

**MINUTES OF MEETING  
EMERALD LAKES  
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Emerald Lakes Community Development District held Multiple Public Hearings and a Regular Meeting on September 17, 2021 at 1:00 p.m. at 2651 W. Eau Gallie Boulevard, Suite A, Melbourne, Florida 32935.

**Present were:**

Richard Gottlieb (via phone)	Chair
Chris Kasten	Vice Chair
David Kramer	Assistant Secretary
Mel Scott	Assistant Secretary
Alfredo Rodriguez-Walling (via phone)	Assistant Secretary

**Also present were:**

Craig Wrathell	District Manager
Cindy Cerbone	Wrathell, Hunt and Associates, LLC
Michael Eckert (via telephone)	District Counsel
Paul Paluzzi	ZONS Development
Brenda Yates (via telephone)	Yates & Company, LLC
Rhonda Mossing	MBS Capital Markets, LLC

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Mr. Wrathell called the meeting to order at 1:04 p.m. Supervisors Kasten, Kramer and Scott were present in person. Supervisor Gottlieb was attending via telephone. Supervisor Rodriguez-Walling was not present at roll call.

**SECOND ORDER OF BUSINESS**

**Public Comments**

There were no public comments.

**THIRD ORDER OF BUSINESS**

**Public Hearing to Hear Comments and Objections on the Adoption of the Rules of Procedure, Pursuant to Sections 190.11(5), 190.011(15) and 190.035, Florida Statutes**

Mr. Wrathell stated the Rules of Procedure apply the existing statutory requirements to CDD business, including how meetings are conducted, the bidding process, bid protests, etc.

**A. Affidavits of Publication**

**I. Notice of Rule Development**

**II. Notice of Rule Making**

The affidavits of publication were included for informational purposes.

**B. Consideration of Resolution 2021-06, Adopting Amended and Restated Rules of Procedure; Providing a Severability Clause; and Providing an Effective Date**

Mr. Wrathell asked if the Rules of Procedure included updates from the previous Legislative Session. Mr. Eckert replied affirmatively.

**Mr. Rodriguez-Walling joined the meeting at 1:07 p.m.**

**On MOTION by Mr. Kasten and seconded by Mr. Scott, with all in favor, the Public Hearing was opened.**

No members of the public spoke.

**On MOTION by Mr. Kasten and seconded by Mr. Scott, with all in favor, the Public Hearing was closed.**

Mr. Wrathell presented Resolution 2021-06.

**On MOTION by Mr. Kasten and seconded by Mr. Scott, with all in favor, Resolution 2021-06, Adopting Amended and Restated Rules of Procedure; Providing a Severability Clause; and Providing an Effective Date, was adopted.**

**FOURTH ORDER OF BUSINESS**

**Public Hearing on Adoption of Fiscal Year 2021/2022 Budget**

**A. Proof/Affidavit of Publication**

The proof of publication was included for informational purposes.

**B. Consideration of Resolution 2021-07, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2021, and Ending September 30, 2022; Authorizing Budget Amendments; and Providing an Effective Date**

Mr. Wrathell reviewed the proposed Fiscal Year 2022 budget, which was identical to the one presented at the last meeting. The CDD is Landowner-funded; expenses would be funded as they are incurred.

**On MOTION by Mr. Kasten and seconded by Mr. Scott, with all in favor, the Public Hearing was opened.**

No members of the public spoke.

**On MOTION by Mr. Kasten and seconded by Mr. Scott, with all in favor, the Public Hearing was closed.**

Mr. Wrathell presented Resolution 2021-07 and read the title.

**On MOTION by Mr. Kasten and seconded by Mr. Kramer, with all in favor, Resolution 2021-07, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2021, and Ending September 30, 2022; Authorizing Budget Amendments; and Providing an Effective Date, was adopted.**

**FIFTH ORDER OF BUSINESS**

**Consideration of Fiscal Year 2021/2022 Funding Agreement**

Mr. Wrathell presented the Fiscal Year 2021/2022 Funding Agreement between the CDD and Emerald Investment Holdings, LLC.

**On MOTION by Mr. Kasten and seconded by Mr. Kramer, with all in favor, the Fiscal Year 2021/2022 Funding Agreement, was approved.**

**SIXTH ORDER OF BUSINESS**

**Presentation of Audited Financial Statements for Fiscal Year Ended September 30, 2020, Prepared by Carr, Riggs & Ingram, LLC**

Mr. Wrathell presented the Audited Financial Statements for the Fiscal Year Ended September 30, 2020 and noted the pertinent information found on each page. There were no findings, recommendations, deficiencies on internal control or instances of non-compliance; it was a clean audit.

**SEVENTH ORDER OF BUSINESS**

**Consideration of Resolution 2021-08, Hereby Accepting the Audited Financial Statements for Fiscal Year Ended September 30, 2020**

Mr. Wrathell presented Resolution 2021-08.

**On MOTION by Mr. Rodriguez-Walling and seconded by Mr. Kasten, with all in favor, Resolution 2021-08, Hereby Accepting the Audited Financial Statements for Fiscal Year Ended September 30, 2020, was adopted.**

**EIGHTH ORDER OF BUSINESS**

**Update: Financing**

Mr. Paluzzi reported the following:

- The Developer is awaiting the final Utility Agreement from the City. A Transmission Agreement was requested and is pending from the City.
- The Development Agreement would be recorded on Monday.

Ms. Yates reported the following:

- Staff is receiving comments from the South Florida Water Management District (SFWMD).
- Staff is working with the Department of Environmental Protection (DEP) on the final environmental permits.
- All City permits were approved and Staff is reviewing the construction plan comments for Phase I.

**NINTH ORDER OF BUSINESS**

**Acceptance of Unaudited Financial Statements as of July 31, 2021**

Mr. Wrathell presented the Unaudited Financial Statements as of July 31, 2021.

**On MOTION by Mr. Kramer and seconded by Mr. Scott, with all in favor, the Unaudited Financial Statements as of July 31, 2021, were accepted.**

**TENTH ORDER OF BUSINESS**

**Approval of May 21, 2021 Regular Meeting Minutes**

Mr. Wrathell presented the May 21, 2021 Regular Meeting Minutes.

**On MOTION by Mr. Rodriguez-Walling and seconded by Mr. Gottlieb, with all in favor, the May 21, 2021 Regular Meeting Minutes, as presented, were approved.**

**ELEVENTH ORDER OF BUSINESS**

**Staff Reports**

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

- **Consideration of Fee Increase**

Mr. Wrathell presented District Counsel’s Letter to Management outlining the standard hourly rate increases.

**On MOTION by Mr. Kasten and seconded by Mr. Kramer, with all in favor, the Hopping Green & Sams, P.A., fee increase, was approved.**

Mr. Eckert stated he has been coordinating with the Developer and the City on some of the Development Agreements to make sure that the CDD has maximum flexibility for financing and maintenance in the future.

**B. District Engineer: *Construction Engineering Group***

There was no report.

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

- **NEXT MEETING DATE: October 15, 2020 at 1:00 P.M.**
  - **QUORUM CHECK**

The next meeting will be October 15, 2021, unless cancelled.

**TWELFTH ORDER OF BUSINESS**

**Board Members' Comments/Requests**

There were no Board Members' comments or requests.

▪ **Public Comments**

**This item was an addition to the agenda.**

There were no public comments.

**THIRTEENTH ORDER OF BUSINESS**

**Adjournment**


There being nothing further to discuss, the meeting adjourned.

**On MOTION by Mr. Rodriguez-Walling and seconded by Gottlieb, with all in favor, the meeting adjourned at 1:37 p.m.**

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]



Secretary/Assistant Secretary



Chair/Vice Chair