

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

The Board of Supervisors of the Cypress Bay West Community Development District held a Regular Meeting on April 19, 2023 at 11:00 a.m., at the US Coast Guard Auxiliary Building, 1455 Main Street, NE, Palm Bay, Florida 32905.

Present at the meeting were:

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

Also present were:

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

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Ms. Sanchez called the meeting to order at 11:00 a.m. Supervisors Bronson, Fife, 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

Consideration of Resolution 2023-01, Approving the Proposed Budget for Fiscal Year 2023/2024 and Setting a Public Hearing Thereon Pursuant to Florida Law; Addressing Transmittal, Posting and Publication Requirements; Addressing

Severability; and Providing for an Effective Date

Ms. Sanchez presented Resolution 2023-01. She reviewed the proposed Fiscal Year 2024 budget line items and noted Mr. Fife provided the Field Operations cost portion of the budget.

Ms. Cerbone stated that the “Insurance: property” amount is an estimate because the proposal is pending. The overall budget does not represent a full build out and it should not be used for any disclosures.

Ms. Cerbone suggested setting the public hearing the same date they expect to present the bond delegation resolution, June 21, 2023 and changing the meeting location.

The Board consensus was to change the meeting location for Fiscal Year 2024 to either Mee-maws, Woody’s or Dustin’s, in that order.

On MOTION by Ms. Bronson and seconded by Mr. Van Auker, with all in favor, Resolution 2023-01, Approving the Proposed Budget for Fiscal Year 2023/2024 and Setting a Public Hearing Thereon Pursuant to Florida Law for June 21, 2023 at 11:00 a.m., at the US Coast Guard Auxiliary Building, 1455 Main Street, NE, Palm Bay, Florida 32905; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing for an Effective Date, was adopted.

FOURTH ORDER OF BUSINESS

Consideration of Kutak Rock LLP, Retention and Fee Agreement

Mr. Earlywine presented the Kutak Rock LLP Fee Agreement.

On MOTION by Mr. Fife and seconded by Mr. Van Auker, with all in favor, the Kutak Rock LLP Retention and Fee Agreement to provide District Counsel Services, was approved.

FIFTH ORDER OF BUSINESS

Consideration of Lake Pros, LLC, Maintenance Agreement for Phase 1

Ms. Sanchez presented the Lake Pros, LLC Maintenance Agreement for Phase I, which includes all three phases but the CDD is only taking on maintenance of the four ponds in Phase 1. Staff will be notified when to add additional ponds.

On MOTION by Mr. Fife and seconded by Mr. Van Auker, with all in favor, the Lake Pros, LLC Maintenance Agreement, in substantial form and authorizing Mr. Earlywine to prepare an Agreement, was approved.

SIXTH ORDER OF BUSINESS

Ratification of Brevard County Property Appraiser Agreement for Non-Ad Valorem Assessments

This Agreement and the one in the next agenda item, enable the CDD’s assessments to be placed on the tax bill and collected utilizing the services of the Property Appraiser and Tax Collector.

On MOTION by Mr. Fife and seconded by Ms. Bronson, with all in favor, the Brevard County Property Appraiser Agreement for Non-Ad Valorem Assessments, was ratified.

SEVENTH ORDER OF BUSINESS

Ratification of Brevard County Tax Collector Uniform Collection Agreement

On MOTION by Mr. Fife and seconded by Ms. Bronson, with all in favor, the Brevard County Tax Collector Uniform Collection Agreement, was ratified.

EIGHTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of February 28, 2023

Ms. Sanchez presented the Unaudited Financial Statements as of February 28, 2023.

On MOTION by Mr. Fife and seconded by Ms. Bronson, with all in favor, the Unaudited Financial Statements as of February 28, 2023, were accepted.

NINTH ORDER OF BUSINESS

Approval of February 15, 2023 Regular Meeting Minutes

Ms. Sanchez presented the February 15, 2023 Regular Meeting Minutes. The following change was made:

Line 21: Change “Dewberry” to “Banfield”

On MOTION by Mr. Fife and seconded by Ms. Bronson, with all in favor, the February 15, 2023 Regular Meeting Minutes, as amended, were approved.

TENTH ORDER OF BUSINESS

Staff Reports

A. District Counsel: *Kutak Rock LLP*

Mr. Earlywine stated that the Developer provided the figures for Phase I, which is nearly complete, and expects to issue bonds and have funding available by July.

B. District Engineer: *Dewberry Engineers, Inc.*

Mr. Malave stated he is working on Phase I and Phase II Acquisitions and hopes to turnover the rest of Phase I to the City soon.

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

- **NEXT MEETING DATE: May 17, 2023 at 11:00 AM**
 - **QUORUM CHECK**

The May 17, 2023 meeting will likely be cancelled; if so, the next meeting will be on June 21, 2023. Ms. Cerbone asked Ms. Sanchez to make sure Management does not send quorum checks to Ms. Bronson, as she is unable to attend the June 21, 2023 meeting.

Discussion ensued about outstanding items.

Staff was asked to make sure District Management has a Certificate of Insurance and fully executed Agreements from Access Management and Yellowstone for its files.

Funding requests will be sent to Mr. Fife, due to Access Management’s current staff changes. Staff will research feasibility of sending automated ACH payments to District Management, versus a check.

ELEVENTH ORDER OF BUSINESS

Board Members' Comments/Requests

There were no Board Members' comments or requests.

TWELFTH ORDER OF BUSINESS

Public Comments

No members of the public spoke.

THIRTEENTH ORDER OF BUSINESS

Adjournment

On MOTION by Ms. Bronson and seconded by Mr. Van Auker, with all in favor, the meeting adjourned at 11:25 a.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]


Secretary/Assistant Secretary


Chair/Vice Chair