

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

The Board of Supervisors of the Merrick Square Community Development District held Public Hearings and a Regular Meeting on January 18, 2022, immediately following the adjournment of the Landowners' Meeting, scheduled to commence at 2:30 P.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
Horacio Gonzalez	Assistant Secretary

Also present were:

Craig Wrathell	District Manager
Cindy Cerbone	Wrathell, Hunt and Associates, LLC (WHA)
Daniel Rom	Wrathell, Hunt and Associates, LLC (WHA)
Ginger Wald	District Counsel
Juan Alvarez (via telephone)	District Engineer

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Wrathell called the meeting to order at 2:39 p.m. He recapped the results of the Landowners' Election held just prior to the meeting, as follows:

Seat 1	Karl Albertson	23 votes	4-Year Term
Seat 2	Javi Tavel	22 votes	4-Year Term
Seat 3	Jordan Bayne	21 votes	2-Year Term
Seat 4	Ryan Kaufman	20 votes	2-Year Term
Seat 5	Horacio Gonzalez	19 votes	2-Year Term

SECOND ORDER OF BUSINESS

Public Comments

There were no public comments.

THIRD ORDER OF BUSINESS

Administration of Oath of Office to Newly Elected Board of Supervisors *(the following will 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, Mr. Bayne and Mr. Gonzalez. He 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. 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**
- D. Form 8B: Memorandum of Voting Conflict**

Supervisors Albertson, Tavel, Bayne and Gonzalez were present, in person. Supervisor Kaufman was not present.

FOURTH ORDER OF BUSINESS

Consideration of Resolution 2022-28, 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

Mr. Wrathell presented Resolution 2022-28.

On MOTION by Mr. Albertson and seconded by Mr. Tavel, with all in favor, Resolution 2022-28, 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, was adopted.

FIFTH ORDER OF BUSINESS

**Consideration of Resolution 2022-29,
Designating Certain Officers of the District,
and Providing for an Effective Date**

Mr. Wrathell presented Resolution 2022-29. Mr. Albertson nominated the following slate of officers:

Javi Tavel	Chair
Karl Albertson	Vice Chair
Craig Wrathell	Secretary
Jordan Bayne	Assistant Secretary
Ryan Kaufman	Assistant Secretary
Horacio Gonzalez	Assistant Secretary
Cindy Cerbone	Assistant Secretary
Daniel Rom	Assistant Secretary

No other nominations were made.

Prior appointments by the Board for Treasurer and Assistant Treasurer remain unaffected by this Resolution.

On MOTION by Mr. Tavel and seconded by Mr. Bayne, with all in favor, Resolution 2022-29, Designating Certain Officers of the District, as nominated, and Providing for an Effective Date, was adopted.

SIXTH ORDER OF BUSINESS

**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.*

These items occurred below.

A. Affidavit/Proof of Publication

The affidavit of publication was included for informational purposes.

B. Mailed Notice to Property Owner(s)

A copy of the Mailed Notice to property owners was included for informational purposes.

C. Engineer’s Report *(for informational purposes)*

D. Master Special Assessment Methodology Report *(for informational purposes)*

The reports were included for informational purposes.

On MOTION by Mr. Albertson and seconded by Mr. Tavel, with all in favor, the Public Hearing was opened.

- *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.*

There were no comments from property owners or members of the public.

- *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.*

Mr. Wrathell asked if the Board, sitting as the Equalizing Board, wished to consider any adjustments to the assessments as proposed.

The Board, sitting as the Equalizing Board, did not wish to make any changes.

On MOTION by Mr. Tavel and seconded by Mr. Gonzalez, with all in favor, the Public Hearing was closed.

E. Consideration of Resolution 2022-30, 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 and 190, Florida Statutes; Providing for True-Up Payments; Making Provisions Relating to the Transfer of Real Property to Governmental Bodies; Providing For the Recording of an Assessment Notice; Providing For Severability, Conflicts and an Effective Date

Mr. Wrathell presented Resolution 2022-30 and read the title.

Ms. Wald stated that the location of the local records office for the CDD needs to be considered. The following would be added to Resolution 2022-30:

Page 2, Section 2(d), blank line: Insert "the offices of D.R. Horton, 6123 Lyons Road, Coconut Creek, Florida 33073"

On MOTION by Mr. Albertson and seconded by Mr. Bayne, with all in favor, Resolution 2022-30, as amended, 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 and 190, Florida Statutes; Providing for True-Up Payments; Making Provisions Relating to the Transfer of Real Property to Governmental Bodies; Providing For the Recording of an Assessment Notice; Providing For Severability, Conflicts and an Effective Date, as amended, was adopted.

SEVENTH ORDER OF BUSINESS

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

A. Affidavit/Proof of Publication

The affidavit of publication was included for informational purposes.

B. Consideration of Resolution 2022-31, 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

Mr. Wrathell stated this Resolution enables the CDD to levy assessments via the County Property Appraiser and Tax Collector.

On MOTION by Mr. Tavel and seconded by Mr. Gonzalez, with all in favor, the Public Hearing was opened.

No members of the public spoke.

On MOTION by Mr. Albertson and seconded by Mr. Gonzalez, with all in favor, the Public Hearing was closed.

Mr. Wrathell presented Resolution 2022-31 and read the title.

On MOTION by Mr. Albertson and seconded by Mr. Gonzalez, with all in favor, Resolution 2022-31, 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, was adopted.

EIGHTH ORDER OF BUSINESS

Consideration of Resolution 2022-07, Designating the Primary Administrative Office and Principal Headquarters of the District and Providing an Effective Date *(deferred from December 14 meeting)*

Mr. Wrathell presented Resolution 2202-07.

On MOTION by Mr. Bayne and seconded by Mr. Tavel, with all in favor, Resolution 2022-07, Designating the offices of D.R. Horton, 6123 Lyons Road, Coconut Creek, Florida 33073, as the Primary Administrative Office and Principal Headquarters of the District and Providing an Effective Date, was adopted.

NINTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of November 30, 2021

Mr. Wrathell presented the Unaudited Financial Statements as of November 30, 2021.

On MOTION by Mr. Albertson and seconded by Mr. Tavel, with all in favor, the Unaudited Financial Statements as of November 30, 2021, were accepted.

TENTH ORDER OF BUSINESS

Approval of December 14, 2021 Organizational Meeting Minutes

Mr. Wrathell presented the August 18, 2021 Organizational Meeting Minutes.

On MOTION by Mr. Albertson and seconded by Mr. Bayne, with all in favor, the December 14, 2021 Organizational Meeting Minutes, as presented, were approved.

ELEVENTH ORDER OF BUSINESS

Staff Reports

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

There was no report.

B. District Engineer (Interim): *Alvarez Engineers, Inc.*

Mr. Wrathell presented the \$3,000 Alvarez Engineers, Inc., proposal to prepare the Stormwater Needs Analysis Report.

Mr. Alvarez stated the proposal was the second work authorization for the CDD. Work Authorization #1 was for the Engineer’s Report, which needs to be executed.

On MOTION by Mr. Albertson and seconded by Mr. Bayne, with all in favor, the Alvarez Engineers, Inc., proposal to prepare the Stormwater Needs Analysis Report, in a not-to-exceed amount of \$3,000, was approved.

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

- **NEXT MEETING DATE: February 15, 2022 at 2:30 P.M.**
 - **QUORUM CHECK**

The next meeting will be held February 15, 2022. It would be a budget public hearing.

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

Public Comments

There being nothing further to discuss, the meeting adjourned.

On MOTION by Mr. Albertson and seconded by Mr. Gonzalez, with all in favor, the meeting adjourned at 3:08 p.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]



Secretary/Assistant Secretary



Chair/Vice Chair