

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

The Board of Supervisors of the Emerald Lakes Community Development District held a Regular Meeting on May 20, 2022 at 1:00 p.m., at 2651 W. Eau Gallie Boulevard, Suite A, Melbourne, Florida 32935.

Present were:

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

Also present were:

Craig Wrathell	District Manager
Cindy Cerbone	Wrathell, Hunt and Associates, LLC (WHA)
Michelle Rigoni	District Counsel
Jake Wise	District Engineer
Brenda Yates	Yates & Company, LLC
Lorraine deMontigny	Public
Richard Anderson	Public

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Wrathell called the meeting to order at 1:20 p.m. Supervisors Kramer, Scott and Kasten were present in person. Supervisors Gottlieb and Rodriguez-Walling were attending via telephone.

SECOND ORDER OF BUSINESS

Public Comments

Resident Lorraine deMontigny stated she was in attendance observe and learn to be apprised of what is happening in the community.

Resident Richard Anderson stated he wants to keep abreast of what is going on in the community and find out if there are any opportunities for himself, as a small-time investor. He has lived in the community for four or five years and is currently working remotely as an Engineer.

THIRD ORDER OF BUSINESS

Consideration of Resolution 2022-04, Approving a Proposed Budget for Fiscal Year 2022/2023 and Setting a Public Hearing Thereon Pursuant to Florida Law; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing an Effective Date

Mr. Wrathell presented Resolution 2022-04. He reviewed the proposed Fiscal Year 2023 budget, highlighting any line item increases, decreases and adjustments, compared to the Fiscal Year 2022 budget, and explained the reasons for any changes.

On MOTION by Mr. Kasten and seconded by Mr. Kramer, with all in favor, Resolution 2022-04, Approving a Proposed Budget for Fiscal Year 2022/2023 and Setting a Public Hearing Thereon Pursuant to Florida Law for August 19, 2022 at 1:00 p.m., at 2651 W. Eau Gallie Boulevard, Suite A, Melbourne, Florida 32935; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing an Effective Date, was adopted.

FOURTH ORDER OF BUSINESS

Consideration of Resolution 2022-05, Designating a Date, Time and Location for a Landowners’ Meeting and Election; Providing for Publication, Providing for Severability and an Effective Date

Mr. Wrathell presented Resolution 2022-05. Seats 1, 2 and 4, currently held by Supervisors Gottlieb, Kasten and Scott, respectively, will be up for election at the Landowners’ Election.

On MOTION by Mr. Scott and seconded by Mr. Kasten, with all in favor, Resolution 2022-05, Designating a Date, Time and Location of November 18, 2022 at 1:00 p.m. at 2651 W. Eau Gallie Boulevard, Suite A, Melbourne, Florida 32935 for a Landowners' Meeting and Election; Providing for Publication, Providing for Severability and an Effective Date, was adopted.

FIFTH ORDER OF BUSINESS

Consideration of Resolution 2022-06, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2022/2023 and Providing for an Effective Date

Mr. Wrathell presented Resolution 2022-06.

On MOTION by Mr. Scott and seconded by Mr. Kramer, with all in favor, Resolution 2022-06, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2022/2023 and Providing for an Effective Date, was adopted.

SIXTH ORDER OF BUSINESS

Update: Guide to the Amendment 12 Lobby Ban Implementation for Special District Board Members

Ms. Rigoni presented the Kutak Rock Guide to the Amendment 12 Lobby Ban Implementation for Special District Board Members and reported the following:

- During the 2021 Legislative Session, the Legislature adopted an amendment to Chapter 112, Florida Statutes, to implement the provisions of Constitutional Amendment 12, also known as the “lobby ban” legislation, which prohibits lobby by compensation.
- The relevant portion of the legislation stipulates that public officers shall not lobby for compensation during his or her term of the office.
- This lobby ban does not apply to the CDD Board because there is an exemption for CDD Board Members who are elected by their landowners on a one-acre, one-vote basis; those seats are not subject to the lobby ban under Amendment 12.

Mr. Scott commented that he was glad to hear that the Board is exempt from the lobby ban at this time.

SEVENTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of March 31, 2022

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

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

EIGHTH ORDER OF BUSINESS

Approval of February 18, 2022 Regular Meeting Minutes

Mr. Wrathell presented the February 18, 2022 Regular Meeting Minutes.

On MOTION by Mr. Kasten and seconded by Mr. Kramer, with all in favor, the February 18, 2022 Regular Meeting Minutes, as presented, were approved.

NINTH ORDER OF BUSINESS

Staff Reports

A. District Counsel: *Kutak Rock LLP*

- **Best Practices for Responding to Public Records Requests**

Ms. Rigoni presented the Kutak Rock Memorandum regarding Best Practices for Responding to Public Records Requests. The document contains user-friendly guidelines on best protocols for when Board Members receive public records requests. All public records requests should be forwarded to District Management’s office.

B. District Engineer: *Construction Engineering Group*

There was no report.

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

- I. **0 Registered Voters in District as of April 15, 2022**
- II. **NEXT MEETING DATE: June 17, 2022 at 1:00 P.M.**

○ **QUORUM CHECK**

The next meeting will be held on June 17, 2022, unless cancelled.

TENTH 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.

Mr. Anderson posed the following questions:

- What is the proposed timeline for the start of construction?
- During the development of that community, will construction be closed off to the public or will individuals be able to purchase lots and do their own construction, or is that all governed by the CDD?

Mr. Wrathell replied that the Developer, in conjunction with the Board, will ultimately decide when construction will physically commence. The CDD does not control what the Developer is planning to do with individual property and lot sales. Lots are typically sold to national homebuilders. Speaking as the project manager for Emerald Lakes and for the Developer, Ms. Yates stated the permitting process is underway. All permits have been granted except for the Department of Environmental Protection (DEP) permit, which is anticipated to be granted within the next few weeks. Once the permit is received, construction would commence and is expected to take at least one year.

Discussion ensued regarding neighboring CDDs, taxation, the current real estate market and investors purchasing all the residential homes and turning the area into a rental community.

ELEVENTH ORDER OF BUSINESS

Adjournment

There being nothing further to discuss, the meeting adjourned.

On MOTION by Mr. Kasten and seconded by Mr. Kramer, with all in favor, the meeting adjourned at 1:57 p.m.



Secretary/Assistant Secretary



Chair/Vice Chair