

**CYPRESS BAY WEST
COMMUNITY DEVELOPMENT
DISTRICT**

August 17, 2022

BOARD OF SUPERVISORS

**PUBLIC HEARING AND
REGULAR MEETING**

AGENDA

Cypress Bay West 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

August 10, 2022

Board of Supervisors
Cypress Bay West Community Development District

Dear Board Members:

The Board of Supervisors of the Cypress Bay West Community Development District will hold a Public Hearing and Regular Meeting on August 17, 2022 at 11:00 a.m., at Kays Bar-B-Que & Steaks, 1552 West King Street, Cocoa, Florida 32926. The agenda is as follows:

1. Call to Order/Roll Call
2. Public Comments
3. Administration of Oath of Office to Supervisor William (Bill) Fife (*the following will 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 on Adoption of Fiscal Year 2022/2023 Budget
 - A. Proof/Affidavit of Publication
 - B. Consideration of Resolution 2022-36, Relating to the Annual Appropriations and Adopting the Budget(s) for the Fiscal Year Beginning October 1, 2022, and Ending September 30, 2023; Authorizing Budget Amendments; and Providing an Effective Date
5. Consideration of Fiscal Year 2022/2023 Budget Funding Agreement

ATTENDEES:

Please identify yourself each time you speak to facilitate accurate transcription of meeting minutes.

- 6. Update: Stormwater Management Needs Analysis Letter to County
- 7. Update: Future Meeting Location
- 8. Acceptance of Unaudited Financial Statements as of June 30, 2022
- 9. Approval of Minutes
 - A. June 15, 2022 Public Hearings and Regular Meeting
 - B. July 5, 2022 Emergency Meeting
- 10. Staff Reports
 - A. District Counsel: *KE Law Group PLLC*
 - B. District Engineer: *Dewberry Engineers, Inc.*
 - C. District Manager: *Wrathell, Hunt & Associates, LLC*

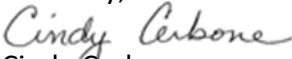
- NEXT MEETING DATE: September 21, 2022 at 11:00 AM

- QUORUM CHECK

Roger Van Auker	<input type="checkbox"/>	IN PERSON	<input type="checkbox"/>	PHONE	<input type="checkbox"/>	NO
John Wiggins	<input type="checkbox"/>	IN PERSON	<input type="checkbox"/>	PHONE	<input type="checkbox"/>	NO
Bill Fife	<input type="checkbox"/>	IN PERSON	<input type="checkbox"/>	PHONE	<input type="checkbox"/>	NO
Chris Tyree	<input type="checkbox"/>	IN PERSON	<input type="checkbox"/>	PHONE	<input type="checkbox"/>	NO
Robyn Bronson	<input type="checkbox"/>	IN PERSON	<input type="checkbox"/>	PHONE	<input type="checkbox"/>	NO

- 11. Board Members' Comments/Requests
- 12. Public comments
- 13. Adjournment

If you should have any questions or concerns, please do not hesitate to contact me directly at (561) 346-5294 or Andrew Kantarzhi at (415) 516-2161.

Sincerely,

 Cindy Carbone
 District Manager

FOR BOARD MEMBERS AND STAFF TO ATTEND BY TELEPHONE
CALL-IN NUMBER: 1-888-354-0094
PARTICIPANT PASSCODE: 801 901 3513

CYPRESS BAY WEST
COMMUNITY DEVELOPMENT DISTRICT

4A

Miscellaneous Notices



Published in Florida Today on July 29, 2022

Location

Brevard County,

Notice Text

Ad#5347961 7/29 8/5/2022 CYPRESS BAY WEST COMMUNITY DEVELOPMENT DISTRICT NOTICE OF PUBLIC HEARING TO CONSIDER THE ADOPTION OF THE FISCAL YEAR 2022/2023 BUDGET; AND NOTICE OF REGULAR BOARD OF SUPERVISORS' MEETING. The Board of Supervisors ("Board") of the Cypress Bay West Community Development District ("District") will hold a public hearing on August 17, 2022 at 11:00 a.m., at Kays Bar-B-Que & Steaks, 1552 West King Street, Cocoa, Florida 32926 for the purpose of hearing comments and objections on the adoption of the budget of the District for the fiscal year beginning October 1, 2022 through September 30, 2023 ("Fiscal Year 2022/2023"). 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, Wrathell, Hunt & Associates, LLC, 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431, 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

CYPRESS BAY WEST
COMMUNITY DEVELOPMENT DISTRICT

4B

RESOLUTION 2022-36

THE ANNUAL APPROPRIATION RESOLUTION OF THE CYPRESS BAY WEST COMMUNITY DEVELOPMENT DISTRICT (“DISTRICT”) RELATING TO THE ANNUAL APPROPRIATIONS AND ADOPTING THE BUDGET(S) FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2022, AND ENDING SEPTEMBER 30, 2023; AUTHORIZING BUDGET AMENDMENTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the District Manager has, prior to the fifteenth (15th) day in June, 2022, submitted to the Board of Supervisors (“**Board**”) of the Cypress Bay West Community Development District (“**District**”) proposed budget(s) (“**Proposed Budget**”) for the fiscal year beginning October 1, 2022 and ending September 30, 2023 (“**Fiscal Year 2022/2023**”) 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, prior to October 1st of each year, 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 CYPRESS BAY WEST 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 Cypress Bay West Community Development District for the Fiscal Year Ending September 30, 2023."
- 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 2022/2023, the sums set forth in **Exhibit A** to be raised by the levy of assessments, a funding agreement and/or otherwise. Such sums are deemed by the Board to be necessary to defray all expenditures of the District during said budget year, and are to be divided and appropriated in the amounts set forth in **Exhibit A**.

SECTION 3. BUDGET AMENDMENTS

Pursuant to Section 189.016, *Florida Statutes*, the District at any time within Fiscal Year 2022/2023 or within 60 days following the end of the Fiscal Year 2022/2023 may amend its Adopted Budget for that fiscal year as follows:

- a. A line-item appropriation for expenditures within a fund may be decreased or increased by motion of the Board recorded in the minutes, and approving the expenditure, if the total appropriations of the fund do not increase.
- b. The District Manager or Treasurer may approve an expenditure that would increase or decrease a line-item appropriation for expenditures within a fund if the total appropriations of the fund do not increase and if either (i) the aggregate change in the original appropriation item does not exceed the greater of \$15,000 or 15% of the original appropriation, or (ii) such expenditure is authorized by separate disbursement or spending resolution.
- c. Any other budget amendments shall be adopted by resolution and consistent with Florida law.

The District Manager or Treasurer must ensure that any amendments to the budget under paragraph c. 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 17TH DAY OF AUGUST, 2022.

ATTEST:

**CYPRESS BAY WEST COMMUNITY
DEVELOPMENT DISTRICT**

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

Exhibit A: Fiscal Year 2022/2023 Budget(s)

**CYPRESS BAY WEST
COMMUNITY DEVELOPMENT DISTRICT
PROPOSED BUDGET
FISCAL YEAR 2023**

**CYPRESS BAY WEST
COMMUNITY DEVELOPMENT DISTRICT
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<u>Description</u>	<u>Page Number(s)</u>
General Fund Budget	1 - 2
Definitions of General Fund Expenditures	3 - 4

**CYPRESS BAY WEST
COMMUNITY DEVELOPMENT DISTRICT
GENERAL FUND BUDGET
FISCAL YEAR 2023**

	Proposed Budget FY 2023
REVENUES	
Landowner contribution	\$ 278,590
Total revenues	278,590
 EXPENDITURES	
Professional & administrative	
Management/accounting/recording	48,000
Legal	25,000
Engineering	2,000
Audit*	6,000
Arbitrage rebate calculation*	750
Dissemination agent*	1,000
Trustee*	5,500
Telephone	200
Postage	500
Printing & binding	500
Legal advertising	2,000
Annual special district fee	175
Insurance	5,500
Contingencies/bank charges	500
Website hosting & maintenance	705
Website ADA compliance	210
Total professional & administrative	98,540

**CYPRESS BAY WEST
COMMUNITY DEVELOPMENT DISTRICT
GENERAL FUND BUDGET
FISCAL YEAR 2023**

	<u>Proposed Budget FY 2023</u>
Field operations and maintenance	
Field operations manager	6,000
Landscaping contract labor	72,000
Insurance: property	7,200
Porter services	3,000
Backflow prevention test	150
Irrigation maintenance/repair	5,000
Plants, shrubs & mulch	10,000
Annuals	18,000
Tree trimming	3,000
Signage	2,500
General maintenance	4,000
Fence/wall repair	1,000
Irrigation pump maintenance	6,000
Aquatic control - ponds	7,200
Pond fountain electric	7,200
Pond fountain maintenance	2,000
Electric:	
Irrigation	6,000
Street lights	18,000
Entrance signs	1,800
Total field operations	<u>180,050</u>
Total expenditures	<u>278,590</u>
 Excess/(deficiency) of revenues over/(under) expenditures	 -
 Fund balance - beginning (unaudited)	 <u>-</u>
Fund balance - ending (projected)	-
Unassigned	-
Fund balance - ending	<u><u>\$ -</u></u>

* These items will be realized when bonds are issued

** WHA will charge a reduced management fee of \$2,000 per month until bonds are issued.

**CYPRESS BAY WEST
COMMUNITY DEVELOPMENT DISTRICT
DEFINITIONS OF GENERAL FUND EXPENDITURES**

EXPENDITURES

Professional & administrative

Management/accounting/recording	\$ 48,000
<p>Wrathell, Hunt and Associates, LLC (WHA), specializes in managing community development districts by combining the knowledge, skills and experience of a team of professionals to ensure compliance with all of the District's governmental requirements. WHA develops financing programs, administers the issuance of tax exempt bond financings, operates and maintains the assets of the community.</p>	
Legal	25,000
<p>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.</p>	
Engineering	2,000
<p>The District's Engineer will provide construction and consulting services, to assist the District in crafting sustainable solutions to address the long term interests of the community while recognizing the needs of government, the environment and maintenance of the District's facilities.</p>	
Audit	6,000
<p>Statutorily required for the District to undertake an independent examination of its books, records and accounting procedures.</p>	
Arbitrage rebate calculation*	750
<p>To ensure the District's compliance with all tax regulations, annual computations are necessary to calculate the arbitrage rebate liability.</p>	
Dissemination agent*	1,000
<p>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. Wrathell, Hunt & Associates serves as dissemination agent.</p>	
Trustee	5,500
<p>Annual fee for the service provided by trustee, paying agent and registrar.</p>	
Telephone	200
<p>Telephone and fax machine.</p>	
Postage	500
<p>Mailing of agenda packages, overnight deliveries, correspondence, etc.</p>	
Printing & binding	500
<p>Letterhead, envelopes, copies, agenda packages</p>	
Legal advertising	2,000
<p>The District advertises for monthly meetings, special meetings, public hearings, public bids, etc.</p>	
Annual special district fee	175
<p>Annual fee paid to the Florida Department of Economic Opportunity.</p>	
Insurance	5,500
<p>The District will obtain public officials and general liability insurance.</p>	
Contingencies/bank charges	500
<p>Bank charges and other miscellaneous expenses incurred during the year and automated AP routing etc.</p>	
Website hosting & maintenance	705
Website ADA compliance	210

**CYPRESS BAY WEST
COMMUNITY DEVELOPMENT DISTRICT
DEFINITIONS OF GENERAL FUND EXPENDITURES**

EXPENDITURES (continued)

Field operations and maintenance

Field operations manager	6,000
Landscaping contract labor	72,000
Insurance: property	7,200
Porter services	3,000
Backflow prevention test	150
Irrigation maintenance/repair	5,000
Plants, shrubs & mulch	10,000
Annuals	18,000
Tree trimming	3,000
Signage	2,500
General maintenance	4,000
Fence/wall repair	1,000
Irrigation pump maintenance	6,000
Aquatic control - ponds	7,200
Pond fountain electric	7,200
Pond fountain maintenance	2,000
Electric:	
Irrigation	6,000
Street lights	18,000
Entrance signs	1,800
Total expenditures	<u><u>\$278,590</u></u>

CYPRESS BAY WEST
COMMUNITY DEVELOPMENT DISTRICT

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**CYPRESS BAY WEST COMMUNITY DEVELOPMENT DISTRICT
FISCAL YEAR 2022/2023 BUDGET FUNDING AGREEMENT**

This Agreement ("**Agreement**") is made and entered into this 17th day of August, 2022, by and between:

Cypress Bay West Community Development District, a local unit of special-purpose government established pursuant to Chapter 190, Florida Statutes, and with an address of c/o Wrathell, Hunt and Associates, LLC, 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431 ("**District**"), and

Forestar (USA) Real Estate Group Inc., a Delaware corporation, and the developer of lands within the boundary of the District ("**Developer**") with a mailing address of 10700 Pecan Park Boulevard, Suite 150, Austin, Texas 78750.

RECITALS

WHEREAS, the District was established for the purpose of planning, financing, constructing, operating and/or maintaining certain infrastructure; and

WHEREAS, the District, pursuant to Chapter 190, Florida Statutes, is authorized to levy such taxes, special assessments, fees and other charges as may be necessary in furtherance of the District's activities and services; and

WHEREAS, Developer presently is developing the majority of all real property ("**Property**") within the District, which Property will benefit from the timely construction and acquisition of the District's facilities, activities and services and from the continued operations of the District; and

WHEREAS, the District is adopting its general fund budget for Fiscal Year 2022/2023, which year concludes on September 30, 2023; and

WHEREAS, this general fund budget, which the parties recognize may be amended from time to time in the sole discretion of the District, is attached hereto and incorporated herein by reference as **Exhibit A**; and

WHEREAS, the District has the option of levying non-ad valorem assessments on all land, including the Property owned by the Developer, that will benefit from the activities, operations and services set forth in the Fiscal Year 2022/2023 budget, or utilizing such other revenue sources as may be available to it; and

WHEREAS, in lieu of levying assessments on the Property, the Developer is willing to provide such funds as are necessary to allow the District to proceed with its operations as described in **Exhibit A**; and

WHEREAS, the Developer agrees that the activities, operations and services provide a special and peculiar benefit equal to or in excess of the costs reflected on **Exhibit A** to the Property; and

WHEREAS, the Developer has agreed to enter into this Agreement in lieu of having the District levy and collect any non-ad valorem assessments as authorized by law against the Property located within the District for the activities, operations and services set forth in **Exhibit A**;

NOW, THEREFORE, based upon good and valuable consideration and the mutual covenants of the parties, the receipt of which and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. **FUNDING.** The Developer agrees to make available to the District the monies ("**Funding Obligation**") necessary for the operation of the District as called for in the budget attached hereto as **Exhibit A** (and as **Exhibit A** may be amended from time to time pursuant to Florida law, but subject to the Developer's consent to such amendments to incorporate them herein), within thirty (30) days of written request by the District. The funds shall be placed in the District's general checking account. These payments are made by the Developer in lieu of taxes, fees, or assessments which might otherwise be levied or imposed by the District. Nothing contained herein shall constitute or be construed as a waiver of the District's right to levy assessments in the event of a funding deficit.

2. **ENTIRE AGREEMENT.** This instrument shall constitute the final and complete expression of the agreement among the parties relating to the subject matter of this Agreement. Amendments to and waivers of the provisions contained in this Agreement may be made only by an instrument in writing which is executed by both of the parties hereto.

3. **AUTHORIZATION.** The execution of this Agreement has been duly authorized by the appropriate body or official of all parties hereto, each party has complied with all of the requirements of law, and each party has full power and authority to comply with the terms and provisions of this instrument.

4. **ASSIGNMENT.** This Agreement may be assigned, in whole or in part, by either party only upon the written consent of the other. Any purported assignment without such consent shall be void.

5. **DEFAULT.** A default by either party under this Agreement shall entitle the other to all remedies available at law or in equity, which shall include, but not be limited to, the right of damages, injunctive relief and specific performance.

6. **ENFORCEMENT.** In the event that any party is required to enforce this Agreement by court proceedings or otherwise, then the parties agree that the prevailing party shall be

entitled to recover from the other all costs incurred, including reasonable attorneys' fees and costs for trial, alternative dispute resolution, or appellate proceedings.

7. **THIRD PARTY BENEFICIARIES.** This Agreement is solely for the benefit of the formal parties herein and no right or cause of action shall accrue upon or by reason hereof, to or for the benefit of any third party not a formal party hereto. Nothing in this Agreement expressed or implied is intended or shall be construed to confer upon any person or corporation other than the parties hereto any right, remedy or claim under or by reason of this Agreement or any provisions or conditions hereof; and all of the provisions, representations, covenants and conditions herein contained shall inure to the sole benefit of and shall be binding upon the parties hereto and their respective representatives, successors and assigns.

8. **CHOICE OF LAW.** This Agreement and the provisions contained herein shall be construed, interpreted and controlled according to the laws of the State of Florida.

9. **ARM'S LENGTH.** This Agreement has been negotiated fully among the parties as an arm's length transaction. The parties participated fully in the preparation of this Agreement with the assistance of their respective counsel. In the case of a dispute concerning the interpretation of any provision of this Agreement, the parties are each deemed to have drafted, chosen and selected the language, and the doubtful language will not be interpreted or construed against any party.

10. **EFFECTIVE DATE.** The Agreement shall be effective after execution by the parties hereto.

[SIGNATURES ON NEXT PAGE]

IN WITNESS WHEREOF, the parties execute this Agreement the day and year first written above.

**CYPRESS BAY WEST COMMUNITY
DEVELOPMENT DISTRICT**

Chair/Vice Chair, Board of Supervisors

FORESTAR (USA) REAL ESTATE GROUP INC.

By: _____
Its: _____

Exhibit A: Fiscal Year 2022/2023 General Fund Budget

Exhibit A

Fiscal Year 2022/2023 General Fund Budget

CYPRESS BAY WEST
COMMUNITY DEVELOPMENT DISTRICT

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**CYPRESS BAY WEST
COMMUNITY DEVELOPMENT DISTRICT
FINANCIAL STATEMENTS
UNAUDITED
JUNE 30, 2022**

**CYPRESS BAY WEST
COMMUNITY DEVELOPMENT DISTRICT
BALANCE SHEET
GOVERNMENTAL FUNDS
JUNE 30, 2022**

	General Fund	Debt Service Fund	Total Governmental Funds
ASSETS			
Due from Landowner	\$ 12,930	\$ 835	\$ 13,765
Total assets	\$ 12,930	\$ 835	\$ 13,765
 LIABILITIES AND FUND BALANCES			
Liabilities:			
Accounts payable	\$ 6,930	\$ 835	\$ 7,765
Due to Landowner	-	835	835
Landowner advance	6,000	-	6,000
Total liabilities	12,930	1,670	14,600
 DEFERRED INFLOWS OF RESOURCES			
Deferred receipts	6,930	-	6,930
Total deferred inflows of resources	6,930	-	6,930
 Fund balances:			
Restricted for:			
Debt service	-	(835)	(835)
Unassigned	(6,930)	-	(6,930)
Total fund balances	(6,930)	(835)	(7,765)
 Total liabilities, deferred inflows of resources and fund balances	 \$ 12,930	 \$ 835	 \$ 13,765

**CYPRESS BAY WEST
COMMUNITY DEVELOPMENT DISTRICT
GENERAL FUND
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
FOR THE PERIOD ENDED JUNE 30, 2022**

	<u>Current Month</u>	<u>Year To Date</u>	<u>Budget</u>	<u>% of Budget</u>
REVENUES				
Landowner contribution	\$ -	\$ -	\$ 58,932	0%
Total revenues	<u>-</u>	<u>-</u>	<u>58,932</u>	<u>0%</u>
EXPENDITURES				
Professional & administrative				
Management/accounting/recording	2,000	6,000	16,000	38%
Legal	-	756	25,000	3%
Engineering	-	-	2,000	0%
Dissemination agent*	-	-	167	0%
Telephone	16	49	200	25%
Postage	-	-	500	0%
Printing & binding	42	125	500	25%
Legal advertising	-	-	6,500	0%
Annual special district fee	-	-	175	0%
Insurance	-	-	5,500	0%
Contingencies/bank charges	-	-	500	0%
Website hosting & maintenance	-	-	1,680	0%
Website ADA compliance	-	-	210	0%
Total professional & administrative	<u>2,058</u>	<u>6,930</u>	<u>58,932</u>	<u>12%</u>
Excess/(deficiency) of revenues over/(under) expenditures	(2,058)	(6,930)	-	
Fund balances - beginning	(4,872)	-	-	
Fund balances - ending	<u>\$ (6,930)</u>	<u>\$ (6,930)</u>	<u>\$ -</u>	

*These items will be realized when bonds are issued

**CYPRESS BAY WEST
COMMUNITY DEVELOPMENT DISTRICT
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
DEBT SERVICE FUND
FOR THE PERIOD ENDED JUNE 30, 2022**

	<u>Current Month</u>	<u>Year To Date</u>
REVENUES	<u>\$ -</u>	<u>\$ -</u>
Total revenues	<u>-</u>	<u>-</u>
 EXPENDITURES		
Debt service		
Cost of issuance	<u>-</u>	<u>835</u>
Total debt service	<u>-</u>	<u>835</u>
 Excess/(deficiency) of revenues over/(under) expenditures	 - -	 (835)
 Fund balances - beginning	 (835)	 -
Fund balances - ending	<u>\$ (835)</u>	<u>\$ (835)</u>

CYPRESS BAY WEST
COMMUNITY DEVELOPMENT DISTRICT

9A

DRAFT

**MINUTES OF MEETING
CYPRESS BAY WEST
COMMUNITY DEVELOPMENT DISTRICT**

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The Board of Supervisors of the Cypress Bay West Community Development District held Multiple Public Hearings and a Regular Meeting on June 15, 2022 at 11:00 a.m., at Kays Bar-B-Que & Steaks, 1552 West King Street, Cocoa, Florida 32926.

Present at the meeting were:

William (Bill) Fife	Vice Chair
Robyn Bronson	Assistant Secretary
Roger Van Auker	Assistant Secretary
John Wiggins	Assistant Secretary

Also present were:

Cindy Cerbone	District Manager
Jamie Sanchez	Wrathell, Hunt and Associates, LLC (WHA)
Andrew Kantarzhi	WHA
Jere Earlywine (via telephone)	District Counsel
Rey Malave (via telephone)	District Engineer

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Ms. Cerbone called the meeting to order at 11:12 a.m. Supervisors Fife, Bronson, Van Auker and Wiggins were present, in person. Supervisor Tyree was not present.

SECOND ORDER OF BUSINESS

Public Comments

No members of the public spoke.

THIRD ORDER OF BUSINESS

Administration of Oath of Office to Elected Board of Supervisors *(the following will be provided in a separate package)*

38 Mr. Kantarzhi, a Notary of the State of Florida and duly authorized, administered the
39 Oath of Office to Ms. Bronson. Ms. Cerbone noted Ms. Bronson is an experienced CDD Board
40 Member.

41 **A. Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees**

42 **B. Membership, Obligations and Responsibilities**

43 **C. Chapter 190, Florida Statutes**

44 **D. Financial Disclosure Forms**

45 **I. Form 1: Statement of Financial Interests**

46 **II. Form 1X: Amendment to Form 1, Statement of Financial Interests**

47 **III. Form 1F: Final Statement of Financial Interests**

48 **E. Form 8B: Memorandum of Voting Conflict**

49 Ms. Cerbone and Mr. Earlywine discussed proper filing of Forms 1 and 1X, such as when
50 there is a change of address.

51

52 **FOURTH ORDER OF BUSINESS**

**Consideration of 2022-27, 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**

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58 Ms. Cerbone presented Resolution 2022-27 and recapped the Landowners’ Election
59 results as follows:

60	Seat 1	Roger Van Auker	78 votes	4-Year Term
61	Seat 2	John Wiggins	77 votes	2-Year Term
62	Seat 3	Bill Fife	78 votes	4-Year Term
63	Seat 4	Chris Tyree	77 votes	2-Year Term
64	Seat 5	Robyn Bronson	77 votes	2-Year Term

65

66 **On MOTION by Ms. Bronson and seconded by Mr. Wiggins, with all in favor,**
67 **Resolution 2022-27, Canvassing and Certifying the Results of the Landowners’**
68 **Election of Supervisors Held Pursuant to Section 190.006(2), Florida Statutes,**
69 **and Providing for an Effective Date, was adopted.**

70

71

72 **FIFTH ORDER OF BUSINESS**

**Consideration of Resolution 2022-28,
Designating Certain Officers of the District,
and Providing for an Effective Date**

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76 Ms. Cerbone presented Resolution 2022-28. Mr. Fife nominated the following slate of
77 officers:

- 78 Chair Chris Tyree
- 79 Vice Chair William (Bill) Fife
- 80 Secretary Craig Wrathell
- 81 Assistant Secretary John Wiggins
- 82 Assistant Secretary Robyn Bronson
- 83 Assistant Secretary Roger Van Auker
- 84 Assistant Secretary Cindy Cerbone
- 85 Assistant Secretary Jamie Sanchez

86 No other nominations were made. Prior appointments by the Board for Treasurer and
87 Assistant Treasurer remain unaffected by this Resolution.

88

89 **On MOTION by Mr. Fife and seconded by Ms. Bronson, with all in favor,**
90 **Resolution 2022-28, Designating Certain Officers of the District, as nominated,**
91 **and Providing for an Effective Date, was adopted.**

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94 **SIXTH 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; 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**

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A. Affidavit/Proof of Publication

110 The affidavit of publication was provided for informational purposes.

111 **B. Consideration of Resolution 2022-29, Expressing its Intent to Utilize the Uniform**
112 **Method of Levying, Collecting, and Enforcing Non-Ad Valorem Assessments Which**
113 **May Be Levied by the Cypress Bay West Community Development District in**
114 **Accordance with Section 197.3632, Florida Statutes; Providing a Severability Clause;**
115 **and Providing an Effective Date**

117 **On MOTION by Mr. Wiggins and seconded by Ms. Bronson, with all in favor,**
118 **the Public Hearing was opened.**

119
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121 No members of the public spoke.

123 **On MOTION by Ms. Bronson and seconded by Mr. Van Auker, with all in favor,**
124 **the Public Hearing was closed.**

125
126
127 Ms. Cerbone presented Resolution 2022-29 and read the title.

129 **On MOTION by Mr. Van Auker and seconded by Ms. Bronson, with all in favor,**
130 **Resolution 2022-29, Expressing its Intent to Utilize the Uniform Method of**
131 **Levying, Collecting, and Enforcing Non-Ad Valorem Assessments Which May Be**
132 **Levied by the Cypress Bay West Community Development District in**
133 **Accordance with Section 197.3632, Florida Statutes; Providing a Severability**
134 **Clause; and Providing an Effective Date, was adopted.**

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137 **SEVENTH 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**

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143 • *Hear testimony from the affected property owners as to the propriety and advisability*
144 *of making the improvements and funding them with special assessments on the*
145 *property.*

- 146 • *Thereafter, the governing authority shall meet as an equalizing board to hear any and*
147 *all complaints as to the special assessments on a basis of justice and right.*

148 These items occurred below.

149 **A. Affidavit/Proof of Publication**

150 The affidavit of publication was included for informational purposes.

151 **B. Mailed Notice to Property Owner(s)**

152 The Mailed Notice to property owners was included for informational purposes.

153 Ms. Cerbone stated that notices were sent to Waterstone Farms LLC, the property
154 owners of record at the time of mailing, as well as Forestar, the current property owner, as
155 discussed with Mr. Van Auken prior to the Landowners' meeting. Mailed Notices are sent to the
156 mailing address on record at the Property Appraiser's office.

157 **C. Engineer's Report (for informational purposes)**

158 Ms. Cerbone recalled that the Engineer's Report was presented at the Organizational
159 Meeting and asked if there were any questions or if the Board would like the Report to be
160 presented again. The consensus was that it was not necessary to present it again.

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

162 Ms. Cerbone recalled that the Master Special Assessment Methodology Report was
163 presented at the Organizational Meeting and asked if there were any questions or if the Board
164 would like the Report to be presented again.

165 Mr. Earlywine stated the Board's findings regarding assessments would be based upon
166 the information included in these Reports. The Board Members reviewed the Reports. There
167 were no questions.

168

169 **On MOTION by Mr. Fife and seconded by Ms. Bronson, with all in favor, the**
170 **Public Hearing was opened.**

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- 173 • *Hear testimony from the affected property owners as to the propriety and advisability*
174 *of making the improvements and funding them with special assessments on the*
175 *property.*

176 No members of the public spoke.

- 177 • *Thereafter, the governing authority shall meet as an equalizing board to hear any and*
- 178 *all complaints as to the special assessments on a basis of justice and right.*

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

180

181 **On MOTION by Mr. Van Auker and seconded by Mr. Fife, with all in favor, the**

182 **Public Hearing was closed.**

183

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- 185 **E. Consideration of Resolution 2022-30, Making Certain Findings; Authorizing a Capital**
- 186 **Improvement Plan; Adopting an Engineer’s Report; Providing an Estimated Cost of**
- 187 **Improvements; Adopting an Assessment Report; Equalizing, Approving, Confirming**
- 188 **and Levying Debt Assessments; Addressing the Finalization of Special Assessments;**
- 189 **Addressing the Payment of Debt Assessments and the Method of Collection; Providing**
- 190 **for the Allocation of Debt Assessments and True-Up Payments; Addressing**
- 191 **Government Property, and Transfers of Property to Units of Local, State and Federal**
- 192 **Government; Authorizing an Assessment Notice; and Providing for Severability,**
- 193 **Conflicts and an Effective Date**

194 Ms. Cerbone presented Resolution 2022-30 and read the title.

195

196 **On MOTION by Mr. Van Auker and seconded by Ms. Bronson, with all in favor,**

197 **Resolution 2022-30, Making Certain Findings; Authorizing a Capital**

198 **Improvement Plan; Adopting an Engineer’s Report; Providing an Estimated**

199 **Cost of Improvements; Adopting an Assessment Report; Equalizing, Approving,**

200 **Confirming and Levying Debt Assessments; Addressing the Finalization of**

201 **Special Assessments; Addressing the Payment of Debt Assessments and the**

202 **Method of Collection; Providing for the Allocation of Debt Assessments and**

203 **True-Up Payments; Addressing Government Property, and Transfers of**

204 **Property to Units of Local, State and Federal Government; Authorizing an**

205 **Assessment Notice; and Providing for Severability, Conflicts and an Effective**

206 **Date, was adopted.**

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209 **EIGHTH ORDER OF BUSINESS**

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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

214 **A. Affidavits of Publication**

215 The affidavits were included for informational purposes.

216 **B. Consideration of Resolution 2022-31, Adopting Rules of Procedure; Providing a**
217 **Severability Clause; and Providing an Effective Date**

218 Ms. Cerbone stated the Rules of Procedure set forth the CDD’s processes and
219 procedures for meetings, officers, competitive bidding, etc., consistent with Florida Statutes.

220

221 **On MOTION by Ms. Bronson and seconded by Mr. Van Auker, with all in favor,**
222 **the Public Hearing was opened.**

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225 No members of the public spoke.

226

227 **On MOTION by Mr. Van Auker and seconded by Ms. Bronson, with all in favor,**
228 **the Public Hearing was closed.**

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230

231 Ms. Cerbone presented Resolution 2022-31.

232

233 **On MOTION by Mr. Van Auker and seconded by Mr. Wiggins, with all in favor,**
234 **Resolution 2022-31, Adopting Rules of Procedure; Providing a Severability**
235 **Clause; and Providing an Effective Date, was adopted.**

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238 **NINTH ORDER OF BUSINESS**

Public Hearing on Adoption of Fiscal Year
2021/2022 Budget

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241 **A. Affidavit of Publication**

242 The affidavit of publication was included for informational purposes.

243 **B. Consideration of Resolution 2022-32, Relating to the Annual Appropriations and**
244 **Adopting the Budgets for the Fiscal Year Beginning October 1, 2021, and Ending**
245 **September 30, 2022; Authorizing Budget Amendments; and Providing an Effective**
246 **Date**

247 Ms. Cerbone presented the proposed Fiscal Year 2022 budget, which is Landowner-
248 funded. The proposed Fiscal Year 2022 budget was unchanged since it was presented at the
249 Organizational meeting.

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On MOTION by Mr. Van Auker and seconded by Ms. Bronson, with all in favor, the Public Hearing was opened.

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No members of the public spoke.

256

On MOTION by Ms. Bronson and seconded by Mr. Fife, with all in favor, the Public Hearing was closed.

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Ms. Cerbone presented Resolution 2022-32.

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On MOTION by Ms. Bronson and seconded by Mr. Van Auker, with all in favor, Resolution 2022-32, Relating to the Annual Appropriations and Adopting the Budgets for the Fiscal Year Beginning October 1, 2021, and Ending September 30, 2022; Authorizing Budget Amendments; and Providing an Effective Date, was adopted.

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TENTH ORDER OF BUSINESS

Consideration of Resolution 2022-33, 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

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Ms. Cerbone presented Resolution 2022-33. She reviewed the proposed Fiscal Year 2023 budget, which will be Landowner-funded, with expenses funded as they are incurred. The increase compared to the Fiscal Year 2022 budget is due to the addition of field operations expenses. It will be necessary to obtain proposals for field operations and landscaping.

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The following change was made to the proposed Fiscal Year 2023 budget:

283

Page 2: Delete "Field operations accounting" line item

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On MOTION by Mr. Wiggins and seconded by Ms. Bronson, with all in favor, Resolution 2022-33, Approving a Proposed Budget for Fiscal Year 2022/2023, as amended, and Setting a Public Hearing Thereon Pursuant to Florida Law for August 17, 2022 at 11:00 a.m., at Kays Bar-B-Que & Steaks, 1552 West King Street, Cocoa, Florida 32926; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing an Effective Date, was approved.

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ELEVENTH ORDER OF BUSINESS

Consideration of Response(s) to Request for Qualifications (RFQ) for Engineering Services

297

A. Affidavit of Publication

298

B. RFQ Package

299

The above items were included for informational purposes.

300

C. Respondent(s): Dewberry Engineers, Inc.

301

Ms. Cerbone stated that Dewberry Engineers, Inc. (Dewberry), the CDD’s Interim District Engineer, was the only respondent to the RFQ.

303

D. Competitive Selection Criteria/Ranking

304

Ms. Cerbone stated that, as the sole respondent, the Board could rank Dewberry as the most responsive and qualified respondent and rank them accordingly, as the #1 ranked respondent and allow Staff to enter into an Engineering Services agreement. The Board was in agreement with ranking Dewberry the #1 ranked responsive and qualified respondent.

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E. Award of Contract

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Mr. Earlywine stated Staff would prepare a form of Agreement and obtain pricing information and present a contract at the next meeting.

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On MOTION by Mr. Wiggins and seconded by Mr. Van Auker, with all in favor, authorizing Staff to negotiate and prepare a Continuing Services Agreement with Dewberry Engineers, Inc., the #1 ranked respondent to the RFP for District Engineering Services, was approved.

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TWELFTH ORDER OF BUSINESS

Consideration of Responses to Request for Proposals (RFP) for Annual Audit Services

321 **A. Affidavit of Publication**322 **B. RFP Package**

323 The above items were included for informational purposes.

324 **C. Respondent(s): Berger, Toombs, Elam, Gaines & Frank**

325 Ms. Cerbone stated that Berger, Toombs, Elam, Gaines & Frank (BTEGF) was the only
326 respondent to the RFP.

327 **D. Auditor Evaluation Matrix/Ranking**

328 Ms. Cerbone stated that, as the sole respondent, the Board could rank BTEGF as the
329 most qualified respondent and rank them as the #1 respondent. The District Manager's
330 recommendation was to award BTEGF a total of 100 points. In her opinion, BTEGF does a good
331 job and the firm is qualified to perform the audit; there does not seem to be any layer of
332 complexity that would necessitate hiring one audit firm over another or readvertising the RFP.
333 The BTEGF bid of \$3,125 annually, before bond issuance, and \$4,025 after bond issuance is
334 comparable to other audit firms.

335 **E. Award of Contract**

336 Mr. Earlywine stated Staff will prepare a form of Agreement. He suggested including
337 three optional one-year renewals based upon the pricing set forth in the proposal, with a 30-
338 day termination provision and a penalty for late completion of the audit.

339

340 **On MOTION by Mr. Van Auker and seconded by Ms. Bronson, with all in favor,**
341 **acceptance of the District Manager's scoring and ranking of Berger, Toombs,**
342 **Elam, Gaines & Frank as the #1 ranked respondent and the recommendation to**
343 **award the Annual Audit Services Contract to Berger, Toombs, Elam, Gaines &**
344 **Frank, and authorizing Staff to prepare the Audit Services Agreement, including**
345 **the specifications set forth by District Counsel, and authorizing the Chair to**
346 **execute, was approved.**

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349 **THIRTEENTH ORDER OF BUSINESS****Ratification of Forestar (USA) Real Estate
Group, Inc. Acquisition Agreement**

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352 Mr. Earlywine presented the Forestar (USA) Real Estate Group, Inc. Acquisition
353 Agreement.

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On MOTION by Mr. Van Auker and seconded by Mr. Wiggins, with all in favor, the Forestar (USA) Real Estate Group, Inc. Acquisition Agreement, in substantial form, was ratified.

- **Consideration of 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**

This item, previously the Sixteenth Order of Business, was presented out of order.

Ms. Cerbone presented Resolution 2022-14.

The following would be inserted into the Fiscal Year 2022 Meeting Schedule:

DATE: Third Wednesday of each month

TIME: 11:00 AM

LOCATION: Kays Bar-B-Que & Steaks, 1552 West King Street, Cocoa, Florida 32926

On MOTION by Mr. Van Auker and seconded by Ms. Bronson, with all in favor, 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, was adopted.

FOURTEENTH ORDER OF BUSINESS

Consideration of Resolution 2022-34, 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

Ms. Cerbone presented Resolution 2022-34.

The following would be inserted into the Fiscal Year 2023 Meeting Schedule:

DATE: Third Wednesday of each month

TIME: 11:00 AM

LOCATION: Kays Bar-B-Que & Steaks, 1552 West King Street, Cocoa, Florida 32926

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On MOTION by Mr. Wiggins and seconded by Mr. Van Auker, with all in favor, Resolution 2022-34, 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.

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FIFTEENTH ORDER OF BUSINESS

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

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Mr. Van Auker stated the Mayor would like some CDD meetings to be held in Palm Bay, if possible. Ms. Cerbone noted the meeting room requirements and stated, if the City has a location available at the desired time, the Board can consider a change of venue.

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This item was deferred.

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SIXTEENTH ORDER OF BUSINESS

Consideration of 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

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This item was presented following the Thirteenth Order of Business.

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SEVENTEENTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of April 30, 2022

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Ms. Cerbone presented the Unaudited Financial Statements as of April 30, 2022.

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On MOTION by Ms. Bronson and seconded by Mr. Van Auker, with all in favor, the Unaudited Financial Statements as of April 30, 2022, were accepted.

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EIGHTEENTH ORDER OF BUSINESS

Approval of Minutes

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Ms. Cerbone presented the following:

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- A. April 6, 2022 Organizational Meeting**
- B. May 18, 2022 Landowners' Meeting**

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On MOTION by Mr. Wiggins and seconded by Mr. Van Auker, with all in favor, the April 6, 2022 Organizational Meeting and the May 18, 2022 Landowners' Meeting Minutes, as presented, were approved.

NINETEENTH ORDER OF BUSINESS **Staff Reports**

A. District Counsel: *KE Law Group, PLLC*

Mr. Earlywine stated the bond issuance was moved up; the hope is to issue bonds in September 2022.

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

There was no report.

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

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

The next meeting would be held on July 20, 2022.

TWENTIETH ORDER OF BUSINESS **Board Members' Comments/Requests**

A Board Member stated the Phase I streets are on the plat to be deeded to the HOA for the sub-association.

Discussion ensued regarding public versus private roads, gated versus ungated roads and roads to be maintained by the HOA versus the CDD.

Ms. Cerbone stated, if the CDD will own the roads, a reserve fund would be recommended.

TWENTY-FIRST ORDER OF BUSINESS **Public Comments**

No members of the public spoke.

TWENTY-SECOND ORDER OF BUSINESS **Adjournment**

On MOTION by Mr. Fife and seconded by Mr. Van Auker, with all in favor, the meeting adjourned at 12:02 p.m.

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Secretary/Assistant Secretary

Chair/Vice Chair

CYPRESS BAY WEST
COMMUNITY DEVELOPMENT DISTRICT

9B

DRAFT

**MINUTES OF MEETING
CYPRESS BAY WEST
COMMUNITY DEVELOPMENT DISTRICT**

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The Board of Supervisors of the Cypress Bay West Community Development District held an Emergency Meeting on July 5, 2022 at 12:00 p.m., at Kays Bar-B-Que & Steaks, 1552 West King Street, Cocoa, Florida 32926.

Present at the meeting were:

Chris Tyree	Chair
Robyn Bronson	Assistant Secretary
Roger Van Auker	Assistant Secretary
John Wiggins	Assistant Secretary

Also present were:

Jamie Sanchez	District Manager
Andrew Kantarzhi	Wrathell, Hunt and Associates, LLC (WHA)
Cindy Cerbone (via telephone)	WHA
Jere Earlywine (via telephone)	District Counsel

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Ms. Sanchez called the meeting to order at 12:25 p.m. Supervisors Tyree, Bronson, Van Auker and Wiggins were present, in person. Supervisor Fife was not present.

SECOND ORDER OF BUSINESS

Public Comments

No members of the public spoke.

THIRD ORDER OF BUSINESS

Administration of Oath of Office to Elected Board of Supervisors (*the following will be provided in a separate package*)

37 Mr. Kantarzhi, a Notary of the State of Florida and duly authorized, administered the
38 Oath of Office to Mr. Tyree, Ms. Bronson, Mr. Van Auken and Mr. Wiggins. The following items
39 were provided and explained:

40 **A. Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees**

41 **B. Membership, Obligations and Responsibilities**

42 **C. Chapter 190, Florida Statutes**

43 **D. Financial Disclosure Forms**

44 **I. Form 1: Statement of Financial Interests**

45 **II. Form 1X: Amendment to Form 1, Statement of Financial Interests**

46 **III. Form 1F: Final Statement of Financial Interests**

47 **E. Form 8B: Memorandum of Voting Conflict**

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49 **FOURTH ORDER OF BUSINESS**

**Consideration of 2022-35, Ratifying and
Approving Certain Board Actions Approved
and Adopted at the Duly Advertised Public
Meeting and Public Hearings of the Board
of Supervisors Held June 15, 2022**

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51 Ms. Sanchez presented Resolution 2022-35 and read the title.

52 Mr. Earlywine stated that the Resolution is procedural in nature and is being presented
53 in an abundance of caution. Essentially, this covers items that were previously approved and/or
54 adopted at the fully, properly advertised June 15, 2022 meeting wherein members of the public
55 had the opportunity to attend. The Landowner's Meeting and Election was held on May 18,
56 2022 but the Oath of Office was inadvertently not administered to the Board Supervisors prior
57 to or at the June 15, 2022 meeting, which is why the Resolution ratifying the actions is
58 necessary.

59 Mr. Earlywine stated that the justification for the emergency nature of today's meeting
60 is to facilitate the issuance of bonds as quickly as possible, given the current inflationary
61 environment. The bond validation hearing is scheduled for Friday. He conferred with other
62 Counsel, who is comfortable with the action being taken today. Staff is on track to validate the
63 bonds and move forward with the schedule in a timely manner.

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On MOTION by Ms. Bronson and seconded by Mr. Tyree, with all in favor, Resolution 2022-25, Ratifying and Approving Certain Board Actions Approved and Adopted at the Duly Advertised Public Meeting and Public Hearings of the Board of Supervisors Held June 15, 2022, was adopted.

FIFTH ORDER OF BUSINESS Discussion Future Meeting Location

Ms. Sanchez stated Staff is still coordinating with Palm Bay and will have an update at the August meeting, which will be held at Kays Bar-B-Que & Steaks. At that time, the Board can approve a different location, date and/or time, if needed.

SIXTH ORDER OF BUSINESS NEXT MEETING DATE: July 20, 2022 at 11:00 A.M.

Asked if the July 20, 2022 meeting will be necessary. Mr. Earlywine replied affirmatively.

o QUORUM CHECK

All Supervisors confirmed their attendance at the July 20, 2022 meeting.

SEVENTH ORDER OF BUSINESS Board Members' Comments/Requests

There were no Board Members' comments or requests.

EIGHTH ORDER OF BUSINESS Public Comments

There were no public comments.

NINTH ORDER OF BUSINESS Adjournment

On MOTION by Mr. Wiggins and seconded by Mr. Tyree, with all in favor, the meeting adjourned at 12:32 p.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

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111 _____
Secretary/Assistant Secretary

_____ Chair/Vice Chair

CYPRESS BAY WEST
COMMUNITY DEVELOPMENT DISTRICT

10C

CYPRESS BAY WEST COMMUNITY DEVELOPMENT DISTRICT

BOARD OF SUPERVISORS FISCAL YEAR 2021/2022 MEETING SCHEDULE

LOCATION

Kays Bar-B-Que & Steaks, 1552 West King Street, Cocoa, Florida 32926

***US Coast Guard Auxiliary Building, 1455 Main St., NE, Palm Bay, Florida 32905*

DATE	POTENTIAL DISCUSSION/FOCUS	TIME
July 20, 2022	Regular Meeting	11:00 AM
August 17, 2022	Public Hearing and Regular Meeting <i>Adoption of FY2023 Budget</i>	11:00 AM
September 21, 2022**	Regular Meeting	11:00 AM