adequacy of the professional personnel employed by each consultant;
 - (ii) Whether a consultant is a certified minority business enterprise;
 - (iii) Each consultant's past performance;
 - (iv) The willingness of each consultant to meet time and budget requirements;
 - (v) The geographic location of each consultant's headquarters, office and personnel in relation to the project;
 - (vi) The recent, current, and projected workloads of each consultant; and
 - (vii) The volume of work previously awarded to each consultant by the District.
- (b) Nothing in these Rules shall prevent the District from evaluating and eventually selecting a consultant if less than three (3) qualification packages, including packages indicating a desire not to provide Professional Services on a given Project, are received.
- (c) If the selection process is administered by any person or committee other than the full Board, the selection made will be presented to the full Board

with a recommendation that competitive negotiations be instituted with the selected firms in order of preference listed.

- (d) Notice of the rankings adopted by the Board, including the rejection of some or all qualification packages, shall be provided in writing to all consultants by United States Mail, hand delivery, facsimile, or overnight delivery service. The notice shall include the following statement: "Failure to file a protest within the time prescribed in Rule 3.11 of the Rules of the District shall constitute a waiver of proceedings under those Rules," or wording to that effect. Protests of the District's ranking decisions under this Rule shall be in accordance with the procedures set forth in Rule 3.11.

(5) Competitive Negotiation.

- (a) After the Board has authorized the beginning of competitive negotiations, the District may begin such negotiations with the firm listed as most qualified to perform the required Professional Services at a rate or amount of compensation which the Board determines is fair, competitive, and reasonable.
- (b) In negotiating a lump-sum or cost-plus-a-fixed-fee professional contract for more than the threshold amount provided in Section 287.017 of the Florida Statutes, for CATEGORY FOUR, the firm receiving the award shall be required to execute a truth-in-negotiation certificate stating that "wage rates and other factual unit costs supporting the compensation are accurate, complete and current at the time of contracting." In addition, any professional service contract under which such a certificate is required, shall contain a provision that "the original contract price and any additions thereto, shall be adjusted to exclude any significant sums by which the Board determines the contract price was increased due to inaccurate, incomplete, or noncurrent wage rates and other factual unit costs."
- (c) Should the District be unable to negotiate a satisfactory agreement with the firm determined to be the most qualified at a price deemed by the District to be fair, competitive, and reasonable, then negotiations with that firm shall be terminated and the District shall immediately begin negotiations with the second most qualified firm. If a satisfactory agreement with the second firm cannot be reached, those negotiations shall be terminated and negotiations with the third most qualified firm shall be undertaken.

- (d) Should the District be unable to negotiate a satisfactory agreement with one of the top three (3) ranked consultants, additional firms shall be selected by the District, in order of their competence and qualifications. Negotiations shall continue, beginning with the first-named firm on the list, until an agreement is reached or the list of firms is exhausted.

- (6) Contracts; Public Records. In accordance with Florida law, each contract entered into pursuant to this Rule shall include provisions required by law that require the contractor to comply with public records laws.

- (7) Continuing Contract. Nothing in this Rule shall prohibit a Continuing Contract between a consultant and the District.

- (8) Emergency Purchase. The District may make an Emergency Purchase without complying with these Rules. The fact that an Emergency Purchase has occurred or is necessary shall be noted in the minutes of the next Board meeting.

Specific Authority: §§ 190.011(5), 190.011(15), Fla. Stat.

Law Implemented: §§ 119.0701, 190.011(3), 190.033, 287.055, Fla. Stat.

Rule 3.2 Procedure Regarding Auditor Selection.

In order to comply with the requirements of Section 218.391 of the Florida Statutes, the following procedures are outlined for selection of firms or individuals to provide Auditing Services and for the negotiation of such contracts.

(1) Definitions.

- (a) "Auditing Services" means those services within the scope of the practice of a certified public accounting firm licensed under Chapter 473 of the Florida Statutes, and qualified to conduct audits in accordance with government auditing standards as adopted by the Florida Board of Accountancy.
- (b) "Committee" means the audit selection committee appointed by the Board as described in section (2) of this Rule.

(2) Establishment of Audit Committee. Prior to a public announcement under section (4) of this Rule that Auditing Services are required, the Board shall establish an audit selection committee ("Committee"), the primary purpose of which is to assist the Board in selecting an auditor to conduct the annual financial audit required by Section 218.39 of the Florida Statutes. The Committee should include at least three individuals, some or all of whom may also serve as members of the Board. The establishment and selection of the Committee must be conducted at a publicly noticed and held meeting of the Board.

(3) Establishment of Minimum Qualifications and Evaluation Criteria. Prior to a public announcement under section (4) of this Rule that Auditing Services are required, the Committee shall meet at a publicly noticed meeting to establish minimum qualifications and factors to use for the evaluation of Auditing Services to be provided by a certified public accounting firm licensed under Chapter 473 of the Florida Statutes, and qualified to conduct audits in accordance with government auditing standards as adopted by the Florida Board of Accountancy.

- (a) Minimum Qualifications. In order to be eligible to submit a proposal, a firm must, at all relevant times including the time of receipt of the proposal by the District:
 - (i) Hold all required applicable federal licenses in good standing, if any;
 - (ii) Hold all required applicable state professional licenses in good standing;

- (iii) Hold a current and active Florida corporate charter or be authorized to do business in the State of Florida in accordance with Chapter 607 of the Florida Statutes, if the proposer is a corporation; and
- (iv) Meet any pre-qualification requirements established by the Committee and set forth in the RFP or other specifications.

If requested in the RFP or other specifications, evidence of compliance with the minimum qualifications as established by the Committee must be submitted with the proposal.

- (b) Evaluation Criteria. The factors established for the evaluation of Auditing Services by the Committee shall include, but are not limited to:
 - (i) Ability of personnel;
 - (ii) Experience;
 - (iii) Understanding of scope of work;
 - (iv) Ability to furnish the required services; and
 - (v) Such other factors as may be determined by the Committee to be applicable to its particular requirements.

The Committee may also choose to consider compensation as a factor. If the Committee establishes compensation as one of the factors, compensation shall not be the sole or predominant factor used to evaluate proposals.

- (4) Public Announcement. After identifying the factors to be used in evaluating the proposals for Auditing Services as set forth in section (3) of this Rule, the Committee shall publicly announce the opportunity to provide Auditing Services. Such public announcement shall include a brief description of the audit and how interested firms can apply for consideration and obtain the RFP. The notice shall appear in at least one (1) newspaper of general circulation in the District and the county in which the District is located. The public announcement shall allow for at least seven (7) days for the submission of proposals.
- (5) Request for Proposals. The Committee shall provide interested firms with a Request for Proposals ("RFP"). The RFP shall provide information on how proposals are to be evaluated and such other information the Committee determines is necessary for the firm to prepare a proposal. The RFP shall state the time and place for submitting proposals.

- (6) Committee's Evaluation of Proposals and Recommendation. The Committee shall meet at a publicly held meeting that is publicly noticed for a reasonable time in advance of the meeting to evaluate all qualified proposals and may, as part of the evaluation, require that each interested firm provide a public presentation where the Committee may conduct discussions with the firm, and where the firm may present information, regarding the firm's qualifications. At the public meeting, the Committee shall rank and recommend in order of preference no fewer than three firms deemed to be the most highly qualified to perform the required services after considering the factors established pursuant to subsection (3)(b) of this Rule. If fewer than three firms respond to the RFP or if no firms respond to the RFP, the Committee shall recommend such firm as it deems to be the most highly qualified. Notwithstanding the foregoing, the Committee may recommend that any and all proposals be rejected.
- (7) Board Selection of Auditor.
- (a) Where compensation was not selected as a factor used in evaluating the proposals, the Board shall negotiate with the firm ranked first and inquire of that firm as to the basis of compensation. If the Board is unable to negotiate a satisfactory agreement with the first ranked firm at a price deemed by the Board to be fair, competitive, and reasonable, then negotiations with that firm shall be terminated and the Board shall immediately begin negotiations with the second ranked firm. If a satisfactory agreement with the second ranked firm cannot be reached, those negotiations shall be terminated and negotiations with the third ranked firm shall be undertaken. The Board may reopen formal negotiations with any one of the three top-ranked firms, but it may not negotiate with more than one firm at a time. If the Board is unable to negotiate a satisfactory agreement with any of the selected firms, the Committee shall recommend additional firms in order of the firms' respective competence and qualifications. Negotiations shall continue, beginning with the first-named firm on the list, until an agreement is reached or the list of firms is exhausted.
- (b) Where compensation was selected as a factor used in evaluating the proposals, the Board shall select the highest-ranked qualified firm.
- (c) In negotiations with firms under this Rule, the Board may allow the District Manager, District Counsel, or other designee to conduct negotiations on its behalf.
- (d) Notwithstanding the foregoing, the Board may reject any or all proposals. The Board shall not consider any proposal, or enter into any contract for

Auditing Services, unless the proposed agreed-upon compensation is reasonable to satisfy the requirements of Section 218.39 of the Florida Statutes, and the needs of the District.

- (8) Contract. Any agreement reached under this Rule shall be evidenced by a written contract, which may take the form of an engagement letter signed and executed by both parties. The written contract shall include all provisions and conditions of the procurement of such services and shall include, at a minimum, the following:
- (a) A provision specifying the services to be provided and fees or other compensation for such services;
 - (b) A provision requiring that invoices for fees or other compensation be submitted in sufficient detail to demonstrate compliance with the terms of the contract;
 - (c) A provision setting forth deadlines for the auditor to submit a preliminary draft audit report to the District for review and to submit a final audit report no later than July 1 of the fiscal year that follows the fiscal year for which the audit is being conducted;
 - (d) A provision specifying the contract period, including renewals and conditions under which the contract may be terminated or renewed. No contract shall continue, or allow the contract to be renewed, for a period of more than three years from the date of its execution. A renewal may be done without the use of the auditor selection procedures provided in this Rule, but must be in writing.
 - (e) Provisions required by law that require the auditor to comply with public records laws.
- (9) Notice of Award. Once a negotiated agreement with a firm or individual is reached, or the Board authorizes the execution of an agreement with a firm where compensation was a factor in the evaluation of proposals, notice of the intent to award, including the rejection of some or all proposals, shall be provided in writing to all proposers by United States Mail, hand delivery, facsimile, or overnight delivery service. The notice shall include the following statement: "Failure to file a protest within the time prescribed in Rule 3.11 of the Rules of the District shall constitute a waiver of proceedings under those Rules," or wording to that effect. Protests regarding the award of contracts under this Rule shall be as provided for in Rule 3.11. No proposer shall be entitled to recover any costs of proposal preparation or submittal from the District.

Specific Authority: §§ 190.011(5), 190.011(15), Fla. Stat.
Law Implemented: §§ 119.0701, 218.391, Fla. Stat.

Rule 3.3 Purchase of Insurance.

- (1) Scope. The purchases of life, health, accident, hospitalization, legal expense, or annuity insurance, or all of any kinds of such insurance for the officers and employees of the District, and for health, accident, hospitalization, and legal expenses upon a group insurance plan by the District, shall be governed by this Rule. This Rule does not apply to the purchase of any other type of insurance by the District, including but not limited to liability insurance, property insurance, and directors and officers insurance. Nothing in this Rule shall require the District to purchase insurance.

- (2) Procedure. For a purchase of insurance within the scope of these Rules, the following procedure shall be followed:
 - (a) The Board shall cause to be prepared a Notice of Invitation to Bid.
 - (b) Notice of the Invitation to Bid shall be advertised at least once in a newspaper of general circulation within the District. The notice shall allow at least fourteen (14) days for submittal of bids.
 - (c) The District may maintain a list of persons interested in receiving notices of Invitations to Bid. Persons who provide their name and address to the District Manager for inclusion on the list shall receive notices by mail.
 - (d) Bids shall be opened at the time and place noted in the Invitation to Bid.
 - (e) If only one (1) response to an Invitation is received, the District may proceed with the purchase. If no response to an Invitation to Bid is received, the District may take whatever steps are reasonably necessary in order to proceed with the purchase.
 - (f) The Board has the right to reject any and all bids and such reservations shall be included in all solicitations and advertisements.
 - (g) Simultaneously with the review of the submitted bids, the District may undertake negotiations with those companies that have submitted reasonable and timely bids and, in the opinion of the District, are fully qualified and capable of meeting all services and requirements. Bid responses shall be evaluated in accordance with the specifications and criteria contained in the Invitation to Bid; in addition, the total cost to the District, the cost, if any, to the District officers, employees, or their dependents, the geographic location of the company's headquarters and offices in relation to the District, and the ability of the company to guarantee premium stability may be considered. A contract to purchase

insurance shall be awarded to that company whose response to the Invitation to Bid best meets the overall needs of the District, its officers, employees, and/or dependents.

- (h) Notice of the intent to award, including rejection of some or all bids, shall be provided in writing to all bidders by United States Mail, by hand delivery, or by overnight delivery service. The notice shall include the following statement: "Failure to file a protest within the time prescribed in Rule 3.11 of the Rules of the District shall constitute a waiver of proceedings under those Rules," or wording to that effect. Protests of the District's procurement of insurance under this Rule shall be in accordance with the procedures set forth in Rule 3.11.

Specific Authority: §§ 190.011(5), 190.011(15), Fla. Stat.

Law Implemented: § 112.08, Fla. Stat.

Rule 3.4 Pre-qualification

- (1) Scope. In its discretion, the District may undertake a pre-qualification process in accordance with this Rule for vendors to provide construction services, goods, supplies, and materials, Contractual Services, and maintenance services.
- (2) Procedure. When the District seeks to pre-qualify vendors, the following procedures shall apply:
 - (a) The Board shall cause to be prepared a Request for Qualifications.
 - (b) For construction services exceeding the thresholds described in Section 255.20 of the Florida Statutes, the Board must advertise the proposed pre-qualification criteria and procedures and allow at least seven (7) days notice of the public hearing for comments on such pre-qualification criteria and procedures. At such public hearing, potential vendors may object to such pre-qualification criteria and procedures. Following such public hearing, the Board shall formally adopt pre-qualification criteria and procedures prior to the advertisement of the Request for Qualifications for construction services.
 - (c) The Request for Qualifications shall be advertised at least once in a newspaper of general circulation within the District and within the county in which the District is located. The notice shall allow at least seven (7) days for submittal of qualifications for goods, supplies and materials, Contractual Services, maintenance services, and construction services under two hundred fifty thousand dollars (\$250,000). The notice shall allow at least twenty-one (21) days for submittal of qualifications for construction services estimated to cost over two hundred fifty thousand dollars (\$250,000) and thirty (30) days for construction services estimated to cost over five hundred thousand dollars (\$500,000).
 - (d) The District may maintain lists of persons interested in receiving notices of Requests for Qualifications. The District shall make a good faith effort to provide written notice, by electronic mail, United States Mail, hand delivery, or facsimile, to persons who provide their name and address to the District Manager for inclusion on the list. However, failure of a person to receive the notice shall not invalidate any pre-qualification determination or contract awarded in accordance with these Rules and shall not be a basis for a protest of any pre-qualification determination or contract award.
 - (e) If the District has pre-qualified vendors for a particular category of purchase, at the option of the District, only those persons who have been

pre-qualified will be eligible to submit bids, proposals, replies or responses in response to the applicable Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation.

- (f) In order to be eligible to submit qualifications, a firm or individual must, at the time of receipt of the qualifications:
 - (i) Hold the required applicable state professional licenses in good standing;
 - (ii) Hold all required applicable federal licenses in good standing, if any;
 - (iii) Hold a current and active Florida corporate charter or be authorized to do business in the State of Florida in accordance with Chapter 607 of the Florida Statutes, if the vendor is a corporation; and
 - (iv) Meet any special pre-qualification requirements set forth in the Request for Qualifications.

Evidence of compliance with these Rules must be submitted with the qualifications if required by the District. Failure to submit evidence of compliance when required may be grounds for rejection of the qualifications.

- (g) Qualifications shall be presented to the Board, or a committee appointed by the Board, for evaluation in accordance with the Request for Qualifications and this Rule. Minor variations in the qualifications may be waived by the Board. A variation is minor if waiver of the variation does not create a competitive advantage or disadvantage of a material nature.
- (h) All vendors determined by the District to meet the pre-qualification requirements shall be pre-qualified. To assure full understanding of the responsiveness to the requirements contained in a Request for Qualifications, discussions may be conducted with qualified vendors. Vendors shall be accorded fair treatment prior to the submittal date with respect to any opportunity for discussion and revision of qualifications. For construction services, any contractor pre-qualified and considered eligible by the Department of Transportation to bid to perform the type of work the project entails shall be presumed to be qualified to perform the project.

- (i) The Board shall have the right to reject all qualifications if there are not enough to be competitive or if rejection is determined to be in the best interest of the District. No vendor shall be entitled to recover any costs of qualification preparation or submittal from the District.

- (j) Notice of intent to pre-qualify, including rejection of some or all qualifications, shall be provided in writing to all vendors by United States Mail, hand delivery, facsimile, or overnight delivery service. The notice shall include the following statement: "Failure to file a protest within the time prescribed in Rule 3.11 of the Rules of the District shall constitute a waiver of proceedings under those Rules," or wording to that effect. Protests of the District's pre-qualification decisions under this Rule shall be in accordance with the procedures set forth in Rule 3.11; provided however, protests related to the pre-qualification criteria and procedures for construction services shall be resolved in accordance with section (2)(b) of this Rule and Section 255.20(1)(b) of the Florida Statutes.

Specific Authority: §§ 190.011(5), 190.011(15), Fla. Stat.
Law Implemented: §§ 190.033, 255.0525, 255.20, Fla. Stat.

Rule 3.5 Construction Contracts, Not Design-Build.

- (1) Scope. All contracts for the construction or improvement of any building, structure, or other public construction works authorized by Chapter 190 of the Florida Statutes, the costs of which are estimated by the District in accordance with generally accepted cost accounting principles to be in excess of the threshold amount for applicability of Section 255.20 of the Florida Statutes, as that amount may be indexed or amended from time to time, shall be let under the terms of these Rules and the procedures of Section 255.20 of the Florida Statutes, as the same may be amended from time to time. A project shall not be divided solely to avoid the threshold bidding requirements.
- (2) Procedure. When a purchase of construction services is within the scope of this Rule, the following procedures shall apply:
 - (a) The Board shall cause to be prepared an Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation.
 - (b) Notice of the Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation shall be advertised at least once in a newspaper of general circulation in the District and in the county in which the District is located. The notice shall also include the amount of the bid bond, if one is required. The notice shall allow at least twenty-one (21) days for submittal of sealed bids, proposals, replies, or responses, unless the Board, for good cause, determines a shorter period of time is appropriate. Any project projected to cost more than five hundred thousand dollars (\$500,000) must be noticed at least thirty (30) days prior to the date for submittal of bids, proposals, replies, or responses. If the Board has previously pre-qualified contractors pursuant to Rule 3.4 and determined that only the contractors that have been pre-qualified will be permitted to submit bids, proposals, replies, and responses, the Notice of Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation need not be published. Instead, the Notice of Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation shall be sent to the pre-qualified contractors by United States Mail, hand delivery, facsimile, or overnight delivery service.
 - (c) The District may maintain lists of persons interested in receiving notices of Invitations to Bid, Requests for Proposals, Invitations to Negotiate, and Competitive Solicitations. The District shall make a good faith effort to provide written notice, by electronic mail, United States Mail, hand delivery, or facsimile, to persons who provide their name and address to the District Manager for inclusion on the list. However, failure of a

person to receive the notice shall not invalidate any contract awarded in accordance with this Rule and shall not be a basis for a protest of any contract award.

- (d) If the District has pre-qualified providers of construction services, then, at the option of the District, only those persons who have been pre-qualified will be eligible to submit bids, proposals, replies, or responses to Invitations to Bid, Requests for Proposals, Invitations to Negotiate, and Competitive Solicitations.
- (e) In order to be eligible to submit a bid, proposal, reply, or response, a firm or individual must, at the time of receipt of the bids, proposals, replies, or responses:
 - (i) Hold the required applicable state professional licenses in good standing;
 - (ii) Hold all required applicable federal licenses in good standing, if any;
 - (iii) Hold a current and active Florida corporate charter or be authorized to do business in the State of Florida in accordance with Chapter 607 of the Florida Statutes, if the bidder is a corporation; and
 - (iv) Meet any special pre-qualification requirements set forth in the Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation.

Any contractor that has been found guilty by a court of any violation of federal labor or employment tax laws regarding subjects such as safety, tax withholding, worker's compensation, unemployment tax, social security and Medicare tax, wage or hour, or prevailing rate laws within the past 5 years may be considered ineligible by the District to submit a bid, response, or proposal for a District project.

Evidence of compliance with these Rules must be submitted with the bid, proposal, reply, or response, if required by the District. Failure to submit evidence of compliance when required may be grounds for rejection of the bid, proposal, reply, or response.

- (f) Bids, proposals, replies, and responses, or the portions of which that include the price, shall be publicly opened at a meeting noticed in accordance with Rule 1.3, and at which at least one district

representative is present. The name of each bidder and the price submitted in the bid shall be announced at such meeting, and shall be made available upon request. Minutes should be taken at the meeting and maintained by the District. Bids, proposals, replies, and responses shall be evaluated in accordance with the respective Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation and these Rules. Minor variations in the bids, proposals, replies, or responses may be waived by the Board. A variation is minor if waiver of the variation does not create a competitive advantage or disadvantage of a material nature. Mistakes in arithmetic extension of pricing may be corrected by the Board. Bids and proposals may not be modified or supplemented after opening; provided however, additional information may be requested and/or provided to evidence compliance, make non-material modifications, clarifications, or supplementations, and as otherwise permitted by Florida law.

- (g) The lowest Responsive Bid submitted by a Responsive and Responsible Bidder in response to an Invitation to Bid shall be accepted. In relation to a Request for Proposals, Invitation to Negotiate, or Competitive Solicitation, the Board shall select the Responsive Proposal, Reply, or Response submitted by a Responsive and Responsible Vendor which is most advantageous to the District. To assure full understanding of the responsiveness to the solicitation requirements contained in a Request for Proposals, Invitation to Negotiate, or Competitive Solicitation, discussions may be conducted with qualified vendors. Vendors shall be accorded fair treatment prior to the submittal date with respect to any opportunity for discussion, preparation, and revision of bids, proposals, replies, and responses.
- (h) The Board shall have the right to reject all bids, proposals, replies, or responses because they exceed the amount of funds budgeted for the purchase, if there are not enough to be competitive, or if rejection is determined to be in the best interest of the District. No contractor shall be entitled to recover any costs of bid, proposal, response, or reply preparation or submittal from the District.
- (i) The Board may require potential contractors to furnish bid bonds, performance bonds, and/or other bonds with a responsible surety to be approved by the Board.
- (j) Notice of intent to award, including rejection of some or all bids, proposals, replies, or responses, shall be provided in writing to all contractors by United States Mail, hand delivery, facsimile, or overnight delivery service. The notice shall include the following statement:

"Failure to file a protest within the time prescribed in Rule 3.11 of the Rules of the District shall constitute a waiver of proceedings under those Rules," or wording to that effect. Protests of the District's purchase of construction services under this Rule shall be in accordance with the procedures set forth in Rule 3.11.

- (k) If less than three (3) Responsive Bids, Proposals, Replies, or Responses are received, the District may purchase construction services or may reject the bids, proposals, replies, or responses for a lack of competitiveness. If no Responsive Bid, Proposal, Reply, or Response is received, the District may take whatever steps reasonably necessary in order to proceed with the procurement of construction services, which steps may include a direct purchase of the construction services without further competitive selection processes.
- (3) Sole Source; Government. Construction services that are only available from a single source are exempt from this Rule. Construction services provided by governmental agencies are exempt from this Rule. This Rule shall not apply to the purchase of construction services, which may include goods, supplies, or materials, that are purchased under a federal, state, or local government contract that has been competitively procured by such federal, state, or local government in a manner consistent with the material procurement requirements of these Rules. A contract for construction services is exempt from this Rule if state or federal law prescribes with whom the District must contract or if the rate of payment is established during the appropriation process.
- (4) Contracts; Public Records. In accordance with Florida law, each contract entered into pursuant to this Rule shall include provisions required by law that require the contractor to comply with public records laws.
- (5) Emergency Purchases. The District may make an Emergency Purchase without complying with these rules. The fact that an Emergency Purchase has occurred or is necessary shall be noted in the minutes of the next Board Meeting.
- (6) Exceptions. This Rule is inapplicable when:
 - (a) The project is undertaken as repair or maintenance of an existing public facility;
 - (b) The funding source of the project will be diminished or lost because the time required to competitively award the project after the funds become available exceeds the time within which the funding source must be spent;

- (c) The District has competitively awarded a project and the contractor has abandoned the project or the District has terminated the contractor; or
- (d) The District, after public notice, conducts a public meeting under Section 286.011 of the Florida Statutes, and finds by a majority vote of the Board that it is in the public's best interest to perform the project using its own services, employees, and equipment.

Specific Authority: §§ 190.011(5), 190.011(15), Fla. Stat.

Law Implemented: §§ 119.0701, 189.053, 190.033, 255.0518, 255.0525, 255.20, 287.055, Fla. Stat.

Rule 3.6 Construction Contracts, Design-Build.

- (1) Scope. The District may utilize Design-Build Contracts for any public construction project for which the Board determines that use of such contract is in the best interest of the District. When letting a Design-Build Contract, the District shall use the following procedure:
- (2) Procedure.
 - (a) The District shall utilize a Design Criteria Professional meeting the requirements of Section 287.055(2)(k) of the Florida Statutes, when developing a Design Criteria Package, evaluating the proposals and qualifications submitted by Design-Build Firms, and determining compliance of the project construction with the Design Criteria Package. The Design Criteria Professional may be an employee of the District, may be the District Engineer selected by the District pursuant to Section 287.055 of the Florida Statutes, or may be retained pursuant to Rule 3.1. The Design Criteria Professional is not eligible to render services under a Design-Build Contract executed pursuant to the Design Criteria Package.
 - (b) A Design Criteria Package for the construction project shall be prepared and sealed by the Design Criteria Professional. If the project utilizes existing plans, the Design Criteria Professional shall create a Design Criteria Package by supplementing the plans with project specific requirements, if any.
 - (c) The Board may either choose to award the Design-Build Contract pursuant to the competitive proposal selection process set forth in Section 287.055(9) of the Florida Statutes, or pursuant to the qualifications based selection process pursuant to Rule 3.1.
 - (i) Qualifications-Based Selection. If the process set forth in Rule 3.1 is utilized, subsequent to competitive negotiations, a guaranteed

maximum price and guaranteed completion date shall be established.

(ii) Competitive Proposal-Based Selection. If the competitive proposal selection process is utilized, the Board, in consultation with the Design Criteria Professional, shall establish the criteria, standards and procedures for the evaluation of Design-Build Proposals based on price, technical, and design aspects of the project, weighted for the project. After a Design Criteria Package and the standards and procedures for evaluation of proposals have been developed, competitive proposals from qualified firms shall be solicited pursuant to the design criteria by the following procedure:

1. A Request for Proposals shall be advertised at least once in a newspaper of general circulation in the county in which the District is located. The notice shall allow at least twenty-one (21) days for submittal of sealed proposals, unless the Board, for good cause, determines a shorter period of time is appropriate. Any project projected to cost more than five hundred thousand dollars (\$500,000) must be noticed at least thirty (30) days prior to the date for submittal of proposals.
2. The District may maintain lists of persons interested in receiving notices of Requests for Proposals. The District shall make a good faith effort to provide written notice, by electronic mail, United States Mail, hand delivery, or facsimile, to persons who provide their name and address to the District Manager for inclusion on the list. However, failure of a person to receive the notice shall not invalidate any contract awarded in accordance with this Rule and shall not be a basis for a protest of any contract award.
3. In order to be eligible to submit a proposal, a firm must, at the time of receipt of the proposals:
 - a. Hold the required applicable state professional licenses in good standing, as defined by Section 287.055(2)(h) of the Florida Statutes;
 - b. Hold all required applicable federal licenses in good standing, if any;

- c. Hold a current and active Florida corporate charter or be authorized to do business in the State of Florida in accordance with Chapter 607 of the Florida Statutes, if the proposer is a corporation;
- d. Meet any special pre-qualification requirements set forth in the Request for Proposals and Design Criteria Package.

Any contractor that has been found guilty by a court of any violation of federal labor or employment tax laws regarding subjects such as safety, tax withholding, worker's compensation, unemployment tax, social security and Medicare tax, wage or hour, or prevailing rate laws within the past 5 years may be considered ineligible by the District to submit a bid, response, or proposal for a District project.

Evidence of compliance with these Rules must be submitted with the proposal if required by the District. Failure to submit evidence of compliance when required may be grounds for rejection of the proposal.

- 4. The proposals, or the portions of which that include the price, shall be publicly opened at a meeting noticed in accordance with Rule 1.3, and at which at least one district representative is present. The name of each bidder and the price submitted in the bid shall be announced at such meeting, and shall be made available upon request. Minutes should be taken at the meeting and maintained by the District. In consultation with the Design Criteria Professional, the Board shall evaluate the proposals received based on evaluation criteria and procedures established prior to the solicitation of proposals, including but not limited to qualifications, availability, and past work of the firms and the partners and members thereof. The Board shall then select no fewer than three (3) Design-Build Firms as the most qualified.
- 5. The Board shall have the right to reject all proposals if rejection is determined to be in the best interest of the District. No vendor shall be entitled to recover any costs of proposal preparation or submittal from the District.

6. If less than three (3) proposals are received, the District may purchase design-build services or may reject the proposals for lack of competitiveness. If no proposals are received, the District may take whatever steps reasonably necessary in order to proceed with the procurement of design-build services, which steps may include a direct purchase of the design-build services without further competitive selection processes.
7. Notice of the rankings adopted by the Board, including the rejection of some or all proposals, shall be provided in writing to all consultants by United States Mail, hand delivery, facsimile, or overnight delivery service. The notice shall include the following statement: "Failure to file a protest within the time prescribed in Rule 3.11 of the Rules of the District shall constitute a waiver of proceedings under those Rules," or wording to that effect. Protests of the District's rankings under this Rule shall be in accordance with the procedures set forth in Rule 3.11.
8. The Board shall negotiate a contract with the firm ranking the highest based on the evaluation standards and shall establish a price which the Board determines is fair, competitive and reasonable. Should the Board be unable to negotiate a satisfactory contract with the firm considered to be the most qualified at a price considered by the Board to be fair, competitive, and reasonable, negotiations with that firm must be terminated. The Board shall then undertake negotiations with the second most qualified firm, based on the ranking by the evaluation standards. Failing accord with the second most qualified firm, the Board must terminate negotiations. The Board shall then undertake negotiations with the third most qualified firm. Should the Board be unable to negotiate a satisfactory contract with any of the selected firms, the Board shall select additional firms in order of their rankings based on the evaluation standards and continue negotiations until an agreement is reached or the list of firms is exhausted.
9. After the Board contracts with a firm, the firm shall bring to the Board for approval, detailed working drawings of the project.

10. The Design Criteria Professional shall evaluate the compliance of the detailed working drawings and project construction with the Design Criteria Package, and shall provide the Board with a report of the same.
- (3) Contracts; Public Records. In accordance with Florida law, each contract entered into pursuant to this Rule shall include provisions required by law that require the contractor to comply with public records laws.
- (4) Emergency Purchase. The Board may, in case of public emergency, declare an emergency and immediately proceed with negotiations with the best qualified Design-Build Firm available at the time. The fact that an Emergency Purchase has occurred shall be noted in the minutes of the next Board meeting.
- (5) Exceptions. This Rule is inapplicable when:
 - (a) The project is undertaken as repair or maintenance of an existing public facility;
 - (b) The funding source of the project will be diminished or lost because the time required to competitively award the project after the funds become available exceeds the time within which the funding source must be spent;
 - (c) The District has competitively awarded a project and the contractor has abandoned the project or the District has terminated the contractor; or
 - (d) The District, after public notice, conducts a public meeting under Section 286.011 of the Florida Statutes, and finds by a majority vote of the Board that it is in the public's best interest to perform the project using its own services, employees, and equipment.

Specific Authority: §§ 190.011(5), 190.011(15), Fla. Stat.

Law Implemented: §§ 119.0701, 189.053, 190.033, 255.0518, 255.0525, 255.20, 287.055, Fla. Stat.

Rule 3.7 Payment and Performance Bonds.

- (1) Scope. This Rule shall apply to contracts for the construction of a public building, for the prosecution and completion of a public work, or for repairs upon a public building or public work, and shall be construed in addition to terms prescribed by any other Rule that may also apply to such contracts.

- (2) Required Bond. Upon entering into a contract for any of the services described in section (1) of this Rule in excess of \$200,000, the Board should require that the contractor, before commencing the work, execute and record a payment and performance bond in an amount equal to the contract price. Notwithstanding the terms of the contract or any other law, the District may not make a payment to the contractor until the contractor has provided to the District a certified copy of the recorded bond.

- (3) Discretionary Bond. At the discretion of the Board, upon entering into a contract for any of the services described in section (1) of this Rule for an amount not exceeding \$200,000, the contractor may be exempted from executing a payment and performance bond.

Specific Authority: §§ 190.011(5), 190.011(15), Fla. Stat.

Law Implemented: § 255.05, Fla. Stat.

Rule 3.8 Goods, Supplies, and Materials.

- (1) Purpose and Scope. All purchases of goods, supplies, or materials exceeding the amount provided in Section 287.017 of the Florida Statutes, for CATEGORY FOUR, shall be purchased under the terms of this Rule. Contracts for purchases of “goods, supplies, and materials” do not include printing, insurance, advertising, or legal notices. A contract involving goods, supplies, or materials plus maintenance services may, in the discretion of the Board, be treated as a contract for maintenance services. However, a purchase shall not be divided solely in order to avoid the threshold bidding requirements.
- (2) Procedure. When a purchase of goods, supplies, or materials is within the scope of this Rule, the following procedures shall apply:
 - (a) The Board shall cause to be prepared an Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation.
 - (b) Notice of the Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation shall be advertised at least once in a newspaper of general circulation within the District and within the county in which the District is located. The notice shall also include the amount of the bid bond, if one is required. The notice shall allow at least seven (7) days for submittal of bids, proposals, replies, or responses.
 - (c) The District may maintain lists of persons interested in receiving notices of Invitations to Bid, Requests for Proposals, Invitations to Negotiate, or Competitive Solicitations. The District shall make a good faith effort to provide written notice, by electronic mail, United States Mail, hand delivery, or facsimile, to persons who provide their name and address to the District Manager for inclusion on the list. However, failure of a person to receive the notice shall not invalidate any contract awarded in accordance with this Rule and shall not be a basis for a protest of any contract award.
 - (d) If the District has pre-qualified suppliers of goods, supplies, and materials, then, at the option of the District, only those persons who have been pre-qualified will be eligible to submit bids, proposals, replies, or responses.
 - (e) In order to be eligible to submit a bid, proposal, reply, or response, a firm or individual must, at the time of receipt of the bids, proposals, replies, or responses:

- (i) Hold the required applicable state professional licenses in good standing;
- (ii) Hold all required applicable federal licenses in good standing, if any;
- (iii) Hold a current and active Florida corporate charter or be authorized to do business in the State of Florida in accordance with Chapter 607 of the Florida Statutes, if the vendor is a corporation; and
- (iv) Meet any special pre-qualification requirements set forth in the Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation.

Evidence of compliance with these Rules must be submitted with the bid, proposal, reply or response if required by the District. Failure to submit evidence of compliance when required may be grounds for rejection of the bid, proposal, reply, or response.

Any firm or individual whose principal place of business is outside the State of Florida must also submit a written opinion of an attorney at law licensed to practice law in that foreign state, as to the preferences, if any or none, granted by the law of that foreign state to business entities whose principal places of business are in that foreign state, in the letting of any or all public contracts. Failure to submit such a written opinion or submission of a false or misleading written opinion may be grounds for rejection of the bid, proposal, reply, or response.

- (f) Bids, proposals, replies, and responses shall be publicly opened at the time and place noted on the Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation. Bids, proposals, replies, and responses shall be evaluated in accordance with the respective Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation, and this Rule. Minor variations in the bids, proposals, replies, or responses may be waived by the Board. A variation is minor if waiver of the variation does not create a competitive advantage or disadvantage of a material nature. Mistakes in arithmetic extension of pricing may be corrected by the Board. Bids and proposals may not be modified or supplemented after opening; provided however, additional information may be requested and/or provided to evidence compliance, make non-material modifications, clarifications, or supplementations, and as otherwise permitted by Florida law.
- (g) The lowest Responsive Bid, after taking into account the preferences provided for in this subsection, submitted by a Responsive and

Responsible Bidder in response to an Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation shall be accepted. If the lowest Responsive Bid is submitted by a Responsive and Responsible Bidder whose principal place of business is located in a foreign state which does not grant a preference in competitive purchase to businesses whose principal place of business are in that foreign state, the lowest Responsible and Responsive Bidder whose principal place of business is in the State of Florida shall be awarded a preference of five (5) percent. If the lowest Responsive Bid is submitted by a Responsive and Responsible Bidder whose principal place of business is located in a foreign state which grants a preference in competitive purchase to businesses whose principal place of business are in that foreign state, the lowest Responsible and Responsive Bidder whose principal place of business is in the State of Florida shall be awarded a preference equal to the preference granted by such foreign state.

To assure full understanding of the responsiveness to the solicitation requirements contained in an Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation, discussions may be conducted with qualified vendors. Vendors shall be accorded fair treatment prior to the submittal date with respect to any opportunity for discussion, preparation, and revision of bids, proposals, replies, and responses.

- (h) The Board shall have the right to reject all bids, proposals, replies, or responses because they exceed the amount of funds budgeted for the purchase, if there are not enough to be competitive, or if rejection is determined to be in the best interest of the District. No vendor shall be entitled to recover any costs of bid, proposal, reply, or response preparation or submittal from the District.
- (i) The Board may require bidders and proposers to furnish bid bonds, performance bonds, and/or other bonds with a responsible surety to be approved by the Board.
- (j) Notice of intent to award, including rejection of some or all bids, proposals, replies, or responses shall be provided in writing to all vendors by United States Mail, hand delivery, facsimile, or overnight delivery service. The notice shall include the following statement: "Failure to file a protest within the time prescribed in Rule 3.11 of the Rules of the District shall constitute a waiver of proceedings under those Rules," or wording to that effect. Protests of the District's purchase of goods, supplies, and materials under this Rule shall be in accordance with the procedures set forth in Rule 3.11.

- (k) If less than three (3) bids, proposals, replies, or responses are received, the District may purchase goods, supplies, or materials, or may reject the bids, proposals, replies, or responses for a lack of competitiveness. If no Responsive Bid, Proposal, Reply, or Response is received, the District may take whatever steps reasonably necessary in order to proceed with the procurement of goods, supplies, and materials, which steps may include a direct purchase of the goods, supplies, and materials without further competitive selection processes.
- (3) Goods, Supplies, and Materials included in a Construction Contract Awarded Pursuant to Rule 3.5 or 3.6. There may be occasions where the District has undergone the competitive purchase of construction services which contract may include the provision of goods, supplies, or materials. In that instance, the District may approve a change order to the contract and directly purchase the goods, supplies, and materials. Such purchase of goods, supplies, and materials deducted from a competitively purchased construction contract shall be exempt from this Rule.
- (4) Exemption. Goods, supplies, and materials that are only available from a single source are exempt from this Rule. Goods, supplies, and materials provided by governmental agencies are exempt from this Rule. A contract for goods, supplies, or materials is exempt from this Rule if state or federal law prescribes with whom the District must contract or if the rate of payment is established during the appropriation process. This Rule shall not apply to the purchase of goods, supplies or materials that are purchased under a federal, state, or local government contract that has been competitively procured by such federal, state, or local government in a manner consistent with the material procurement requirements of these Rules.
- (5) Renewal. Contracts for the purchase of goods, supplies, and/or materials subject to this Rule may be renewed for a period that may not exceed three (3) years or the term of the original contract, whichever period is longer.
- (6) Emergency Purchases. The District may make an Emergency Purchase without complying with these rules. The fact that an Emergency Purchase has occurred or is necessary shall be noted in the minutes of the next Board meeting.

Specific Authority: §§ 190.011(5), 190.011(15), Fla. Stat.

Law Implemented: §§ 189.053, 190.033, 287.017, 287.084, Fla. Stat.

Rule 3.9 Maintenance Services.

- (1) Scope. All contracts for maintenance of any District facility or project shall be set under the terms of this Rule if the cost exceeds the amount provided in Section 287.017 of the Florida Statutes, for CATEGORY FOUR. A contract involving goods, supplies, and materials plus maintenance services may, in the discretion of the Board, be treated as a contract for maintenance services. However, a purchase shall not be divided solely in order to avoid the threshold bidding requirements.

- (2) Procedure. When a purchase of maintenance services is within the scope of this Rule, the following procedures shall apply:
 - (a) The Board shall cause to be prepared an Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation.

 - (b) Notice of the Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation shall be advertised at least once in a newspaper of general circulation within the District and within the county in which the District is located. The notice shall also include the amount of the bid bond, if one is required. The notice shall allow at least seven (7) days for submittal of bids, proposals, replies, or responses.

 - (c) The District may maintain lists of persons interested in receiving notices of Invitations to Bid, Requests for Proposals, Invitations to Negotiate, and Competitive Solicitations. The District shall make a good faith effort to provide written notice, by electronic mail, United States Mail, hand delivery, or facsimile, to persons who provide their name and address to the District Manager for inclusion on the list. However, failure of a person to receive the notice shall not invalidate any contract awarded in accordance with this Rule and shall not be a basis for a protest of any contract award.

 - (d) If the District has pre-qualified suppliers of maintenance services, then, at the option of the District, only those persons who have been pre-qualified will be eligible to submit bids, proposals, replies, and responses.

 - (e) In order to be eligible to submit a bid, proposal, reply, or response, a firm or individual must, at the time of receipt of the bids, proposals, replies, or responses:
 - (i) Hold the required applicable state professional licenses in good standing;

- (ii) Hold all required applicable federal licenses in good standing, if any;
- (iii) Hold a current and active Florida corporate charter or be authorized to do business in the State of Florida in accordance with Chapter 607 of the Florida Statutes, if the vendor is a corporation; and
- (iv) Meet any special pre-qualification requirements set forth in the Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation.

Evidence of compliance with these Rules must be submitted with the bid, proposal, reply, or response if required by the District. Failure to submit evidence of compliance when required may be grounds for rejection of the bid, proposal, reply, or response.

- (f) Bids, proposals, replies, and responses shall be publicly opened at the time and place noted on the Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation. Bids, proposals, replies, and responses shall be evaluated in accordance with the respective Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation, and these Rules. Minor variations in the bids, proposals, replies, and responses may be waived by the Board. A variation is minor if waiver of the variation does not create a competitive advantage or disadvantage of a material nature. Mistakes in arithmetic extension of pricing may be corrected by the Board. Bids and proposals may not be modified or supplemented after opening; provided however, additional information may be requested and/or provided to evidence compliance, make non-material modifications, clarifications, or supplementations, and as otherwise permitted by Florida law.
- (g) The lowest Responsive Bid submitted in response to an Invitation to Bid by a Responsive and Responsible Bidder shall be accepted. In relation to a Request for Proposals, Invitation to Negotiate or Competitive Solicitation the Board shall select the Responsive Proposal, Reply, or Response submitted by a Responsive and Responsible Vendor which is most advantageous to the District. To assure full understanding of the responsiveness to the solicitation requirements contained in a Request for Proposals, Invitation to Negotiate, or Competitive Solicitation, discussions may be conducted with qualified vendors. Vendors shall be accorded fair treatment prior to the submittal date with respect to any opportunity for discussion, preparation, and revision of bids, proposals, replies, or responses.

- (h) The Board shall have the right to reject all bids, proposals, replies, or responses because they exceed the amount of funds budgeted for the purchase, if there are not enough to be competitive, or if rejection is determined to be in the best interest of the District. No Vendor shall be entitled to recover any costs of bid, proposal, reply, or response preparation or submittal from the District.
 - (i) The Board may require bidders and proposers to furnish bid bonds, performance bonds, and/or other bonds with a responsible surety to be approved by the Board.
 - (j) Notice of intent to award, including rejection of some or all bids, proposals, replies, or responses shall be provided in writing to all vendors by United States Mail, hand delivery, facsimile, or overnight delivery service. The notice shall include the following statement: "Failure to file a protest within the time prescribed in Rule 3.11 of the Rules of the District shall constitute a waiver of proceedings under those Rules," or wording to that effect. Protests of the District's procurement of maintenance services under this Rule shall be in accordance with the procedures set forth in Rule 3.11.
 - (k) If less than three (3) Responsive Bids, Proposals, Replies, or Responses are received, the District may purchase the maintenance services or may reject the bids, proposals, replies, or responses for a lack of competitiveness. If no Responsive Bid, Proposal, Reply, or Response is received, the District may take whatever steps reasonably necessary in order to proceed with the procurement of maintenance services, which steps may include a direct purchase of the maintenance services without further competitive selection processes.
- (3) Exemptions. Maintenance services that are only available from a single source are exempt from this Rule. Maintenance services provided by governmental agencies are exempt from this Rule. A contract for maintenance services is exempt from this Rule if state or federal law prescribes with whom the District must contract or if the rate of payment is established during the appropriation process.
- (4) Renewal. Contracts for the purchase of maintenance services subject to this Rule may be renewed for a period that may not exceed three (3) years or the term of the original contract, whichever period is longer.
- (5) Contracts; Public Records. In accordance with Florida law, each contract entered into pursuant to this Rule shall include provisions required by law that require the contractor to comply with public records laws.

- (6) Emergency Purchases. The District may make an Emergency Purchase without complying with these rules. The fact that an Emergency Purchase has occurred or is necessary shall be noted in the minutes of the next Board meeting.

Specific Authority: §§ 190.011(5), 190.011(15), 190.033, Fla. Stat.

Law Implemented: §§ 119.0701, 190.033, 287.017, Fla. Stat.

Rule 3.10 Contractual Services.

- (1) Exemption from Competitive Purchase. Pursuant to Section 190.033(3) of the Florida Statutes, Contractual Services shall not be subject to competitive purchasing requirements. If an agreement is predominantly for Contractual Services, but also includes maintenance services or the purchase of goods and services, the contract shall not be subject to competitive purchasing requirements. Regardless of whether an advertisement or solicitation for Contractual Services is identified as an Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation, no rights or remedies under these Rules, including but not limited to protest rights, are conferred on persons, firms, or vendors proposing to provide Contractual Services to the District.

- (2) Contracts; Public Records. In accordance with Florida law, each contract for Contractual Services shall include provisions required by law that require the contractor to comply with public records laws.

Specific Authority: §§ 190.011(5), 190.011(15), Fla. Stat.

Law Implemented: §§ 119.0701, 190.011(3), 190.033, Fla. Stat.

Rule 3.11 Protests With Respect To Proceedings under Rules 3.1, 3.2, 3.3, 3.4, 3.5, 3.6, 3.8, and 3.9.

The resolution of any protests with respect to proceedings under Rules 3.1, 3.2, 3.3, 3.4, 3.5, 3.6, 3.8, and 3.9 shall be in accordance with this Rule.

(1) Filing.

- (a) With respect to a protest regarding qualifications, specifications, documentation, or other requirements contained in a Request for Qualifications, Request for Proposals, Invitation to Bid, or Competitive Solicitation issued by the District, the notice of protest shall be filed in writing within seventy-two (72) calendar hours (excluding Saturdays, Sundays, and state holidays) after the first advertisement of the Request for Qualifications, Request for Proposals, Invitation to Bid, or Competitive Solicitation. A formal protest setting forth with particularity the facts and law upon which the protest is based shall be filed within seven (7) calendar days (including Saturdays, Sundays, and state holidays) after the initial notice of protest was filed. For purposes of this Rule, wherever applicable, filing will be perfected and deemed to have occurred upon receipt by the District. Failure to file a notice of protest shall constitute a waiver of all rights to protest the District's intended decision. Failure to file a formal written protest shall constitute an abandonment of the protest proceedings and shall automatically terminate the protest proceedings.

- (b) Except for those situations covered by subsection (1)(a) of this Rule, any firm or person who is affected adversely by a District's ranking or intended award under Rules 3.1, 3.2, 3.3, 3.4, 3.5, 3.6, 3.8, or 3.9 and desires to contest the District's ranking or intended award, shall file with the District a written notice of protest within seventy-two (72) calendar hours (excluding Saturdays, Sundays, and state holidays) after receipt of the notice of the District's ranking or intended award. A formal protest setting forth with particularity the facts and law upon which the protest is based shall be filed within seven (7) calendar days (including Saturdays, Sundays, and state holidays) after the initial notice of protest was filed. For purposes of this Rule, wherever applicable, filing will be perfected and deemed to have occurred upon receipt by the District. Failure to file a notice of protest shall constitute a waiver of all rights to protest the District's ranking or intended award. Failure to file a formal written protest shall constitute an abandonment of the protest proceedings and shall automatically terminate the protest proceedings.

- (c) If disclosed in the District's competitive solicitation documents for a particular purchase under Rules 3.1, 3.2, 3.3, 3.4, 3.5, 3.6, 3.8, or 3.9, the Board may require any person who files a notice of protest to post a protest bond in the amount equal to 1% of the anticipated contract amount that is the subject of the protest. In the event the protest is successful, the protest bond shall be refunded to the protestor. In the event the protest is unsuccessful, the protest bond shall be applied towards the District's costs, expenses, and attorney's fees associated with hearing and defending the protest. In the event the protest is settled by mutual agreement of the parties, the protest bond shall be distributed as agreed to by the District and protestor.
 - (d) The District does not accept documents filed by electronic mail or facsimile transmission. Filings are only accepted during normal business hours.
- (2) Contract Execution. Upon receipt of a notice of protest which has been timely filed, the District shall not execute the contract under protest until the subject of the protest is resolved. However, if the District sets forth in writing particular facts and circumstances showing that delay incident to protest proceedings will jeopardize the funding for the project, will materially increase the cost of the project, or will create an immediate and serious danger to the public health, safety, or welfare, the contract may be executed.
- (3) Informal Proceeding. If the Board determines a protest does not involve a disputed issue of material fact, the Board may, but is not obligated to, schedule an informal proceeding to consider the protest. Such informal proceeding shall be at a time and place determined by the Board. Notice of such proceeding shall be sent via facsimile, United States Mail, or hand delivery to the protestor and any substantially affected persons or parties not less than three (3) calendar days prior to such informal proceeding. Within thirty (30) calendar days following the informal proceeding, the Board shall issue a written decision setting forth the factual, legal, and policy grounds for its decision.
- (4) Formal Proceeding. If the Board determines a protest involves disputed issues of material fact or if the Board elects not to use the informal proceeding process provided for in section (3) of this Rule, the District shall schedule a formal hearing to resolve the protest. The Chairperson shall designate any member of the Board (including the Chairperson), District Manager, District Counsel, or other person as a hearing officer to conduct the hearing. The hearing officer may:
 - (a) Administer oaths and affirmations;

- (b) Rule upon offers of proof and receive relevant evidence;
- (c) Regulate the course of the hearing, including any pre-hearing matters;
- (d) Enter orders; and
- (e) Make or receive offers of settlement, stipulation, and adjustment.

The hearing officer shall, within thirty (30) days after the hearing or receipt of the hearing transcript, whichever is later, file a recommended order which shall include a caption, time and place of hearing, appearances entered at the hearing, statement of the issues, findings of fact and conclusions of law, separately stated, and a recommendation for final District action. The District shall allow each party fifteen (15) days in which to submit written exceptions to the recommended order. The District shall issue a final order within sixty (60) days after the filing of the recommended order.

- (5) Intervenors. Other substantially affected persons may join the proceedings as intervenors on appropriate terms which shall not unduly delay the proceedings.
- (6) Rejection of all Qualifications, Bids, Proposals, Replies and Responses after Receipt of Notice of Protest. If the Board determines there was a violation of law, defect or an irregularity in the competitive solicitation process, or if the Board determines it is otherwise in the District's best interest, the Board may reject all qualifications, bids, proposals, replies, and responses and start the competitive solicitation process anew. If the Board decides to reject all qualifications, bids, proposals, replies, and responses and start the competitive solicitation process anew, any pending protests shall automatically terminate.
- (7) Settlement. Nothing herein shall preclude the settlement of any protest under this Rule at any time.

Specific Authority: §§ 190.011(5), 190.011(15), Fla. Stat.

Law Implemented: § 190.033, Fla. Stat.

Rule 4.0 Effective Date.

These Rules shall be effective December 13, 2018, except that no election of officers required by these Rules shall be required until after the next regular election for the Board.

Specific Authority: §§ 190.011(5), 190.011(15), Fla. Stat.

Law Implemented: §§ 190.011(5), 190.011(15), Fla. Stat.

EMERALD LAKES
COMMUNITY DEVELOPMENT DISTRICT

8A

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 Merritt Island, River Grove Community Garage Sale, Nov 10th, Sat 8-2, 2697 Trails at Hidden Harbor-(GPS) Lots of houses with lots of miscellaneous items for sale, Dir: 3.5 miles South of SR-520 on Tropical Trails

Multi-Family YARD SALE
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EZRA 8:31 1 Corinthians 6:3 Psalm 122:5 68:4 83:18 1 Samuel 3:19 Jeremiah 33:16 Psalms 103:20 Tensil Bowcampen Boeington Musketeer Clarksville Saner Musketell Clarksdale Saner Kung Fu Southwood Dojo Southside Wardens Jarwaski Ujic Zertoss Altross Mentoss Psalm 37:17 64:7 Revelation 20:10 1 Peters 3:19 Jude 6 Ward 010 BM02 BM2 BM3 BM002 Maonites Mehinim Bacteria Note Concurrent Recurrent Insanity's

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AD#3215546, 10/22, 10/29, 11/5/2018
 School Board of Brevard County, Florida
 Office of Purchasing & Warehouse Services
 2700 Judge Fran Jamieson Way
 Viera, FL 32940-6601

Request for Qualifications
 RFQ #18-Q-091-DR
 Continuing Contract for Construction Management Services

The School Board of Brevard County requests interested parties to submit formal sealed submittals for the above referenced solicitation.

Scope of Work: The purpose of this Request for Qualifications is to select a minimum of three (3) Construction Management firms to provide support for the construction of district projects. The contracts will be awarded for an initial three (3) year term from the date of award by the School Board of Brevard County (School Board) with up to one (1) additional two (2) year renewal period.

Ordering Instructions: This RFQ package can be downloaded from the District's internet based bid distribution Service by accessing the following link: www.MyVendorlink.com.

Non-Mandatory Pre-Submittal Conference: N/A

Submittal Due Date: Qualifications must be received no later than Thursday, November 15, 2018 at 2:00 PM in the Office of Purchasing & Warehouse Services, Room 802, 2700 Judge Fran Jamieson Way, Viera, FL 32940-6601. Submittals delivered after the advertised deadline will not be considered.

ALL PROSPECTIVE RESPONDENTS ARE HEREBY CAUTIONED NOT TO CONTACT ANY MEMBER OF THE SCHOOL BOARD OF BREVARD COUNTY STAFF OR OFFICIALS OTHER THAN THE SPECIFIED PURCHASING REPRESENTATIVE.

Dawn D. Richer, CPPB, FCPA
 Manager of Purchasing Services
 Telephone # (321) 633-1000 Ext. 637
 Fax # (321) 633-3618
 E-mail: Richer.Dawn@brevardschools.org

AD#3215567, 10/22, 10/29, 11/5/2018
 NOTICE FOR PROCUREMENT OF
 COMMODITIES OR CONTRACTUAL
 SERVICES

Eastern Florida State College (EFSC) is seeking Bids from qualified contractors to complete all work required for the King Center MEP Renovation Hydronic Piping AHU1-1 and AHU1-2 Replacement, Melbourne Campus. A mandatory walkthrough is scheduled for November 7, 2018 and bids are due January 9, 2019 at 2 p.m. Interested parties may obtain further specifications by visiting our website at http://www.easternflorida.edu/administration/procurement/solicitation-bids/index.cfm and click on 18-19-03 King Center HVAC Renovation or by contacting Amy Schils at schilsa@easternflorida.edu

AD#3237364, 11/5, 11/12/2018
 NOTICE TO CONTRACTORS
 Florida Department
 of Transportation Project

Bids will be received by the District Five DeLand Office until 2:00 P.M. on Tuesday, December 4, 2018, for the following

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cordance with Florida law; and 3) furnish a statement ("Qualification Statement") of its qualifications and past experience on U.S. General Service Administration's "Architect-Engineer" Qualifications Standard Form No. 330," with pertinent supporting data. Among other things, Applicants must submit information relating to: a) the ability and adequacy of the Applicant's professional personnel; b) whether the Applicant is a certified minority business enterprise; c) the Applicant's willingness to meet time and budget requirements; d) the Applicant's past experience and performance, including but not limited to past experience as a District Engineer for any community development districts and past experience with the City of Palm Bay and Brevard County; e) the geographic location of the Applicant's headquarters and offices; f) the current and projected workloads of the Applicant; and g) the volume of work previously awarded to the Applicant by the District, if any. Further, each Applicant must identify the specific individual affiliated with the Applicant who would be handling District meetings, construction services, and other engineering tasks.

The District will review all Applicants and will comply with Florida law, including the Consultant's Competitive Negotiations Act, Chapter 287, Florida Statutes ("CCNA"). All Applicants must submit one electronic version (flash drive or CD) and five (5) copies of Standard Form No. 330 and Qualification Statement by 12:00 p.m., on November 26, 2018 and to the attention of Craig Wrathell, c/o Wrathell, Hunt and Associates, LLC, located at 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431 ("District Manager's Office").

The Board of Supervisors shall select and rank the Applicants using the requirements set forth in the CCNA and the evaluation criteria on file with the District Manager's Office, and the highest ranked Applicant will be requested to enter into contract negotiations. If an agreement cannot be reached between the District and the highest ranked Applicant, negotiations will cease and begin with the next highest ranked Applicant, and if these negotiations are unsuccessful, will continue to the third highest ranked Applicant. The District reserves the right to reject any and all Qualification Statements. Additionally, there is no express or implied obligation for the District to reimburse Applicant for any expenses associated with the preparation and submittal of the Qualification Statements in response to this request.

Any protest regarding the terms of this Notice, or the evaluation criteria on file with the District Manager's Office, must be filed in writing with the District Manager's Office, within seventy-two (72) hours after the publication of this Notice. The formal protest setting forth with particularity the facts and law upon which the protest is based shall be filed within seven (7) calendar days after the initial notice of protest was filed. Failure to timely file a notice of protest or failure to timely file a formal written protest shall constitute a waiver of any right to object or protest with respect to aforesaid Notice or evaluation criteria provisions. Any person who files a notice of protest shall provide to the District, simultaneously with the filing of the notice, a protest bond with a responsible surety to be approved by the District and in the amount of Ten Thousand Dollars (\$10,000.00). Additional information and requirements regarding protests are set forth in the District's Rules of Procedure, which are available from the District Manager's Office.

Any and all questions relative to this RFQ shall be directed in writing by e-mail only to Craig Wrathell at wrathellc@whassociates.com with an e-mail copy to Michael C. Eckert at michaelc@egslaw.com.

District Manager

AD#3237416, 11/5/2018
 Invitation to Bid: #19-B-009 - Priority Pollutant Analyses, Due Date and Time: November 26, 2018 at 3:00 PM at City Hall, 555 S. Washington Avenue, Titusville, FL. Firms interested in submitting bids may download the bid documents from the City's website; or from Onvia DemandStar or may request them from the Purchasing & Contracting Administration Office via email from wyynn.greene@titusville.com.

AD#3235364, 11/3, 11/4, 11/5, 11/6, 11/7, 11/8, 11/9/2018
 PUBLIC NOTICE
 The Commander, Seventh Coast Guard District, has received an application from Wood Environment & Infrastructure Solutions, Inc., on behalf of Brightline Trains, LLC, requesting approval of the location and plans for the construction of a dual track railway bridge across Turkey Creek, mile 0.55, at Palm Bay, Brevard County, FL. The project proposes replacing the existing fixed-span Florida East Coast (FEC) Railway Bridge crossing Turkey Creek along the same alignment at Lat/Long: 28.031967, -80.582234 as part of a larger intercity passenger rail project. A public notice which gives details on the project and explains how to provide comments concerning the project is available at https://www.navcen.uscg.gov/D78N. The Coast Guard project officer is Mr. Randall Overton and may be contacted at (305) 415-6736, or by email at randall.d.overton@uscg.mil.

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EMERALD LAKES
COMMUNITY DEVELOPMENT DISTRICT

8B

**REQUEST FOR QUALIFICATIONS (“RFQ”) FOR ENGINEERING SERVICES FOR THE EMERALD
LAKES COMMUNITY DEVELOPMENT DISTRICT**

The Emerald Lakes Community Development District (“**District**”), located in the City of Palm Bay, Florida, announces that professional engineering services will be required on a continuing basis for the District. The engineering firm selected will act in the general capacity of District Engineer and, if so authorized, may provide general engineering services as well as engineering services on an ongoing basis and for the design and construction administration associated with the District’s capital improvement plan. The District may select one or more engineering firms to provide engineering services on an ongoing basis.

Any firm or individual (“**Applicant**”) desiring to provide professional services to the District must: 1) hold applicable federal, state and local licenses; 2) be authorized to do business in Florida in accordance with Florida law; and 3) furnish a statement (“**Qualification Statement**”) of its qualifications and past experience on U.S. General Service Administration’s “Architect-Engineer Qualifications, Standard Form No. 330,” with pertinent supporting data. Among other things, Applicants must submit information relating to: a) the ability and adequacy of the Applicant’s professional personnel; b) whether the Applicant is a certified minority business enterprise; c) the Applicant’s willingness to meet time and budget requirements; d) the Applicant’s past experience and performance, including but not limited to past experience as a District Engineer for any community development districts and past experience with the City of Palm Bay and Brevard County; e) the geographic location of the Applicant’s headquarters and offices; f) the current and projected workloads of the Applicant; and g) the volume of work previously awarded to the Applicant by the District, if any. Further, each Applicant must identify the specific individual affiliated with the Applicant who would be handling District meetings, construction services, and other engineering tasks.

The District will review all Applicants and will comply with Florida law, including the Consultant’s Competitive Negotiations Act, Chapter 287, *Florida Statutes* (“**CCNA**”). All Applicants must submit one electronic copy (flash drive or CD) and five (5) copies of Standard Form No. 330 and Qualification Statement by 12:00 p.m., on November 26, 2018 and to the attention of Craig Wrathell, c/o Wrathell, Hunt and Associates, LLC, located at 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431 (“**District Manager’s Office**”).

The Board of Supervisors shall select and rank the Applicants using the requirements set forth in the CCNA and the evaluation criteria on file with the District Manager’s Office, and the highest ranked Applicant will be requested to enter into contract negotiations. If an agreement cannot be reached between the District and the highest ranked Applicant, negotiations will cease and begin with the next highest ranked Applicant, and if these negotiations are unsuccessful, will continue to the third highest ranked Applicant. The District reserves the right to reject any and all Qualification Statements. Additionally, there is no express or implied obligation for the District to reimburse Applicants for any expenses associated with the preparation and submittal of the Qualification Statements in response to this request.

Any protest regarding the terms of this Notice, or the evaluation criteria on file with the District Manager’s Office, must be filed in writing with the District Manager’s Office, within seventy-two (72) hours after the publication of this Notice. The formal protest setting forth with particularity the facts and law upon which the protest is based shall be filed within seven (7)

calendar days after the initial notice of protest was filed. Failure to timely file a notice of protest or failure to timely file a formal written protest shall constitute a waiver of any right to object or protest with respect to aforesaid Notice or evaluation criteria provisions. Any person who files a notice of protest shall provide to the District, simultaneous with the filing of the notice, a protest bond with a responsible surety to be approved by the District and in the amount of Ten Thousand Dollars (\$10,000.00). Additional information and requirements regarding protests are set forth in the District's Rules of Procedure, which are available from the District Manager's Office.

Any and all questions relative to this RFQ shall be directed in writing by e-mail only to Craig Wrathell at wrahellc@wwhassociates.com with an e-mail copy to Michael C. Eckert at michaele@hgslaw.com.

District Manager

**EMERALD LAKES
COMMUNITY DEVELOPMENT DISTRICT**

DISTRICT ENGINEER REQUEST FOR QUALIFICATIONS

COMPETITIVE SELECTION CRITERIA

- 1) Ability and Adequacy of Professional Personnel** **(Weight: 25 Points)**

Consider the capabilities and experience of key personnel within the firm including certification, training, and education; affiliations and memberships with professional organizations; etc.
- 2) Consultant's Past Performance** **(Weight: 25 Points)**

Past performance for other Community Development Districts in other contracts; amount of experience on similar projects; character, integrity, reputation of respondent; etc.
- 3) Geographic Location** **(Weight: 20 Points)**

Consider the geographic location of the firm's headquarters, offices and personnel in relation to the project.
- 4) Willingness to Meet Time and Budget Requirements** **(Weight: 15 Points)**

Consider the consultant's ability and desire to meet time and budget requirements including rates, staffing levels and past performance on previous projects; etc.
- 5) Certified Minority Business Enterprise** **(Weight: 5 Points)**

Consider whether the firm is a Certified Minority Business Enterprise. Award either all eligible points or none.
- 6) Recent, Current and Projected Workloads** **(Weight: 5 Points)**

Consider the recent, current and projected workloads of the firm.
- 7) Volume of Work Previously Awarded to Consultant by District** **(Weight: 5 Points)**

Consider the desire to diversify the firms that receive work from the District; etc.

EMERALD LAKES
COMMUNITY DEVELOPMENT DISTRICT

8C

Request for Qualifications

for

Engineering Services

for the

Emerald Lakes Community

Development District



**CONSTRUCTION
ENGINEERING
GROUP**

consulting engineers

2651 W. Eau Gallie Blvd.
Suite A
Melbourne, Florida 32935
(321) 253-1221
(321) 253-3123 Fax
www.cegengineering.com
info@cegengineering.com

November 26, 2018

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www.ceengineering.com
info@ceengineering.com

Principal Contact: Jake Wise, PE
Phone: 321-610-1760
E-Mail: jwise@ceengineering.com

November 15, 2018

Wrathell, Hunt and Associates, LLC
Craig Wrathell
2300 Glades Road, Suite 410W
Boca Raton, Florida 33431

Re: Request for Qualifications (RFQ) for Engineering Services for the Emerald Lakes Community Development District

Dear Mr. Wrathell:

Thank you for the opportunity to be considered for the continuing services contract for planning, design, engineering, and permitting services with the Emerald Lakes Community Development District (CDD). Construction Engineering Group, LLC (CEG) is pleased to submit the attached qualifications, and we trust that you will find it in compliance with your RFQ submittal requirements.

CEG is a stable, successful engineering company with civil, structural, mechanical, electrical and plumbing (CSMEP) engineering in-house. We provide full-service engineering design and permitting along with construction inspections, certifications, and site master planning capabilities. The majority of our work is in Brevard County and our only office, in which we designed and own, is conveniently located at 2651 West Eau Gallie Boulevard in Melbourne, only 25 minutes from the project site.

I would act as project manager for the Emerald Lakes projects and bring in the engineering expertise needed for each assignment. I have personally worked continuously at Emerald Lakes since 2012 and in the City of Palm Bay for almost two decades. Currently our Emerald Lakes Team includes but is not limited to the following:

- Jake Wise-Civil Engineer of Record & Project Manager
- Cydney Maksymow-Lead Cost Estimator & Design Engineer
- R. Joe Nagy-Lead Stormwater Design Engineer
- David Tom-Lead Utilities Design Engineer
- Shelby Boyd-Lead Civil Designer
- Michelle Edwards-Contracts & Invoicing

Our CEG family includes eleven engineers, our office controller, designers/drafters, a permit technician, and other support staff. Approximately half of our staff has been with us over a decade. This consistency and stability is unusual in our profession and we believe another sign of our commitment to our clients and success in Palm Bay and throughout Brevard County.

Our relationships and experience with the City of Palm Bay, FDOT, SJRWMD, and FDEP offices help us expedite code compliant design solutions and permitting. For example to show familiarity with the FDOT, CEG just completed a \$1 million FDOT grant project with the Orlando-Melbourne Airport Authority. We have been told many times over that we do more work in Palm Bay than any other civil engineering firm. The city has shown confidence with our firm and awarded CEG the engineering work for their last Fire Station project and the City Hall expansion project.



Tab 2 - Letter of Introduction, Continued

CEG is the engineer of record for the only other CDD in Palm Bay for the Chaparral project. Our staff has worked on continuing contracts with NASA, DNPSS (the vendor for the KSC Visitor Complex), PAFB, CCAFS, Brevard County, Brevard County Schools, and the Canaveral Port Authority. We have substantial experience with master planned communities throughout Palm Bay and Brevard County as provided herein. A variety of residential development, including mixed-use, and large commercial projects have become our expertise.

We contribute our success to competent, thorough, yet flexible engineering for projects of all sizes from the Chaparral CDD with phased varying residential uses to master planned communities such as Emerald Lakes or large commercial projects such as Viera Colonnade as highlighted on our project list. Our drawings, reports, cost estimates, and calculations/modeling are consistently complimented by owners, permitting agencies, and contractors for ease of review and pricing. Our team of engineers do not have egos except beaming pride of our projects and are always receptive to new ideas or potential changes to improve our designs which ultimately improves the projects.

CEG has a strong commitment to our clients' needs whether it's extra meetings, on-going communication, a late night or weekend phone call when an idea is fresh on the mind, or just the fact that we provide our cell phone numbers along with a hierarchy of CEG points of contacts for immediate responses to the projects. We have exemplified our commitment over the last five years as engineer of record for the Emerald Lakes project with almost daily coordination with the development team. We provide scheduling, cost estimating, and do what it takes to meet or exceed time and budget requirements.

What truly separates CEG from the rest is the true amount of Palm Bay projects we have successfully completed. We know how to get the job done right the first time and we believe that success is due to not only our diligence throughout a project but also our responsiveness when any potential issue arises.

CEG almost never advertises and we do not put signs on our project sites. Our livelihoods are dependent on word of mouth, repeat business, and recommendations and you are only as good as the last project you completed. We are truly grateful for this opportunity and look forward to hopefully advancing our relationship with Emerald Lakes.

Respectfully,



Jake T. Wise, P.E.

Managing Member

Construction Engineering Group, LLC



ARCHITECT - ENGINEER QUALIFICATIONS

PART I - CONTRACT-SPECIFIC QUALIFICATIONS

A. CONTRACT INFORMATION

1. TITLE AND LOCATION <i>(City and State)</i> Emerald Lakes Community Development District - Palm Bay, FL	
2. PUBLIC NOTICE DATE November 5, 2018	3. SOLICITATION OR PROJECT NUMBER

B. ARCHITECT-ENGINEER POINT OF CONTACT

4. NAME AND TITLE Jake T. Wise, P.E., Managing Member		
5. NAME OF FIRM Construction Engineering Group, LLC		
6. TELEPHONE NUMBER (321) 610-1760	7. FAX NUMBER (321) 253-3123	8. E-MAIL ADDRESS jwise@cegengineering.com

C. PROPOSED TEAM

(Complete this section for the prime contractor and all key subcontractors.)

	<i>(Check)</i>				9. FIRM NAME	10. ADDRESS	11. ROLE IN THIS CONTRACT
	PRIME	JV	PARTNER	SUBCON-TRACTOR			
a.	<input checked="" type="checkbox"/>				Construction Engineering Group, LLC <input type="checkbox"/> CHECK IF BRANCH OFFICE	2651 W., Eau Gallie Blvd., Ste. A Melbourne, FL 32935	Civil Engineering
b.					<input type="checkbox"/> CHECK IF BRANCH OFFICE		
c.					<input type="checkbox"/> CHECK IF BRANCH OFFICE		
d.					<input type="checkbox"/> CHECK IF BRANCH OFFICE		
e.					<input type="checkbox"/> CHECK IF BRANCH OFFICE		
f.					<input type="checkbox"/> CHECK IF BRANCH OFFICE		

D. ORGANIZATIONAL CHART OF PROPOSED TEAM *(Attached)*

AUTHORIZED FOR LOCAL REPRODUCTION

STANDARD FORM 330 (REV. 8/2016)



E. RESUMES OF KEY PERSONNEL PROPOSED FOR THIS CONTRACT <i>(Complete one Section E for each key person.)</i>			
12. NAME Jake T. Wise, P.E.	13. ROLE IN THIS CONTRACT Lead Civil Engineer	14. YEARS EXPERIENCE	
		a. TOTAL 23	b. WITH CURRENT FIRM 18
15. FIRM NAME AND LOCATION <i>(City and State)</i> Construction Engineering Group, LLC, Melbourne, FL			
16. EDUCATION <i>(Degree and Specialization)</i> BS/Civil Engineering - Florida State University		17. CURRENT PROFESSIONAL REGISTRATION <i>(State and Discipline)</i> Professional Engineer, FL	
18. OTHER PROFESSIONAL QUALIFICATIONS <i>(Publications, Organizations, Training, Awards, etc.)</i> NCEES Member			
19. RELEVANT PROJECTS			
(1) TITLE AND LOCATION <i>(City and State)</i> Emerald Lakes Community Development District - Palm Bay, FL		(2) YEAR COMPLETED	
		PROFESSIONAL SERVICES 2012 - Ongoing	CONSTRUCTION <i>(If applicable)</i> -
a. (3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE Jake has been the engineer of record for the Emerald Lakes Site Master Planning project. The project is on all four quadrants of a new Interstate 95 interchange in southeast Palm Bay and it totals 1561 acres including up to 3760 dwelling units and over 2.8 million square feet of commercial/industrial uses. The project also includes a new city public roadway called the St. Johns Heritage Parkway that will ultimately be connected to the existing Babcock Street to the west and Micco Road right-of-ways to the southeast. The Parkway will be the main access to the four quadrants of the ultimate development. The City created a new zoning for the project and it is the only site citywide that currently has this zoning.		<input checked="" type="checkbox"/> Check if project performed with current firm	
(1) TITLE AND LOCATION <i>(City and State)</i> Chaparral Community Development District Master Plan - Palm Bay, FL		(2) YEAR COMPLETED	
		PROFESSIONAL SERVICES 2013 - Ongoing	CONSTRUCTION <i>(If applicable)</i> -
b. (3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE Jake was the lead civil engineer for this master planned community in southwestern Palm Bay. Chaparral is the first and only existing community development district within the city limits of Palm Bay. The approximately 250 acre development has a mix of single family and multi-family land use categories totaling a maximum of 786 units. The site subdivision drawings include layout, site plan, grading/drainage, stormwater treatment and conveyance, water/wastewater utilities, recreational amenities, and required off-site improvements such as utilities, stormwater discharge, sidewalks, and turn lanes.		<input checked="" type="checkbox"/> Check if project performed with current firm	
(1) TITLE AND LOCATION <i>(City and State)</i> Antigua Bay Mixed Use Master Plan - Titusville, FL		(2) YEAR COMPLETED	
		PROFESSIONAL SERVICES 2007 - 2018	CONSTRUCTION <i>(If applicable)</i> Ongoing
c. (3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE Jake was the lead civil engineer for this master planned development. Antigua Bay is a regional mixed-use development on a 345-acre parcel of pristine land overlooking the Kennedy Space Center with a mile of riverfrontage. This development consists of a mixture of single, family, multi-family, mixed-use, retail, medical, and restaurants, public right-of-ways, public and private parks and recreation, and preservation lands that are enhanced for protected wildlife and other amenities. CEG provided all civil engineering site design, site permitting, and construction administration.		<input checked="" type="checkbox"/> Check if project performed with current firm	
(1) TITLE AND LOCATION <i>(City and State)</i> Northrop Grumman Campus Expansion - Melbourne, FL		(2) YEAR COMPLETED	
		PROFESSIONAL SERVICES 2016 - Ongoing	CONSTRUCTION <i>(If applicable)</i> 2017 - Ongoing
d. (3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE Jake worked as Engineer of Record for the Northrop Grumman Campus of Excellence expansion project. This multi-hundred million dollar project included master planning of a new professional campus for a series of twelve existing buildings and three new buildings that total approximately 400,000 SF across 175 acres. This project included complex phasing of improvements while maintaining existing facilities to remain in use throughout the construction process. CEG provided all civil engineering site design, site permitting, and construction administration.		<input checked="" type="checkbox"/> Check if project performed with current firm	
(1) TITLE AND LOCATION <i>(City and State)</i> Avery Springs - Palm Bay, FL		(2) YEAR COMPLETED	
		PROFESSIONAL SERVICES 2017 - Ongoing	CONSTRUCTION <i>(If applicable)</i> -
e. (3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE Avery Springs consists of a 140 lot single family gated community located on Malabar Road in Palm Bay. Civil engineering design of this property includes stormwater treatment for a regional city lift station, interconnected treatment ponds, and a gated entrance with upgraded landscaping. Site amenities include extensive sidewalks, looped walking exercise trail overlooking the ponds, a recreation area that could include a future clubhouse, pool, and/or playground, and group mailboxes with parking.		<input checked="" type="checkbox"/> Check if project performed with current firm	



Tab 4 - Resumes, Continued

E. RESUMES OF KEY PERSONNEL PROPOSED FOR THIS CONTRACT (Complete one Section E for each key person.)			
12. NAME David M. Tom, P.E.	13. ROLE IN THIS CONTRACT Civil Engineer	14. YEARS EXPERIENCE	
		a. TOTAL 29	b. WITH CURRENT FIRM 12
15. FIRM NAME AND LOCATION (City and State) Construction Engineering Group, LLC, Melbourne, FL			
16. EDUCATION (Degree and Specialization) BS/Civil Engineering - University of Central Florida		17. CURRENT PROFESSIONAL REGISTRATION (State and Discipline) Professional Engineer, FL	
18. OTHER PROFESSIONAL QUALIFICATIONS (Publications, Organizations, Training, Awards, etc.)			

19. RELEVANT PROJECTS			
(1) TITLE AND LOCATION (City and State) Canaveral Port Authority-Continuing Services - Cape Canaveral, FL	(2) YEAR COMPLETED		
	PROFESSIONAL SERVICES Ongoing	CONSTRUCTION (if applicable) Ongoing	
(3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE <input checked="" type="checkbox"/> Check if project performed with current firm			
a. David has provided civil engineering design and construction administration services to the CPA for over 25 years. These projects include roadway design and modifications, new buildings, lift stations, parking garages, auto terminals, and parking lots. Project examples include roadways Glen Cheek Drive, Marlin Street, Roncallo (East), Grouper Road, George King Drive, and the Cove Roads. Other examples include CT-1 parking lot, VSA 2, 3, 5, 6, & 7 parking lots, CPA Headquarters Building, Jetty Park, AT-1 Loading Lot, Auto Terminal Processing Facility, Parrish Medical Center, CPA Emergency Operations Building, Ambulance Shelters, the Cove, CT-10 Parking Garage, AT-1 Lift Stations, VSA-7 Crew Trailer, and CPA Police Station & Fire Stations.			
(1) TITLE AND LOCATION (City and State) Viera Colonnade - Viera, FL	(2) YEAR COMPLETED		
	PROFESSIONAL SERVICES 2012 - Ongoing	CONSTRUCTION (if applicable) 2012 - Ongoing	
(3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE <input checked="" type="checkbox"/> Check if project performed with current firm			
b. Civil engineering services provided included civil site design such as water, sewer, and stormwater collection, landscaping, all required local and state permitting, and construction administration services. Civil engineering services integrated the buildings into the city's drainage plans. This multiphase, 171,127-square-foot retail undertaking included projects such as Chipotle Mexican Grill, TJ Maxx/Homegoods, Mattress Firm, Total Wine, Hair Cuttery, Subway, Ulta, Genna Jewelers, Petsmart, Five Below, Burger 21, Tijuana Flats, Sherwin-Williams, Buffalo Wild Wings, Outback, Tropical Smoothie, UPS Store, Pacific Dental, Mattress One, Charlie Grainger, Jersey Mikes, 7-Eleven and Culvers.			
(1) TITLE AND LOCATION (City and State) Brevard County Continuing Services - Brevard County, FL	(2) YEAR COMPLETED		
	PROFESSIONAL SERVICES 2017 - 2018	CONSTRUCTION (if applicable) 2017 - Ongoing	
(3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE <input checked="" type="checkbox"/> Check if project performed with current firm			
c. David has led many successful projects for Brevard County including the Spaceview Park, Manatee Hammock Park, Rotary Park in Titusville, Fire Station #88 in Palm Bay, and Fire Station #67 in Melbourne. The scope of the Spaceview, Manatee Hammock, and Rotary Park's in Titusville include civil site plan design, a grading and drainage plan, erosion and sediment control design, permitting services, sub-consultant coordination, and construction administration. The Fire Station #88 project consisted of replacement of an existing modular building with a larger modular building. Civil engineering services included a civil site plan, water/sewer services connections, grading and drainage plan, permitting services, sub-consultant coordination, and construction administration.			
(1) TITLE AND LOCATION (City and State) Brevard Zoo-Continuing Services - Viera, FL	(2) YEAR COMPLETED		
	PROFESSIONAL SERVICES 1993 - Ongoing	CONSTRUCTION (if applicable) 1993 - Ongoing	
(3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE <input checked="" type="checkbox"/> Check if project performed with current firm			
d. David has provided consulting engineering services for the Brevard Zoo for more 25 years. Projects include new construction of ground-up facilities, as well as renovation of existing spaces and exhibits. Examples of projects include the Africa Exhibit, Zebra Exhibit, Meercats Exhibit, Special Events Pavilion, Linear Park, Classroom Addition, Indian River Lagoon Exhibit, Tree Classroom, parking lot addition, Cave Classroom, master-plan updates, Cotton Top Café, Animal Hospital, administration building, Australia Loop & Aviary and Rainforest Rising.			
(1) TITLE AND LOCATION (City and State) Palm Bay City Hall Annex - Palm Bay, FL	(2) YEAR COMPLETED		
	PROFESSIONAL SERVICES 2010	CONSTRUCTION (if applicable) 2011	
(3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE <input checked="" type="checkbox"/> Check if project performed with current firm			
e. A design build project completed 30 days ahead of schedule. This three-story, 27,000 SF project consisted of municipal class A office space to consolidate rented facilities into a central public service complex. The LEED certified building included administrative offices for the Building Department, Budget, Finance, the City Manager, the City Attorney and other city departments.			

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E. RESUMES OF KEY PERSONNEL PROPOSED FOR THIS CONTRACT			
<i>(Complete one Section E for each key person.)</i>			
12. NAME	13. ROLE IN THIS CONTRACT	14. YEARS EXPERIENCE	
James R. Trauger, P.E.	Civil Engineer	a. TOTAL 13	b. WITH CURRENT FIRM 9
15. FIRM NAME AND LOCATION <i>(City and State)</i>			
Construction Engineering Group, LLC, Melbourne, FL			
16. EDUCATION <i>(Degree and Specialization)</i>		17. CURRENT PROFESSIONAL REGISTRATION <i>(State and Discipline)</i>	
BS/Civil Engineering - University of Central Florida		Professional Engineer, FL	
18. OTHER PROFESSIONAL QUALIFICATIONS <i>(Publications, Organizations, Training, Awards, etc.)</i>			

19. RELEVANT PROJECTS			
(1) TITLE AND LOCATION <i>(City and State)</i>	(2) YEAR COMPLETED		
Brentwood Lakes - Palm Bay, FL	PROFESSIONAL SERVICES 2015	CONSTRUCTION <i>(if applicable)</i> 2017	
(3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE <input checked="" type="checkbox"/> Check if project performed with current firm			
a. Brentwood Lakes is located on a secluded 160 acre parcel at the western end of the City of Palm Bay and is being developed as two communities and is single family residential development. This 429 unit phased development includes recreational amenities, multiple lakes with fountains for improved aesthetics, and a nature trail interconnecting the two communities. Separate recreational amenities for each subdivision include a clubhouse, pool, and playground. Themed street lights, signs, mailboxes, and upgraded landscaping enhance the streets and common areas throughout the communities and both sections of the development are independently gated. CEG completed this project from initial survey through conceptual designs, permitting and construction.			
(1) TITLE AND LOCATION <i>(City and State)</i>	(2) YEAR COMPLETED		
Preserves at Stonebriar - Palm Bay, FL	PROFESSIONAL SERVICES 2017	CONSTRUCTION <i>(if applicable)</i> 2018	
(3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE <input checked="" type="checkbox"/> Check if project performed with current firm			
b. The Preserves at Stonebriar project consisted of the civil engineering design of a 328 single family residential development. Construction document design included public neighborhood roads, turnlane additions, drainage improvements, off site public utility extensions, a public lift station, and significant wetland preservation. In addition we provided permitting services, plat coordination, and construction administration services.			
(1) TITLE AND LOCATION <i>(City and State)</i>	(2) YEAR COMPLETED		
Sawgrass Lakes - West Melbourne, FL	PROFESSIONAL SERVICES 2013	CONSTRUCTION <i>(if applicable)</i> 2018	
(3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE <input checked="" type="checkbox"/> Check if project performed with current firm			
c. The Sawgrass Lakes project consisted of the master planning, design and permitting a multi-phased 500 acre single family residential development and commercial outparcel with a charter school and recreational amenities. At Sawgrass Lakes there were substantial tree and wetlands preservation areas including an eagle's nest. Civil engineering design incorporated nature trails and pedestrian walkways throughout the location including the preservation areas. Construction Engineering Group provided engineering design throughout this multi-phased project new signalized intersection for accessibility. CEG started the project with initial survey and geotechnical investigation, all site master planning and site permitting.			
(1) TITLE AND LOCATION <i>(City and State)</i>	(2) YEAR COMPLETED		
Eber Cove - West Melbourne, FL	PROFESSIONAL SERVICES 2017	CONSTRUCTION <i>(if applicable)</i> 2018	
(3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE <input checked="" type="checkbox"/> Check if project performed with current firm			
d. The Eber Cove project consisted of a single family residential development of 89 lots. The scope included designing public neighborhood roads, Eber Blvd. turnlane additions, drainage improvements, off site public utility extensions, a public lift station, and significant wetland preservation. In addition to civil engineering construction design we provided permitting, plat coordination, and construction administration services.			
(1) TITLE AND LOCATION <i>(City and State)</i>	(2) YEAR COMPLETED		
Minton Cove Apartments - West Melbourne, FL	PROFESSIONAL SERVICES 2017	CONSTRUCTION <i>(if applicable)</i> 2018	
(3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE <input checked="" type="checkbox"/> Check if project performed with current firm			
e. Minton Cove Apartments consisted of a 300 unit Class A Apartment Complex with detached garages, a large resort style pool/cabana area, walking trails, a dog park, and a yoga area. Public utilities, private drives, significant wetland preservation, and a private on site stormwater reuse irrigation treatment system were also included in the scope of this project. For the second phase of this project there will be an additional 300 Class A apartments. CEG provided civil engineering construction document design, permitting services, sub-contractor coordination and construction administration.			



Tab 4 - Resumes, Continued

E. RESUMES OF KEY PERSONNEL PROPOSED FOR THIS CONTRACT (Complete one Section E for each key person.)			
12. NAME Robert Joseph Nagy	13. ROLE IN THIS CONTRACT Civil Engineer	14. YEARS EXPERIENCE	
		a. TOTAL 4	b. WITH CURRENT FIRM 4
15. FIRM NAME AND LOCATION (City and State) Construction Engineering Group, LLC, Melbourne, FL			
16. EDUCATION (Degree and Specialization) BS/Civil Engineering - University of Florida		17. CURRENT PROFESSIONAL REGISTRATION (State and Discipline)	
18. OTHER PROFESSIONAL QUALIFICATIONS (Publications, Organizations, Training, Awards, etc.)			

19. RELEVANT PROJECTS			
(1) TITLE AND LOCATION (City and State) Northrop Grumman Campus of Excellence - Melbourne, FL	(2) YEAR COMPLETED		
	PROFESSIONAL SERVICES 2016 - Ongoing	CONSTRUCTION (if applicable) 2017 - Ongoing	
a. (3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE Joe worked as part of the civil engineering team for the Northrop Grumman Campus of Excellence expansion project. This multi-hundred million dollar project included master planning of a new professional campus for a series of twelve existing buildings and three new buildings that total approximately 400,000 SF. This project included complex phasing of improvements while maintaining existing facilities to remain in use throughout the construction process. CEG provided all civil engineering site design, site permitting, and construction administration.		<input checked="" type="checkbox"/> Check if project performed with current firm	
(1) TITLE AND LOCATION (City and State) Waterstone/Cypress Bay Mixed Use Master Plan - Palm Bay, FL	(2) YEAR COMPLETED		
	PROFESSIONAL SERVICES 2016 - Ongoing	CONSTRUCTION (if applicable) -	
b. (3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE Cypress Bay Farms is located in Southeastern Palm Bay. Joe worked as part of the CEG civil engineering team that provided a phased master plan consisting of 96 acres with a mix of residential and commercial uses. It includes new public and private roadways, extension of water and wastewater mains, preservation areas, and recreational areas. A new potential shared Fire and Police Station has been proposed and the development is master planned for stormwater treatment.		<input checked="" type="checkbox"/> Check if project performed with current firm	
(1) TITLE AND LOCATION (City and State) Satcom Hangar - Melbourne, FL	(2) YEAR COMPLETED		
	PROFESSIONAL SERVICES 2016	CONSTRUCTION (if applicable) 2017	
c. (3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE The scope of this project included Satcom Direct Hangar ditch relocation, a new hangar & office, revised parking, and connection to the tarmac. The scope consisted of full civil engineering site design, site permitting, utilities, stormwater, landscaping, and coordination with the geotechnical engineer and surveyor. Due diligence investigations & concept drawings were performed prior to construction design. Joe assisted with all civil engineering design as well as construction engineering and sub-consultant coordination.		<input checked="" type="checkbox"/> Check if project performed with current firm	
(1) TITLE AND LOCATION (City and State) Oasis of West Melbourne - West Melbourne, FL	(2) YEAR COMPLETED		
	PROFESSIONAL SERVICES 2017 - 2018	CONSTRUCTION (if applicable) 2018 - Ongoing	
d. (3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE The Oasis of West Melbourne Apartments is a project on John Roades Boulevard in West Melbourne. The scope of this project included conceptual design, site design, road way design, site permitting, annexation and rezoning from Brevard County to West Melbourne, assistance with developer's & tri-party agreements for impact fee reimbursement, public hearings & neighborhood meetings, coordination with sub-consultants, parking variance assistance with the City of West Melbourne, and construction administration.		<input checked="" type="checkbox"/> Check if project performed with current firm	
(1) TITLE AND LOCATION (City and State) Northrop Grumman Cafe Expansion - Melbourne, FL	(2) YEAR COMPLETED		
	PROFESSIONAL SERVICES 2018	CONSTRUCTION (if applicable) 2018 - Ongoing	
e. (3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE A cafeteria expansion to the existing first floor of Building 229 at the Northrop Grumman complex off of Nasa Boulevard. CEG provided civil site design revisions, grease trap modifications, gas line modifications to incorporate electric to gas changeover, civil engineering permitting services, and construction administration. Several meetings were attended to coordinate design, construction, and FDEP wastewater exemption. Design included routing from the southwest corner of Building 229 to the nearest connection point.		<input checked="" type="checkbox"/> Check if project performed with current firm	

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Tab 4 - Resumes, Continued

E. RESUMES OF KEY PERSONNEL PROPOSED FOR THIS CONTRACT (Complete one Section E for each key person.)			
12. NAME	13. ROLE IN THIS CONTRACT	14. YEARS EXPERIENCE	
		a. TOTAL	b. WITH CURRENT FIRM
Cydney C. Maksymow	Civil Engineer	4	2
15. FIRM NAME AND LOCATION (City and State) Construction Engineering Group, LLC, Melbourne, FL			
16. EDUCATION (Degree and Specialization) BS/Civil Engineering - University of Florida		17. CURRENT PROFESSIONAL REGISTRATION (State and Discipline)	
18. OTHER PROFESSIONAL QUALIFICATIONS (Publications, Organizations, Training, Awards, etc.)			
19. RELEVANT PROJECTS			
(1) TITLE AND LOCATION (City and State)	(2) YEAR COMPLETED		
	PROFESSIONAL SERVICES	CONSTRUCTION (If applicable)	
Avidyne Hanger - Melbourne, FL	2018 - Ongoing	-	
a. (3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE	<input checked="" type="checkbox"/> Check if project performed with current firm		
Avidyne Hanger is located at the Orlando-Melbourne Airport and consists of a 14,250 sf hangar building including parking, sidewalks, off-site stormwater treatment, water and wastewater services. Cydney is acting as CEG's lead civil engineer and providing permitting through multiple municipalities including FAA. The stormwater treatment for the project is part of a Master Permitted Stormwater Treatment system. Since the hanger is on airport property CEG will meet additional requirements other than the standard City specifications including special temporary and permanent fencing.			
(1) TITLE AND LOCATION (City and State)	(2) YEAR COMPLETED		
	PROFESSIONAL SERVICES	CONSTRUCTION (If applicable)	
Pineapple of Palm Bay High School - Palm Bay, FL	2018 - Ongoing	-	
b. (3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE	<input checked="" type="checkbox"/> Check if project performed with current firm		
CEG provided full civil engineering design, sub-consultant management, and construction administrative services for the new Pineapple of Palm Bay High School. Design development included meetings with Brevard County, the City of Palm Bay, SJRWMD, and MTWCD to ensure the expediting of construction documents and meeting the school's timelines. Civil design included 100% construction documents for site design as well as landscaping and irrigation. Cydney is the lead for this project and will soon be providing construction administrative services.			
(1) TITLE AND LOCATION (City and State)	(2) YEAR COMPLETED		
	PROFESSIONAL SERVICES	CONSTRUCTION (If applicable)	
Palm Bay Classical Academy - Palm Bay, FL	2017 - 2018	2018	
c. (3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE	<input checked="" type="checkbox"/> Check if project performed with current firm		
In 2017 Cydney led CEG's effort to provide civil engineering services for a two-story daycare addition to the site. The scope included site design and permitting, site stormwater conveyance and treatment modeling, calculations, and report changes, a parking lot addition and sidewalk expansion, removal of the septic system and a private lift station, and new water and wastewater services due to the addition. In 2014-2015 CEG provided full civil engineering design, permitting, and construction administrative services for the new construction of the 10,000 SF daycare building.			
(1) TITLE AND LOCATION (City and State)	(2) YEAR COMPLETED		
	PROFESSIONAL SERVICES	CONSTRUCTION (If applicable)	
Rockledge Fire Station #2 - Rockledge, FL	2018 - Ongoing	Ongoing	
d. (3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE	<input checked="" type="checkbox"/> Check if project performed with current firm		
Cydney acted as CEG's lead civil engineer for the Rockledge Fire Station #2. The scope of this project included civil engineering site design, code minimum landscaping design, and permitting of a two-story fire station. The new Fire Station #2 building replaced an existing one-story building. In addition to civil engineering design services Cydney also provided construction administration including site inspections, as-built review, shop drawings, RFI's, and permit certifications.			
(1) TITLE AND LOCATION (City and State)	(2) YEAR COMPLETED		
	PROFESSIONAL SERVICES	CONSTRUCTION (If applicable)	
Yourlife of West Melbourne - West Melbourne, FL	2018 - Ongoing	-	
e. (3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE	<input checked="" type="checkbox"/> Check if project performed with current firm		
Cydney is acting as CEG's lead civil engineer for the new construction of Yourlife of West Melbourne memory care facility. This project consists of sub-contractor coordination, rezoning and future land use amendment, public and neighborhood meetings for site plan approval, site design and permitting services, cost estimating and assistance with local fees, and construction administration services.			

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Tab 5 - Projects

F. EXAMPLE PROJECTS WHICH BEST ILLUSTRATE PROPOSED TEAM'S QUALIFICATIONS FOR THIS CONTRACT <i>(Present as many projects as requested by the agency, or 10 projects, if not specified. Complete one Section F for each project.)</i>		20. EXAMPLE PROJECT KEY NUMBER 1
21. TITLE AND LOCATION <i>(City and State)</i> Emerald Lakes - Palm Bay, FL	22. YEAR COMPLETED	
	PROFESSIONAL SERVICES 2012 - Ongoing	CONSTRUCTION <i>(if applicable)</i> -

23. PROJECT OWNER'S INFORMATION		
a. PROJECT OWNER Investment Holdings, LLC	b. POINT OF CONTACT NAME Paul Paluzzi	c. POINT OF CONTACT TELEPHONE NUMBER (727) 692-1161

24. BRIEF DESCRIPTION OF PROJECT AND RELEVANCE TO THIS CONTRACT *(Include scope, size, and cost)*

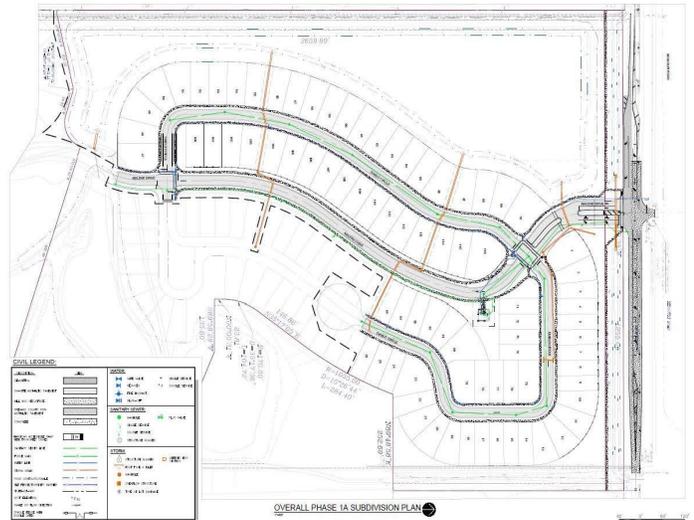
CEG is the engineer of record for the Emerald Lakes site master planning. The project is on all four quadrants of a new Interstate 95 interchange in southeast Palm Bay and it totals 1561 acres including up to 3760 dwelling units and over 2.8 million square feet of commercial/industrial uses. The project also includes a new city public roadway called the St. Johns Heritage Parkway that will ultimately be connected to the existing Babcock Street to the west and Micco Road to the southeast. The Parkway will be the main access to the four quadrants of the ultimate development. The City created a new Regional Activity Center (RAC) zoning for the project and it is the only site citywide that currently has it. The City worked with CEG to later modify the zoning code to make it simpler to utilize after the property was combined into one ownership entity. CEG worked closely with the project planner Brenda Yates to remove off-site improvements previously tied to the development. This interchange project included years of CEG's coordination with the Florida Department of Transportation to closely coordinate the right-of-way (ROW), flood plain compensation, roadway tie-ins, stormwater discharge and many other details. CEG also has worked closely with the City staff and the recently awarded design-build team for the St. Johns Heritage Parkway. This City staff coordination included over thirty meetings for items such as utilities, stormwater conveyance/treatment, driveways, grading, flood plain compensation, etc. CEG is proud of the continuing work with adjacent developments including Micco Village, Waterstone, and Cypress Bay to coordinate accessibility and utilities such as City water, City wastewater, power with Florida Power and Light, and gas with the City Gas Company. CEG has already designed multiple phases of this development including the eastern portion of the Parkway and portions of the northwest and southwest quadrants. CEG has met with several potential purchasers of large tracts of the development and has provided dozens of conceptual site plans, cost estimating, stormwater calculations/modeling, utility estimates/modeling, and other details as needed. CEG has been involved with the FDOT interchange project, the Parkway, the previous owners, the adjacent developments, and the current Emerald Lakes development team for over six years on an almost daily basis. No other engineering company has a more detailed history with this project and overall region.

25. FIRMS FROM SECTION C INVOLVED WITH THIS PROJECT		
a. (1) FIRM NAME Construction Engineering Group, LLC	(2) FIRM LOCATION <i>(City and State)</i> Melbourne, FL	(3) ROLE Civil Engineering
b. (1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
c. (1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
d. (1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
e. (1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
f. (1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE

Tab 5 - Projects, Continued

F. EXAMPLE PROJECTS WHICH BEST ILLUSTRATE PROPOSED TEAM'S QUALIFICATIONS FOR THIS CONTRACT <i>(Present as many projects as requested by the agency, or 10 projects, if not specified. Complete one Section F for each project.)</i>		20. EXAMPLE PROJECT KEY NUMBER 2
21. TITLE AND LOCATION <i>(City and State)</i> Chaparral Master Plan - Palm Bay, FL		22. YEAR COMPLETED PROFESSIONAL SERVICES: 2013 - Ongoing CONSTRUCTION <i>(if applicable)</i> : TBD
23. PROJECT OWNER'S INFORMATION		
a. PROJECT OWNER Chaparral Properties, LLC	b. POINT OF CONTACT NAME Michael Lawson	c. POINT OF CONTACT TELEPHONE NUMBER (813) 288-8178
24. BRIEF DESCRIPTION OF PROJECT AND RELEVANCE TO THIS CONTRACT <i>(Include scope, size, and cost)</i>		

Chaparral is a master planned community in southwestern Palm Bay and is the first and only other community development district (CDD) in the City limits. The approximately 250 acre development has a mix of single family and multi-family land use categories totaling a maximum of 786 units. The single family units are allocated 3 units per acre (UPA) and the multi-family up to 5 UPA. The site subdivision drawings include layout, site plan, grading/drainage, stormwater treatment and conveyance, water/wastewater utilities, recreational amenities, and required off-site improvements such as utilities, stormwater discharge, sidewalks, turn lanes, etc. Conceptual drawings began in 2013 and construction is anticipated to begin in early 2019.



25. FIRMS FROM SECTION C INVOLVED WITH THIS PROJECT			
a.	(1) FIRM NAME Construction Engineering Group, LLC	(2) FIRM LOCATION <i>(City and State)</i> Melbourne, FL	(3) ROLE Civil Engineering
b.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
c.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
d.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
e.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
f.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE

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Tab 5 - Projects, Continued

F. EXAMPLE PROJECTS WHICH BEST ILLUSTRATE PROPOSED TEAM'S QUALIFICATIONS FOR THIS CONTRACT <i>(Present as many projects as requested by the agency, or 10 projects, if not specified. Complete one Section F for each project.)</i>		20. EXAMPLE PROJECT KEY NUMBER 3
21. TITLE AND LOCATION <i>(City and State)</i>		22. YEAR COMPLETED
Waterstone / Cypress Bay Mixed Use Master Plan - Palm Bay, FL		PROFESSIONAL SERVICES 2014 - Ongoing
		CONSTRUCTION <i>(If applicable)</i> -
23. PROJECT OWNER'S INFORMATION		
a. PROJECT OWNER	b. POINT OF CONTACT NAME	c. POINT OF CONTACT TELEPHONE NUMBER
Waterstone Farms, LLC	Ben Jeffries	(321) 757-5600
24. BRIEF DESCRIPTION OF PROJECT AND RELEVANCE TO THIS CONTRACT <i>(Include scope, size, and cost)</i>		

Waterstone and Cypress Bay Farms are located in southeastern Palm Bay, just west of a new Interstate 95 interchange. A new St. Johns Heritage Parkway (SJHP) is planned from the new interchange to Babcock Street and is fully funded by the City of Palm Bay as a combined project with the Florida Department of Transportation for the interchange. The two combined projects are on all four quadrants of the new Babcock Street and SJHP intersection totaling approximately 800 acres. They are a mix of single family, low to medium density multi-family and commercial. The total residential density for the projects is over 2150 units and the total square footage of anticipated commercial planned is over 800,000 square feet. CEG provided a phased master plan consisting for all of the proposed uses. It includes new public and private roadways, extension of water and wastewater mains, preservation areas, recreational areas and an oversized stormwater management system to provide ample flood control. A new potential shared fire and police station has been proposed and the development maximizes existing large oak tree preservation. The projects includes providing public ROW for the SJHP, widening of Babcock Street, stormwater treatment for both, and an easement for future utility extensions.



25. FIRMS FROM SECTION C INVOLVED WITH THIS PROJECT		
(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
a. Construction Engineering Group, LLC	Melbourne, FL	Civil Engineering
b. (1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
c. (1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
d. (1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
e. (1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
f. (1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE

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Tab 5 - Projects, Continued

F. EXAMPLE PROJECTS WHICH BEST ILLUSTRATE PROPOSED TEAM'S QUALIFICATIONS FOR THIS CONTRACT <i>(Present as many projects as requested by the agency, or 10 projects, if not specified. Complete one Section F for each project.)</i>		20. EXAMPLE PROJECT KEY NUMBER 4
21. TITLE AND LOCATION <i>(City and State)</i> Northrop Grumman Campus of Excellence - Melbourne, FL		22. YEAR COMPLETED PROFESSIONAL SERVICES: 2016 - 2018 CONSTRUCTION <i>(If applicable)</i> : 2017 - Ongoing
23. PROJECT OWNER'S INFORMATION		
a. PROJECT OWNER Northrop Grumman	b. POINT OF CONTACT NAME Kevin Mills	c. POINT OF CONTACT TELEPHONE NUMBER (310) 930-2311
24. BRIEF DESCRIPTION OF PROJECT AND RELEVANCE TO THIS CONTRACT <i>(Include scope, size, and cost)</i>		

The Northrop Grumman Campus of Excellence project at the Orlando-Melbourne International Airport includes an expanded multi-hundred million dollar campus. It consists of master planning an innovative high-tech professional campus for a series of twelve existing and three new buildings. The three new buildings total approximately 400,000 square feet with an overall campus size of 175 acres. The project is creating almost 2000 new high paying professional jobs at the Airport in Melbourne, Florida. It included complex phasing of improvements while maintaining existing facilities to remain in use throughout construction. CEG provided complete construction administration and is the Site Engineer of Record. Due to the project schedule and encountered field conditions there were weekly and sometimes daily redesign and site permit modifications. The phasing included dozens of interim, temporary projects to keep the campus open for business. The project will ultimately be LEED Silver Certified and was coordinated and permitted throughout design and construction closely with the FAA.



25. FIRMS FROM SECTION C INVOLVED WITH THIS PROJECT			
a.	(1) FIRM NAME Construction Engineering Group, LLC	(2) FIRM LOCATION <i>(City and State)</i> Melbourne, FL	(3) ROLE Civil, Structural, Mechanical, Electrical, and Plumbing Engineering
b.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
c.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
d.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
e.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
f.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE

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Tab 5 - Projects, Continued

F. EXAMPLE PROJECTS WHICH BEST ILLUSTRATE PROPOSED TEAM'S QUALIFICATIONS FOR THIS CONTRACT <i>(Present as many projects as requested by the agency, or 10 projects, if not specified. Complete one Section F for each project.)</i>		20. EXAMPLE PROJECT KEY NUMBER 5
21. TITLE AND LOCATION <i>(City and State)</i> Viera Colonnade - Viera, FL		22. YEAR COMPLETED PROFESSIONAL SERVICES 2012 - Ongoing CONSTRUCTION <i>(If applicable)</i> 2013 - Ongoing
23. PROJECT OWNER'S INFORMATION		
a. PROJECT OWNER MHW Lake Andrew, LLC	b. POINT OF CONTACT NAME Myles H. Wilkinson	c. POINT OF CONTACT TELEPHONE NUMBER (321) 951-1500
24. BRIEF DESCRIPTION OF PROJECT AND RELEVANCE TO THIS CONTRACT <i>(Include scope, size, and cost)</i>		

Construction Engineering Group has provided civil and electrical engineering services throughout the many phases of this retail project in Viera, FL. Engineering services provided included site electrical, civil site design such as water, sewer, and stormwater collection, landscaping, all required local and state permitting, and construction administration services. On many of these facilities, we provided full engineering design for electrical, mechanical and plumbing. This multiphase retail undertaking included projects such as Chipotle Mexican Grill, TJ Maxx/Homegoods, Mattress Firm, Total Wine, Hair Cuttery, Subway, Ulta, Genna Jewelers, Petsmart, Five Below, Burger 21, Tijuana Flats, Sherwin-Williams, Buffalo Wild Wings, Outback, Tropical Smoothie, UPS Store, Pacific Dental, Mattress One, Charlie Grainger, Jersey Mikes, 7-Eleven and Culvers.



25. FIRMS FROM SECTION C INVOLVED WITH THIS PROJECT

a.	(1) FIRM NAME Construction Engineering Group, LLC	(2) FIRM LOCATION <i>(City and State)</i> Melbourne, FL	(3) ROLE Civil Engineering
b.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
c.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
d.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
e.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
f.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE

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Tab 5 - Projects, Continued

F. EXAMPLE PROJECTS WHICH BEST ILLUSTRATE PROPOSED TEAM'S QUALIFICATIONS FOR THIS CONTRACT <i>(Present as many projects as requested by the agency, or 10 projects, if not specified. Complete one Section F for each project.)</i>		20. EXAMPLE PROJECT KEY NUMBER 6
21. TITLE AND LOCATION <i>(City and State)</i> Antigua Bay - Titusville, FL		22. YEAR COMPLETED PROFESSIONAL SERVICES 2007-2018 CONSTRUCTION <i>(if applicable)</i> Ongoing
23. PROJECT OWNER'S INFORMATION		
a. PROJECT OWNER Antigua Bay Development, LLC	b. POINT OF CONTACT NAME Graham Allen	c. POINT OF CONTACT TELEPHONE NUMBER (704) 641-2623
24. BRIEF DESCRIPTION OF PROJECT AND RELEVANCE TO THIS CONTRACT <i>(Include scope, size, and cost)</i>		

CEG master planned, designed, and permitted miles of roadways, utilities and stormwater collection and treatment including 90 acres of a mix of public and private passive and active parks. This is a regional mixed use development on a 345-acre parcel of pristine land with a mile of river frontage overlooking the Kennedy Space Center. This development consists of a mixture of single family, multi-family including up to a 12-story building, condominiums, mixed-use commercial including a hotel, retail, medical, and restaurants, public right-of-ways, public and private parks and recreation, and preservation lands that are enhanced for protected wildlife and other amenities such as an existing creek to the Indian River. The project site is nestled between state road US1 and the Indian River along the entire length of the east property line.



25. FIRMS FROM SECTION C INVOLVED WITH THIS PROJECT

	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
a.	Construction Engineering Group, LLC	Melbourne, FL	Civil Engineering
b.			
c.			
d.			
e.			
f.			

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Tab 5 - Projects, Continued

F. EXAMPLE PROJECTS WHICH BEST ILLUSTRATE PROPOSED TEAM'S QUALIFICATIONS FOR THIS CONTRACT <i>(Present as many projects as requested by the agency, or 10 projects, if not specified. Complete one Section F for each project.)</i>		20. EXAMPLE PROJECT KEY NUMBER 7
21. TITLE AND LOCATION <i>(City and State)</i> Mayfair Mixed Use Master Plan - Melbourne, FL	22. YEAR COMPLETED PROFESSIONAL SERVICES: 2005 - 2010 CONSTRUCTION <i>(if applicable)</i> : 2005 - 2011	
23. PROJECT OWNER'S INFORMATION		
a. PROJECT OWNER Southern Homes	b. POINT OF CONTACT NAME Hector Garcia	c. POINT OF CONTACT TELEPHONE NUMBER (305) 971-0102
24. BRIEF DESCRIPTION OF PROJECT AND RELEVANCE TO THIS CONTRACT <i>(include scope, size, and cost)</i>		

This project consisted of master site planning over 250 acres including over 1400 residential units, 26 acres of commercial extension of city utilities including water and wastewater, master stormwater treatment system, recreational amenities and one mile of Eber Road four-laning and reroute. CEG designed and permitted the existing two lane Eber Road (Pirate Lane) into four lanes which included relocating the east end to line-up with Commerce Park Boulevard with minimum traffic interruptions due to the adjacent high school, relocation of utilities, and stormwater conveyance/treatment. In addition, CEG designed and permitted miles of gated on-site residential roads and utilities to support residential units varying from apartments/townhomes to single family homes. The project was phased for residential and commercial development including stormwater treatment, utilities, roadways and recreational amenities. CEG started the project with an initial survey and geotechnical investigation. CEG provided all site master planning and site permitting.



25. FIRMS FROM SECTION C INVOLVED WITH THIS PROJECT

(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
a. Construction Engineering Group, LLC	Melbourne, FL	Civil Engineering
b.		
c.		
d.		
e.		
f.		

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Tab 5 - Projects, Continued

F. EXAMPLE PROJECTS WHICH BEST ILLUSTRATE PROPOSED TEAM'S QUALIFICATIONS FOR THIS CONTRACT <i>(Present as many projects as requested by the agency, or 10 projects, if not specified. Complete one Section F for each project.)</i>		20. EXAMPLE PROJECT KEY NUMBER 8
21. TITLE AND LOCATION <i>(City and State)</i> Sawgrass Lakes - West Melbourne, FL		22. YEAR COMPLETED PROFESSIONAL SERVICES: 2013 - Ongoing CONSTRUCTION <i>(If applicable)</i> : 2013 - Ongoing
23. PROJECT OWNER'S INFORMATION		
a. PROJECT OWNER D.R. Horton, Inc.	b. POINT OF CONTACT NAME Daniel J. Liparini	c. POINT OF CONTACT TELEPHONE NUMBER (321) 953-3135
24. BRIEF DESCRIPTION OF PROJECT AND RELEVANCE TO THIS CONTRACT <i>(Include scope, size, and cost)</i>		

Sawgrass Lakes consists of master planning, design, and permitting for a multi-phased, 500 acre single family residential subdivision and commercial outparcel. The project also included a K-12 charter school, resort style recreational amenities with waterslide, splash park, pool, dock, playground, tennis court, volleyball, and more. The design incorporated substantial tree and wetlands preservation including an eagle's nest, over one and a half mile extension of Norfolk Parkway, an ultimate four lane roadway design, signalized intersection and regional public utility improvements. Nature trails and pedestrian walkways were designed throughout the development to interconnect the neighborhoods and traverse water management district canals.

In addition to the planning, design and permitting of the development, CEG provided construction oversight, platting assistance, impact fee credit coordination with Brevard County, public hearing representation, permit closeout services, bond and infrastructure conveyance assistance and multi-agency developers agreement coordination. This development has become a flagship community for DR Horton and has received national attention within their company. The community has also been recognized by local agency and awarded beautification awards for the outstanding design and finished product.



25. FIRMS FROM SECTION C INVOLVED WITH THIS PROJECT		
(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
a. Construction Engineering Group, LLC	Melbourne, FL	Civil Engineering
b.		
c.		
d.		
e.		
f.		

Tab 5 - Projects, Continued

F. EXAMPLE PROJECTS WHICH BEST ILLUSTRATE PROPOSED TEAM'S QUALIFICATIONS FOR THIS CONTRACT <i>(Present as many projects as requested by the agency, or 10 projects, if not specified. Complete one Section F for each project.)</i>		20. EXAMPLE PROJECT KEY NUMBER 9
21. TITLE AND LOCATION <i>(City and State)</i> Brentwood Lakes - Palm Bay, FL		22. YEAR COMPLETED PROFESSIONAL SERVICES: 2005 - Ongoing CONSTRUCTION <i>(if applicable)</i> : Ongoing
23. PROJECT OWNER'S INFORMATION		
a. PROJECT OWNER D.R. Horton, Inc.	b. POINT OF CONTACT NAME Dan Liparini	c. POINT OF CONTACT TELEPHONE NUMBER (321) 953-3135
24. BRIEF DESCRIPTION OF PROJECT AND RELEVANCE TO THIS CONTRACT <i>(Include scope, size, and cost)</i>		

This project consists of a two community, four phased, single family residential development on a 160 acre parcel within the City of Palm Bay. This 429 unit phased development includes recreational amenities, multiple oversized stormwater treatment ponds, a lined entry feature lake with fountain for improved aesthetics, and walking trails interconnecting the two communities. Separate recreational amenities for each subdivision include a clubhouse, pool, and playground. Themed street lights, signs, mailboxes, and upgraded landscaping enhance the streets and common areas throughout the communities and both sections of the development are independently gated. CEG completed the initial phases of this project in 2005 from initial survey and geotechnical investigation through conceptual designs, permitting and construction. The third phase was completed in 2016 and the final phase is in the design and permitting phase. It includes an increased density and lot size mix based on current market conditions. Revisions to the previously approved planned unit development



have been coordinated through multi-jurisdictional review. CEG provided the turn lane permuting design and construction oversight for the required turn lane into the community on Malabar Road. CEG also served as a representative for the owner in negotiations for the required traffic signal, public sidewalk waiver approval, and ROW dedication through Brevard County.

25. FIRMS FROM SECTION C INVOLVED WITH THIS PROJECT

(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
a. Construction Engineering Group, LLC	Melbourne, FL	Civil Engineering
b. (1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
c. (1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
d. (1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
e. (1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
f. (1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE

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Tab 5 - Projects, Continued

F. EXAMPLE PROJECTS WHICH BEST ILLUSTRATE PROPOSED TEAM'S QUALIFICATIONS FOR THIS CONTRACT <i>(Present as many projects as requested by the agency, or 10 projects, if not specified. Complete one Section F for each project.)</i>		20. EXAMPLE PROJECT KEY NUMBER 10
21. TITLE AND LOCATION <i>(City and State)</i> Stonebriar - Palm Bay, FL		22. YEAR COMPLETED PROFESSIONAL SERVICES 2015 - 2016 CONSTRUCTION <i>(if applicable)</i> 2017 - Ongoing
23. PROJECT OWNER'S INFORMATION		
a. PROJECT OWNER D.R. Horton, Inc.	b. POINT OF CONTACT NAME Marshall Waller	c. POINT OF CONTACT TELEPHONE NUMBER (407) 473-1292
24. BRIEF DESCRIPTION OF PROJECT AND RELEVANCE TO THIS CONTRACT <i>(Include scope, size, and cost)</i>		

The project consists of the Fairway and Stonebriar subdivisions in the Bayside Lakes master planned development in Palm Bay, Florida. It includes all single family 50 foot wide lots, revised from the previously approved mix of townhomes and 75' wide single family lots. The project has two phases, Phase I is 157 lots and Phase II is 171 lots totaling 328 single family lots. Phase I construction will be completed in the fall of 2018. Public water and wastewater are extended as part of this project including a new public lift station. CEG successfully helped negotiate a revised impact fee payment schedule, favorable ROW improvement requirements, and re-phasing of the site, all while keeping the project on schedule through construction.

The subdivision is intertwined with the Bayside Lakes golf course and many of the lots back up to the golf course. The project also preserves multiple wetlands including upland preserved buffers for protection. The stormwater treatment lakes interconnect with the golf course drainage. Along with cart path phasing coordination, this project required extensive drainage coordination with golf course personnel to schedule necessary disturbances, provide protection of sensitive turf grasses and limit down time for the course. A private, community amenity center with pool, playground and central mail facility, is included in the design with construction commencing in the winter of 2019.



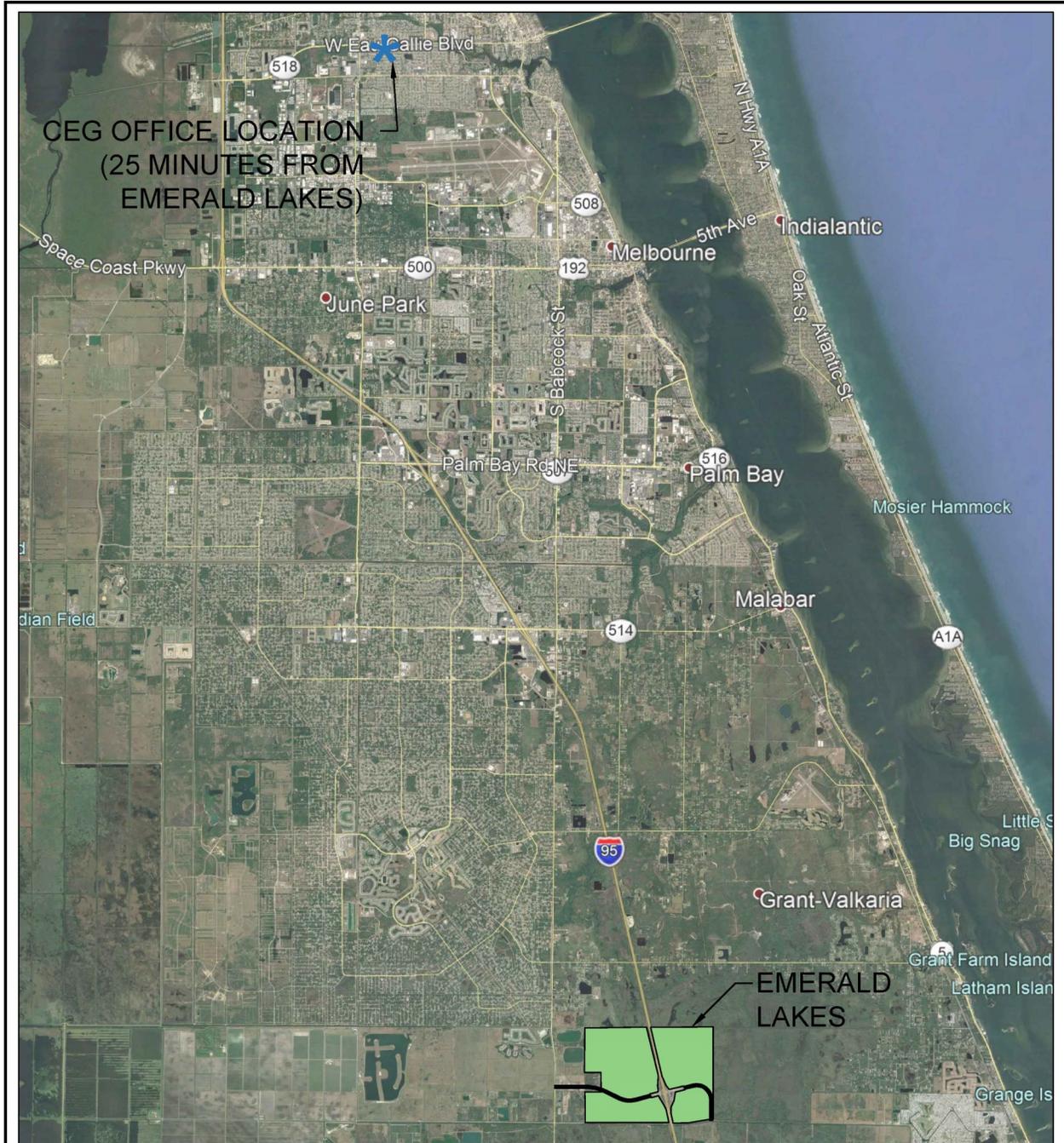
25. FIRMS FROM SECTION C INVOLVED WITH THIS PROJECT		
(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
a. Construction Engineering Group, LLC	Melbourne, FL	Civil Engineering
b.		
c.		
d.		
e.		
f.		

Construction Engineering Group Civil Engineering Work Load

Project Name	CEG Team Lead Civil PE	CEG Additional Team Member	Percent of Current Work Load	Percent of Future Work Load
Glendale Park (Sandhill Crossing Office Plaza)	David Tom		5%	5%
Cocoa Beach Mini-Storage	David Tom		5%	5%
Raytheon-PB Parking Lot Expansion	David Tom	Cydney Maksymow	5%	5%
Viera Colonnade	David Tom		8%	8%
Traffic Ops Bldg	David Tom		8%	8%
Rockledge Fire Station #2	David Tom	Cydney Maksymow	5%	5%
Yourlife West Melbourne	David Tom	Cydney Maksymow	10%	5%
St. Cloud Charter School	David Tom	Cydney Maksymow	10%	5%
Pineapple High School	David Tom	Cydney Maksymow	10%	5%
Avidyne Hangar	David Tom	Cydney Maksymow	10%	5%
Waterstone-Master Site Planning	Jake Wise	Cydney Maksymow	15%	15%
Antigua Bay Phase I	Jake Wise	R Joe Nagy	5%	5%
Chaparral	Jake Wise		5%	5%
Avery Springs	Jake Wise	Cydney Maksymow	5%	5%
Oasis of West Melbourne	Jake Wise	R Joe Nagy	5%	5%
Emerald Lakes	Jake Wise		15%	15%
Northrop Grumman Campus of Excellence Expansion-Master Plan	Jake Wise	R Joe Nagy	10%	10%
Mayfair Conceptuals-SH Communities	Jake Wise		5%	3%
Cypress Bay Farms	Jake Wise	R Joe Nagy	5%	3%
Sawgrass Lakes West Platt Ranch	Jake Wise	Jim Trauger	5%	3%
Yourlife Rockledge	Jake Wise	Cydney Maksymow	5%	5%
Centerlane Planning-FPL	Jake Wise		3%	3%
Space Coast Auto Auction	Jake Wise		3%	3%
Preserves at Stonebriar	Jim Trauger		15%	15%
Highline	Jim Trauger		10%	5%
Minton Cove Apartments	Jim Trauger		10%	10%
Brentwood Lakes	Jim Trauger		15%	15%
Eau Gallie Pointe	Jim Trauger		10%	10%
Sawgrass Lakes PH3, 4, & 5 CA	Jim Trauger	Cydney Maksymow	10%	5%
The Atrium Apartments	Jim Trauger		5%	5%

updated 11/19/2018





EMERALD LAKES - LOCATION MAP

NTS



11/20/18 EX-1



CONSTRUCTION ENGINEERING GROUP
consulting engineers

2651 W. Eau Gallie Blvd.
Suite A
Melbourne, Florida 32935
(321) 253-1221
(321) 253-3123 Fax
www.ceengineering.com
info@ceengineering.com

H. ADDITIONAL INFORMATION

30. PROVIDE ANY ADDITIONAL INFORMATION REQUESTED BY THE AGENCY. ATTACH ADDITIONAL SHEETS AS NEEDED.

Commitment and Control

Through the weekly team meeting process, Project Managers will analyze staffing requirements against current commitments. This will enable us to determine if product quality and customer satisfaction is still being delivered.... before additional projects will be accepted. By placing the customer's interest first, CEG can maintain control of the work load and in the best interest of our client. This is our commitment to this contract.

Resolving Conflicts

CEG's approach to resolving "conflicts" would depend on the type of conflict. A conflict on the design drawings would be handled through the "RFI/ASI" process and the drawing revision process. A conflict in the field (during construction) would be handled by direction communication between the contractor/Indian River County and one of the principals of this firm (either by phone, fax, sketches or a site visit, if required) to evaluation, analysis and resolution of the conflict in the most proper, yet least costly alternative.

A "conflict" of errors and omissions has not been experienced by this firm, although we do carry liability insurance as required by this contract. Yet CEG would first exercise all options to resolve "conflicts" prior to using this avenue.

Commitment to Quality

Quality is the result of a well-managed team approach to a project. Through our approach to quality control, CEG is assured of project uniformity and consistency. Out of this comes a better, fully coordinated product for our clients. CEG strongly believes that through proper documentation, planning, and coordination during the design phase, all parties involved are assured of a more efficient and cost-effective construction phase. CEG believes in completing the scope right the first time, in the office, and not in the field.

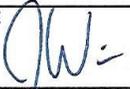
Proper coordination in the office directly affects the overall quality of the finished product. All CAD files are available on a shared network server. Specific discipline design information is immediately available for instant access and review by other disciplines. Prior to each submittal, all designs are printed, reviewed, and cross- checked between disciplines in order to produce drawings of the highest caliber.

To maintain a quality product, CEG strives to continually accomplish the following on every project, every time:

- 1) Maintain documentation and share information between all parties.
- 2) Standardize the design process.
- 3) Continually monitor the work process.
- 4) Critique and continually improve the production process.
- 5) Involve all team members in the quality control process.
- 6) Thoroughly review all documentation before being submitted.

Through these steps, we can assure our clients and ourselves that the designs, drawings, and specifications produced by CEG will be of the highest professional quality possible.

I. AUTHORIZED REPRESENTATIVE
The foregoing is a statement of facts.

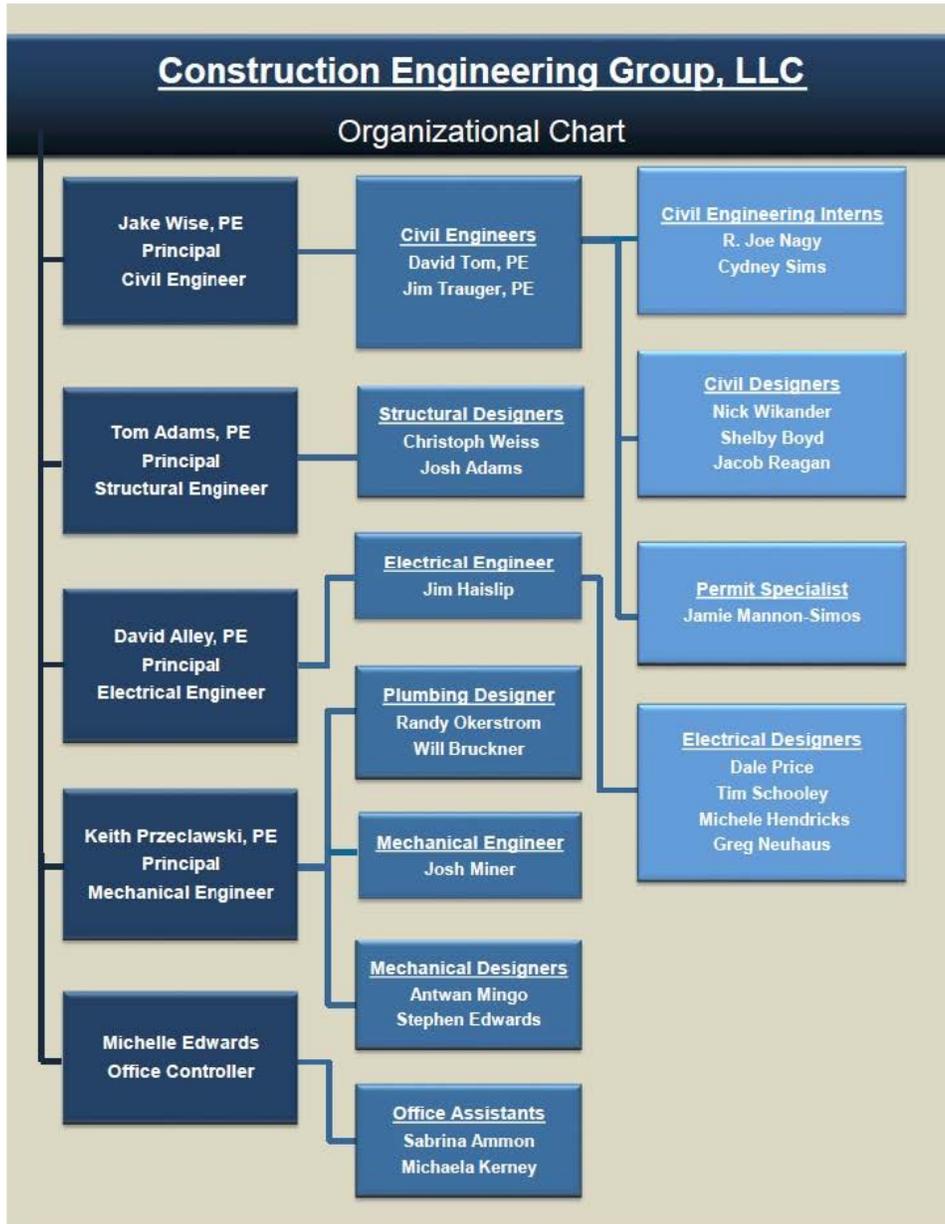
31. SIGNATURE 	32. DATE 11/20/18
33. NAME AND TITLE Jake T. Wise, P.E. - Lead Civil Engineer	

STANDARD FORM 330 (REV. 8/2016) PAGE 5

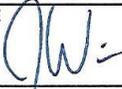


H. ADDITIONAL INFORMATION

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I. AUTHORIZED REPRESENTATIVE
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31. SIGNATURE 

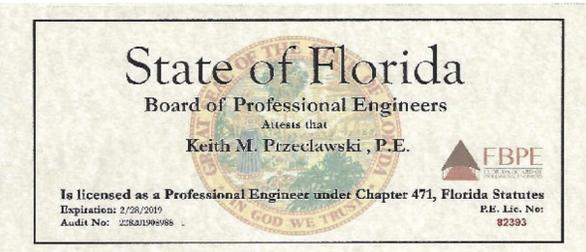
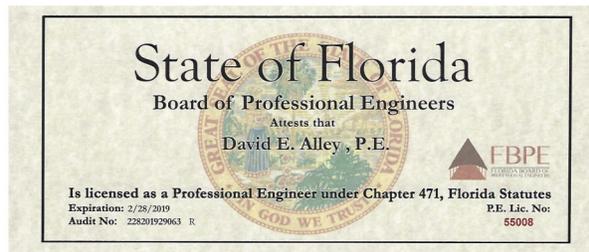
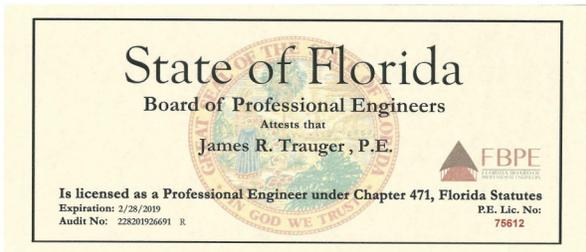
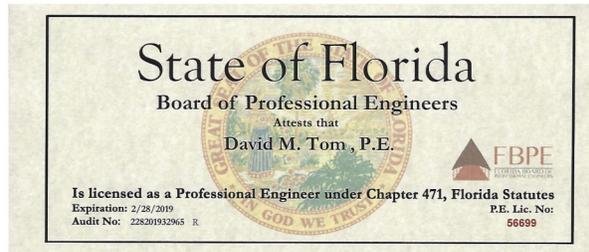
32. DATE 11/20/18

33. NAME AND TITLE
Jake T. Wise, P.E. - Lead Civil Engineer



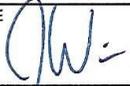
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I. AUTHORIZED REPRESENTATIVE

The foregoing is a statement of facts.

<p>31. SIGNATURE </p>	<p>32. DATE 11/20/19</p>
<p>33. NAME AND TITLE Jake T. Wise, P.E. - Lead Civil Engineer</p>	



H. ADDITIONAL INFORMATION

30. PROVIDE ANY ADDITIONAL INFORMATION REQUESTED BY THE AGENCY. ATTACH ADDITIONAL SHEETS AS NEEDED.

2018 FLORIDA LIMITED LIABILITY COMPANY ANNUAL REPORT

DOCUMENT# L01000018843

Entity Name: CONSTRUCTION ENGINEERING GROUP, LLC

Current Principal Place of Business:

2651 W. EAU GALLIE BLVD
SUITE A
MELBOURNE, FL 32935

Current Mailing Address:

2651 W. EAU GALLIE BLVD
SUITE A
MELBOURNE, FL 32935 US

FEI Number: 59-3612586

Name and Address of Current Registered Agent:

ALLEY, DAVID
2651 W. EAU GALLIE BLVD
SUITE A
MELBOURNE, FL 32935 US

FILED
Jan 16, 2018
Secretary of State
CC9895239644

Certificate of Status Desired: No

The above named entity submits this statement for the purpose of changing its registered office or registered agent, or both, in the State of Florida.

SIGNATURE:

Electronic Signature of Registered Agent

Date

Authorized Person(s) Detail :

Title	MGRM	Title	MGRM
Name	ALLEY, DAVID E	Name	ADAMS, THOMAS L
Address	2651 W. EAU GALLIE BLVD, STE. A	Address	2651 W. EAU GALLIE BLVD, STE. A
City-State-Zip:	MELBOURNE FL 32935	City-State-Zip:	MELBOURNE FL 32935
Title	MGRM	Title	MGRM
Name	WISE, JAKE T	Name	PRZECLAWSKI, KEITH
Address	2651 W. EAU GALLIE BLVD, STE. A	Address	2651 W. EAU GALLIE BLVD SUITE A
City-State-Zip:	MELBOURNE FL 32935	City-State-Zip:	MELBOURNE FL 32935

I hereby certify that the information indicated on this report or supplemental report is true and accurate and that my electronic signature shall have the same legal effect as if made under oath, that I am a managing member or manager of the limited liability company or the receiver or trustee empowered to execute this report as required by Chapter 605, Florida Statutes, and that my name appears above, or on an attachment with all other like empowered.

SIGNATURE: DAVID ALLEY

MGRM

01/16/2018

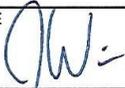
Electronic Signature of Signing Authorized Person(s) Detail

Date

I. AUTHORIZED REPRESENTATIVE

The foregoing is a statement of facts.

31. SIGNATURE



32. DATE

11/20/18

33. NAME AND TITLE

Jake T. Wise, P.E. - Lead Civil Engineer

STANDARD FORM 330 (REV. 8/2016) PAGE 5



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2018 - 2019

BREVARD COUNTY BUSINESS TAX RECEIPT
SUBJECT TO COUNTY ZONING RESTRICTIONS
TAX RECEIPT SHOULD BE DISPLAYED ON PREMISES

ACCOUNT NO.
9930320

THE PERSON(S), OR ENTITY BELOW:
CONSTRUCTION ENGINEERING GROUP LLC
2651 W EAU GALLIE BLVD
SUITE A
MELBOURNE, FL 32935

BUSINESS PERIOD: October 01, 2018 - September 30, 2019
EXPIRES: SEPTEMBER 30, 2019

ISSUED PURSUANT AND SUBJECT TO FLORIDA STATUTES AND BREVARD COUNTY CODE ISSUANCE DOES NOT CERTIFY COMPLIANCE WITH ZONING OR OTHER LAWS. BUSINESS TAX RECEIPT IS SUBJECT TO REVOCATION FOR ZONING VIOLATIONS, AND / OR FAILURE TO MAINTAIN REGULATORY PRE-REQUISITES AS REQUIRED FOR BUSINESS CLASSIFICATION(S), OR SUBSEQUENT ACTIVITIES. NOTIFY TAX COLLECTOR UPON CLOSING OF BUSINESS. A PERMIT IS REQUIRED TO ADVERTISE (Including with signage) "GOING OUT OF BUSINESS".

LISA CULLEN, CFC, Brevard County Tax Collector
P O Box 2500, Titusville, Florida 32781-2500
(321) 264-6969 or (321) 633-2199

LOCATION:
2651 W EAU GALLIE BLVD
SUITE A
CITY OF MELBOURNE, FL 32935

UPON A CHANGE OF OWNERSHIP OR LOCATION,
BUSINESS TAX RECEIPT SHOULD BE TRANSFERRED WITHIN 30 DAYS.

OWNED BY:
CONSTRUCTION ENGINEERING GROUP LLC

BUSINESS CLASSIFICATIONS, DISCLAIMERS, AND RELATED FEES:

EXEMPTIONS: 0.00

460199 PROFESSIONAL OFFICE
820005 RECEIPT AMT



Receipt Fee	37.00
Hazardous Waste Fee	0.00
Zoning Application Fee	0.00
Building Occupancy Review Fee	0.00
Fire Prevention Fee	0.00
Late Penalty	0.00
NSF Fee	0.00
Transfer Fee	0.00

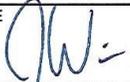
Paid 001-18-00005571 08/02/2018 37.00

MAIN OFFICE: 400 South St., 6th Floor, Titusville, FL 32780

BRANCH OFFICES: Merritt Island Office, 1605 N. Courtenay Pkwy
Melbourne Office, 1515 Sarno Road
Palm Bay Office, 450 Cogan Dr. SE
Titusville Office, 800 Park Ave.
Indian Harbour Beach Office, 240 E. Eau Gallie Blvd.
Viera Office, 2725 Judge Fran Jamieson Way, #A108, Viera, FL 32940

I. AUTHORIZED REPRESENTATIVE

The foregoing is a statement of facts.

31. SIGNATURE 

32. DATE 11/20/18

33. NAME AND TITLE
Jake T. Wise, P.E. - Lead Civil Engineer



H. ADDITIONAL INFORMATION

30. PROVIDE ANY ADDITIONAL INFORMATION REQUESTED BY THE AGENCY. ATTACH ADDITIONAL SHEETS AS NEEDED.

City of Melbourne **Local Business Tax Receipt**
 FY 2019 BTR 11343



Business Name: CONSTRUCTION ENGINEERING GROUP, LLC
Location: 2651 W Eau Gallie Blvd Suite: #A

Classification:
 118 Professional Office

Comments/ Restrictions:
 Professional Engineers (office)

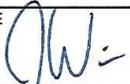
Jeffrey C Towne

Issue Date: 10/1/2018 **Exp Date:** 9/30/2019

TAX RECEIPT SHALL BE TRANSFERRED WITHIN 30 DAYS OF CHANGE OF OWNERSHIP OR LOCATION NOTIFY REVENUE OFFICE UPON CLOSING BUSINESS

I. AUTHORIZED REPRESENTATIVE

The foregoing is a statement of facts.

31. SIGNATURE 	32. DATE 11/20/18
33. NAME AND TITLE Jake T. Wise, P.E. - Lead Civil Engineer	

STANDARD FORM 330 (REV. 8/2016) PAGE 5



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Construction Engineering Group L L C
 DUNS: 806630559 CAGE Code: 5X3Lo
 Status: Active
 Expiration Date: 03/29/2019
 Purpose of Registration: All Awards

2651 W EAU GALLIE BLVD STE A
 MELBOURNE, FL, 32935-8957,
 UNITED STATES

Entity Overview

Entity Registration Summary

Name: Construction Engineering Group L L C
Business Type: Business or Organization
Last Updated By: David Alley
Registration Status: Active
Activation Date: 03/29/2018
Expiration Date: 03/29/2019

Exclusion Summary

Active Exclusion Records? No

I. AUTHORIZED REPRESENTATIVE

The foregoing is a statement of facts.

31. SIGNATURE

32. DATE

11/20/18

33. NAME AND TITLE

Jake T. Wise, P.E. - Lead Civil Engineer

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 info@ceengineering.com

EMERALD LAKES

COMMUNITY DEVELOPMENT DISTRICT

9

RESOLUTION 2019-32

A RESOLUTION OF THE EMERALD LAKES COMMUNITY DEVELOPMENT DISTRICT DESIGNATING DATES, TIMES AND LOCATIONS FOR REGULAR MEETINGS OF THE BOARD OF SUPERVISORS OF THE DISTRICT FOR REMAINDER OF FISCAL YEAR 2018/2019 AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Emerald Lakes 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 the City of Palm Bay, 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 EMERALD LAKES COMMUNITY DEVELOPMENT DISTRICT:

SECTION 1. ADOPTING REGULAR MEETING SCHEDULE. Regular meetings of the District’s Board shall be held during the remainder of Fiscal Year 2018/2019 as provided on the schedules 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 the City of Palm Bay and Brevard County.

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

PASSED AND ADOPTED this 13th day of December, 2018.

Attest:

**EMERALD LAKES COMMUNITY
DEVELOPMENT DISTRICT**

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

**EMERALD LAKES COMMUNITY DEVELOPMENT DISTRICT
BOARD OF SUPERVISORS
FISCAL YEAR 2018/2019 MEETING DATES**

The Board of Supervisors of the Emerald Lakes Community Development District will hold their regular meetings for the remainder of Fiscal Year 2018/2019 at 1:00 P.M., at 2651 W. Eau Gallie Boulevard, Suite A, Melbourne, Florida 32935 as follows:

November 16, 2018
December 13, 2018 at 1:00 P.M.
January 18, 2019
February 15, 2019
March 15, 2019
April 19, 2019
May 17, 2019
June 21, 2019
July 19, 2019
August 16, 2019
September 20, 2019

The meetings are open to the public and will be conducted in accordance with the provision of Florida law. The meetings may be continued to a date, time, and place to be specified on the record at the meeting. A copy of the agenda for these meetings may be obtained from Wrathell, Hunt & Associates, LLC, 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431 or by calling (561) 571-0010.

There may be occasions when one or more Supervisors or staff will participate by telephone. Pursuant to provisions of the Americans with Disabilities Act, any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the District Office at (561) 571-0010 at least 48 hours prior to the meeting. If you are hearing or speech impaired, please contact the Florida Relay Service by dialing 7-1-1, or 1-800-955-8771 (TTY) / 1-800-955-8770 (Voice), for aid in contacting the District Office.

A person who decides to appeal any decision made at the meeting with respect to any matter considered at the meeting is advised that person will need a record of the proceedings and that accordingly, the person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which such appeal is to be based.

District Manager

EMERALD LAKES
COMMUNITY DEVELOPMENT DISTRICT

10

RESOLUTION NO. 2019-33

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE EMERALD LAKES COMMUNITY DEVELOPMENT DISTRICT SUPPLEMENTING RESOLUTION NO. 2019-24 PROVIDING FOR AN ADDITIONAL AND/OR AN ALTERNATE SOURCE OF PAYMENT FOR BONDS AUTHORIZED PURSUANT TO SUCH RESOLUTION NO. 2019-24; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Board of Supervisors (the “Board”), as the governing body of the Emerald Lakes Community Development District (the “District”) adopted Resolution No. 2019-24 on October 12, 2018 (herein, the “Authorizing Resolution”) which authorized, in one or more series, not to exceed \$130,000,000 in Special Assessment Bonds to finance certain public infrastructure (herein, the “Bonds”); and

WHEREAS, any capitalized term used in this Resolution and not otherwise defined shall have the meaning ascribed to such term in the Bond Indenture, the form of such instrument was approved by the adoption of the Authorizing Resolution; and

WHEREAS, at the time the Authorizing Resolution was adopted, the Board limited the source of repayment of the Bonds to Special Assessments and other moneys pledged under the Bond Indenture (collectively, the “Pledged Revenues”); and

WHEREAS, the primary landowner has determined that certain components of the Total Project to be financed by the District may give rise to impact fee credits, the proceeds of the sale of which by the District could also be used as an additional or alternate source of repayment of the Bonds and the District may choose to secure bonds in whole or in part by rates, fees and other charges to be collected from the users of District projects as specifically permitted by subsections 190.011(9) 190.011(10) and 190.016(8)(a), F.S. (herein, “Additional Pledged Revenues”); and

WHEREAS, based on the limitations for the security for the Bonds set forth in the Authorizing Resolution, the Board hereby determines it is necessary to supplement the Authorizing Resolution to authorize the use of the Additional Pledged Revenues as a primary or secondary source of repayment of one or more series of Bonds.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the Emerald Lakes Community Development District, as follows:

Section 1. The Board hereby authorizes the issuance of one or more Series of Bonds to finance certain components of the Total Project that will be payable from the Pledged Revenues and Additional Pledged Revenues or payable solely from the Additional Pledged Revenues.

Section 2. The Board hereby authorizes the use of Additional Pledged Revenues to be part of the proceedings to validate the Bonds filed in the Eighteenth Judicial Circuit of Florida, in and for Brevard County.

Section 3. The Board hereby authorizes that the final versions of the applicable Bond Indenture be amended and supplemented to conform with the intent of this Resolution.

Section 4. If any section, paragraph, clause or provision of this Resolution shall be held to be invalid or ineffective for any reason, the remainder of this Resolution shall continue in full force and effect, it being expressly hereby found and declared that the remainder of this Resolution would have been adopted despite the invalidity or ineffectiveness of such section, paragraph, clause or provision.

Section 5. All resolutions or proceedings, or parts thereof, in conflict with the provisions hereof are to the extent of such conflict hereby repealed or amended to the extent of such inconsistency.

PASSED in public session of the Board of Supervisors of the Emerald Lakes Community Development District, this 13th day of December, 2018.

**EMERALD LAKES COMMUNITY
DEVELOPMENT DISTRICT**

ATTEST:

By: _____
Name: _____
Title: Secretary, Board of Supervisors

By: _____
Name: _____
Title: Chairperson, Board of Supervisors

EMERALD LAKES

COMMUNITY DEVELOPMENT DISTRICT

11

AGREEMENT

Between

BREVARD COUNTY PROPERTY APPRAISER

And

Emerald Lakes Community Development District

For

NON-AD VALOREM ASSESSMENTS

An AGREEMENT made this ____ day of _____, 20__ between Dana Blickley, CFA, acting in her capacity as the Brevard County Property Appraiser ("Property Appraiser"), and Emerald Lakes Community Development District ("Emerald Lakes CDD") located in Brevard County.

WITNESSETH:

WHEREAS, Emerald Lakes CDD has adopted the uniform method of levying and collecting non-ad valorem assessments, pursuant to Section 197.3632, Florida Statutes, for the tax year 2019 and each succeeding year until this agreement is terminated pursuant to Paragraph 10 below.

WHEREAS, Emerald Lakes CDD notified the Property Appraiser of said election to utilize the uniform method of collecting non-ad valorem assessments in compliance with the notice requirements of Section 197.3632, Florida Statutes; and

WHEREAS, pursuant to Section 197.3632(2), Florida Statutes, in order to accomplish that intent, Emerald Lakes CDD is required to enter into a written agreement with the Property Appraiser regarding the method of reimbursement of necessary administrative costs incurred in effecting the uniform method of tax collection; and

WHEREAS, the parties hereto desire to enter into said written agreement as stated in section 197.3632, Florida Statutes; and

NOW THEREFORE, in consideration of the mutual promises, premises, covenants and conditions herein, it is hereby mutually agreed between the parties as follows:

1. The Property Appraiser agrees to perform the following services for Emerald Lakes CDD:
 - a) Create a Non-Ad Valorem Assessment Roll for Emerald Lakes CDD continuing in the 2019 tax year and each succeeding year until this agreement is terminated by either of the parties pursuant to Paragraph 10 below, using data provided annually to the

Property Appraiser by Emerald Lakes CDD per the attached Calendar for Implementation of Non-Ad Valorem Assessment.

- b) Provide Emerald Lakes CDD with an annual data file in a compatible format that contains owner information and a preliminary estimate of each type of property within Emerald Lakes CDD (e.g., single family residential, vacant land, condominium, etc.) for Emerald Lakes CDD's planning purposes in establishing its non-ad valorem assessments.
 - c) Receive from Emerald Lakes CDD its non-ad valorem assessment levy for each type of property and extend that amount against each parcel of real property within Emerald Lakes CDD.
 - d) Deliver Emerald Lakes CDD's Uniform Non-Ad Valorem Assessment Roll to the Brevard County Tax Collector's Office so that the tax bills mailed on or about November 1 will include the amount for Emerald Lakes CDD's non-ad valorem assessment levies.
- 2) Emerald Lakes CDD agrees to perform the following acts in connection with this agreement:
- a) Advise the property owners within Emerald Lakes CDD in an appropriate and lawful manner of Emerald Lakes CDD's intention to utilize the uniform non-ad valorem assessment method described in Sections 197.3631 through 197.3635, Florida Statutes, and carry out its responsibilities under said sections.
 - b) Timely provide the Property Appraiser with information required to prepare the Uniform Non-Ad Valorem Assessment Roll pursuant to the Calendar for Implementation of Non-Ad Valorem Assessment.
 - c) Advise the property owners within Emerald Lakes CDD as appropriate that the Property Appraiser's office is acting in a ministerial capacity for Emerald Lakes CDD in connection with the non-ad valorem assessments.
 - d) Provide and pay for the legal defense of the Property Appraiser for any litigation arising out of, or related to, the levy and/or collection of non-ad valorem assessments by Emerald Lakes CDD provided that the Emerald Lakes CDD shall do so with its own attorneys and only to the extent that the litigation arises from the negligence or wrong-doing of Emerald Lakes CDD. Emerald Lakes CDD's liability hereunder shall not exceed the waiver of immunity afforded Emerald Lakes CDD by statutory construction.

- 3) The parties understand that the Property Appraiser shall not warrant either the legal efficacy or validity of any levies made by Emerald Lakes CDD as non-ad valorem assessments, or the correctness of the amount of levy or charge imposed against any parcel or parcels of real property subject to such levy. All requests of claims made by any affected property owner for correction of errors shall be processed by Emerald Lakes CDD. Further, any errors made in the amount of the levy, or in the manner of said levy, or any other error associated with the levy of non-ad valorem assessments by Emerald Lakes CDD, shall be processed and corrected by the Emerald Lakes CDD subject to any agreements with other governmental agencies or officials.
- 4) Within 30 days of invoice, the Property Appraiser shall be compensated by Emerald Lakes CDD for all administrative costs incurred in carrying out this agreement at the rate of \$0.50 per parcel. The parties understand this rate per parcel does not include any amount for extraordinary programming or other services required by Emerald Lakes CDD. For purposes of this agreement, "extraordinary programming" shall mean the creation of customized computer programs, assessment calculation routines or creation of data not normally used by the Property Appraiser. The parties acknowledge that the use of extraordinary programs or creation of data not normally used by the Property Appraiser is not anticipated. However, in the event that the use of extraordinary programming or creation of such data is required, the Property Appraiser shall estimate the cost of such programming or creation of such data and inform Emerald Lakes CDD of such cost in writing in advance. The Property Appraiser will not engage in such extraordinary programming nor creation of such data without prior written approval from Emerald Lakes CDD.
- 5) The specific duties to be performed under this agreement and their respective timeframes are contained in Attachment A, which is incorporated herein by reference.
- 6) This agreement constitutes the entire agreement of the parties and can only be modified in writing. If the Property Appraiser or Emerald Lakes CDD determine this Agreement needs modification, said modification must be in writing, signed by both parties, and entered into prior to January 1st of the tax year in which such modification is to become effective.
- 7) This agreement is govern by and construed in accordance with Florida law. Any and all legal action necessary to enforce this agreement will be held in Brevard County, Florida. No remedy herein conferred upon any party is intended to be exclusive of any other remedy

- 8) All parts of this Agreement not held unenforceable for any reason shall be given full force and effect.
- 9) All communications required by this agreement shall be in writing and sent by first class mail or email to the other party. Notices to Emerald Lakes CDD shall be addressed to:

Emerald Lakes Community Development District
Attention: Craig Wrathell
Wrathell, Hunt and Associates, LLC
2300 Glades Road, Suite 410WBoca Raton, FL 32341
Phone: (561) 571-0010
Email: wrathellc@whhassociates.com

With a copy to:

Attention: Michael C. Eckert
Hopping Green & Sams PA
119 South Monroe Street, Suite 300
Tallahassee, Florida 32301

Notices to the Property Appraiser shall be addressed to:

Dana Blickley, CFA
Brevard County Property Appraiser
400 South Street, 5th Floor
Titusville, FL 32780
Phone: 321-264-6700
Email: appraiser@bcpao.us

- 10) This Agreement may be terminated by either party upon written notice by the terminating party to the other party, providing for termination for the succeeding year. Such notice shall be sent no later than January 1 of the succeeding year. Property Appraiser will perform no further work after the written termination notice is received. If any work is in progress at the time of notice of termination, any and all work, documents, reports, non-ad valorem assessment rolls prepared up to the date of termination shall be submitted to Emerald Lakes CDD.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals on the say and year first above written.

PROPERTY APPRAISER

Emerald Lakes Community Development
District

DANA BLICKLEY
BREVARD COUNTY PROPERTY APPRAISER

NAME: _____
TITLE: _____

ATTACHMENT "A"

Calendar for Implementation of Non-Ad Valorem Assessment

TASK TO BE PERFORMED ON AN ANNUAL BASIS	DUE DATE
1. Property Appraiser to provide the Emerald Lakes CDD with an electronic file that includes owner name, property address and parcel ID, property classifications and acreage. Note: The file shall be in a text or MS Excel file format and shall include a file layout of all data fields, as well as a description of all codes.	On or prior to June 1
2. Emerald Lakes CDD reviews assessment data (unit counts, square footage amounts, property classifications, etc.) provided by the Property Appraiser for accuracy, and notifies the Property Appraiser of any corrections.	From June 1 to July 31
3. In conformance with Fla. Stat. 197.3632, Emerald Lakes CDD certifies the final non-ad valorem assessment rates, and provides the Property Appraiser with a certified copy of the resolution adopting the rates.	Within 3 days of adoption of the final resolution.
4. Property Appraiser delivers Emerald Lakes CDD's non-ad valorem non-ad valorem assessment rolls to the Brevard County Tax Collector.	At the time of ad valorem tax roll certification
5. Property Appraiser provides Emerald Lakes CDD a file of the non-ad valorem assessment roll delivered to the Brevard County Tax Collector as the final record of delivery of non-ad current year assessment.	30 days after delivery of non-ad valorem assessment to Brevard County Tax Collector

EMERALD LAKES
COMMUNITY DEVELOPMENT DISTRICT

12

UNIFORM COLLECTION AGREEMENT

THIS AGREEMENT made and entered into this _____ day of _____, 20___, by and between the Emerald Lakes CDD (“District” or “Independent District”), whose mailing address is 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431 and the Honorable Lisa Cullen, State Constitution County Tax Collector in and for the Brevard County political subdivision, whose address is Brevard County Tax Collector, 400 South Street 6th Floor, Titusville, Florida, 32780 (“Tax Collector”).

SECTION I

Findings and Determinations

The parties find and determine:

1. District is an independent special-district, created and existing pursuant to Chapter 190, Florida Statutes, and is authorized to impose and to levy, and by appropriate Resolution has expressed its intent to use the statutory uniform methodology form of collection of, non-ad valorem assessments for certain improvements (“Assessments”), as authorized by Sections 190.011(9) and (14), 190.021, 190.022, 197.3631, 197.3632 and 197.3635, Florida Statutes and Rule 12D-18, Florida Administrative Code, as amended.
2. The term “Assessments” means those certain impositions and levies by the District which constitute non-ad valorem assessments. These assessments are liens under Section 197.3632, Florida Statutes, and applicable case law, if each results in a special benefit peculiar to the parcels of property involved (over and above general community benefit), as a result of a logical connection to the property involved, from the system, facility and service provided by the District and such benefits are apportioned to the property fairly and reasonably.
3. The uniform statutory collection methodology is provided in Section 197.3632, Florida Statutes, and Rule 12D-18, Florida Administrative Code (“uniform methodology”), with its enforcement provisions, including the use of tax certificates and tax deeds for enforcing against any delinquencies.
4. The uniform methodology is more fair to the delinquent property owner than traditional lien foreclosure methodology; and

5. The uniform methodology provides for more efficiency of collection by virtue of the Assessment being collected using the official tax notice issued by the Tax Collector which will produce positive economic benefits to the District and its citizens, landowners and taxpayers.

6. The uniform methodology, through use of the official tax notice of the Tax Collector, will tend to eliminate confusion and promote local government accountability.

7. The Tax Collector, as the State constitution's county officer for the Brevard County political subdivision, is charged by general law in Chapter 197, Florida Statutes, and related rules and regulations, including Rule 12D-18, Florida Administrative Code, to function under the supervision (Section 195.002(1), Florida Statutes) of the Florida Department of Revenue for purposes of the uniform methodology for the collection of the Assessments.

8. The sole and exclusive responsibility to assess, to impose and to levy the Assessments, and to determine that they are legal, constitutional and lienable non-ad valorem assessments, is that of the District and no other person, entity or officer.

SECTION II

Applicable Law and Regulations

1. Sections 197.3631, 3632 and 3635, Florida Statutes; Rule 12D-18, Florida Administrative Code; and all other applicable provisions of constitutional and statutory law and related rules, govern the exercise by the District of its power to arrange for collection of non-ad valorem assessments.

2. Section 1(d), Article VIII, Florida Constitution; Chapter 197, Florida Statutes; Rule 12D-13, Florida Administrative Code; Rule 12D-18, Florida Administrative Code; and all other applicable provisions of constitutional and statutory law apply to Tax Collector in her capacity as the state constitution's sovereign county officer in and for Brevard County political subdivision under the supervision of the Florida Department of Revenue for the purpose of noticing, billing, merging, collecting and enforcing non-ad valorem assessments imposed and levied by the District.

3. Section 197.3631, Florida Statutes, constitutes supplemental authority for District to levy non-ad valorem assessments for the improvements, infrastructure and related systems, facilities and services.

4. Section 197.3632, Florida Statutes, and Rule 12D-18, Florida Administrative Code, have provisions that apply both to the District and to Tax Collector, as well as, to the Department of Revenue and the Property Appraiser in and for the county.

SECTION III

Purpose

The purpose of this Agreement under Rule 12D-18, Florida Administrative Code, is to establish the terms and conditions under which the Tax Collector shall use 197.3632 to collect and to enforce the collection of those certain non-ad valorem special assessments, the “Assessments”, imposed and levied by District to include: 1) compensation by District to the Tax Collector for costs of collection pursuant to Section 197.3632(8)(c), Florida Statutes; 2) payment by District of any costs involved in separate mailings because of non merger of any non-ad valorem special assessment roll as certified by the Chair of the District Board or his or her designee, pursuant to Section 197.3632(7), Florida Statutes; and 3) reimbursement by District for necessary administrative costs, including, but not limited to, those costs associated with personnel forms, supplies, data processing, computer equipment, postage and programming which attend all of the collection and enforcement duties imposed upon the Tax Collector by the uniform methodology, as provided in Section 197.3632(2), Florida Statutes.

SECTION IV

Term

The term of this Agreement shall commence upon execution, effective for the 2019 and subsequent tax notice purposes, and shall continue and extend uninterrupted from year-to-year, automatically renewed for successive periods not to exceed one (1) year each, unless District shall inform the Tax Collector, as well as Property Appraiser and the Department of Revenue, by January 10 of each calendar year, if District intends to discontinue to use the uniform methodology for such Assessments pursuant to Section 197.3632(6), Florida Statutes and Rule 12D-18.006(3), Florida Administrative Code, using form DR-412 promulgated by the Florida Department of Revenue.

SECTION V

Duties and Responsibilities of District

District agrees, covenants and contracts to:

1. Compensate the Tax Collector for collection costs incurred pursuant to Section 197.3632(8)(c), Florida Statutes and 12D-18.004(2), Florida Administrative Code.
2. Reimburse Tax Collector for necessary administrative costs for the collection and enforcement of the Assessment by the Tax Collector under the uniform methodology, pursuant to Section 197.3632(2), Florida Statutes, and Rule 12D-18.004(2), Florida Administrative Code, to include, but not be limited to, those costs associated with personal forms, supplies, data processing, computer equipment, postage and programming.
3. Pay for or alternatively reimburse the Tax Collector for any separate tax bill (not the tax notice) necessitated by the inability of the Tax Collector to merge the non-ad valorem special assessment roll as certified by District pursuant to Section 197.3532(7), Florida Statutes, and Rule 12D-18.004(2) Florida Administrative Code.
4. District, upon being billed timely, shall pay directly for necessary advertising relating to implementation of the uniform non-ad valorem special assessment law pursuant to Sections 197.3632 and 197.3635, Florida statutes, and Rule 12D-18.004(2), Florida Administrative Code.
5. By 15 September of each calendar year, the Chair of the District Board, or his or her designee, shall certify, using DR Form 408, to the Tax Collector, the non-ad valorem assessment (“Assessment”) roll on compatible electronic medium, tied to the property parcel identification number provided by the Property Appraiser in July to the Department of Revenue. District or its agent on behalf of District shall post the non-ad valorem special assessment for each parcel on the said non-ad valorem assessment roll of the District and shall exercise its responsibility that such non-ad valorem assessment roll be free of error and omissions. Section 197.3632(5)(a), Florida Statutes, and Rule 12D-18.006, Florida Administrative Code.

6. District agrees to abide by and to implement its duties under the uniform provisions of Sections 197.3632 and 197.3635, Florida Statutes, or its successor and all applicable rules promulgated by the Department of Revenue and their successor rules.

7. District acknowledges that the Tax Collector has no duty, authority or responsibility in the imposition and levy of any non-ad valorem assessments, including the District's "Assessment", and that it is the sole responsibility and duty of District to follow all procedural and substantive requirements for the imposition and levy of constitutionally lienable non-ad valorem assessments, including the Assessments.

8. District shall indemnify and hold harmless Tax Collector to the extent of any legal or quasi-judicial action which may be filed in local, state or federal courts or administrative agency against Tax Collector regarding the imposition, levy, roll preparation and certification of the Assessments; District shall pay for or reimburse Tax Collector for fees and costs for services rendered by the Tax Collector with regard to any such legal or quasi-judicial action.

SECTION VI

Duties of the Tax Collector

1. The Tax Collector shall merge timely the legally certified "Assessment" roll of the District with all other non-ad valorem assessment rolls, if certified timely, and merge subsequent said rolls with the Property Appraiser's tax roll, certified to the Tax Collector by the Property Appraiser; prepare a collection roll; and prepare a combined notice (the tax notice) for both ad valorem taxes and non-ad valorem assessments for all imposing and levying local governments within the county political subdivision, including general purpose and special purpose, pursuant to Sections 197.3632 and 197.3635, Florida Statutes, and its successor provisions, and any applicable rules, and their successor rules, promulgated by the Department of Revenue, and in accordance with any specific resolutions adopted by District, so long as said resolutions shall themselves, each and every one, state intent clearly to ask the Tax Collector to use the uniform state method of collecting such assessments and so long as they are, further, not inconsistent with, or contrary to, the provisions of Sections 197.3632 and 197.3635, Florida Statutes, and their successor provisions, and any applicable rules.

2. Tax Collector shall collect the Assessments of District, as certified by the chair of the District Board or her or his designee, to the Tax Collector no later than 15 September of each calendar year on compatible electronic medium, tied to the property identification number for each parcel, and in the format used in July by the Property Appraiser for the ad valorem tax rolls submitted to the Department of Revenue, using, DR Form 408, and free of errors or omissions; and if mergeable.

3. The Tax Collector shall not accept any non-ad valorem assessment roll for the Assessments of District that is not certified to the Tax Collector officially, timely and legally, pursuant to Chapter 197, Florida Statutes, and Rule 12D-18, Florida Administrative Code.

4. The Tax Collector agrees to cooperate with District in implementation of the uniform methodology for collecting Assessments pursuant to Sections 197.3632 and 197.3635, Florida Statutes, and any successor provisions and applicable rules.

5. If the Tax Collector discovers error or omissions on such roll, Tax Collector may request District to file a corrected roll or a correction of the amount of any assessment and District shall bear the cost of any such error or omission.

6. If Tax Collector determines that a separate mailing of a tax bill (not the tax notice) is authorized pursuant to Section 197.3532(7), Florida Statutes, and any applicable rules promulgated by the Department of Revenue, and any successor provision to said law or rules, the Tax Collector either shall mail a separate bill of the particular non-ad valorem assessment (“Assessments”) or direct District to mail such a separate bill. In making this decision, the Tax Collector shall consider all costs to District and to the taxpayers of such a separate mailing as well as the adverse effect to the taxpayers of delay in multiple notices. If such a separate mailing is affected, District shall bear all costs associated with the separate notice for the non-ad valorem special assessment that could not be merged, upon timely billing by the Tax Collector.

SECTION VII

District shall reimburse Tax Collector for necessary administrative costs and compensate Tax Collector for collection costs as set forth in Section V, paragraphs 1. and 2.

SECTION VIII

1. The parties shall perform all their obligations under this agreement in accordance with good faith and prudent practice. If neither the Property Appraiser, nor District nor both shall follow procedures for roll preparation and roll certification set forth in Section 197.3632, Florida Statutes, and Rule 12D-18, Florida Administrative Code, then this Agreement is terminated automatically unless the District and the Property Appraiser and the District and Tax Collector enter into alternative provisions authorized in their respective and local agreements with the District. So far as those alternative agreements regarding the Tax Collector are concerned, if the District contracts with the Property Appraiser to prepare the District's non-ad valorem assessment roll and/or if the Chair of the District Board designates the Property Appraiser in writing to certify the roll to the Tax Collector in accordance with applicable law and rule, then it shall remain the duty of the Tax Collector to merge the roll upon timely certification by 15th September. If the Property Appraiser because of technology and convenience merges the roll, it shall be done only pursuant to an expressed written agreement between the Property Appraiser and the Tax Collector by which the Tax Collector does not convey away the power to merge but delegates the limited expressed exercise of it to the Property Appraiser under the supervision of the Tax Collector.

2. This agreement constitutes the entire agreement between the parties with respect to the subject matter contained herein and may not be amended, modified or rescinded, unless otherwise provided in this Agreement, except in writing and signed by the parties hereto. Should any provision of this Agreement be declared to be invalid, the remaining provisions of this Agreement shall remain in full force and effect, unless such provision is found to be invalid or alter substantially the benefits of the Agreement for either of the parties or renders the statutory and regulatory obligations unperformable.

3. This Agreement shall be governed by the laws of the State of Florida.

4. Written notice shall be given to the parties at the following address, or such other place or person as each of the parties shall designate by similar notice:

a. As to Tax Collector: 400 South St. 6th Floor
Titusville, Florida 32780

b. As to District: Emerald Lakes Community
Development District
2300 Glades Road, Suite 310W
Boca Raton, Florida 33431
Attn: District Manager

With a copy to: Hopping Green & Sams PA
119 South Monroe Street, Suite 300
Tallahassee, Florida 32301
Attn: District Counsel

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals and such of them as are corporations have caused these presents to be signed by their duly authorized officers.

ATTEST: BREVARD COUNTY TAX COLLECTOR

By: _____
Lisa Cullen, CFC

Date: _____

ATTEST: Emerald Lakes CDD

By: _____

Date: _____

EMERALD LAKES
COMMUNITY DEVELOPMENT DISTRICT

13A

DRAFT
MINUTES OF MEETING
EMERALD LAKES
COMMUNITY DEVELOPMENT DISTRICT

The Emerald Lakes Community Development District held an Organizational Meeting on Friday, October 12, 2018 at 1:00 p.m., at 2651 W. Eau Gallie Boulevard, Suite A, Melbourne, Florida 32935.

Present at the meeting and constituting a quorum were:

Chris Kasten	Vice Chair
Mel Scott	Assistant Secretary
Alfredo Rodriguez-Walling	Assistant Secretary

Also present were:

Craig Wrathell	District Manager
Cindy Cerbone	Wrathell, Hunt and Associates, LLC
Pfil Hunt	Wrathell, Hunt and Associates, LLC
Michael Eckert (via telephone)	District Counsel
Michelle Rigoni	Hopping Green & Sams, P.A.
Cydney Maksymow	Interim District Engineer
Steve Sanford	Bond Counsel
Ed Bulleit (via telephone)	MBS Capital Markets
Paul Paluzzi	ZONS Development
Brenda Yates	Yates & Company, LLC

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Wrathell called the meeting to order at 1:09 p.m. This was the Organizational Meeting. Mr. Kasten, Mr. Scott and Mr. Rodriguez-Walling, three of the five Board Members elected at the Landowners' Election, were present.

SECOND ORDER OF BUSINESS

Public Comments

There were no public comments.

GENERAL DISTRICT ITEMS

THIRD ORDER OF BUSINESS

Administration of Oath of Office to Initial Board of Supervisors *(the following will also be provided in a separate package)*

43 Mr. Wrathell, a Notary of the State of Florida and duly authorized, administered the
44 Oath of Office to Mr. Kasten, Mr. Scott and Mr. Rodriguez-Walling. The Oath of Office would be
45 administered to Mr. Gottlieb and Mr. Kramer at another time.

46 Mr. Wrathell provided and explained the following items:

- 47 **A. Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees**
- 48 **B. Membership, Obligations and Responsibilities**
- 49 **C. Chapter 190, Florida Statutes**
- 50 **D. Financial Disclosure Forms**
 - 51 **i. Form 1: Statement of Financial Interests**
 - 52 **ii. Form 1X: Amendment to Form 1, Statement of Financial Interests**
 - 53 **iii. Form 1F: Final Statement of Financial Interests**
- 54 **E. Form 8B: Memorandum of Voting Conflict**

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56	FOURTH ORDER OF BUSINESS	Consideration of Resolution 2019-01, 57 Canvassing and Certifying the Results of 58 the Landowners' Election of Supervisors 59 Held Pursuant to Section 190.006(2), 60 Florida Statutes, and Providing for an 61 Effective Date
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63 Mr. Wrathell presented Resolution 2019-01. The outcome of the Landowners' Election
64 was as follows:

65	Richard Gottlieb	Seat 1	1,085 votes	Four-year Term
66	Christopher Kasten	Seat 2	1,085 votes	Four-year Term
67	David Kramer	Seat 3	1,000 votes	Two-year Term
68	Mel Scott	Seat 4	1,000 votes	Two-year Term
69	Alfredo Rodriguez-Walling	Seat 5	1,000 votes	Two-year Term

70 The Resolution would be updated with the outcome of the Landowners' Election and
71 the following additional change was made:

72 Third WHEREAS: Change "October 12" to "September 6"

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On MOTION by Mr. Kasten and seconded by Mr. Rodriguez-Walling, with all in favor, Resolution 2019-01, 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, as amended, was adopted.

FIFTH ORDER OF BUSINESS

Discussion/Consideration: Board Member Compensation: 190.006 (8), F.S.

Mr. Wrathell stated that Board Members were entitled to compensation of \$200 per meeting, up to \$4,800 per year.

On MOTION by Mr. Kasten and seconded by Mr. Rodriguez-Walling, with all in favor, authorization for Board Members to receive compensation, if desired, was approved.

SIXTH ORDER OF BUSINESS

Consideration of Resolution 2019-02, Electing the Officers of the District, and Providing for an Effective Date

Mr. Wrathell presented Resolution 2019-02. Mr. Scott nominated the following slate of officers:

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|---------------------------|---------------------|
| Richard Gottlieb | Chair |
| Christopher Kasten | Vice Chair |
| Craig Wrathell | Secretary |
| David Kramer | Assistant Secretary |
| Mel Scott | Assistant Secretary |
| Alfredo Rodriguez-Walling | Assistant Secretary |
| Cindy Cerbone | Assistant Secretary |
| Craig Wrathell | Treasurer |
| Jeff Pinder | Assistant Treasurer |

No other nominations were made.

On MOTION by Mr. Rodriguez-Walling and seconded by Mr. Kasten, with all in favor, Resolution 2019-02, Electing the Officers of the District, and Providing for an Effective Date, as nominated, was adopted.

115 ORGANIZATIONAL MATTERS

116 SEVENTH ORDER OF BUSINESS

117 Consideration of the Following
118 Organizational Matters:

119 **A. Resolution 2019-03, Appointing and Fixing the Compensation of the District Manager
120 and Methodology Consultant; and Providing an Effective Date**

- 121 • **Consideration of Agreement for District Management Services: *Wrathell, Hunt
122 and Associates, LLC***

123 Mr. Wrathell presented Resolution 2019-03. This Resolution would appoint Wrathell,
124 Hunt and Associates, LLC (WHA) as District Manager and Methodology Consultant. He
125 reviewed the Management Services Agreement and Fee Schedule and discussed the scope of
126 services covered in the Agreement. Management is proposing a reduced fee during the
127 dormancy period but, once bond issuance activities commence, the fee would revert back to
128 the normal fee.

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130 **On MOTION by Mr. Kasten and seconded by Mr. Rodriguez-Walling, with all in
131 favor, Resolution 2019-03, Appointing and Fixing the Compensation of
132 Wrathell, Hunt and Associates, LLC as the District Manager and Methodology
133 Consultant; and Providing an Effective Date, was adopted.**

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136 **B. Resolution 2019-04, Appointing Legal Counsel for the District; Authorizing
137 Compensation and Providing for an Effective Date**

- 138 • **Consideration of District Counsel Retainer Agreement: *Hopping Green & Sams,
139 P.A.***

140 Mr. Wrathell presented Resolution 2019-04. The proposed Hopping, Green & Sams, P.A.
141 (HGS) Fee Agreement outlined District Counsel's terms and fees. Ms. Rigoni discussed HGS'
142 experience and noted Section VI, which states that HGS will provide competent representation,
143 despite its representation of other CDDs, and that HGS will not be materially limited in
144 representation of the District by the fact that they represent other CDDs. By executing the
145 Agreement, the District is essentially waiving that there is any existing conflict. She reviewed
146 the contents of the Agreement.

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On MOTION by Mr. Scott and seconded by Mr. Kasten, with all in favor, Resolution 2019-04, Appointing Hopping, Green & Sams, P.A., as Legal Counsel for the District; Authorizing Compensation and Providing for an Effective Date, was adopted.

C. Resolution 2019-05, Designating a Registered Agent and Registered Office of the District; and Providing for an Effective Date

Mr. Wrathell presented Resolution 2019-05.

On MOTION by Mr. Kasten and seconded by Mr. Rodriguez-Walling, with all in favor, Resolution 2019-05, as amended, Designating Mr. Michael Eckert as Registered Agent and 119 South Monroe Street, Suite 300, Tallahassee, Florida 32301 as Registered Office of the District; and Providing for an Effective Date, was adopted.

D. Resolution 2019-06, Appointing an Interim District Engineer for the District, Authorizing its Compensation and Providing for an Effective Date

- **Consideration of Interim Engineering Services Agreement: *Wise Engineering, Inc.***

Mr. Wrathell presented Resolution 2019-06 and the Interim Engineering Services Agreement. Ms. Yates stated that Wise Engineering, Inc. (WEI), is a subsidiary of Construction Engineering Group, LLC (CEG). It was determined that there was no issue using the WEI name on the Agreement.

On MOTION by Mr. Kasten and seconded by Mr. Rodriguez-Walling, with all in favor, Resolution 2019-06, Appointing Wise Engineering, Inc., as Interim District Engineer for the District, Authorizing its Compensation and Providing for an Effective Date, was adopted.

E. Resolution 2019-07, Authorizing a Request for Qualifications for District Engineer Services and Providing for an Effective Date

Mr. Wrathell presented Resolution 2019-07. The Resolution would authorize Staff to advertise a Request for Qualifications (RFQ) for District Engineering services.

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On MOTION by Mr. Kasten and seconded by Mr. Scott, with all in favor, Resolution 2019-07, Authorizing a Request for Qualifications for District Engineer Services and Providing for an Effective Date, was adopted.

F. Resolution 2019-08, Designating the Primary Administrative Office and Principal Headquarters of the District, Designating the Location of the Local District Records Office and Providing an Effective Date

Mr. Wrathell presented Resolution 2019-08.

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On MOTION by Mr. Rodriguez-Walling and seconded by Mr. Kasten, with all in favor, Resolution 2019-08, Designating 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431 as the Primary Administrative Office and 2651 W. Eau Gallie Boulevard, Suite A, Melbourne, Florida 32935 as the Principal Headquarters of the District, Designating 2651 W. Eau Gallie Boulevard, Suite A, Melbourne, Florida 32935 as the Location of the Local District Records Office and Providing an Effective Date, was adopted.

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G. Resolution 2019-09, Setting Forth the Policy of the District Board of Supervisors With Regard to the Support and Legal Defense of the Board of Supervisors, District Officers and Retained Staff; and Providing for an Effective Date

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Mr. Wrathell presented Resolution 2019-09. This Policy states that the District will defend its Board Members, Officers and Staff, in performing their duties. Ms. Rigoni stated that this essentially protects the Board Members in their good faith actions taken as officials of the District and allows them to conduct District business without the worry or threat of lawsuits against them. Regarding whether this Policy is without limit, Ms. Rigoni stated that there are statutory limitations but the District's Directors and Officers (D&O) liability insurance will cover beyond the statutory limits. Mr. Wrathell stated that he typically recommends binding a minimum of \$1 million in D&O coverage. Ms. Rigoni stated that the sovereign immunity limitation is \$200,000 per person or \$300,000 per occurrence and the D&O insurance generally covers the cost to provide the legal defense. Mr. Wrathell discussed the insurance carrier, coverage, why D&O coverage is important despite the sovereign immunity limitations, etc. Mr. Eckert stated that no cap is included in the Resolution; if the Board Member is operating in good faith and within the scope of their duties, the District has an obligation to defend and indemnify the person.

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On MOTION by Mr. Scott and seconded by Mr. Rodriguez-Walling, with all in favor, Resolution 2018-09, Setting Forth the Policy of the District Board of Supervisors With Regard to the Support and Legal Defense of the Board of Supervisors, District Officers and Retained Staff; and Providing for an Effective Date, was adopted.

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- **Authorization to Obtain General Liability and Public Officers' Insurance**

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On MOTION by Mr. Scott and seconded by Mr. Kasten, with all in favor, authorization to obtain General Liability and Public Officers' Insurance, was approved.

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- H. Resolution 2019-10, Providing for the Public's Opportunity to Be Heard; Designating Public Comment Periods; Designating a Procedure to Identify Individuals Seeking To Be Heard; Addressing Public Decorum; Addressing Exceptions; and Providing for Severability and an Effective Date**

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Mr. Wrathell presented Resolution 2019-10. This Resolution sets forth the District's policy for public comment and outlines the procedures for public comments. Ms. Rigoni added that this Resolution formally adopts the procedure by which the District allows reasonable opportunity for the public to be heard.

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On MOTION by Mr. Scott and seconded by Mr. Kasten, with all in favor, Resolution 2019-10, Providing for the Public's Opportunity to Be Heard; Designating Public Comment Periods; Designating a Procedure to Identify Individuals Seeking To Be Heard; Addressing Public Decorum; Addressing Exceptions; and Providing for Severability and an Effective Date, was adopted.

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- I. Resolution 2019-11, Providing For the Appointment of a Records Management Liaison Officer; Providing the Duties of the Records Management Liaison Officer; Adopting a Records Retention Policy; and Providing For Severability and an Effective Date**

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Mr. Wrathell presented Resolution 2019-11. Ms. Rigoni explained that the District is required to maintain the records because they are public record. Option 1 was to keep all records indefinitely and Option 2 was to keep the records and dispose of them in accordance with the schedules provided under the Division of Library and Information Services by the Department of State. The Board agreed to Option 1.

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On MOTION by Mr. Scott and seconded by Mr. Rodriguez-Walling, with all in favor, Resolution 2019-11, Providing For the Appointment of a Records Management Liaison Officer; Providing the Duties of the Records Management Liaison Officer; Adopting a Records Retention Policy; and Providing For Severability and an Effective Date, was adopted.

- J. Resolution 2019-12, Granting the Chair the Authority to Execute Real and Personal Property Conveyance and Dedication Documents, Plats and Other Documents Related to the Development of the District's Improvements; Approving the Scope and Terms of Such Authorization; Providing for Severability and an Effective Date**

Mr. Wrathell presented Resolution 2019-12. This Resolution grants the Chair and Vice Chair authority to work with District Counsel, the District Engineer and District Staff and sign certain documents, between meetings, to avoid delays in constructions, etc.

On MOTION by Mr. Scott and seconded by Mr. Rodriguez-Walling, with all in favor, Resolution 2019-12, Granting the Chair the Authority to Execute Real and Personal Property Conveyance and Dedication Documents, Plats and Other Documents Related to the Development of the District's Improvements; Approving the Scope and Terms of Such Authorization; Providing for Severability and an Effective Date, was adopted.

- K. Resolution 2019-13, Ratifying, Confirming and Approving the Recording of the Notice of Establishment of the District, and Providing for an Effective Date**

Mr. Wrathell presented Resolution 2019-13. The Notice of Establishment was prepared by District Counsel and was already recorded in the County records, in accordance with Chapter 190, Florida Statutes

On MOTION by Mr. Kasten and seconded by Mr. Scott, with all in favor, Resolution 2019-13, Ratifying, Confirming and Approving the Recording of the Notice of Establishment of the District, and Providing for an Effective Date, was adopted.

- L. Authorization of RFP for Annual Audit Services**

- **Designation of Board of Supervisors as Audit Committee**

298 Mr. Wrathell presented the Request for Proposals (RFP) For Annual Audit Services. Mr.
299 Scott asked if anyone would be able to respond to the RFP. Mr. Wrathell replied affirmatively;
300 it is advertised in the paper.

301

302 **On MOTION by Mr. Scott and seconded by Mr. Kasten, with all in favor,**
303 **authorizing the District Manager to advertise the Request for Proposals for**
304 **Annual Auditing Services and designating the Board as the Audit Selection**
305 **Committee, were approved.**

306

307

308 **M. Strange Zone, Inc., Quotation #M18-1008 for District Website Design, Maintenance**
309 **and Domain**

310 Mr. Wrathell presented the Strange Zone, Inc. (SZI) proposal for website creation and
311 annual maintenance, hosting, email domain registration and SSL certificates. The District is
312 required to have a website and post certain information of the website.

313

314 **On MOTION by Mr. Scott and seconded by Mr. Kasten, with all in favor, the**
315 **Strange Zone, Inc., Quotation # M18-1008 for District Website Services, Design,**
316 **Maintenance and Domain, in the amount of \$1,679.99, was approved.**

317

318

319 **N. ADA Site Compliance Proposal for Website Compliance Shield, Accessibility Policy and**
320 **One (1) Annual Technological Audit**

321 Mr. Wrathell noted that claims were recently filed against CDDs and various entities
322 alleging that their websites were not in compliance with the Americans with Disabilities Act
323 (ADA) requirements for websites. Management engaged ADA Site Compliance (ADASC) to
324 assist in making the websites for its clients ADA compliant.

325 Discussion ensued regarding making sure that the physical aspects of the infrastructure
326 are compliant with ADA requirements. Mr. Wrathell stated that it is incumbent on the District
327 Engineer to make sure that the physical infrastructure is ADA compliant; the matter before the
328 Board is related to the CDD website.

329 Discussion ensued regarding ADA requirements for websites, lawsuits, etc.

330

331

332 **On MOTION by Mr. Scott and seconded by Mr. Rodriguez-Walling, with all in**
333 **favor, the ADA Site Compliance, Proposal for Annual Technological Auditing**
334 **and Report and Accessibility Policy and Compliance Shield for the District**
335 **Website Services, in the amount of \$199, was approved.**

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338 **O. Resolution 2019-14, Designating the Date, Time and Place of Public Hearing and**
339 **Authorization to Publish Notice of Such Hearing for the Purpose of Adopting Rules of**
340 **Procedure and Rates, Fees and Charges of the District; and Providing an Effective Date**

341 **i. Rules of Procedure**

342 Mr. Wrathell stated that, generally, the Rules of Procedure are based on the Statute
343 requirements and set forth the District's processes and procedures for meetings, agendas,
344 competitive bid process, etc. Ms. Rigoni stated that Rules of Procedure are drafted to include
345 certain statutory requirements and add clarity to certain areas.

346 **ii. Notices**

- 347 • **Notice of Rule Development**
- 348 • **Notice of Rulemaking**

349 Sample Notices were provided for informational purposes.

350 Mr. Wrathell presented Resolution 2019-14.

351
352 **On MOTION by Mr. Kasten and seconded by Mr. Rodriguez-Walling, with all in**
353 **favor, Resolution 2019-14, Designating the Date, Time and Place of December**
354 **13, 2018 at 1:00 p.m., at 2651 W. Eau Gallie Boulevard, Suite A, Melbourne,**
355 **Florida 32935 for a Public Hearing and Authorizing Publication of a Notice of**
356 **Such Hearing for the Purpose of Adopting Rules of Procedure and Rates, Fees**
357 **and Charges of the District; and Providing an Effective Date, was adopted.**

358
359
360 **P. Resolution 2019-15, Designating Dates, Times and Location for Regular Meetings of**
361 **the Board of Supervisors of the District for Fiscal Year 2018/2019 and Providing for an**
362 **Effective Date**

363 Mr. Wrathell presented Resolution 2019-15.

364 **The meeting recessed at 2:25 p.m.**

365 **The meeting reconvened at 2:29 p.m.**

366 The meetings would be scheduled for the Third Friday of each month, with the
367 exception of December, which would be Thursday, December 13, 2018 at 1:00 p.m.; the
368 meeting start time for all other meetings was changed from 1:00 p.m. to 11:00 a.m.

369

370

On MOTION by Mr. Scott and seconded by Mr. Rodriguez-Walling, with all in favor, Resolution 2019-15, Designating Dates, Times and Location for Regular Meetings of The Board of Supervisors of the District for Fiscal Year 2018/2019 and Providing for an Effective Date, as amended, was adopted.

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Q. Resolution 2019-16, Approving the Florida Statewide Mutual Aid Agreement; Providing for Severability; and Providing for an Effective Date

377

378

Mr. Wrathell presented Resolution 2019-16. This enables the District to request assistance from other governmental entities in certain situations, such as a hurricane. Typically, this is not necessarily needed in the early stages. Mr. Eckert recommended approval today.

379

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On MOTION by Mr. Kasten and seconded by Mr. Rodriguez-Walling, with all in favor, Resolution 2019-16, Approving the Florida Statewide Mutual Aid Agreement; Providing for Severability; and Providing for an Effective Date, was adopted.

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BANKING MATTERS

389

EIGHTH ORDER OF BUSINESS

Consideration of the Following Banking Matters:

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392

A. Resolution 2019-17, Designating a Public Depository for Funds of the District and Providing an Effective Date

393

394

Mr. Wrathell presented Resolution 2019-17.

395

396

On MOTION by Mr. Scott and seconded by Mr. Kasten, with all in favor, Resolution 2019-17, Designating Seacoast National Bank as Public Depository for Funds of the District, and Providing an Effective Date, was adopted.

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B. Resolution 2019-18, Authorizing the District Manager to Establish a Checking Account on Behalf of the District and to Designate the Authorized Signatories for the District's Operating Bank Account(s); and Providing for an Effective Date

402

403

404 Mr. Wrathell presented Resolution 2019-18. The District Manager, Chair, Secretary,
405 Treasurer and Assistant Treasurer would be authorized signatories for the checking account.

406

407 **On MOTION by Mr. Scott and seconded by Mr. Rodriguez-Walling, with all in**
408 **favor, Resolution 2019-18, Authorizing the District Manager to Establish a**
409 **Checking Account on Behalf of the District and to Designate the Authorized**
410 **Signatories for the District's Operating Bank Account(s); and Providing for an**
411 **Effective Date, was adopted.**

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414 **BUDGETARY MATTERS**

415 **NINTH ORDER OF BUSINESS**

**Consideration of the Following Budgetary
Matters:**

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417

418 **A. Resolution 2019-19, Approving Proposed Budget for Fiscal Year 2018/2019 and Setting**
419 **a Public Hearing Thereon Pursuant to Florida Law and Providing for Severability and**
420 **an Effective Date**

421 Mr. Wrathell presented Resolution 2019-19. He reviewed the proposed Fiscal Year 2019
422 budget and explained the line items and amounts budgeted. Expenses would be funded by the
423 Landowner, as they are incurred. Some budget items related to issuing bonds would not be
424 incurred until the bonds are issued.

425

426 **On MOTION by Mr. Kasten and seconded by Mr. Scott, with all in favor,**
427 **Resolution 2019-19, Approving Proposed Budget for Fiscal Year 2018/2019 and**
428 **Setting a Public Hearing Thereon Pursuant to Florida Law for December 13,**
429 **2018 at 1:00 p.m., at 2651 W. Eau Gallie Boulevard, Suite A, Melbourne, Florida**
430 **32935, and Providing for Severability and an Effective Date, was adopted.**

431

432

433 **B. Fiscal Year 2018/2019 Funding Agreement**

434 Mr. Rigoni distributed and presented the Fiscal Year 2019 Funding Agreement. This
435 Agreement formalizes the revenue stream from the Developer to the District for Fiscal Year
436 2019. It allows the District to request funds from the Developer and the Developer will have 15
437 days to remit payment for the expenses, as submitted. Comments from Developer's Counsel
438 were pending; therefore, the Agreement should be approved in substantial form. Mr. Wrathell
439 stated this was a standard type of funding agreement.

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On MOTION by Mr. Rodriguez-Walling and seconded by Mr. Kasten, with all in favor, the Fiscal Year 2018/2019 Funding Agreement, in substantial form, and authorizing the Chair and Vice Chair to execute the Agreement, was approved.

C. Resolution 2019-20, Adopting Alternative Investment Guidelines For Investing Public Funds in Excess of Amounts Needed to Meet Current Operating Expenses, in Accordance With Section 218.415(17), Florida Statutes

Mr. Wrathell presented the Resolution 2019-20. Per statute, the investment priorities, in order are first preservation of funds, liquidity and seeking investment income. This will not be much of a concern at this stage of development but adopting guidelines is necessary for audit purposes. He discussed the typical governmental investment options.

On MOTION by Mr. Scott and seconded by Mr. Kasten, with all in favor, Resolution 2019-20, Adopting Alternative Investment Guidelines For Investing Public Funds in Excess of Amounts Needed to Meet Current Operating Expenses, in Accordance With Section 218.415(17), Florida Statutes, was adopted.

D. Resolution 2019-21, Authorizing the Disbursement of Funds for Payment of Certain Continuing Expenses Without Prior Approval of the Board of Supervisors; Authorizing the Disbursement of Funds for Payment of Certain Non-Continuing Expenses Without Prior Approval of the Board of Supervisors; Providing for a Monetary Threshold; and Providing for an Effective Date

Mr. Wrathell presented Resolution 2019-21. This Resolution allows for disbursement of funds for payment of certain things, without Board approval. Mr. Scott state that this basically allows Management to make payments for things that were already approved, as part of the budget. Mr. Wrathell concurred and added that the threshold, under this Resolution, is \$5,000.

On MOTION by Mr. Scott and seconded by Mr. Rodriguez-Walling, with all in favor, Resolution 2019-21, Authorizing the Disbursement of Funds for Payment of Certain Continuing Expenses Without Prior Approval of the Board of Supervisors; Authorizing the Disbursement of Funds for Payment of Certain Non-Continuing Expenses Without Prior Approval of the Board of Supervisors; Providing for a Monetary Threshold; and Providing for an Effective Date, was adopted.

478 E. **Resolution 2019-22, Adopting a Policy for Reimbursement of District Travel Expenses;**
479 **and Providing for Severability and an Effective Date**

480 Mr. Wrathell presented Resolution 2019-22. Ms. Rigoni stated that this is a standard
481 type of Resolution, adopting reimbursement limits provided by the statute. Mr. Wrathell stated
482 that there is rarely an occasion when travel reimbursement for District Staff and Board
483 Members occurs but this Resolution allows for it, should it be necessary.

484

485 **On MOTION by Mr. Kasten and seconded by Mr. Rodriguez-Walling, with all in**
486 **favor, Resolution 2019-22, Adopting a Policy for Reimbursement of District**
487 **Travel Expenses; and Providing for Severability and an Effective Date, was**
488 **adopted.**

489

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491 F. **Resolution 2019-23, Adopting Prompt Payment Policies and Procedures Pursuant to**
492 **Chapter 218, Florida Statutes; Providing for Severability; and an Effective Date**

493 Mr. Wrathell presented Resolution 2019-23. The Policy outlines, among owners, what
494 constitutes proper invoicing, criteria for invoices and the procedure to resolve invoice disputes;
495 it protects the District.

496

497 **On MOTION by Mr. Kasten and seconded by Mr. Rodriguez-Walling, with all in**
498 **favor, Resolution 2019-23, Adopting Prompt Payment Policies and Procedures**
499 **Pursuant to Chapter 218, Florida Statutes; Providing for Severability; and an**
500 **Effective Date, was adopted.**

501

502

503 G. **Construction Funding Agreement**

504 Ms. Rigoni distributed and presented the Construction Funding Agreement. This
505 Agreement is related to the Developer funding certain parts of the District's Improvement Plan
506 for which the District is currently planning to construct. This Agreement enables the District to
507 reimburse the Developer for any funds expended for construction of the improvements using
508 bond proceeds of a future bond issuance.

509

510 **On MOTION by Mr. Scott and seconded by Mr. Kasten, with all in favor, the**
511 **Construction Funding Agreement, in substantial form, and authorizing the**
512 **Chair and Vice Chair to execute, was approved.**

513

514

515 **BOND FINANCING RELATED MATTERS**516 **TENTH ORDER OF BUSINESS****Consideration of the Following Bond
Financing Related Matters:**

517

518

519 **A. Bond Financing Team Funding Agreement**

520 Ms. Rigoni distributed and presented the Bond Financing Team Funding Agreement.

521 This Agreement allows for the Bond Financing Team professionals to take the steps necessary

522 towards issuing bonds and provides that the Developer will provide the funds necessary for the

523 District to issue the bonds. Similar to the other Agreements, this Agreement would be finalized

524 following the meeting. Mr. Wrathell stated that this is a standard type of agreement; it is what

525 enables the District to reimburse the Developer for those advance-funding expenses, related to

526 the bond issuance, from the bond proceeds.

527

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530

On MOTION by Mr. Scott and seconded by Mr. Kasten, with all in favor, the Bond Financing Team Funding Agreement, in substantial form, and authorizing the Chair and Vice Chair to execute, was approved.

531

532

533 **B. Agreement Regarding the Acquisition of Certain Work Product, Improvements and
534 Real Property**

535 Ms. Rigoni distributed and presented the Acquisition Agreement. This Agreement

536 provides the mechanism for the Developer to convey to the District certain work product and

537 improvements that the Developer constructs, over the years, when ready to be conveyed,

538 subject to review of the improvement by the District Staff and the District Engineer. Mr.

539 Wrathell noted that even improvements that will eventually be conveyed to the City or County

540 should first be conveyed to the District and the District would then convey them to the City or

541 County.

542

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On MOTION by Mr. Scott and seconded by Mr. Rodriguez-Walling, with all in favor, the Acquisition of Certain Work Product, Improvements and Real Property Agreement, in substantial form, and authorizing the Chair and Vice Chair to execute, was approved.

547

548

549 **C. Engagement of Bond Financing Professionals**550 **i. Underwriter: MBS Capital Markets, LLC**

551 Mr. Wrathell presented the MBS Capital Markets, LLC (MBS) Engagement Letter to serve
552 as Underwriter. The Underwriter's fee will be 2% of the par amount of bonds issued.

553 The following change was made:

554 Page 1: Third Line Under Heading: Change "Wilford Preserve" to "Emerald Lakes"

555

556 **On MOTION by Mr. Scott and seconded by Mr. Rodriguez-Walling, with all in**
557 **favor, the MBS Capital Markets, LLC Engagement Letter for Underwriter**
558 **Services, as amended, was approved.**

559

560

561 **Mr. Hunt left the meeting.**

562 **ii. Bond Counsel: Greenberg Traurig, P.A.**

563 Mr. Wrathell presented the Engagement Letter from Greenberg Traurig, P.A. (GT), to
564 serve as Bond Counsel. The fee will be \$55,000 for the first bond issuance, and \$45,000 for all
565 subsequent bond series'. The fees are not fully contingent on the bond issuance closing;
566 therefore, GT would still be owed most of their fees. Mr. Sanford stated that the only time GT
567 would ask to be paid a percentage of its work is if the District was able to issue the bonds but,
568 at the last moment, decided not to complete the process.

569

570 **On MOTION by Mr. Kasten and seconded by Mr. Rodriguez-Walling, with all in**
571 **favor, the Greenberg Traurig, P.A., Engagement Letter for Bond Counsel**
572 **Services, was approved.**

573

574

575 **iii. Trustee: The Bank of New York Mellon**

576 Mr. Wrathell presented the Engagement Letter and Fee Schedule from The Bank of New
577 York Mellon to serve as Trustee, Paying Agent and Registrar. The Trustee is the keeper of the
578 bond proceeds and, as such, processes bond requisitions, makes payments to the bondholders,
579 etc. The proposed fees were fair. The Acceptance Fee would be paid from the bond Costs of
580 Issuance (COI). He reviewed the fees for various functions and explained the role of the
581 Trustee.

582

583 **On MOTION by Mr. Kasten and seconded by Mr. Rodriguez-Walling, with all in**
584 **favor, The Bank of New York Mellon Engagement Letter, with Fee Schedule, to**
585 **serve as Trustee, Paying Agent and Registrar, was approved.**

586

587 **D. Presentation of Engineer's Report**

588 Mr. Wrathell stated that the Engineer's Report outlines the District's Capital
589 Improvement Plan (CIP), which includes the infrastructure; the Report can be adjusted prior to
590 issuing bonds.

591 In response to Mr. Paluzzi having comments and whether the Engineer's Report could
592 be approved, in substantial form, Mr. Eckert responded that it could be approved in substantial
593 form. This is the preliminary Engineer's Report and the numbers and types of infrastructure
594 outlined in the Engineer's Report are being used to determine the bond validation amount but
595 changes to the Report are anticipated. If it changes and additional items are anticipated to be
596 funded by the District, it would be good to discuss it now since this essentially sets the cap
597 amount for the bond validation. Mr. Paluzzi stated that his questions or comments were not
598 related to the numbers; they were related to the language of certain parts.

599 It was noted that the Lagoon was not in the Engineer's Report, as the CDD and the
600 Developer are still trying to make a decision. Mr. Wrathell stated, if the District is to include the
601 residential Lagoon, then, for the purposes of the validation, it should probably be added to the
602 Engineer's Report. Ms. Rigoni concurred; it should be added.

603 Ms. Maksymow presented the Engineer's Report and noted the following:

- 604 ➤ Exhibit E: Describes the Master Improvements and total estimated costs.
- 605 ➤ The Master Infrastructure deals with everything immediately necessary to build, at the
606 beginning of the project, such as the roadways, St. John's Heritage Parkway, offshoot major
607 roads from Heritage Parkway, cul de sacs, major roads and entrance boulevards, and all the
608 main utilities that run through all of those roadways, along with the stormwater system
609 associated with each of those roadways.
- 610 ➤ For Parcel Improvements it depends on whether they are commercial or residential, as
611 follows:
- 612 • Residential: Internal roadways, utilities to lots and stormwater improvements.
 - 613 • Commercial: Stormwater improvements.

614 Mr. Wrathell stated, to provide maximum flexibility, the Master Assessment
615 Methodology identifies Master Infrastructure, which will be the portion of CIP that will benefit
616 the entire project, and Sub Division-specific improvements, which will benefit portions of the
617 District.

618 Regarding what of the St. John's Heritage Parkway was involved, Ms. Maksymow stated
619 not I-95 and from Babcock to the I-95 interchange and, after I-95, east to _____. Mr. Paluzzi
620 asked how the District will address the part from Babcock, east to I-95, that the City is building
621 and it that was included in the \$8 million figure. Ms. Maksymow replied affirmatively. Mr.
622 Paluzzi stated that it then needs to be addressed, as the City is paying for a portion of that road.
623 Mr. Paluzzi asked about east of I-95. Ms. Maksymow stated that east of I-95 is to just over the
624 Sottile Canal. Mr. Paluzzi asked if that portion was also included in the \$8 million. Ms.
625 Maksymow replied affirmatively. Mr. Paluzzi stated that there is currently no agreement in
626 place with the Developer or the City requiring them to build that road, so the District should
627 probably include the costs to construct the east side of I-95 portion; however, Section 3
628 suggests that St. John's Heritage Parkway is to be completed by the City of Palm Bay. He felt
629 that it should be clarified that is to the west, they are responsible to the east, and the dollar
630 amount should be included in the Engineer's Report; no dollar amount for the west but an
631 amount for the east. Ms. Maksymow would make the change.

632 Mr. Wrathell stated that the Infrastructure Improvement total, from the Engineer's
633 Report was \$101,336,677.84, which was rounded up to \$120 million as the maximum amount
634 for the bond validation. Mr. Scott asked if the Developer has the flexibility, outside of this
635 document, to work with the City for future entitlements, reorganizing entitlements, etc., and if
636 this document would follow the decisions by the Developer, so the Developer has the freedom
637 to react to the market and this document does not tie them to it, and if it is like a PUD Zoning
638 Classification that has entitlements, etc. Mr. Eckert stated that, what the Board is really
639 approving in the Engineer's Report, since it has not issued bonds yet, is essentially a menu of
640 the things that the District could finance and the decision of what the District will actually
641 finance will be made in the future; therefore, the Developer has flexibility to keep negotiations
642 with the City going. Mr. Wrathell added that the District does not have any land-up powers.
643 Mr. Scott noted that the Recreational Facilities paragraph could cover the residential Lagoon. It
644 was noted that it could if money was added to the budget. Mr. Wrathell stated that, under
645 Recreational Facilities, an amount to include one of the proposed Lagoons, in the residential
646 area, would be added. Mr. Paluzzi recommended budgeting \$10 million.

647 Ms. Yates stated that the amounts for the roadway costs was correct and discussed
648 what was included in the figures for roadways east and west of I-95. Mr. Paluzzi asked if the
649 Engineer's Report just includes the things that the District must add to what the City is already

650 constructing on the west side, with the District covering everything on the east side. Ms.
651 Maksymow and Ms. Yates replied affirmatively.

652 Mr. Paluzzi referred to the last sentence of the first paragraph, on Page 6, and voiced his
653 opinion that the verbiage related to Impact Fees should be clarified, and asked if it should be
654 clarified today.

655 Mr. Eckert suggested making sure the numbers were correct today, so that correct
656 number can be inserted in the Bond Resolution, and, between now and the next meeting, the
657 verbiage could be addressed. It is most important that the number be inclusive of what the
658 District might do.

659 In response to a question, Mr. Sanford stated that this could be deferred to the
660 November 2 meeting, so that the numbers are firmed up, it would only result in a about a three
661 week delay in the bond validation process but it would be better to file it with the correct
662 numbers, if possible. Discussion ensued regarding how to proceed.

663 Mr. Paluzzi recommended the following:

664 Item VI, Recreation Facilities: Add \$10 million line item for the Lagoon

665 Item IX, Cost Estimates, Design, Permitting and Contingency: Add \$5 million to the
666 Impact Fee line item

667 This would bring the total costs to \$116,336,677.84. Based on that total, increasing the
668 bond validation cap amount to \$130 million, was recommended.

669 Discussion ensued again regarding the language related to the roadways. The following
670 change was made:

671 Page 2, Section III, Second Sentence: Change to state that "St. John's Heritage Parkway
672 is to be completed by the City of Palm Bay, west of I-95, construction by Developer, east of I-
673 95."

674 Regarding other changes to language in the Engineer's Report, it was noted that those
675 changes could be crafted after the meeting.

676

677 **On MOTION by Mr. Scott and seconded by Mr. Rodriguez-Walling, with all in**
678 **favor, the Engineer's Report, in substantial form, pending the revisions**
679 **discussed, which were adding \$10 million to the Recreation Facilities and \$5**
680 **million to the Impact Fees, as well as the textual changes discussed and any**
681 **other necessary changes, was approved.**

682

683

684 E. Resolution 2019-24, Authorizing the Issuance of Not To Exceed \$120,000,000
685 Aggregate Principal Amount of Emerald Lakes Community Development District
686 Special Assessment Bonds, In One or More Series (The “Bonds”), To Pay All or a
687 Portion of the Design, Acquisition, Construction Costs of Certain Public Infrastructure
688 Improvements, Including, But Not Limited To, Stormwater Management and Control
689 Facilities, Including, But Not Limited To, Related Earthwork and Acquisition of
690 Interests In Land Relating Thereto; Water and Sewer Facilities; Offsite and Onsite
691 Roadway Improvements; the Financing of Certain Conservation and Mitigation Areas
692 and the Preservation of Certain Wildlife Habitats; Landscaping In Public Rights-Of-
693 Way, Including, But Not Limited To, Entrance Features; the Differential Cost of
694 Undergrounding of Electric Utilities, Public Recreational Amenities; and Any Other
695 Public Infrastructure Projects Permitted To Be Financed Under the Act; and Related
696 Soft And Incidental Costs (Collectively, the “Total Project”), Pursuant To Chapter 190,
697 Florida Statutes, As Amended; Appointing the Bank of New York Mellon Trust
698 Company, N.A. To Serve as Trustee; Approving the Execution and Delivery of a Master
699 Trust Indenture and a Supplemental Trust Indenture Relating To the Bonds In
700 Substantially the Forms Attached Hereto; Providing That Such Bonds Shall Not
701 Constitute a Debt, Liability or Obligation of Emerald Lakes Community Development
702 District (Except as Otherwise Provided Herein), the City of Palm Bay, Florida, Brevard
703 County, Florida, or of the State of Florida or of Any Other Political Subdivision Thereof,
704 But Shall Be Payable Solely From Special Assessments Assessed and Levied on the
705 Property Within the District Benefited By the Total Project and Subject to Assessment;
706 Providing For the Judicial Validation of Such Bonds; and Providing For Other Related
707 Matters

708 Mr. Sanford stated that this Resolution is the first Bond Resolution that the Board will
709 consider; as the bond issuance is nearer, another resolution containing the bond documents
710 will be presented. This Resolution must be adopted in order to file for bond validation. This
711 Resolution accomplishes the following:

- 712 ➤ Authorizes what the Engineer’s Report contains, which was all the possible components
713 that the District might finance with the bond issue proceeds.
- 714 ➤ Authorizes any other infrastructure projects permitted under the CDD Act; therefore,
715 things could be added.

- 716 ➤ Authorizes the not-to-exceed amount of \$130 million
- 717 ➤ Approves the forms of the Master Trust Indenture and the form of a Supplemental
- 718 Indenture that will be used for the financing. More details will be added to the documents, as
- 719 the bond issuance nears.
- 720 ➤ Authorizes the Professionals to file for the bond validation in Circuit Court and appoints
- 721 the Trustee.

722 Mr. Wrathell presented Resolution 2019-24.

723 The following change was made to the Resolution:

724 Change "\$120,000,000" to "\$130,000,000"

725

726 **On MOTION by Mr. Rodriguez-Walling and seconded by Mr. Kasten, with all in**
 727 **favor, Resolution 2019-24, as amended, Authorizing the Issuance of Not To**
 728 **Exceed \$130,000,000 Aggregate Principal Amount of Emerald Lakes Community**
 729 **Development District Special Assessment Bonds, In One or More Series (The**
 730 **"Bonds"), To Pay All or a Portion of the Design, Acquisition, Construction Costs**
 731 **of Certain Public Infrastructure Improvements, Including, But Not Limited To,**
 732 **Stormwater Management and Control Facilities, Including, But Not Limited To,**
 733 **Related Earthwork and Acquisition of Interests In Land Relating Thereto; Water**
 734 **and Sewer Facilities; Offsite and Onsite Roadway Improvements; the Financing**
 735 **of Certain Conservation and Mitigation Areas and the Preservation of Certain**
 736 **Wildlife Habitats; Landscaping In Public Rights-Of-Way, Including, But Not**
 737 **Limited To, Entrance Features; the Differential Cost of Undergrounding of**
 738 **Electric Utilities, Public Recreational Amenities; and Any Other Public**
 739 **Infrastructure Projects Permitted To Be Financed Under the Act; and Related**
 740 **Soft And Incidental Costs (Collectively, the "Total Project"), Pursuant To**
 741 **Chapter 190, Florida Statutes, As Amended; Appointing the Bank of New York**
 742 **Mellon Trust Company, N.A. To Serve as Trustee; Approving the Execution and**
 743 **Delivery of a Master Trust Indenture and a Supplemental Trust Indenture**
 744 **Relating To the Bonds In Substantially the Forms Attached Hereto; Providing**
 745 **That Such Bonds Shall Not Constitute a Debt, Liability or Obligation of Emerald**
 746 **Lakes Community Development District (Except as Otherwise Provided Herein),**
 747 **the City of Palm Bay, Florida, Brevard County, Florida, or of the State of Florida**
 748 **or of Any Other Political Subdivision Thereof, But Shall Be Payable Solely From**
 749 **Special Assessments Assessed and Levied on the Property Within the District**
 750 **Benefited By the Total Project and Subject to Assessment; Providing For the**
 751 **Judicial Validation of Such Bonds; and Providing For Other Related Matters, was**
 752 **adopted.**

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Mr. Sanford left the meeting.

756 ELEVENTH ORDER OF BUSINESS

Consideration of September 6, 2018
Landowner's Meeting Minutes

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759 Mr. Wrathell presented the September 6, 2018 Landowner's Meeting Minutes.

760 Mr. Eckert stated that he attended the Landowner's Meeting and recommended

761 accepting them, rather than approving them.

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763 **On MOTION by Mr. Scott and seconded by Mr. Kasten, with all in favor,**
764 **September 6, 2018 Landowner's Meeting Minutes, as presented, were**
765 **accepted.**

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767

768 **TWELFTH ORDER OF BUSINESS****Staff Reports**

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

771 Ms. Rigoni stated that the Completion Agreement was not in the Agenda but she would

772 make sure that it is included in the subsequent agenda.

773 **B. District Engineer (Interim): *Wise Engineering, Inc.***

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

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

776 There being no report, the next item followed.

777

778 **THIRTEENTH ORDER OF BUSINESS****Board Members' Comments/Requests**

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

781

782 **FOURTEENTH ORDER OF BUSINESS****Public Comments**

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784 There being no public comments, the next item followed.

785

786 **FIFTEENTH ORDER OF BUSINESS****Adjournment**

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788 There being nothing further to discuss, the meeting recessed.

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790 **On MOTION by Mr. Kasten and seconded by Mr. Rodriguez-Walling, with all in**
791 **favor, the meeting recessed at 3:52 p.m., and was continued to November 2,**
792 **2018 at 1:00 p.m., 2651 W. Eau Gallie Boulevard, Suite A, Melbourne, Florida**
793 **32935.**

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Secretary/Assistant Secretary

Chair/Vice Chair

EMERALD LAKES
COMMUNITY DEVELOPMENT DISTRICT

13B

DRAFT

**MINUTES OF MEETING
EMERALD LAKES
COMMUNITY DEVELOPMENT DISTRICT**

A Continued Meeting of the Board of Supervisors of the Emerald Lakes Community Development District was held on Friday, November 2, 2018 at 1:00 p.m., at 2651 W. Eau Gallie Boulevard, Suite A, Melbourne, Florida 32935.

Present at the meeting and constituting a quorum were:

Chris Kasten	Vice Chair
David Kramer	Assistant Secretary
Mel Scott	Assistant Secretary

Also present were:

Craig Wrathell	District Manager
Michael Eckert	District Counsel
Michelle Rigoni (via telephone)	Hopping Green & Sams, P.A.
Jake Wise	District Engineer
Paul Paluzzi	ZONS Development
Brenda Yates	Yates & Company, LLC, Landowner

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Wrathell called the meeting to order at 1:14 p.m. Mr. David Kramer was sworn in, prior to the meeting. Supervisors Kasten, Kramer and Scott were present, in person. Supervisors Gottlieb and Rodriguez-Walling were not present.

SECOND ORDER OF BUSINESS

Public Comments

There being no public comments, the next item followed.

THIRD ORDER OF BUSINESS

Administration of Oath of Office to Supervisors Robert Gottlieb [Seat 1] and David Kramer [Seat 3] *(the following will also be provided in a separate package)*

40 Mr. Wrathell provided and explained the following items to Mr. Kramer when he was
41 sworn in:

42 **A. Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees**

43 **B. Membership, Obligations and Responsibilities**

44 **C. Chapter 190, Florida Statutes**

45 **D. Financial Disclosure Forms**

46 **i. Form 1: Statement of Financial Interests**

47 **ii. Form 1X: Amendment to Form 1, Statement of Financial Interests**

48 **iii. Form 1F: Final Statement of Financial Interests**

49 **E. Form 8B: Memorandum of Voting Conflict**

50 Mr. Gottlieb will be administered the Oath of Office at another time.

51

52 **FOURTH ORDER OF BUSINESS**

**Consideration of Updated Engineer's
Report**

53

54

55 Mr. Wise provided an overview of the Engineer's Report, dated November 2, 2018, and
56 the Exhibits. This Report was similar to the one previously presented, with only minor changes.

57 Mr. Wrathell referred to the Exhibit E cost estimates, which total \$101,316,906.81, including 9%
58 for Contingency and Soft costs.

59

60 **On MOTION by Mr. Scott and seconded by Mr. Kasten, with all in favor, the**
61 **Engineer's Report, dated November 2, 2018, was approved.**

62

63

64 **FIFTH ORDER OF BUSINESS**

**Consideration of Master Special
Assessment Methodology Report**

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66

67 Mr. Wrathell presented the Master Special Assessment Methodology Report dated
68 November 2, 2018; which will allow initiation of the assessment proceedings. The Report sets a
69 lien structure, enabling the District to repay the bond debt related to the Capital Improvement
70 Plan (CIP). The Report anticipates that the District will finance 100% of the CIP; however, after
71 further discussions and, with a project of this size, he anticipates multiple series' of bonds will
72 be issued. He explained the purpose of the Report is to define the benefits received by the

73 property owners, outline the assessment apportionment for the degree of benefit received,
74 related to the CIP and sets the maximum par amount of bonds. He highlighted the following:

75 ➤ Section 1.0: Describes the Emerald Lakes Community Development District being
76 comprised of 1,561 acres. The Developer's Development Plan intent is to build:

- 77 • 3,744 residential units
- 78 • 2,670,000 square feet of commercial uses
- 79 • 700 hotel rooms

80 The Development Plans enable the District to issue up to \$129,320,000 in bonds. The
81 Report reflects District Staff's comments, with one exception; Mr. Eckert will present Mr.
82 Sanford's comments at the end of this presentation.

83 ➤ Section 1.1: Describes the purpose of the Assessment Report, which is to create a
84 structure that allocates the benefit to the property owners and the maximum amount of debt
85 allocation to the different properties within the District that will be benefited by the CIP and
86 allows the ability to issue multiple series' of bonds to fund the infrastructure. The Report is
87 consistent with the procedures and processes set forth in the Florida Statutes for levying and
88 collecting assessments. Through the Bond Trust Indenture, the District will bill the Master
89 Developer directly; whether commercial property will be billed directly or placed on the tax roll
90 is yet to be decided.

91 ➤ Section 1.3: Describes the Special and General Benefits the property within the District
92 receive, special and peculiar benefits related to the CIP because, without the CIP, development
93 could not occur. Properties outside the District receive general benefits, such as being able to
94 use the roads but, they are not assessed because they do not receive a special and peculiar
95 benefit.

96 ➤ Section 1.4: Describes the Requirement of a Valid Assessment Methodology and states
97 properties must receive benefit from the improvements being paid for and that assessments
98 must be fairly and reasonably allocated to the property types.

99 ➤ Section 2.2: Describes the Development Plan. Emerald Investment Holdings, LLC, or its
100 affiliates, are the Master Developer. 1,522 single-family detached residential units, 386
101 townhomes and 1,836 multi-family residential units are planned, as well as 2,670,000 square
102 feet of commercial use and 700 hotel rooms. The Developer has the ability to modify the

103 Development Plans, based on economic conditions. The True-Up Mechanism will protect the
104 District and the bondholders, if any changes would occur which reduce the number of
105 assessable units. If the number of debt-carrying units is reduced, the Developer would make a
106 true-up payment to offset the loss.

107 ➤ Section 4.1: Describes that, if the District funds all of Master Infrastructure
108 Improvements, it would issue approximately \$87,690,000 in Master Infrastructure bonds and
109 issue approximately \$41,630,000 to fund the Parcel/Subdivision Infrastructure Improvements,
110 for a total amount of \$129,320,000. The purpose of the Report, beyond allocating the benefits
111 of the improvement, is to set the max par amount of bonds allocable to the benefitted
112 properties and the maximum assessments.

113 ➤ Section 4.2: Sets for the types of bonds proposed to be issued and gives the District
114 flexibility to modify or adjust, as necessary, based on real conditions.

115 ➤ Section 5.2: Describes that the Master Infrastructure Improvements benefit all the
116 properties, so the debt is shared across all properties and the Parcel/Subdivision Infrastructure
117 Improvements benefit specific units so the debt will be allocated on a specific basis, as set forth
118 in the Engineer's Report. The section also discusses the Equivalent Residential Unit (ERU)
119 weighting for the property within the District and how the ERUs are calculated for the various
120 product types.

121 ➤ Sections 5.4 and 5.5: Describe the Lienability Tests for Special and Peculiar Benefit to
122 the Property and for Reasonable and Fair Apportionment of the Duty to Pay. These are related
123 to what must be shown to justify the benefits received and the how the assessments are
124 weighted, etc.

125 ➤ Section 5.6: Explains the True-Up Mechanism utilized to protect against and offset the
126 loss of the ERUs.

127 Mr. Wrathell reviewed Tables 1 through 10, on Pages 17 through 29, as follows:

128 ➤ Table 1 – Development Plan: Reflects the product types and number of units for each,
129 along with the Parcel Detail for the units.

130 ➤ Table 2 – CIP: Reflects the improvements, as identified in the Engineer's Report, the
131 Method of Benefit Allocation and the associated costs, for the various unit/product types.

- 132 ➤ Table 3 – Preliminary Sources and Uses of Funds: Reflects assumption of issuing
133 \$129,320,000 in bonds to finance improvements, along with the breakdown of the uses,
134 including the improvement costs, debt service reserve, capitalized interest, costs of issuance
135 (COI) and rounding.
- 136 ➤ Table 4 – Master Infrastructure Benefit Allocation: Reflects the number of units, ERU
137 weights, cost benefit allocation for the various improvements for the product or use types.
- 138 ➤ Table 5 – Master Assessment Apportionment: Reflects the product type, quantity of
139 each project type, the total bond assessment apportionment, apportionment per unit and the
140 annual debt service assessment per unit.
- 141 ➤ Table 6 – Parcel/Subdivision Infrastructure Benefit Allocation: Reflects the number of
142 units, ERU weights, cost benefit allocation for the various improvements for the product or use
143 types, etc.
- 144 ➤ Table 7 – Parcel/Subdivision Assessment Apportionment: Reflects the product type,
145 quantity of each project type, the total bond assessment apportionment, apportionment per
146 unit and the annual debt service assessment per unit.
- 147 ➤ Table 8 – Master Assessment and Parcel/Subdivision Assessment Apportionment:
148 Combined reflection of the assessment apportionments.
- 149 ➤ Table 9 – Master Assessment and Parcel/Subdivision Annual DS Assessment Payment
150 Apportionment: Reflects the annual debt service assessment payment amounts for each
151 product type, etc.
- 152 ➤ Table 10 – Preliminary Assessment Roll: Reflects the parcels, owner and the related
153 assessments to the various parcels. The assessment roll would change, as parcels are platted,
154 lots are sold, etc.

155 A question was raised regarding why the non residential, on Page 22, had no benefit
156 allocation for recreation. Mr. Wrathell stated that this was treated such that, if there is a
157 lagoon, it would benefit the residential, and it was not envisioned that the non residential would
158 use the lagoon in the residential portion. The commercial may have its own lagoon.
159 Recreational amenities and facilities are typically a benefit to the residential area residents.
160 Discussion ensued regarding why commercial property owners are not typically assessed for
161 recreational amenities and facilities and the drawbacks if they were.

- 162 Mr. Eckert reviewed Bond Counsel comments, as follows, which will be made:
- 163 ➤ Section 1.0, Line 6: Change “tax exempt” to “special assessment”
 - 164 ➤ For Subdivision Infrastructure: Note that the other subdivisions receive general benefits
 - 165 but not special benefits from the particular subdivision bonds that will be issued.
 - 166 ➤ Making terms consistent between “Landowner” and “Owner”
 - 167 ➤ Change defined terms of “Master Assessment” and “Subdivision Assessment” to add an
 - 168 “s” to “Assessment”

169 Mr. Eckert noted the following additional change:

- 170 ➤ Section 1.5: Change “102,246,419.70” to “101,316,906.80”

171 Mr. Eckert stated that it was not necessary to approve the Methodology Report because
172 it is attached to Resolution 2019-25.

173

174 **SIXTH ORDER OF BUSINESS**

Consideration of Resolution 2019-25, Designating a Date, Time, and Location of a Public Hearing Regarding the District’s Intent To Use the Uniform Method for the Levy, Collection, and Enforcement of Non-Ad Valorem Special Assessments As Authorized By Section 197.3632, Florida Statutes; Authorizing the Publication of the Notice of Such Hearing; and Providing an Effective Date

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185 Mr. Wrathell presented Resolution 2019-25 and read the title.

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187 **On MOTION by Mr. Scott and seconded by Mr. Kramer, with all in favor,**
 188 **Resolution 2019-25, Designating a Date, Time, and Location of December 13,**
 189 **2018 at 1:00 p.m., at 2651 W. Eau Gallie Boulevard, Suite A, Melbourne, Florida**
 190 **32935 for a Public Hearing Regarding the District’s Intent To Use the Uniform**
 191 **Method for the Levy, Collection, and Enforcement of Non-Ad Valorem Special**
 192 **Assessments As Authorized By Section 197.3632, Florida Statutes; Authorizing**
 193 **the Publication of the Notice of Such Hearing; and Providing an Effective Date,**
 194 **to, was adopted.**

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199 SEVENTH ORDER OF BUSINESS

Consideration of Resolution 2019-26, Declaring Special Assessments; Indicating the Location, Nature and Estimated Cost of Those Infrastructure Improvements Whose Cost is To Be Defrayed By the Special Assessments; Providing the Portion of the Estimated Cost of the Improvements To Be Defrayed By the Special Assessments; Providing the Manner In Which Such Special Assessments Shall Be Made; Providing When Such Special Assessments Shall Be Paid; Designating Lands Upon Which the Special Assessments Shall Be Levied; Providing For An Assessment Plat; Adopting a Preliminary Assessment Roll; Providing for Publication of this Resolution

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Mr. Wrathell presented Resolution 2019-26 and read the title.

217 The following change was made:

218 Page 2, Section 3: Change "\$102,246,419.70" to "\$101,316,906.80

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On MOTION by Mr. Kasten and seconded by Mr. Rodriguez-Walling, with all in favor, Resolution 2019-26, as amended, Declaring Special Assessments; Indicating the Location, Nature and Estimated Cost of Those Infrastructure Improvements Whose Cost is To Be Defrayed By the Special Assessments; Providing the Portion of the Estimated Cost of the Improvements To Be Defrayed By the Special Assessments; Providing the Manner In Which Such Special Assessments Shall Be Made; Providing When Such Special Assessments Shall Be Paid; Designating Lands Upon Which the Special Assessments Shall Be Levied; Providing For An Assessment Plat; Adopting a Preliminary Assessment Roll; Providing for Publication of this Resolution, was adopted.

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232 EIGHTH ORDER OF BUSINESS

Consideration of Resolution 2019-27, Setting a Public Hearing To Be Held On December 13, 2018, at 1:00 P.M., at the Offices of the Construction Engineering Group, 2651 West Eau Gallie Boulevard, Suite A, Melbourne, Florida 32935, For the Purpose of Hearing Public Comment On Imposing Special Assessments On Certain Property Within the District Generally Described as the Emerald Lakes

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Community Development District In Accordance With Chapters 170, 190 and 197, Florida Statutes

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Mr. Wrathell presented Resolution 2019-27 and read the title.

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On MOTION by Mr. Kasten and seconded by Mr. Scott, with all in favor, Resolution 2019-27, Setting a Public Hearing To Be Held On December 13, 2018, at 1:00 P.M., at the Offices of the Construction Engineering Group, 2651 West Eau Gallie Boulevard, Suite A, Melbourne, Florida 32935, For the Purpose of Hearing Public Comment On Imposing Special Assessments On Certain Property Within the District Generally Described as the Emerald Lakes Community Development District In Accordance With Chapters 170, 190 and 197, Florida Statutes, was adopted.

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NINTH ORDER OF BUSINESS

Consideration of Agreement Regarding the Completion of Certain Improvements

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Mr. Eckert presented the Completion Agreement. While the District would likely not issue the full amount of bonds and, once the District decides the amount of bonds to issue, the remaining construction not funded by the bond proceeds would be required to be funded by the Developer. This Agreement will not be executed until the bonds close.

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On MOTION by Mr. Kasten and seconded by Mr. Kramer, with all in favor, the Agreement Regarding the Completion of Certain Improvements, in substantial form, was approved.

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TENTH ORDER OF BUSINESS

Staff Reports

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

Mr. Eckert stated that the bond validation should be filed today and, if not today, it would be Monday or Tuesday. Once the bond validation hearing is held and the bonds are validated, issuance of bonds could commence.

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B. District Engineer (Interim): *Wise Engineering, Inc.*

There being no report, the next item followed.

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

- 280 • **UPCOMING MEETINGS**
- 281 ○ **November 16, 2018 at 11:00 A.M.**
- 282 ○ **December 13, 2018 at 1:00 P.M.**

283 The next meetings were scheduled on November 16, 2018 at 11:00 a.m. and December
 284 13, 2018 at 1:00 p.m. The November meeting would likely be cancelled.

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286 **ELEVENTH ORDER OF BUSINESS** **Board Members' Comments/Requests**

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

289 ▪ **Public Comments**

290 **This item was an addition to the agenda.**

291 Mr. Paluzzi thanked the Board Members and the Professional Team for their efforts.

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293 **TWELFTH ORDER OF BUSINESS** **Adjournment**

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295 There being nothing further to discuss, the meeting adjourned.

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297 **On MOTION by Mr. Kasten and seconded by Mr. Rodriguez-Walling, with all in**
 298 **favor, the meeting adjourned at 2:19 p.m.**

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[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

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Secretary/Assistant Secretary

Chair/Vice Chair