

**MINUTES OF MEETING
MERRICK SQUARE
COMMUNITY DEVELOPMENT DISTRICT**

An Organizational Meeting of the Merrick Square Community Development District was held on December 14, 2021, at 9:30 A.M., at the offices of D.R. Horton, 6123 Lyons Road, Coconut Creek, Florida 33073.

Present at the meeting were:

Javi Tavel	Chair
Karl Albertson	Vice Chair
Jordan Bayne	Assistant Secretary
Vindra Hanuman	Assistant Secretary
Ryan Kaufman	Assistant Secretary

Also present were:

Craig Wrathell	District Manager
Pfil Hunt	Wrathell, Hunt and Associates, LLC (WHA)
Cindy Cerbone	Wrathell, Hunt and Associates, LLC (WHA)
Daniel Rom	Wrathell, Hunt and Associates, LLC (WHA)
Michael Pawelczyk	District Counsel
Juan Alvarez	Interim District Engineer
Jon Kessler	FMSbonds, Inc. (FMS)
Justin Rowan	D.R. Horton
Cynthia Wilhelm (via telephone)	Bond Counsel - Nabors, Giblin & Nickerson, P.A. (Nabors Giblin)

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Wrathell called the meeting to order at 9:36 a.m. The five initial Board Members named on the petition to create the District, Mr. Albertson, Mr. Tavel, Ms. Hanuman, Mr. Kaufman and Mr. Bayne were present, in person.

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)*

Mr. Wrathell, a Notary of the State of Florida and duly authorized, administered the Oath of Office to Mr. Albertson, Mr. Tavel, Ms. Hanuman, Mr. Kaufman and Mr. Bayne. Mr. Wrathell and Mr. Pawelczyk provided and briefly explained the following items:

- 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**

Supervisors were instructed to file Form 1 with the Supervisors of Elections Office, in the County of their residence, within 30 days. Mr. Wrathell urged the Supervisors to use the CDD email address that would be created for each of them. If a public records request is received, it should be emailed to Management immediately so that Management can respond. It is not necessary to keep any documents; however, if kept, he recommended maintaining separate computer and hardcopy files for CDD documents and business to keep them separate from their personal records.

Mr. Pawelczyk discussed the gift provision and recommended that Supervisors do not accept any gifts; however, they can accept gifts under \$25, without having to report it; anything above that and the \$100 cap amount must be reported to the State. Board Members were instructed to contact Mr. Wrathell and Mr. Pawelczyk with any questions.

FOURTH ORDER OF BUSINESS

Consideration of Resolution 2022-01, Designating Certain Officers of the District, and Providing for an Effective Date

Mr. Wrathell presented Resolution 2022-01. Mr. Albertson nominated the following slate of officers:

Javi Tavel	Chair
Karl Albertson	Vice Chair
Craig Wrathell	Secretary
Vindra Hanuman	Assistant Secretary
Ryan Kaufman	Assistant Secretary
Jordan Bayne	Assistant Secretary
Cindy Cerbone	Assistant Secretary
Daniel Rom	Assistant Secretary
Craig Wrathell	Treasurer
Jeff Pinder	Assistant Treasurer

No other nominations were made.

On MOTION by Ms. Hanuman and seconded by Mr. Tavel, with all in favor, Resolution 2022-01, Designating Certain Officers of the District, as nominated, and Providing for an Effective Date, was adopted.

In response to a question about the Chair being allowed to make a motion, Mr. Wrathell stated that the CDD loosely follows but has not officially adopted Robert’s Rules of Orders; therefore, the Chair has the ability to make a motion. Mr. Pawelczyk suggested that the Chair request a motion from one of the other Supervisors.

FIFTH ORDER OF BUSINESS

Consideration of Resolution 2022-02, Designating a Date, Time, and Location for Landowners’ Meeting of the District, and Providing for an Effective Date

Mr. Wrathell presented Resolution 2022-02. Board Members are not required to attend the Landowners’ meeting but the Landowner or a designated proxy holder for the Landowner must attend to cast votes.

On MOTION by Mr. Albertson and seconded by Ms. Hanuman, with all in favor, Resolution 2022-02, Designating a Date, Time, and Location of January 18, 2022, at 2:30 p.m., at the offices of D.R. Horton, 6123 Lyons Road, Coconut Creek, Florida 33073 for the Landowners' Meeting of the District, and Providing for an Effective Date, was adopted.

ORGANIZATIONAL MATTERS

SIXTH ORDER OF BUSINESS

Consideration of the Following Organizational Matters:

A. Resolution 2022-03, Appointing and Fixing the Compensation of the District Manager and Methodology Consultant; Providing an Effective Date

- **Agreement for District Management Services: *Wrathell, Hunt and Associates, LLC***

Mr. Wrathell presented Resolution 2022-03 and the Fee Schedule. Management's fees were already reduced until bonds are issued but he and Mr. Albertson would negotiate an additional reduction, recognizing the limited number of units.

On MOTION by Ms. Hanuman and seconded by Mr. Albertson, with all in favor, Resolution 2022-03, Appointing and Fixing the Compensation of Wrathell, Hunt and Associates, LLC as the District Manager and Methodology Consultant; Providing an Effective Date, was adopted.

B. Resolution 2022-04, Appointing District Counsel for the District, and Authorizing Compensation; and Providing for an Effective Date

- **Fee Agreement: *Billing, Cochran, Lyles, Mauro & Ramsey, P.A.***

Mr. Wrathell presented Resolution 2022-04 and the Fee Agreement.

On MOTION by Ms. Hanuman and seconded by Mr. Tavel, with all in favor, Resolution 2022-04, Appointing Billing, Cochran, Lyles, Mauro & Ramsey, P.A., as District Counsel for the District and Authorizing Compensation; and Providing for an Effective Date, was adopted.

C. Resolution 2022-05, Designating a Registered Agent and Registered Office of the District, and Providing for an Effective Date

Mr. Wrathell presented Resolution 2022-05. To prevent processing delays, the Board decided to designate Mr. Lyles as Registered Agent, instead of Mr. Wrathell. District Counsel's office was designated as the Registered Office of the District.

On MOTION by Mr. Bayne and seconded by Mr. Kaufman, with all in favor, Resolution 2022-05, as amended, Designating Dennis Lyles of Billing, Cochran, Lyles, Mauro & Ramsey, P.A., as Registered Agent and Billing, Cochran, Lyles, Mauro & Ramsey, P.A., 515 East Las Olas Boulevard, Fort Lauderdale, Florida 33301, as the Registered Office of the District; and Providing for an Effective Date, was adopted.

D. Resolution 2022-06, Appointing an Interim District Engineer for the Merrick Square Community Development District, Authorizing its Compensation and Providing for an Effective Date

- **Interim Engineering Services Agreement: *Alvarez Engineers, Inc.***

Mr. Wrathell presented Resolution 2022-06 and the Interim Engineering Services Agreement with Alvarez Engineers, Inc.

On MOTION by Mr. Bayne and seconded by Mr. Kaufman, with all in favor, Resolution 2022-06, Appointing Alvarez Engineers, Inc., as the Interim District Engineer for the Merrick Square Community Development District, Authorizing its Compensation and Providing for an Effective Date, was adopted.

E. Authorization of Request for Qualifications (RFQ) for Engineering Services

Mr. Wrathell presented the RFQ for Engineering Services.

On MOTION by Ms. Hanuman and seconded by Mr. Tavel, with all in favor, the Request for Qualifications for Engineering Services, and authorizing Staff to advertise, was approved.

F. Board Member Compensation: 190.006 (8), F.S.

All Board Members declined compensation.

G. Resolution 2022-07, Designating the Primary Administrative Office and Principal Headquarters of the District and Providing an Effective Date

This item was deferred to the next meeting.

H. Resolution 2022-08, Setting Forth the Policy of the Merrick Square Community Development District Board of Supervisors with Regard to the Support and Legal Defense of the Board of Supervisors and District Officers and Providing for an Effective Date

- **Authorization to Obtain General Liability and Public Officers' Insurance**

Mr. Wrathell presented Resolution 2022-08, which sets forth the CDD's policy for the support and legal defense of Board Members and Staff specifically related to their actions carrying out CDD activities.

On MOTION by Ms. Hanuman and seconded by Mr. Kaufman, with all in favor, Resolution 2022-08, Setting Forth the Policy of the Merrick Square Community Development District Board of Supervisors with Regard to the Support and Legal Defense of the Board of Supervisors and District Officers and Providing for an Effective Date, was adopted.

On MOTION by Mr. Kaufman and seconded by Mr. Bayne, with all in favor, authorizing Staff to obtain General Liability and Public Officers' insurance, was approved.

I. Resolution 2022-09, 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

Mr. Wrathell presented Resolution 2022-09.

On MOTION by Mr. Kaufman and seconded by Ms. Hanuman, with all in favor, Resolution 2022-09, 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.

- J. Resolution 2022-10, 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 Effective Date**

Mr. Wrathell presented Resolution 2022-10. Records would be kept in perpetuity.

On MOTION by Ms. Hanuman and seconded by Mr. Bayne, with all in favor, Resolution 2022-10, Providing for the Appointment of Wrathell, Hunt and Associates, LLC, as the Records Management Liaison Officer; Providing the Duties of the Records Management Liaison Officer; Adopting a Records Retention Policy; and Providing for Severability and Effective Date, was adopted.

- K. Resolution 2022-11, 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 a Severability Clause; and Providing an Effective Date**

Mr. Wrathell presented Resolution 2022-11. This grants the Chair the authority to work with District Staff and to execute certain documents, between meetings, to avoid construction delays. The following change was made to Resolution 2022-11:

Section 2: Insert “, or in the absence of the Chair, the Vice Chair,” “after “Chair”

On MOTION by Mr. Albertson and seconded by Ms. Hanuman, with all in favor, Resolution 2022-11, as amended, Granting the Chair, or in the absence of the Chair, the Vice 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 a Severability Clause; and Providing an Effective Date, was adopted.

L. Resolution 2022-12, Ratifying, Confirming and Approving the Recording of the Notice of Establishment for the Merrick Square Community Development District

Mr. Wrathell presented Resolution 2022-12.

On MOTION by Mr. Kaufman and seconded by Mr. Albertson, with all in favor, Resolution 2022-12, Ratifying, Confirming and Approving the Recording of the Notice of Establishment for the Merrick Square Community Development District, was adopted.

M. Authorization of Request for Proposals (RFP) for Annual Audit Services

- **Designation of Board of Supervisors as Audit Committee**

Mr. Wrathell presented the RFP for Annual Audit Services and Auditor Selection Evaluation Criteria.

On MOTION by Ms. Hanuman and seconded by Mr. Tavel, with all in favor, the Request for Proposals for Annual Auditing Services and Ranking Criteria, authorizing the District Manager to advertise and designating the Board of Supervisors as the Audit Selection Committee, was approved.

N. Strange Zone, Inc., Quotation #M21-1021 for Website Creation & Development, Website Maintenance, Website Hosting & Email, Domain Registration, SSL Certificates

Mr. Wrathell presented the Strange Zone, Inc., proposal, in the amount of \$1,679.99.

Only statutorily required documents would be posted on the CDD website.

On MOTION by Mr. Bayne and seconded by Mr. Kaufman, with all in favor, the Strange Zone, Inc. Quotation #M21-1021 for Website Creation & Development, Website Maintenance, Website Hosting & Email, Domain Registration, SSL Certificates, in the amount of \$1,679.99, was approved.

O. ADA Site Compliance Proposal for Technological Auditing, Accessibility Policy and Compliance Shield, Technical Support

Mr. Wrathell presented the ADA Site Compliance proposal. The cost is \$210 per year.

On MOTION by Mr. Albertson and seconded by Mr. Kaufman, with all in favor, the ADA Site Compliance Proposal for Technological Auditing, Accessibility Policy and Compliance Shield, Technical Support, in the amount of \$210 per year, was approved.

P. Resolution 2022-13, To Designate Date, Time and Place of Public Hearing and Authorization to Publish Notice of Such Hearing for the Purpose of Adopting Rules of Procedure; and Providing an Effective Date

I. Rules of Procedure

II. Notices

- **Notice of Rule Development**
- **Notice of Rulemaking**

These items were included for informational purposes.

Mr. Wrathell presented Resolution 2022-13.

On MOTION by Mr. Kaufman and seconded by Mr. Bayne, with all in favor, Resolution 2022-13, To Designate Date, Time and Place, of February 15, 2022 at 2:30 p.m., at the offices of D.R. Horton, 6123 Lyons Road, Coconut Creek, Florida 33073, of the Public Hearing and Authorization to Publish Notice of Such Hearing for the Purpose of Adopting Rules of Procedure; and Providing an Effective Date, was adopted.

Q. Resolution 2022-14, Designating Dates, Times, and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2021/2022 and Providing for an Effective Date

Mr. Wrathell presented Resolution 2022-14. The following would be inserted into Exhibit "A":

DATE: Third Tuesday of each month

TIME: 2:30 p.m.

LOCATION: D.R. Horton, 6123 Lyons Road, Coconut Creek, Florida 33073

On MOTION by Ms. Hanuman and seconded by Mr. Tavel, with all in favor, Resolution 2022-14, Designating the third Tuesday of each month at 2:30 p.m., at the offices of D.R. Horton, 6123 Lyons Road, Coconut Creek, Florida 33073, as the Dates, Times, and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2021/2022, as amended, and Providing for an Effective Date, was adopted.

R. Resolution 2022-15, Approving the Florida Statewide Mutual Aid Agreement; Providing for Severability; and Providing for an Effective Date

Mr. Wrathell presented Resolution 2022-15. In the event of an emergency or natural disaster, the CDD may request assistance from other participating local governments.

On MOTION by Mr. Albertson and seconded by Mr. Kaufman, with all in favor, Resolution 2022-15, Approving the Florida Statewide Mutual Aid Agreement; Providing for Severability; and Providing for an Effective Date, was adopted.

BANKING MATTERS

SEVENTH ORDER OF BUSINESS

Consideration of the Following Banking Matters:

A. Resolution 2022-16, Designating a Public Depository for Funds of the Merrick Square Community Development District and Providing an Effective Date

Mr. Wrathell presented Resolution 2022-16. Management recommended Truist Bank as the Qualified Public Depository for the CDD’s accounts. Developer funding requests would be submitted to Mr. Albertson and Ms. Laura Sorrentino, of D.R. Horton.

On MOTION by Mr. Albertson and seconded by Mr. Kaufman, with all in favor, Resolution 2022-16, Designating Truist Bank as the Public Depository for Funds of the Merrick Square Community Development District and Providing an Effective Date, was adopted.

B. Resolution 2022-17, Directing the District Manager to Establish a Local Bank Account and Appoint Signors on the Account; and Providing an Effective Date

Mr. Wrathell presented Resolution 2022-17. The Chair, Treasurer and Assistant Treasurer would be authorized signors.

On MOTION by Mr. Kaufman and seconded by Mr. Bayne, with all in favor, Resolution 2022-17, Directing the District Manager to Establish a Local Bank Account for the District and Appoint Signors on the Account; and Providing an Effective Date, was adopted.

BUDGETARY MATTERS

EIGHTH ORDER OF BUSINESS

Consideration of the Following Budgetary Matters:

- A. Resolution 2022-18, Approving the Proposed Budget for Fiscal Year 2021/2022 and Setting a Public Hearing Thereon Pursuant to Florida Law and Providing for an Effective Date**

Mr. Wrathell presented Resolution 2022-18 and the proposed Fiscal Year 2022 budget. He noted that certain expenses, such as Trustee fees, would be eligible for reimbursement out of the bond proceeds and that the Audit fee would not be required until the following fiscal year.

On MOTION by Mr. Kaufman and seconded by Mr. Albertson, with all in favor, Resolution 2022-18, Approving the Proposed Budget for Fiscal Year 2021/2022 and Setting a Public Hearing Thereon Pursuant to Florida Law for February 15, 2022 at 2:30 p.m., at the offices of D.R. Horton, 6123 Lyons Road, Coconut Creek, Florida 33073; and Providing for an Effective Date, was adopted.

- B. Fiscal Year 2021/2022 Budget Funding Agreement**

Mr. Wrathell presented the Fiscal Year 2021/2022 Budget Funding Agreement. The Developer would fund CDD expenses as the expenses are incurred.

Mr. Tavel left the meeting at 10:41 a.m.

On MOTION by Ms. Hanuman and seconded by Mr. Kaufman, with all in favor, the Fiscal Year 2021/2022 Budget Funding Agreement, was approved.

- C. **Resolution 2022-19 Adopting the 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, and Providing an Effective Date**
Mr. Wrathell presented Resolution 2022-19.

On MOTION by Mr. Bayne and seconded by Ms. Hanuman, with all in favor, Resolution 2022-19, Adopting the 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, and Providing an Effective Date, was adopted.

- D. **Resolution 2022-20, 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 2022-20.

Mr. Tavel returned to the meeting and Mr. Kaufman left the meeting at 10:42 a.m.

On MOTION by Mr. Bayne and seconded by Ms. Hanuman, with all in favor, Resolution 2022-20, 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.

- E. **Resolution 2022-21, Adopting a Policy for Reimbursement of District Travel Expenses; and Providing for Severability and an Effective Date**

Mr. Wrathell presented Resolution 2022-21.

On MOTION by Mr. Bayne and seconded by Mr. Albertson, with all in favor, Resolution 2022-21, Adopting a Policy for Reimbursement of District Travel Expenses; and Providing for Severability and an Effective Date, was adopted.

- F. **Resolution 2022-22, Adopting Prompt Payment Policies and Procedures Pursuant to Chapter 218, Florida Statutes; Providing a Severability Clause; and Providing an Effective Date**

Mr. Wrathell presented Resolution 2022-22.

On MOTION by Ms. Hanuman and seconded by Mr. Tavel, with all in favor, Resolution 2022-22, Adopting Prompt Payment Policies and Procedures Pursuant to Chapter 218, Florida Statutes; Providing a Severability Clause; and Providing an Effective Date, was adopted.

- G. **Resolution 2022-23 Adopting an Internal Controls Policy Consistent with Section 218.33, Florida Statutes; Providing an Effective Date**

Mr. Wrathell presented Resolution 2022-23. The District Manager already has internal controls policies in place, as part of the annual audit process.

On MOTION by Ms. Hanuman and seconded by Mr. Albertson, with all in favor, Resolution 2022-23, Adopting an Internal Controls Policy Consistent with Section 218.33, Florida Statutes; Providing for an Effective Date, was adopted.

BOND FINANCING RELATED MATTERS

NINTH ORDER OF BUSINESS

Consideration of the Following Bond Financing Related Matters:

- A. **Bond Financing Team Funding Agreement**

Mr. Wrathell presented the Bond Financing Team Funding Agreement. All references to Forestar (USA) Real Estate Group Inc., and any associated information, would be replaced with D.R. Horton and D.R. Horton's information.

On MOTION by Mr. Albertson and seconded by Mr. Tavel, with all in favor, the Bond Financing Team Funding Agreement, as amended, was approved.

Mr. Kaufman returned to the meeting at 10:48 a.m.

B. Engagement of Bond Financing Professionals

I. Underwriter: *FMSbonds, Inc.*

Mr. Wrathell presented the FMSbonds, Inc. (FMS) Agreement for Underwriter Services and Rule-G17 Disclosure Letter. The Underwriter fee would be 2% of the par amount of bonds.

On MOTION by Mr. Albertson and seconded by Ms. Hanuman, with all in favor, The FMSbonds, Inc., Agreement for Underwriter Services & Rule G-17 Disclosure Letter, was approved.

II. Bond Counsel: *Nabors, Giblin & Nickerson P.A.*

Mr. Wrathell presented the Nabors, Giblin & Nickerson P.A., Agreement to serve as Bond Counsel and the proposed fee schedule; the fees are competitive for the market.

On MOTION by Mr. Kaufman and seconded by Mr. Bayne, with all in favor, to engage the Nabors, Giblin & Nickerson, P.A., to serve as Bond Counsel, was approved.

III. Trustee, Paying Agent and Registrar: *U.S. Bank, N.A.*

Mr. Wrathell presented the U.S. Bank, N.A. proposal and fee schedule. The Trustee fees for year one would be paid out of the bond proceeds and, going forward, the fees would be included in the annual budget.

On MOTION by Ms. Hanuman and seconded by Mr. Tavel, with all in favor, the U.S. Bank, N.A., Engagement Letter to serve as Trustee, Paying Agent and Registrar, was approved.

C. Resolution 2022-24, 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

Mr. Wrathell presented Resolution 2022-24. The Resolution allows Staff to use the services of the Property Appraiser and Tax Collector.

On MOTION by Mr. Kaufman and seconded by Mr. Bayne, with all in favor, Resolution 2022-24, Designating a Date, Time, and Location of January 18, 2022 at 2:30 p.m., at the offices of D.R. Horton, 6123 Lyons Road, Coconut Creek, Florida 33073, for 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, was adopted.

D. Presentation of Engineer’s Report

Mr. Alvarez gave an overview of the pertinent information in the Engineer’s Report dated December 14, 2021. Although the County Commissioners approved the plat, he suggested adding language to the plat granting the easements identified in Table 4, before it is recorded with the County, instead of having to issue them later.

The total estimated Capital Improvement Plan (CIP) is \$4,066,000.

On MOTION by Mr. Kaufman and seconded by Ms. Hanuman, with all in favor, the Engineer’s Report dated December 14, 2021, in substantial form, was approved.

Mr. Alvarez stated he would remove all the "Draft No. 2" labels in the Report and circulate a final version.

E. Presentation of Master Special Assessment Methodology Report

Mr. Wrathell presented the Master Special Assessment Methodology Report dated December 14, 2021. The Methodology purposely assumed the CDD would finance 100% of the improvements. The total estimated CIP of \$4,066,000 matched the figure in the Engineer's Report.

As requested, the Townhome Unit types would be reduced throughout to just one in the Engineer's and Methodology Reports, the Townhome front footage and Exhibit A would be corrected to reflect the bond debt of \$5,300,000 instead of \$5,000,000.

Discussion ensued regarding timing and the process for billing assessments through the Property Appraiser's office and possibly closing on the bonds in October 2022. The possibility of not needing a capitalized interest period and the suggestion to pro-rate the debt assessment and collect funds during the lot closings, were discussed.

On MOTION by Mr. Albertson and seconded by Ms. Hanuman, with all in favor, the Master Special Assessment Methodology Report dated December 14, 2021, as amended and in substantial form, was approved.

F. Resolution 2022-25, Declaring Special Assessments; Indicating the Location, Nature and Cost of those Improvements Which Cost is Being Financed and Such Financing is to be Defrayed by the Special Assessments; Providing the Portion of the 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.

Mr. Wrathell presented Resolution 2022-25 and read the title. Mr. Pawelczyk explained that Resolution 2022-25 declares the project and includes the public hearing information, which

would be inserted into the Resolution. The next Resolution, Resolution 2022-26, formally designates the Chapter 170 Public Hearing.

On MOTION by Mr. Kaufman and seconded by Mr. Tavel, with all in favor, Resolution 2022-25, Declaring Special Assessments; Indicating the Location, Nature and Cost of those Improvements Which Cost is Being Financed and Such Financing is to be Defrayed by the Special Assessments; Providing the Portion of the 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.

- G. **Resolution 2022-26, Setting a Public Hearing for the Purpose of Hearing Public Comment on Imposing Non-Ad Valorem Special Assessments on Certain Property Within the District Generally Described as the Merrick Square Community Development District in Accordance with Chapters 170, 190 and 197, Florida Statutes**
Mr. Wrathell presented Resolution 2022-26 and read the title.

On MOTION by Ms. Hanuman and seconded by Mr. Bayne, with all in favor, Resolution 2022-26, Setting a Public Hearing on January 18, 2022, at 2:30 p.m., at the offices of D.R. Horton, 6123 Lyons Road, Coconut Creek, Florida 33073, for the Purpose of Hearing Public Comment on Imposing Non-Ad Valorem Special Assessments on Certain Property Within the District Generally Described as the Merrick Square Community Development District in Accordance with Chapters 170, 190 and 197, Florida Statutes, was adopted.

- H. **Resolution 2022-27, Authorizing the Issuance of Not to Exceed \$5,300,000 Merrick Square Community Development District Capital Improvement Revenue Bonds, in One or More Series; Approving the Form of a Master Trust Indenture; Appointing a Trustee, Registrar and Paying Agent; Approving a Capital Improvement Program; Authorizing the Commencement of Validation Proceedings Relating to the Bonds; and Providing an Effective Date**

Ms. Wilhelm presented Resolution 2022-27, which accomplishes the following:

- Approves the form of the Master Trust Indenture.
- Appoints U.S. Bank, N.A., as the Trustee, Paying Agent and Registrar.
- Describes the Series 2021 bonds whose principal amount shall not exceed \$5.3 million and provides that the funds are not a general obligation of the State of Florida or any political subdivision thereof but shall be payable only from the assessments that would be levied in connection with each bond issuance.
- Approves the Capital Improvement Program.
- Authorizes District Counsel to commence the validation proceedings.
- Provides a clause such that, after the bonds are validated, they cannot be issued without presenting a subsequent Resolution.

Ms. Wilhelm recommended Resolution 2022-27 for adoption.

On MOTION by Mr. Albertson and seconded by Mr. Kaufman, with all in favor, Resolution 2022-27, Authorizing the Issuance of Not to Exceed \$5,300,000 Merrick Square Community Development District Capital Improvement Revenue Bonds, in One or More Series; Approving the Form of a Master Trust Indenture; Appointing a Trustee, Registrar and Paying Agent; Approving a Capital Improvement Program; Authorizing the Commencement of Validation Proceedings Relating to the Bonds, as outlined by Ms. Wilhelm; and Providing an Effective Date, was adopted.

Mr. Pawelczyk stated that, with the items just approved, he and Ms. Wilhelm would work on finalizing the bond validation complaint. They expected to file it within three weeks and would email information about the bond validation hearing date.

TENTH ORDER OF BUSINESS

Update: Stormwater Reporting Requirements.

Mr. Wrathell discussed new legislature that requires the CDD to prepare a 20-year Stormwater Needs Analysis Report to submit to the State by June 30, 2022. Mr. Alvarez is working on this for other CDDs and would present a Work Authorization at the next meeting.

Mr. Pawelczyk believed that the State implemented the mandate, so it can address those entities that are not already maintaining their systems.

This item would remain on the agenda.

ELEVENTH ORDER OF BUSINESS

Staff Reports

A. District Counsel: *Billing, Cochran, Lyles, Mauro & Ramsey, P.A.*

There was nothing further to report.

B. District Engineer [Interim]: Alvarez Engineers

There was nothing further to report.

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

- **NEXT MEETING DATE: _____**
 - **QUORUM CHECK**

The next meeting would be held on January 18, 2022 at 2:30 p.m., at the offices of D.R. Horton, 6123 Lyons Road, Coconut Creek, Florida 33073.

TWELFTH ORDER OF BUSINESS

Board Members' Comments/Requests

There were no Board Members' comments or requests.

THIRTEENTH ORDER OF BUSINESS

Public Comments

There were no public comments.

FOURTEENTH ORDER OF BUSINESS

Adjournment

There being nothing further to discuss, the meeting adjourned.

On MOTION by Ms. Hanuman and seconded by Mr. Kaufman, with all in favor, the meeting adjourned at approximately 11:29 a.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]



Secretary/Assistant Secretary



Chair/Vice Chair