

CENTER LAKE

RANCH WEST

COMMUNITY DEVELOPMENT

DISTRICT

April 12, 2023

REGULAR MEETING

AGENDA

**CENTER LAKE RANCH WEST
COMMUNITY DEVELOPMENT DISTRICT**

**AGENDA
LETTER**

Center Lake Ranch 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

April 5, 2023

Board of Supervisors
Center Lake Ranch West Community Development District

<p><u>ATTENDEES:</u> Please identify yourself each time you speak to facilitate accurate transcription of meeting minutes.</p>

Dear Board Members:

The Board of Supervisors of the Center Lake Ranch West Community Development District will a Regular Meeting on April 12, 2023 at 1:30 p.m., at the Hampton Inn & Suites Orlando South Lake Buena Vista, 4971 Calypso Cay Way, Kissimmee, Florida 34746. The agenda is as follows:

1. Call to Order/Roll Call
2. Public Comments
3. Administration of Oath of Office to Supervisor, Chrissie Kirk [SEAT 5] (*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. Discussion: Operations and Maintenance Agreement between CDD and HOA
5. Consideration of Resolution 2023-29, Approving a 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
6. Consideration of Kutak Rock LLP, Retention and Fee Agreement

- 7. Consideration of Resolution 2023-30, Designating and Appointing Andrew Kantarzhi as Assistant Secretary of the District, and Providing for an Effective Date
- 8. Update: Bond Financing
- 9. Acceptance of Unaudited Financial Statements as of February 28, 2023
- 10. Approval of February 8, 2023 Public Hearings and Regular Meeting Minutes
- 11. Staff Reports
 - A. District Counsel: *Kutak Rock, LLP*
 - B. District Engineer (Interim): *Poulos & Bennett, LLC*
 - C. District Manager: *Wrathell, Hunt and Associates, LLC*

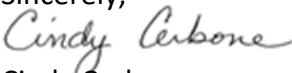
- NEXT MEETING DATE: May 10, 2023 at 1:30 PM

- QUORUM CHECK

SEAT 1	SUSAN KANE	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
SEAT 2	NORA SCHUSTER	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
SEAT 3	JARED WILKEN	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
SEAT 4	DIANA CABRERA	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
SEAT 5	CHRISSIE KIRK	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO

- 12. Board Members' Comments/Requests
- 13. Public Comments
- 14. 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: 867 327 4756

**CENTER LAKE RANCH WEST
COMMUNITY DEVELOPMENT DISTRICT**

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RESOLUTION 2023-29

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE CENTER LAKE RANCH WEST COMMUNITY DEVELOPMENT DISTRICT APPROVING 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

WHEREAS, the District Manager has heretofore prepared and submitted to the Board of Supervisors ("**Board**") of the Center Lake Ranch West Community Development District ("**District**") prior to June 15, 2023, a proposed operating budget ("**Proposed Budget**") for the fiscal year beginning October 1, 2023 and ending September 30, 2024 ("**Fiscal Year 2023/2024**"); and

WHEREAS, the Board has considered the proposed budget and desires to set the required public hearing thereon.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE CENTER LAKE RANCH WEST COMMUNITY DEVELOPMENT DISTRICT:

1. APPROVING PROPOSED BUDGETS. The operating budget proposed by the District Manager for Fiscal Year 2023/2024 is attached hereto as **Exhibit A** is hereby approved as the basis for conducting a public hearing to adopt said budget.

2. SETTING HEARING. The public hearing on the approved budget is hereby declared and set for the following date, hour and location:

DATE: _____
HOUR: _____
LOCATION: Hampton Inn & Suites Orlando South Lake Buena Vista
4971 Calypso Cay Way
Kissimmee, Florida 34746

3. TRANSMITTAL OF PROPOSED BUDGET TO LOCAL GENERAL PURPOSE GOVERNMENTS. The District Manager is hereby directed to submit copy of the proposed budget to the local general purpose unit(s) of government at least sixty (60) days prior to the hearing set above.

4. POSTING OF PROPOSED BUDGET. In accordance with Section 189.016, *Florida Statutes*, the District's Secretary is further directed to post the approved Proposed Budget on the District's website at least two (2) days before the budget hearing date as set forth in Section 2 and shall remain on the website for at least (forty-five) 45 days.

5. PUBLICATION OF NOTICE. Notice of this public hearing shall be published in the manner prescribed in Florida law.

6. SEVERABILITY. The invalidity or unenforceability of any one or more provisions of this Resolution shall not affect the validity or enforceability of the remaining portions of this Resolution, or any part thereof.

7. EFFECTIVE DATE. This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED this 12th day of April, 2023.

ATTEST:

**CENTER LAKE RANCH WEST COMMUNITY
DEVELOPMENT DISTRICT**

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

Exhibit A: Fiscal Year 2023/2024 Budget

**CENTER LAKE RANCH WEST
COMMUNITY DEVELOPMENT DISTRICT
PROPOSED BUDGET
FISCAL YEAR 2024**

**CENTER LAKE RANCH WEST
COMMUNITY DEVELOPMENT DISTRICT
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**CENTER LAKE RANCH WEST
COMMUNITY DEVELOPMENT DISTRICT
GENERAL FUND BUDGET
FISCAL YEAR 2024**

	Fiscal Year 2023			Total Revenue and Expenditures	Proposed Budget FY 2024
	Adopted Budget FY 2023	Actual through 2/28/2023	Projected through 9/30/2023		
REVENUES					
Landowner contribution	\$ 83,432	\$ 2,898	\$ 80,534	\$ 83,432	\$ 104,440
Total revenues	<u>83,432</u>	<u>2,898</u>	<u>80,534</u>	<u>83,432</u>	<u>104,440</u>
EXPENDITURES					
Professional & administrative					
Management/accounting/recording**	40,000	10,000	30,000	40,000	48,000
Legal	25,000	2,302	22,698	25,000	25,000
Engineering	2,000	-	2,000	2,000	2,000
Audit	-	-	-	-	6,000
Arbitrage rebate calculation*	-	-	-	-	750
Dissemination agent*	667	-	667	667	1,000
Trustee*	-	-	-	-	5,500
Telephone	200	83	117	200	200
Postage	500	-	500	500	500
Printing & binding	500	208	292	500	500
Legal advertising	6,500	-	6,500	6,500	6,500
Annual special district fee	175	-	175	175	175
Insurance	5,500	-	5,500	5,500	5,500
Meeting room	-	-	-	-	1,400
Contingencies/bank charges	500	348	152	500	500
Website		-	-	-	
Hosting & maintenance	1,680	-	1,680	1,680	705
ADA compliance	210	-	210	210	210
Total expenditures	<u>83,432</u>	<u>12,941</u>	<u>70,491</u>	<u>83,432</u>	<u>104,440</u>
Net increase/(decrease) of fund balance	-	(10,043)	10,043	-	-
Fund balance - beginning (unaudited)	-	(527)	(10,570)	(527)	-
Fund balance - ending (projected)	<u>\$ -</u>	<u>\$ (10,570)</u>	<u>\$ (527)</u>	<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.

**CENTER LAKE RANCH 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, etc.</p>	
Legal advertising	6,500
<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>	
Meeting room	1,400
Contingencies/bank charges	500
<p>Bank charges and other miscellaneous expenses incurred during the year.</p>	
Website	
Hosting & maintenance	705
ADA compliance	210
Total expenditures	<u><u>\$104,440</u></u>

**CENTER LAKE RANCH WEST
COMMUNITY DEVELOPMENT DISTRICT**

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RETENTION AND FEE AGREEMENT

I. PARTIES

THIS RETENTION AND FEE AGREEMENT (“**Agreement**”) is made and entered into by and between the following parties:

- A. Center Lake Ranch West Community Development District (“**Client**”)
c/o Wrathell, Hunt & Associates, LLC
2300 Glades Road, Suite 410W
Boca Raton, Florida 33431

and

- B. Kutak Rock LLP (“**Kutak Rock**”)
107 West College Avenue
Tallahassee, Florida 32301

II. SCOPE OF SERVICES

In consideration of the mutual undertakings and agreements contained herein, the parties agree as follows:

- A. The Client agrees to employ and retain Kutak Rock as its attorney and legal representative for general advice, counseling and representation of Client and its Board of Supervisors.
- B. Kutak Rock accepts such employment and agrees to serve as attorney for and provide legal representation to the Client in connection with those matters referenced above. No other legal representation is contemplated by this Agreement. Any additional legal services to be provided under the terms of this Agreement shall be agreed to by Client and Kutak Rock in writing. Unless set forth in a separate agreement to which Client consents in writing, Kutak Rock does not represent individual members of the Client’s Board of Supervisors.

III. CLIENT FILES

The files and work product materials (“**Client File**”) of the Client generated or received by Kutak Rock will be maintained confidentially to the extent permitted by law and in accordance with the Florida Bar rules. At the conclusion of the representation, the Client File will be stored by Kutak Rock for a minimum of five (5) years. After the five (5) year storage period, the Client hereby acknowledges and consents that Kutak Rock may confidentially destroy or shred the Client File. Notwithstanding the prior sentence, if the Client provides Kutak Rock with a written request for the return of the Client File before the end of the five (5) year storage period, then Kutak Rock will return the Client File to Client at Client’s expense.

IV. FEES

- A. The Client agrees to compensate Kutak Rock for services rendered in connection with any matters covered by this Agreement on an hourly rate basis plus actual expenses incurred by Kutak Rock in accordance with the attached Expense Reimbursement Policy (Attachment A, incorporated herein by reference). Time will be billed in increments of one-tenth (1/10) of an hour. Certain work related to issuance of bonds and bond anticipation notes may be performed under a flat fee to be separately established prior to or at the time of bond or note issuance.
- B. Attorneys and staff, if applicable, who perform work for Client will be billed at their regular hourly rates, as may be adjusted from time to time. The hourly rates of those initially expected to handle the bulk of Client’s work are as follows:

Jere Earlywine	\$305
Associates	\$265
Contract Attorney	\$235
Paralegals	\$190

Kutak Rock’s regular hourly billing rates are reevaluated annually and are subject to change not more than once in a calendar year. Client agrees to Kutak Rock’s annual rate increases to the extent hourly rates are not increased beyond \$15/hour.

- C. To the extent practicable and consistent with the requirements of sound legal representation, Kutak Rock will attempt to reduce Client’s bills by assigning each task to the person best able to perform it at the lowest rate, so long as he or she has the requisite knowledge and experience.
- D. Upon consent of Client, Kutak Rock may subcontract for legal services in the event that Client requires legal services for which Kutak Rock does not have adequate capabilities.
- E. Kutak Rock will include costs and expenses (including interest charges on past due statements) on its billing statements for Client reimbursement in accordance with the attached Expense Reimbursement Policy.

V. BILLING AND PAYMENT

The Client agrees to pay Kutak Rock’s monthly billings for fees and expenses incurred within thirty (30) days following receipt of an invoice, or the time permitted by Florida law, whichever is greater. Kutak Rock shall not be obligated to perform further legal services under this Agreement if any such billing statement remains unpaid longer than thirty (30) days after submittal to and receipt by Client. Non-payment of billing statements shall be a basis for Kutak Rock to immediately withdraw from the representation without regard to remaining actions necessitating attention by Kutak Rock as part of the representation.

VI. DEFAULT; VENUE

In any legal proceeding to collect outstanding balances due under this Agreement, the prevailing party shall be entitled to recover reasonable attorneys' fees in addition to costs and outstanding balances due under this Agreement. Venue of any such action shall be exclusive in the state courts of the Second Judicial Circuit in and for Leon County, Florida.

VII. CONFLICTS

It is important to disclose that Kutak Rock represents a number of special districts, trustees ("Trustees"), bondholders, developers, builders, and other entities throughout Florida and the United States of America relating to community development districts, special districts, local governments and land development. Kutak Rock or its attorneys may also have represented the entity which petitioned for the formation of the Client. Kutak Rock understands that Client may enter into an agreement with a Trustee in connection with the issuance of bonds, and that Client may request that Kutak Rock simultaneously represent Client in connection with the issuance of bonds, while Kutak Rock is also representing such Trustee on unrelated matters. By accepting this Agreement Client agrees that (1) Client was provided with an explanation of the implications of the common representation(s) and the advantages and risks involved; (2) Kutak Rock will be able to provide competent and diligent representation of Client, regardless of Kutak Rock's other representations, and (3) there is not a substantial risk that Kutak Rock's representation of Client would be materially limited by Kutak Rock's responsibilities to another client, a former client or a third person or by a personal interest. Acceptance of this Agreement will constitute Client's waiver of any "conflict" with Kutak Rock's representation of various special districts, Trustees, bondholders, developers, builders, and other entities relating to community development districts, special districts, local governments and land development.

VIII. ACKNOWLEDGMENT

Client acknowledges that the Kutak Rock cannot make any promises to Client as to the outcome of any legal dispute or guarantee that Client will prevail in any legal dispute.

IX. TERMINATION

Either party may terminate this Agreement upon providing prior written notice to the other party at its regular place of business. All fees due and payable in accordance with this Agreement shall accrue and become payable pursuant to the terms of this Agreement through the date of termination.

X. EXECUTION OF AGREEMENT

This Agreement shall be deemed fully executed upon its signing by Kutak Rock and the Client. The contract formed between Kutak Rock and the Client shall be the operational contract between the parties.

XI. ENTIRE CONTRACT

This Agreement constitutes the entire agreement between the parties.

Accepted and Agreed to:

**CENTER LAKE RANCH WEST
COMMUNITY DEVELOPMENT
DISTRICT**

KUTAK ROCK LLP

By: _____

By:  _____

Its: _____

Jere L. Earlywine

Date: _____

Date: March 6, 2023

ATTACHMENT A

KUTAK ROCK LLP CDD EXPENSE REIMBURSEMENT POLICY

The following is Kutak Rock's expense reimbursement policy for community development district representation. This policy applies unless a different arrangement has been negotiated based on the unique circumstances of a particular client or matter.

All expenses are billed monthly. Billings ordinarily reflect expenses for the most recent month, except where there are delays in receiving bills from third party vendors.

Photocopying and Printing. In-house photocopying and printing are charged at \$0.25 per page (black & white) and \$0.50 per page (color). Outside copying is billed as a pass-through of the outside vendor's charges.

Postage. Postage is billed at actual cost.

Overnight Delivery. Overnight delivery is billed at actual cost.

Local Messenger Service. Local messenger service is billed pursuant to the State of Florida approved reimbursement rate (i.e., pursuant to Chapter 112, Florida Statutes). Should the State of Florida increase the mileage allowance, Kutak Rock shall, without further action, be entitled to reimbursement at the increased rate.

Computerized Legal Research. Charges for computerized legal research are billed at an amount approximating actual cost.

Travel. Travel (including air fare, rental cars, taxicabs, hotel, meals, tips, etc.) is billed at actual cost. Where air travel is required, coach class is used wherever feasible. Out-of-town mileage is billed pursuant to the State of Florida approved reimbursement rate (i.e., pursuant to Chapter 112, Florida Statutes). Should the State of Florida increase the mileage allowance, Kutak Rock shall, without further action, be entitled to reimbursement at the increased rate. Reasonable travel-related expenses for meals, lodging, gratuities, taxi fares, tolls, and parking fees shall also be reimbursed.

Consultants. Unless prior arrangements are made, consultants are ordinarily employed directly by the client. Where consulting or testifying experts are employed by the firm, their charges are passed through with no mark-up. The client is responsible for notifying the firm of any particular billing arrangements or procedures which the client requires of the consulting or testifying experts.

Other Expenses. Other outside expenses, such as court reporters, agency copies, conference calls, etc. are billed at actual cost.

CENTER LAKE RANCH WEST
COMMUNITY DEVELOPMENT DISTRICT

7

RESOLUTION 2023-30

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE CENTER LAKE RANCH WEST COMMUNITY DEVELOPMENT DISTRICT DESIGNATING AND APPOINTING ANDREW KANTARZHI AS ASSISTANT SECRETARY OF THE DISTRICT, AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Center Lake Ranch West Community Development District (“District”) is a local unit of special-purpose government created and existing pursuant to Chapter 190, Florida Statutes; and

WHEREAS, the Board of Supervisors of the District desires to designate a certain Officer of the District.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE CENTER LAKE RANCH WEST COMMUNITY DEVELOPMENT DISTRICT:

SECTION 1. Andrew Kantarzhi is designated and appointed as Assistant Secretary.

SECTION 2. Prior Appointments by the Board remain unaffected by this Resolution.

SECTION 3. This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED this 12th day of April, 2023.

ATTEST:

**CENTER LAKE RANCH WEST COMMUNITY
DEVELOPMENT DISTRICT**

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

**CENTER LAKE RANCH WEST
COMMUNITY DEVELOPMENT DISTRICT**

**UNAUDITED
FINANCIAL
STATEMENTS**

**CENTER LAKE RANCH WEST
COMMUNITY DEVELOPMENT DISTRICT
FINANCIAL STATEMENTS
UNAUDITED
FEBRUARY 28, 2023**

**CENTER LAKE RANCH WEST
COMMUNITY DEVELOPMENT DISTRICT
BALANCE SHEET
GOVERNMENTAL FUNDS
FEBRUARY 28, 2023**

	General Fund	Debt Service Fund	Total Governmental Funds
ASSETS			
Cash	\$ 1,775	\$ -	\$ 1,775
Due from general fund	-	238	238
Due from MI Homes	630	-	630
Due from Taylor Morrison	14,368	672	15,040
Total assets	<u>\$ 16,773</u>	<u>\$ 910</u>	<u>\$ 17,683</u>
LIABILITIES AND FUND BALANCES			
Liabilities:			
Accounts payable	\$ 10,535	\$ 910	\$ 11,445
Due to MI Homes	-	238	238
Due to Taylor Morrison	-	672	672
Due to debt service fund	238	-	238
Landowner advance	6,000	-	6,000
Total liabilities	<u>16,773</u>	<u>1,820</u>	<u>18,593</u>
DEFERRED INFLOWS OF RESOURCES			
Deferred receipts	10,570	-	10,570
Total deferred inflows of resources	<u>10,570</u>	<u>-</u>	<u>10,570</u>
Fund balances:			
Restricted for:			
Debt service	-	(910)	(910)
Unassigned	(10,570)	-	(10,570)
Total fund balances	<u>(10,570)</u>	<u>(910)</u>	<u>(11,480)</u>
Total liabilities, deferred inflows of resources and fund balances	<u>\$ 16,773</u>	<u>\$ 910</u>	<u>\$ 17,683</u>

**CENTER LAKE RANCH WEST
COMMUNITY DEVELOPMENT DISTRICT
GENERAL FUND
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
FOR THE PERIOD ENDED FEBRUARY 28, 2023**

	<u>Current Month</u>	<u>Year to Date</u>	<u>Budget</u>	<u>% of Budget</u>
REVENUES				
Landowner contribution	\$ 590	\$ 2,898	\$ 83,432	3%
Total revenues	<u>590</u>	<u>2,898</u>	<u>83,432</u>	3%
EXPENDITURES				
Professional & administrative				
Management/accounting/recording**	2,000	10,000	40,000	25%
Legal	-	2,302	25,000	9%
Engineering	-	-	2,000	0%
Trustee*	-	-	667	0%
Telephone	16	83	200	42%
Postage	-	-	500	0%
Printing & binding	42	208	500	42%
Legal advertising	-	-	6,500	0%
Annual special district fee	-	-	175	0%
Insurance	-	-	5,500	0%
Contingencies/bank charges	348	348	500	70%
Website hosting & maintenance	-	-	1,680	0%
Website ADA compliance	-	-	210	0%
Total expenditures	<u>2,406</u>	<u>12,941</u>	<u>83,432</u>	16%
Excess/(deficiency) of revenues over/(under) expenditures	(1,816)	(10,043)	-	
Fund balances - beginning	(8,754)	(527)	-	
Fund balances - ending	<u><u>\$ (10,570)</u></u>	<u><u>\$ (10,570)</u></u>	<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.

**CENTER LAKE RANCH WEST
COMMUNITY DEVELOPMENT DISTRICT
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
DEBT SERVICE FUND
FOR THE PERIOD ENDED FEBRUARY 28, 2023**

	Current Month	Year To Date
REVENUES	\$ -	\$ -
Total revenues	-	-
 EXPENDITURES		
Debt service		
Cost of issuance	-	910
Total debt service	-	910
 Excess/(deficiency) of revenues over/(under) expenditures	-	(910)
 Fund balances - beginning	(910)	-
Fund balances - ending	\$ (910)	\$ (910)

**CENTER LAKE RANCH WEST
COMMUNITY DEVELOPMENT DISTRICT**

MINUTES

DRAFT

**MINUTES OF MEETING
CENTER LAKE RANCH WEST COMMUNITY DEVELOPMENT DISTRICT**

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The Board of Supervisors of the Center Lake Ranch West Community Development District held Public Hearings and a Regular Meeting on February 8, 2023 at 1:30 p.m., at the Hampton Inn & Suites Orlando South Florida Lake Buena Vista, 4971 Calypso Cay Way, Kissimmee, Florida 34746.

Present at the meeting were:

Susan Kane	Chair
Nora Schuster	Vice Chair
Jared Wilken	Assistant Secretary
Diana Cabrera	Assistant Secretary

Also present were:

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

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Ms. Cerbone called the meeting to order at 1:31 p.m., and noted that the Oath of Office was administered to Supervisor Cabrera prior to the meeting.

Supervisors Kane, Schuster and Cabrera were present. Supervisor Wilken was not present at roll call. Supervisor-Elect Kirk was not present.

▪ **Consideration of Engagement of Jere Earlywine/Kutak Rock LLP for District Counsel Services**

This item was an addition to the agenda.

Ms. Cerbone read a letter notifying the CDD that Mr. Earlywine is resigning from KE Law Group and is joining Kutak Rock LLP. The Board can choose to remain with KE Law Group, transfer District Counsel Services to Mr. Earlywine at his new firm or retain new District Counsel.

36 For the record, Ms. Cerbone stated that an “X” was placed next to the option “I wish my
 37 file and trust account balance to be transferred to Jere Earlywine at Kutak Rock LLP.” The letter
 38 was executed on February 7, 2023 by Heather Isaacs, of Taylor Morrison, and the Board Chair,
 39 Susan Kane will execute it as well.

40 Mr. Earlywine discussed his professional background working as a CDD lawyer for
 41 almost 20 years.

42 **Supervisor Wilken joined the meeting at approximately 1:35 p.m.**

44 **On MOTION by Ms. Kane and seconded by Ms. Schuster, with all in favor,
 45 engaging Jere Earlywine/Kutak Rock LLP for District Counsel Services, was
 46 approved.**

47
 48
 49 **SECOND ORDER OF BUSINESS**

Public Comments

50
 51 No members of the public spoke.

52
 53 **THIRD ORDER OF BUSINESS**

Administration of Oath of Office to Supervisors, Diana Cabrera [SEAT 4] and Chrissie Kirk [SEAT 5] (*the following will be provided in a separate package*)

54
 55
 56
 57
 58 This item was addressed during the First Order of Business. The Oath of Office will be
 59 administered to Ms. Kirk prior to or at a future meeting.

60 Ms. Cerbone and Mr. Earlywine explained the following items, and discussed keeping
 61 CDD and personal files, electronic documents, emails, etc., separate from each other and urged
 62 using the CDD-assigned email for all CDD-related matters:

- 63 **A. Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees**
- 64 **B. Membership, Obligations and Responsibilities**
- 65 **C. Chapter 190, Florida Statutes**
- 66 **D. Financial Disclosure Forms**
 - 67 **I. Form 1: Statement of Financial Interests**
 - 68 **II. Form 1X: Amendment to Form 1, Statement of Financial Interests**

69 III. Form 1F: Final Statement of Financial Interests

70 E. Form 8B: Memorandum of Voting Conflict

71 As an employee or associate of the Developer, Ms. Cabrera will execute Form 8B
72 disclosing the relationship but that it does not create a conflict of interest. Her Form 8B will be
73 kept on file and used at any time there is an actual conflict of interest.

74

75 FOURTH 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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90 A. Affidavit of Publication

91 B. Consideration of Resolution 2023-26, Expressing its Intent to Utilize the Uniform
92 Method of Levying, Collecting, and Enforcing Non-Ad Valorem Assessments Which
93 May Be Levied by the Center Lake Ranch West Community Development District in
94 Accordance with Section 197.3632, Florida Statutes; Providing a Severability Clause;
95 and Providing an Effective Date

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97 **On MOTION by Ms. Schuster and seconded by Ms. Cabrera, with all in favor,**
98 **the Public Hearing was opened.**

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101 No members of the public spoke.

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103 **On MOTION by Ms. Cane and seconded by Ms. Cabrera, with all in favor, the**
104 **Public Hearing was closed.**

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Ms. Cerbone presented Resolution 2023-26.

On MOTION by Ms. Kane and seconded by Ms. Schuster, with all in favor, Resolution 2023-26, Expressing its Intent to Utilize the Uniform Method of Levying, Collecting, and Enforcing Non-Ad Valorem Assessments Which May Be Levied by the Center Lake Ranch West Community Development District in Accordance with Section 197.3632, Florida Statutes; Providing a Severability Clause; and Providing an Effective Date, was adopted.

FIFTH ORDER OF BUSINESS

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

A. Affidavit of Publication

B. Consideration of Resolution 2023-27, Adopting Rules of Procedure; Providing a Severability Clause; and Providing an Effective Date

Ms. Cerbone stated the Rules of Procedure were presented at the last meeting.

Mr. Earlywine discussed the purpose and content of the Rules of Procedure.

On MOTION by Ms. Schuster and seconded by Ms. Cabrera, with all in favor, the Public Hearing was opened.

No members of the public spoke.

On MOTION by Ms. Schuster and seconded by Ms. Kane, with all in favor, the Public Hearing was closed.

Ms. Cerbone presented Resolution 2023-27.

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On MOTION by Ms. Kane and seconded by Ms. Schuster, with all in favor, Resolution 2023-27, Adopting Rules of Procedure; Providing a Severability Clause; and Providing an Effective Date, was adopted.

SIXTH ORDER OF BUSINESS

Public Hearing on Adoption of Fiscal Year 2022/2023 Budget

- A. Affidavit of Publication**
- B. Consideration of Resolution 2023-28, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2022 and Ending September 30, 2023; Authorizing Budget Amendments; and Providing an Effective Date**

Ms. Cerbone presented the proposed Fiscal Year 2023 Landowner-funded budget; expenses will be funded as they are incurred.

On MOTION by Ms. Schuster and seconded by Ms. Kane, with all in favor, the Public Hearing was opened.

No members of the public spoke.

On MOTION by Ms. Schuster and seconded by Ms. Cabrera, with all in favor, the Public Hearing was closed.

Ms. Cerbone presented Resolution 2023-28.

On MOTION by Ms. Kane and seconded by Ms. Schuster, with all in favor, Resolution 2023-28, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2022 and Ending September 30, 2023; Authorizing Budget Amendments; and Providing an Effective Date, was adopted.

SEVENTH ORDER OF BUSINESS

Update: Bond Financing

177 The consensus was to proceed as quickly as possible with bond issuance.
178 Mr. Earlywine stated that the bond validation hearing was on February 2, 2023.

179

180 **EIGHTH ORDER OF BUSINESS** **Resolution 2023-07, Designating the**
181 **Primary Administrative Office and Principal**
182 **Headquarters of the District and Providing**
183 **an Effective Date**

184

185 Ms. Cerbone presented Resolution 2023-07.

186 The following change was made to Resolution 2023-07:

187 Section 2: Change “The District’s principal headquarters” to “The District’s local records
188 office”

189

190 **On MOTION by Ms. Kane and seconded by Ms. Schuster, with all in favor, 2023-**
191 **07, Designating Wrathell, Hunt and Associates, 2300 Glades Road, Suite 410W,**
192 **Boca Raton, Florida 33431 as the Primary Administrative Office and Bellalago**
193 **Clubhouse, 1220 Lago Vista Court, Kissimmee, Florida 34746 as the local**
194 **records office of the District and Providing an Effective Date, was adopted.**

195

196

197 **NINTH ORDER OF BUSINESS** **Acceptance of Unaudited Financial**
198 **Statements as of December 31, 2022**

199

200 Ms. Cerbone presented the Unaudited Financial Statements as of December 31, 2022.

201

202 **On MOTION by Ms. Kane and seconded by Ms. Cabrera, with all in favor, the**
203 **Unaudited Financial Statements as of December 31, 2022, were accepted.**

204

205

206 **TENTH ORDER OF BUSINESS** **Approval of Minutes**

207

208 Ms. Cerbone presented the following:

209 **A. October 28, 2022 Landowners’ Meeting**

210 The following change was made:

211 Line 13: Change “Engineer” to “Counsel”

212 **B. October 28, 2022 Organizational Meeting**

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On MOTION by Ms. Kane and seconded by Ms. Schuster, with all in favor, the October 28, 2022 Landowners’ Meeting, as amended, and October 28, 2022 Organizational Meeting, as presented, were approved.

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ELEVENTH ORDER OF BUSINESS

Staff Reports

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221

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

222

Going forward, “Kutak Rock LLP” will be listed as the firm’s name.

223

B. District Engineer (Interim): *Poulos & Bennett*

224

There was no report.

225

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

226

Ms. Cerbone discussed the rental fee for the current meeting location and the possibility of splitting the cost with the Westview South CDD, which meets just following this meeting.

228

- **NEXT MEETING DATE: March 8, 2023 at 1:30 PM**

229

- **QUORUM CHECK**

230

The next meeting will be March 8, 2023.

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TWELFTH ORDER OF BUSINESS

Board Members’ Comments/Requests

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234

There were no Board Members’ comments or requests.

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236

THIRTEENTH ORDER OF BUSINESS

Public Comments

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No members of the public spoke.

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FOURTEENTH ORDER OF BUSINESS

Adjournment

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On MOTION by Ms. Schuster and seconded by Ms. Cabrera, with all in favor, the meeting adjourned at 2:01 p.m.

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[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

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Secretary/Assistant Secretary

Chair/Vice Chair

**CENTER LAKE RANCH WEST
COMMUNITY DEVELOPMENT DISTRICT**

**STAFF
REPORTS**

CENTER LAKE RANCH WEST COMMUNITY DEVELOPMENT DISTRICT

BOARD OF SUPERVISORS FISCAL YEAR 2022/2023 MEETING SCHEDULE

LOCATION

*Hampton Inn & Suites Orlando South Lake Buena Vista
4971 Calypso Cay Way, Kissimmee, Florida 34746*

DATE	POTENTIAL DISCUSSION/FOCUS	TIME
February 8, 2023	Public Hearings & Regular Meeting	1:30 PM
March 8, 2023 CANCELED	Regular Meeting	1:30 PM
April 12, 2023	Regular Meeting	1:30 PM
May 10, 2023	Regular Meeting	1:30 PM
June 14, 2023	Regular Meeting	1:30 PM
July 12, 2023	Regular Meeting	1:30 PM
August 9, 2023	Regular Meeting	1:30 PM
September 13, 2023	Regular Meeting	1:30 PM