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 May 15, 2024 at 11:00 a.m., at Kays Bar-B-Que & Steaks, 1552 West King Street, Cocoa, Florida 32926.

Present at the meeting were:

Roger Van Auker	Assistant Secretary
Robyn Bronson	Assistant Secretary
Shelley Kaercher	Assistant Secretary

Also present:

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

FIRST ORDER OF BUSINESS **Call to Order/Roll Call**

Ms. Sanchez called the meeting to order at 11:01 a.m.

Supervisors Van Auker, Kaercher and Bronson were present. Supervisors Fife and Tyree were not present.

SECOND ORDER OF BUSINESS **Public Comments**

No members of the public spoke.

THIRD ORDER OF BUSINESS **Resignation of William “Bill” Fife [Seat 3]; Term Expires November 2026**

Ms. Sanchez presented Mr. William “Bill” Fife’s resignation letter.

On MOTION by Ms. Kaercher and seconded by Mr. Van Auker, with all in favor, the resignation of Mr. William "Bill" Fife from Seat 3, was accepted.

FOURTH ORDER OF BUSINESS **Consideration of Appointment to Fill Unexpired Term of Seat 3**

This item was deferred.

- **Administration of Oath of Office to Appointed Supervisor (the following will also be provided in a separate package)**

A. Required Ethics Training and Disclosure Filing

- **Sample Form 1 2023/Instructions**

B. Membership, Obligations and Responsibilities

C. Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees

D. Form 8B: Memorandum of Voting Conflict for County, Municipal and other Local Public Officers

FIFTH ORDER OF BUSINESS **Consideration of Resolution 2024-05, Electing and Removing Officers of the District and Providing for an Effective Date**

Ms. Sanchez presented Resolution 2024-05. Mr. Van Auker nominated the following:

Chris Tyree	Chair
Shelley Kaercher	Vice Chair
Robyn Bronson	Assistant Secretary
Roger Van Auker	Assistant Secretary

No other nominations were made.

This Resolution removes the following from the Board:

Bill Fife	Vice Chair

The following prior appointments by the Board unaffected by this Resolution:

Craig Wrathell	Secretary
Cindy Cerbone	Assistant Secretary
Jamie Sanchez	Assistant Secretary

Craig Wrathell	Treasurer
Jeff Pinder	Assistant Treasurer

On MOTION by Ms. Bronson and seconded by Mr. Van Auker, with all in favor, Resolution 2024-05, Electing, as nominated, and Removing Officers of the District and Providing for an Effective Date, was adopted.

SIXTH ORDER OF BUSINESS **Resolution 2024-06, Approving a Proposed Budget for Fiscal Year 2024/2025 and Setting a Public Hearing Thereon Pursuant to Florida Law; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing an Effective Date**

Ms. Sanchez presented Resolution 2024-06. She reviewed the proposed Fiscal Year 2025 budget, highlighting any line item increases, decreases and adjustments, compared to the Fiscal Year 2024 budget, and explained the reasons for any changes.

On MOTION by Ms. Kaercher and seconded by Ms. Bronson, with all in favor, Resolution 2024-06, Approving a Proposed Budget for Fiscal Year 2024/2025 and Setting a Public Hearing Thereon Pursuant to Florida Law on August 21, 2024 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 adopted.

SEVENTH ORDER OF BUSINESS **Consideration of Resolution 2024-07, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2024/2025 and Providing for an Effective Date**

Ms. Sanchez presented Resolution 2024-07.

On MOTION by Ms. Kaercher and seconded by Mr. Van Auker, with all in favor, Resolution 2024-07, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2024/2025 and Providing for an Effective Date, was adopted.

EIGHTH ORDER OF BUSINESS **Consideration of Resolution 2024-08, Designating a Date, Time and Location for Landowners' Meeting; Providing for Publication, Providing for an Effective Date**

Ms. Sanchez presented Resolution 2024-08.

On MOTION by Mr. Van Auker and seconded by Ms. Kaercher, with all in favor, Resolution 2024-08, Designating a Date, Time and Location of November 5, 2024 at 11:15 a.m., at 2651 W. Eau Gallie Blvd., Suite A, Melbourne, Florida 32935 for the Landowners' Meeting; Providing for Publication, Providing for an Effective Date, was adopted.

NINTH ORDER OF BUSINESS **Consideration of Disclosure Technology Services, LLC EMMA® Filing Assistance Software as a Service License Agreement**

Ms. Sanchez presented the Disclosure Technology Services, LLC EMMA® Filing Assistance Software as a Service License Agreement.

On MOTION by Ms. Kaercher and seconded by Mr. Van Auker, with all in favor, the Disclosure Technology Services, LLC EMMA® Filing Assistance Software as a Service License Agreement, was approved.

TENTH ORDER OF BUSINESS **Consider Authorization of Request for Proposals (RFP) for Annual Audit Services**

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

Ms. Sanchez presented the RFP for Annual Audit Services.

On MOTION by Ms. Kaercher and seconded by Ms. Bronson, with all in favor, the Request for Proposals (RFP) for Annual Audit Services, including the Evaluation Criteria, and authorizing Staff to advertise and designating the Board of Supervisors as the Audit Committee, was approved.

ELEVENTH ORDER OF BUSINESS **Acceptance of Unaudited Financial Statements as of March 31, 2024**

Ms. Sanchez distributed and presented an updated version of the Unaudited Financial Statements. She noted that the version in the agenda had a small error that was corrected, as reflected in the version distributed.

Regarding the $5,300 “Due to Landowner” line on Page 1, Ms. Cerbone stated that those are costs related to issuing the bonds that, at the time of closing could have been recouped from the bond funds but it does not look like that occurred. There is still $2,018 left in the Capital Projects Fund that can be used to reimburse the Landowner and the balance of the $5,300 would be written off because the CDD would not be able to reimburse the Landowner the remainder. The balance would just be considered a Landowner contribution to the project. Ms. Sanchez will confer with Accounting about getting the $2,018 reimbursed to the Landowner.

Regarding the $10,000 “Landowner advance” line, Ms. Cerbone stated that it is standard when starting a District, as the District needs money to bind insurance, run ads for bonds, etc., and, when the District transitions from the Landowner to the residents, the Landowner has the option to make that a contribution to the District or ask for the money back.

On MOTION by Ms. Kaercher and seconded by Ms. Bronson, with all in favor, the Unaudited Financial Statements as of March 31, 2024, were accepted.

TWELFTH ORDER OF BUSINESS **Approval of November 15, 2023 Public Hearing and Regular Meeting Minutes**

The following change was made:

Line 14: Change “Shelly” to “Shelley”

On MOTION by Ms. Kaercher and seconded by Mr. Van Auker, with all in favor, the November 15, 2023 Public Hearing and Regular Meeting Minutes, as amended, were approved.

THIRTEENTH ORDER OF BUSINESS **Staff Reports**

A. District Counsel: Kutak Rock LLP

Mr. Earlywine stated that the next bond issuance will not be until next year. He asked about the timing for the utilities and/or infrastructure.

B. District Engineer: Dewberry Engineers, Inc.

There was no report.

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

- **NEXT MEETING DATE: July 17, 2024 at 11:00 AM**
  - **QUORUM CHECK**

The July 17, 2024 meeting will be canceled. The next meeting will be August 21, 2024.

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

There were no Board Members' comments or requests.

FIFTEENTH ORDER OF BUSINESS **Public Comments**

No members of the public spoke.

SIXTEENTH ORDER OF BUSINESS **Adjournment**

On MOTION by Ms. Kaercher and seconded by Mr. Van Auker, with all in favor, the meeting adjourned at 11:20 a.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

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Secretary/Assistant Secretary

Shelley Kaercher
____
Chair/Vice Chair