

**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 June 11, 2025 at 12:30 p.m., at Kays Bar-B-Que & Steaks, 1552 West King Street, Cocoa, Florida 32926.

Present:

Shelley Kaercher
Roger Van Auker
Craig Hotop
Robyn Bronson

Vice Chair
Assistant Secretary
Assistant Secretary
Assistant Secretary

Also present:

Jamie Sanchez (via telephone)
Cindy Cerbone
Chris Conti
Jere Earlywine (via telephone)
Chris Allen (via telephone)
Tiffany Rosario
Dave _____
Emily Wainwright (via telephone)

District Manager
Wrathell, Hunt and Associates (WHA)
Wrathell, Hunt and Associates (WHA)
District Counsel
District Engineer
Forestar
Forestar
Access Management

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Ms. Cerbone called the meeting to order at 12:34 p.m.

SECOND ORDER OF BUSINESS

Public Comments

No members of the public spoke.

THIRD ORDER OF BUSINESS

Administration of Oath of Office to Elected Supervisors [Shelly Kaercher – Seat 2, Chris Tyree – Seat 4, Robyn Bronson – Seat 5] (the following to be provided under separate cover)

Mr. Conti, a Notary of the State of Florida and duly authorized, administered the Oath of Office to Shelly Kaercher and Robyn Bronson.

▪ **Roll Call**

This item, previously part of the First Order of Business, occurred out of order.

Supervisors Kaercher, Bronson, Hotop and Van Auker were present. Supervisor-elect Chris Tyree was not present.

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

Ms. Cerbone reminded Board Members to file Form 1 electronically by July 1, 2025 and to complete the required four hours of ethics training by December 31, 2025.

FOURTH ORDER OF BUSINESS

Consideration of Resolution 2025-01, 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

Ms. Cerbone presented Resolution 2025-01 and results of the Landowners' Election.

Seat 2	Shelley Kaercher	200 Votes	4-Year Term
Seat 4	Chris Tyree	200 Votes	4-Year Term
Seat 5	Robyn Bronson	100 Votes	2-Year Term

On MOTION by Ms. Kaercher and seconded by Ms. Bronson, with all in favor, Resolution 2025-01, 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 2025-02, Electing and Removing Officers of the District and Providing for an Effective Date

Ms. Cerbone presented Resolution 2025-02. Ms. Kaercher nominated the following:

Shelley Kaercher	Chair
Chris Tyree	Vice Chair

Robyn Bronson	Assistant Secretary
Roger Van Auker	Assistant Secretary
Craig Hotop	Assistant Secretary

No other nominations were made.

The following prior appointments by the Board remain 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. Kaercher and seconded by Mr. Van Auker, with all in favor, Resolution 2025-02, Electing, as nominated, and Removing Officers of the District and Providing for an Effective Date, was adopted.

SIXTH ORDER OF BUSINESS

Consideration of Resolution 2025-03, Approving the Proposed Budget for Fiscal Year 2025/2026 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 reviewed the proposed Fiscal Year 2026 budget, highlighting increases, decreases and adjustments, compared to the Fiscal Year 2025 budget, and explained the reasons for any changes. She, Ms. Kaercher and Ms. Wainwright worked on the proposed Fiscal Year 2026 Field Operations budget.

Ms. Kaercher asked if the monetary threshold for landscape and irrigation maintenance services that would require the formal bid process was met. Ms. Sanchez replied affirmatively.

Ms. Cerbone stated the Fiscal Year 2025 Total Actual & Projected deficit in the proposed budget, is due to field operations expenses for unexpected improvements conveyed to the CDD during the year, and is the reason for presenting the Fiscal Year 2025 and 2026 Funding Agreements. The deficit will be less, once the HOA reimburses the CDD for approximately \$17,000 it owes the CDD for paying a Yellowstone Landscape invoice belonging to the HOA.

Ms. Kaercher stated landscape maintenance is the reason for the overage, which was originally planned to be the HOA's responsibility.

Ms. Cerbone asked what the maximum assessment amount on the Mailed Notice to property owners should be. The consensus was 5% higher than the proposed \$511.04 amount.

On MOTION by Ms. Kaercher and seconded by Ms. Bronson, with all in favor, Resolution 2025-03, Approving the Proposed Budget for Fiscal Year 2025/2026 and Setting a Public Hearing Thereon Pursuant to Florida Law for August 20, 2025 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 2025-04, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for the Fiscal Year 2025/2026 and Providing for an Effective Date

On MOTION by Ms. Kaercher and seconded by Mr. Van Auker, with all in favor, Resolution 2025-04, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for the Fiscal Year 2025/2026 and Providing for an Effective Date, was adopted.

EIGHTH ORDER OF BUSINESS

Consideration of Resolution 2025-05, Approving the Florida Statewide Mutual Aid Agreement; Providing for Severability; and Providing for an Effective Date

Ms. Cerbone discussed the benefits of the Agreement and noted that the CDD would more likely be the recipient of aid than a provider of aid. This Agreement was previously approved and is being presented due to some updates to the Agreement.

On MOTION by Ms. Kaercher and seconded by Mr. Van Auker, with all in favor, Resolution 2025-05, Approving the Florida Statewide Mutual Aid Agreement; Providing for Severability; and Providing for an Effective Date, was adopted.

NINTH ORDER OF BUSINESS

Consideration of Funding Agreements

Mr. Earlywine stated that Wayne Crosby reviewed the basic Agreements, which will be forwarded to Developer's Counsel for review:

A. Budget Funding

I. Fiscal Year 2025

Ms. Cerbone stated this Agreement was placed on the agenda in error.

II. Fiscal Year 2026

B. Fiscal Year 2025 Deficit Funding

On MOTION by Ms. Kaercher and seconded by Mr. Van Auker, with all in favor, The Forestar (USA) Real Estate Group, Inc. Fiscal Year 2026 Budget Funding Agreement and Fiscal Year 2025 Deficit Fundings Agreement, were approved.

TENTH ORDER OF BUSINESS

**Authorization for Request for Proposals for
Landscape and Irrigation Maintenance
Services; Approval of Evaluation Criteria**

Ms. Cerbone presented the RFP for Landscaping Maintenance and Irrigation Services and the Evaluation Criteria and points allotted for each category.

On MOTION by Mr. Van Auker and seconded by Ms. Kaercher, with all in favor, the Request for Proposals for Landscape and Irrigation Maintenance Services and the Evaluation Criteria, were approved.

ELEVENTH ORDER OF BUSINESS

**Consideration of Replacement of Round
About Sign**

On MOTION by Ms. Kaercher and seconded by Ms. Bronson, with all in favor, Sunrise Coast Renovation LL Estimate #225, to replace the Roundabout sign near the exit of Cypress Bay West Phase 1, in a not-to-exceed amount of \$275, was approved.

TWELFTH ORDER OF BUSINESS

**Presentation of Audited Annual Financial
Report for the Fiscal Year Ended
September 30, 2023, Prepared by Berger,
Toombs, Elam, Gaines & Frank**

Ms. Cerbone noted the pertinent information in the Audited Annual Financial Report for the Fiscal Year Ending September 30, 2023. It was a clean audit; there were no findings, recommendations, deficiencies on internal control or instances of noncompliance.

- A. Consideration of Resolution 2025-06, Hereby Accepting the Audited Annual Financial Report for Fiscal Year Ended September 30, 2023

On MOTION by Ms. Kaercher and seconded by Ms. Bronson, with all in favor, Resolution 2025-06, Hereby Accepting the Audited Annual Financial Report for Fiscal Year Ended September 30, 2023, was adopted.

THIRTEENTH ORDER OF BUSINESS

Ratification Items

- A. Dewberry Engineers, Inc. Work Authorization Number 2025-01
- B. Yellowstone Landscape Inc. Work Authorization Number Three [Landscape Agreement 2 Additional Ponds]

Ms. Sanchez stated she will insert the date into the document.

On MOTION by Ms. Kaercher and seconded by Ms. Bronson, with all in favor, Dewberry Engineers, Inc. Work Authorization Number 2025-01 and Yellowstone Landscape Inc. Work Authorization Number Three, were ratified.

FOURTEENTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of April 30, 2025

On MOTION by Ms. Kaercher and seconded by Ms. Bronson, with all in favor, the Unaudited Financial Statements as of April 30, 2025, were accepted.

FIFTEENTH ORDER OF BUSINESS

Approval of Minutes

- A. August 21, 2024 Public Hearings and Regular Meeting
- B. November 5, 2024 Landowners' Meeting

On MOTION by Ms. Kaercher and seconded by Mr. Van Auker, with all in favor, the August 21, 2024 Public Hearings and Regular Meeting Minutes and the November 5, 2024 Landowners' Meeting Minutes, as presented, were approved.

SIXTEENTH ORDER OF BUSINESS

Staff Reports

- A. District Counsel: Kutak Rock LLP

Mr. Earlywine stated the next bond issuance will likely be in the second quarter of 2026; he expects to be able to release debt service reserve funds, once the utility capacity is finalized.

B. District Engineer: Dewberry Engineers, Inc.

Mr. Allen stated he is preparing a list of CDD-owned structural assets and will email it to Ms. Sanchez next week to obtain proposals.

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

Ms. Cerbone stated that Ms. Sanchez and Mr. Allen will work on the Goals and Objectives Report for the next agenda and, once approved, it will be posted on the website.

- **Property Insurance of Vertical Assets**

This item was discussed during Item 16B.

- **214 Registered Voters in District as April 15, 2025**

- **NEXT MEETING DATE: July 16, 2025 at 11:00 AM**

- **QUORUM CHECK**

The July 16, 2025 meeting will be cancelled. The next meeting will be on August 20, 2025.

SEVENTEENTH ORDER OF BUSINESS

Board Members' Comments/Requests

Ms. Kaercher asked Staff to inspect all the ponds and ensure there is appropriate signage. She asked about the fire ashes. It was noted that the area is still smoldering. Brevard County opened an investigation; the adjacent property owner has 30 days to respond to several code and ordinance violations.

Discussion ensued regarding a directive for Staff to proceed with replacing and installing signage, as needed based on statutory requirements, and ratifying actions at the next meeting.

EIGHTEENTH ORDER OF BUSINESS

Public Comments

No members of the public spoke.

NINETEENTH ORDER OF BUSINESS

Adjournment

On MOTION by Ms. Kaercher and seconded by Ms. Bronson, with all in favor, the meeting adjourned at 1:24 p.m.
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Secretary/Assistant Secretary


Chair/Vice Chair