

**MINUTES OF MEETING
DAYTONA WEST COMMUNITY DEVELOPMENT DISTRICT**

An Organizational Meeting of the Daytona West Community Development District was held on May 22, 2023 at 11:00 a.m., at the office of Cobb Cole, 231 North Woodland Boulevard, Deland, Florida 32720

Present at the meeting were:

Ross Preston Halle	Chair
Marybel Defillo	Vice Chair
Eric Wills	Assistant Secretary
Stephanie Lerret	Assistant Secretary
Augustine "Trey" Fragala, III	Assistant Secretary

Also present were:

Craig Wrathell	District Manager
Cindy Cerbone	Wrathell, Hunt and Associates, LLC (WHA)
Andrew Kantarzhi	Wrathell, Hunt and Associates, LLC (WHA)
Mark Watts	District Counsel
Nika Hosseini	Cobb Cole
Chris Warshaw	Interim District Engineer

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Ms. Cerbone called the meeting to order at 11:03 a.m.

SECOND ORDER OF BUSINESS

Public Comments

No members of the public spoke.

GENERAL DISTRICT ITEMS

THIRD ORDER OF BUSINESS

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

Ms. Cerbone, a Notary of the State of Florida and duly authorized, administered the Oath of Office to Mr. Augustine “Trey” Fragala, III, Ms. Stephani Lerret, Ms. Marybel Defillo, Mr. Ross Preston Halle and Mr. Eric Wills.

▪ **Roll Call**

Supervisors Fragala, Lerret, Defillo, Halle and Wills were present.

The Board Members were already familiar with the following:

- 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**

FOURTH ORDER OF BUSINESS

Consideration of Resolution 2023-01, 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 2023-01 and recapped the Landowners’ Election results, as follows:

Seat 1	Marybel Defello	772 votes	4-year Term
Seat 2	Ross Preston Halle	772 votes	4-year Term
Seat 3	Erick Wills	770 votes	2-year Term
Seat 4	Stephanie Lerret	770 votes	2-year Term
Seat 5	Augustine “Trey” Fragala, III	770 votes	2-year Term

On MOTION by Ms. Defillo and seconded by Mr. Wills, with all in favor, Resolution 2023-01, 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 2023-02, Designating Certain Officers of the District, and Providing for an Effective Date

Ms. Cerbone presented Resolution 2023-02. Ms. Defillo nominated the following:

Chair	Ross Preston Halle
Vice Chair	Marybel Defillo
Secretary	Craig Wrathell
Assistant Secretary	Erick Wills
Assistant Secretary	Stephanie Lerret
Assistant Secretary	Augustine "Trey" Fragala, III
Assistant Secretary	Cindy Cerbone
Assistant Secretary	Andrew Kantarzhi
Treasurer	Craig Wrathell
Assistant Treasurer	Jeff Pinder

No other nominations were made.

On MOTION by Ms. Defillo and seconded by Mr. Fragala, with all in favor, Resolution 2023-02, Designating Certain Officers of the District, as nominated, and Providing for an Effective Date, was adopted.

ORGANIZATIONAL ITEMS

SIXTH ORDER OF BUSINESS

Consideration of the Following Organizational Items:

- A. Resolution 2023-03, Appointing and Fixing the Compensation of the District Manager and Methodology Consultant; Providing an Effective Date**
 - **Agreement for District Management Services: Wrathell, Hunt and Associates, LLC**

Mr. Wrathell presented Resolution 2022-03 and the Fee Schedule and Management Agreement. WHA will charge a reduced fee since the CDD is expected to be dormant for a while; District Management’s fees will return to normal, once bonds are issued. There will be no Debt Service Fund Accounting charges on the first bond issuance, if the bond issue is small.

On MOTION by Mr. Wills and seconded by Ms. Lerret, with all in favor, Resolution 2023-03, Appointing and Fixing the Compensation of Wrathell, Hunt and Associates, LLC as the District Manager and Methodology Consultant; and Providing an Effective Date, was adopted.

B. Resolution 2023-04, Appointing District Counsel for the District, and Authorizing Compensation; and Providing for an Effective Date

- **Fee Agreement: Cobb Cole**

Ms. Cerbone presented Resolution 2023-04. Mr. Watts presented the Cobb Cole Fee Agreement.

On MOTION by Ms. Lerret and seconded by Mr. Fragala, with all in favor, Resolution 2023-04, Appointing Cobb Cole as District Counsel for the District, and Authorizing Compensation; and Providing for an Effective Date, was adopted.

C. Resolution 2023-05, Designating a Registered Agent and Registered Office of the District, and Providing for an Effective Date

Ms. Cerbone presented Resolution 2023-05.

On MOTION by Ms. Defillo and seconded by Mr. Wills, with all in favor, Resolution 2023-05, Designating Craig Wrathell as the Registered Agent and 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431 as the Registered Office of the District, and Providing for an Effective Date, was adopted.

D. Resolution 2023-06, Appointing an Interim District Engineer for the Daytona West Community Development District, Authorizing Its Compensation and Providing for an Effective Date

- **Interim Engineering Services Agreement: England-Thims & Miller, Inc.**

Ms. Cerbone presented Resolution 2023-06. Mr. Warshaw presented the England-Thims & Miller, Inc., Interim Engineering Services Agreement and accompanying Exhibits.

On MOTION by Ms. Defillo and seconded by Mr. Fragala, with all in favor, Resolution 2023-06, Appointing an Interim District Engineer for the Daytona West Community Development District, Authorizing Its Compensation and Providing for an Effective Date, was adopted, and the England-Thims & Miller, Inc. Interim Engineering Services Agreement and accompanying Exhibits, were approved.

- E. Authorization of Request for Qualifications (RFQ) for Engineering Services**

Ms. Cerbone presented the RFQ for Engineering Services and Competitive Selection Criteria.

On MOTION by Ms. Lerret and seconded by Ms. Defillo, with all in favor, the Request for Qualifications (RFQ) for Engineering Services and Competitive Selection Criteria and authorizing Staff to advertise, was approved.

- F. Board Member Compensation: 190.006 (8), F.S.**

The Board Members declined compensation.

- G. Resolution 2023-07, Designating the Primary Administrative Office and Principal Headquarters of the District and Providing an Effective Date**

and Local Records Office of the District

Ms. Cerbone presented Resolution 2023-07.

On MOTION by Ms. Lerret and seconded by Ms. Defillo, with all in favor, 2023-07, Designating 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431 as the Primary Administrative Office and the offices of Cobb Cole, 231 North Woodland Boulevard, Deland, Florida 32720 as the Principal Headquarters of the District and Providing an Effective Date, was adopted.

H. Resolution 2023-08, Setting Forth the Policy of the District Board of Supervisors with Regard to the Support and Legal Defense of the Board of Supervisors and District Officers, and Providing for an Effective Date

- **Authorization to Obtain General Liability and Public Officers’ Insurance**

Ms. Cerbone presented Resolution 2023-08.

On MOTION by Ms. Defillo and seconded by Ms. Lerret, with all in favor, Resolution 2023-08, Setting Forth the Policy of the District Board of Supervisors with Regard to the Support and Legal Defense of the Board of Supervisors and District Officers, and Providing for an Effective Date, and authorizing Staff to obtain General Liability and Public Officers’ Insurance, were approved.

I. Resolution 2023-09, Providing for the Public’s Opportunity to Be Heard; Designating Public Comment Periods; Designating a Procedure to Identify Individuals Seeking to Be Heard; Addressing Public Decorum; Addressing Exceptions; and Providing for Severability and an Effective Date

Ms. Cerbone presented Resolution 2023-09.

On MOTION by Ms. Defillo and seconded by Mr. Fragala, with all in favor, Resolution 2023-09, Providing for the Public’s Opportunity to Be Heard; Designating Public Comment Periods; Designating a Procedure to Identify Individuals Seeking to Be Heard; Addressing Public Decorum; Addressing Exceptions; and Providing for Severability and an Effective Date, was adopted.

J. Resolution 2023-10, Providing for the Appointment of a Records Management Liaison Officer; Providing the Duties of the Records Management Liaison Officer; Adopting a Records Retention Policy; and Providing for Severability and Effective Date

Ms. Cerbone presented Resolution 2023-10.

On MOTION by Ms. Defillo and seconded by Mr. Wills, with all in favor, Resolution 2023-10, Providing for the Appointment of a Records Management Liaison Officer; Providing the Duties of the Records Management Liaison Officer; Adopting a Records Retention Policy; and Providing for Severability and Effective Date, was adopted.

K. Resolution 2023-11, Granting the Chair and Vice Chair the Authority to Execute Real and Personal Property Conveyance and Dedication Documents, Plats and Other Documents Related to the Development of the District’s Improvements; Approving the Scope and Terms of Such Authorization; Providing a Severability Clause; and Providing an Effective Date

Ms. Cerbone presented Resolution 2023-11. This Resolution grants the Chair and Vice Chair and other officers, in the Chair’s absence, the authority to work with the District Engineer, District Counsel and District Staff and to execute certain documents in between meetings, to avoid delays in construction.

On MOTION by Ms. Defillo and seconded by Mr. Fragala, with all in favor, Resolution 2023-11, Granting the Chair and Vice Chair the Authority to Execute Real and Personal Property Conveyance and Dedication Documents, Plats and Other Documents Related to the Development of the District’s Improvements; Approving the Scope and Terms of Such Authorization; Providing a Severability Clause; and Providing an Effective Date, was adopted.

L. Resolution 2023-12, Ratifying, Confirming and Approving the Recording of the Notice of Establishment of the District, and Providing for an Effective Date

Ms. Cerbone presented Resolution 2023-12.

On MOTION by Ms. Lerret and seconded by Mr. Wills, with all in favor, Resolution 2023-12, Ratifying, Confirming and Approving the Recording of the Notice of Establishment of the District, and Providing for an Effective Date, was adopted.

M. Authorization of Request for Proposals (RFP) for Annual Audit Services

Ms. Cerbone presented the RFP For Annual Audit Services.

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

On MOTION by Ms. Defillo and seconded by Ms. Lerret, with all in favor, the Request for Proposals for Annual Auditing Services, authorizing the District Manager to advertise the RFP, and designating the Board of Supervisors as the Audit Committee, was approved.

N. Strange Zone, Inc., Quotation #M23-1009 for District Website Design, Maintenance and Domain Web-Site Design Agreement

Ms. Cerbone presented the Strange Zone, Inc. (SZI) proposal.

On MOTION by Ms. Lerret and seconded by Mr. Wills, with all in favor, Strange Zone, Inc., Quotation #M23-1009 for District Website Design, Maintenance and Domain Web-Site Design Agreement, in the amount of \$1,679.99 for the first year, was approved.

O. ADA Site Compliance Proposal for Website Compliance Shield, Accessibility Policy and One (1) Annual Technological Audit

Ms. Cerbone presented the ADA Site Compliance proposal.

On MOTION by Ms. Defillo and seconded by Ms. Lerret, with all in favor, the ADA Site Compliance Proposal for Website Compliance Shield, Accessibility Policy and One (1) Annual Technological Audit, in the annual amount of \$210, was approved.

P. Resolution 2023-13, to Designate Date, Time and Place of Public Hearing and Authorization to Publish Notice of Such Hearing for the Purpose of Adopting Rules of Procedure; and Providing an Effective Date

I. Rules of Procedure

II. Notices [Rule Development and Rulemaking]

Ms. Cerbone presented Resolution 2023-13.

On MOTION by Ms. Defillo and seconded by Mr. Wills, with all in favor, Resolution 2023-13, to Designate August 29, 2023 at 11:00 a.m., at the office of Cobb Cole, 231 North Woodland Boulevard, Deland, Florida 32720 as the Date,

Time and Place for a Public Hearing and Authorization to Publish Notice of Such Hearing for the Purpose of Adopting Rules of Procedure; and Providing an Effective Date, was adopted.

- Q. Resolution 2023-14, 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**

This item was deferred.

- R. Resolution 2023-15, Approving the Florida Statewide Mutual Aid Agreement; Providing for Severability; and Providing for an Effective Date**

Ms. Cerbone presented Resolution 2023-15.

On MOTION by Mr. Halle and seconded by Mr. Fragala, with all in favor, Resolution 2023-15, Approving the Florida Statewide Mutual Aid Agreement; Providing for Severability; and Providing for an Effective Date, was adopted.

- S. Stormwater Management Needs Analysis Reporting Requirements**

Ms. Cerbone stated CDDs are required to prepare a Stormwater Management Needs Analysis Report every five years. As the due date for the initial Report has passed and there is no interim reporting requirement, a Report will be prepared when necessary.

BANKING ITEMS

SEVENTH ORDER OF BUSINESS

Consideration of the Following Banking Items:

- A. Resolution 2023-16, Designating a Public Depository for Funds of the District and Providing an Effective Date**

Ms. Cerbone presented Resolution 2023-16.

On MOTION by Ms. Defillo and seconded by Mr. Fragala, with all in favor, Resolution 2023-16, Designating One Florida Bank as the Public Depository for Funds of the District and Providing an Effective Date, was adopted.

B. Resolution 2023-17, Directing the District Manager to Appoint Signors on the Local Bank Account; and Providing an Effective Date

Ms. Cerbone presented Resolution 2023-17.

On MOTION by Ms. Defillo and seconded by Ms. Lerret, with all in favor, Resolution 2023-17, Directing the District Manager to Appoint Signors on the Local Bank Account; and Providing an Effective Date, was adopted.

BUDGETARY ITEMS

EIGHTH ORDER OF BUSINESS

Consideration of the Following Budgetary Items:

A. Resolution 2023-18, Approving Proposed Budgets for Fiscal Year 2022/2023 and 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. Cerbone presented Resolution 2023-18. She reviewed the proposed Fiscal Years 2023 and 2024 Landowner-funded budgets, which will be funded via funding requests as expenses are incurred.

Mr. Wrathell reviewed the overall process of the Landowner advance funding of bond-related improvements and being reimbursed from the bond proceeds.

On MOTION by Ms. Defillo and seconded by Mr. Wills, with all in favor, Resolution 2023-18, Approving Proposed Budgets for Fiscal Year 2022/2023 and Fiscal Year 2023/2024 and Setting a Public Hearing Thereon Pursuant to Florida Law for August 29, 2023 at 11:00 a.m., at the office of Cobb Cole, 231 North Woodland Boulevard, Deland, Florida 32720; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing for an Effective Date, was adopted.

B. Fiscal Year 2022/2023 and Fiscal Year 2023/2024 Budget Funding Agreement

Ms. Cerbone presented the Budget Funding Agreements. Funding requests will be submitted to Ms. Defillo.

On MOTION by Ms. Defillo and seconded by Mr. Wills, with all in favor, the Fiscal Year 2022/2023 and Fiscal Year 2023/2024 Budget Funding Agreements, were approved.

- C. **Resolution 2023-19, Adopting the Alternative Investment Guidelines for Investing Public Funds in Excess of Amounts Needed to Meet Current Operating Expenses, in Accordance with Section 218.415(17), Florida Statutes; Providing for an Effective Date**
Ms. Cerbone presented Resolution 2023-19.

On MOTION by Ms. Defillo and seconded by Mr. Fragala, with all in favor, Resolution 2023-19, Adopting the Alternative Investment Guidelines for Investing Public Funds in Excess of Amounts Needed to Meet Current Operating Expenses, in Accordance with Section 218.415(17), Florida Statutes; Providing for an Effective Date, was adopted.

- D. **Resolution 2023-20, Authorizing the Disbursement of Funds for Payment of Certain Continuing Expenses Without Prior Approval of the Board of Supervisors; Authorizing the Disbursement of Funds for Payment of Certain Non-Continuing Expenses Without Prior Approval of the Board of Supervisors; Providing for a Monetary Threshold; and Providing for an Effective Date**
Ms. Cerbone presented Resolution 2023-20.

On MOTION by Ms. Defillo and seconded by Mr. Fragala, with all in favor, Resolution 2023-20, Authorizing the Disbursement of Funds for Payment of Certain Continuing Expenses Without Prior Approval of the Board of Supervisors; Authorizing the Disbursement of Funds for Payment of Certain Non-Continuing Expenses Without Prior Approval of the Board of Supervisors; Providing for a Monetary Threshold; and Providing for an Effective Date, was adopted.

- E. **Resolution 2023-21, Adopting a Policy for Reimbursement of District Travel Expenses; and Providing for Severability and an Effective Date**
Ms. Cerbone presented Resolution 2023-21.

On MOTION by Mr. Halle and seconded by Mr. Wills, with all in favor, Resolution 2023-21, Adopting a Policy for Reimbursement of District Travel Expenses; and Providing for Severability and an Effective Date, was adopted.

F. Resolution 2023-22, Adopting Prompt Payment Policies and Procedures Pursuant to Chapter 218, Florida Statutes; Providing a Severability Clause; and Providing an Effective Date

Ms. Cerbone presented Resolution 2023-22 and the accompanying Exhibit.

Mr. Wrathell noted the project size and discussed the possibility of the CDD engaging a Master Site Contractor for construction work and the types of materials to include in the bid package, which would enable the CDD to take advantage of its State sales tax exemption status. This is instead of privately bidding the work and then assigning the completed work to the CDD. The only drawback is that it will require securing a bond. Ms. Cerbone discussed the ability to bifurcate the ranking criteria on price, which occurred in another CDD.

On MOTION by Ms. Defillo and seconded by Mr. Wills, with all in favor, Resolution 2023-22, Adopting Prompt Payment Policies and Procedures Pursuant to Chapter 218, Florida Statutes; Providing a Severability Clause; and Providing an Effective Date, was adopted.

G. Resolution 2023-23, Adopting an Internal Controls Policy Consistent with Section 218.33, Florida Statutes; Providing an Effective Date

Ms. Cerbone presented Resolution 2023-23 and the accompanying Exhibit.

On MOTION by Ms. Defillo and seconded by Mr. Fragala, with all in favor, Resolution 2023-23, Adopting an Internal Controls Policy Consistent with Section 218.33, Florida Statutes; Providing an Effective Date, was adopted.

H. Consideration of E-Verify Memo with MOU

Ms. Cerbone presented the E-Verify Memo related to the requirement for all employers to verify employment eligibility utilizing the E-Verify System and for the CDD to enroll with E-Verify and execute a Memorandum of Understanding (MOU) with E-Verify.

On MOTION by Ms. Defillo and seconded by Mr. Wills, all in favor, acknowledging the E-Verify Memo requirements, as set forth in the Memorandum of Understanding, and authorizing enrollment and utilization of the E-Verify program, was approved.

BOND FINANCING ITEMS

NINTH ORDER OF BUSINESS

Consideration of the Following Bond Financing Related Items:

A. Bond Financing Team Funding Agreement

Ms. Cerbone presented the Bond Financing Team Funding Agreement.

On MOTION by Ms. Defillo and seconded by Mr. Wills, with all in favor, the Bond Financing Team Funding Agreement, was approved.

B. Engagement of Bond Financing Professionals (to be deferred)

I. Underwriter/ Investment Banker: _____

II. Bond Counsel: _____

III. Trustee, Paying Agent and Registrar: U.S. Bank Trust Company, N.A.

These items were deferred.

C. Resolution 2023-24, Designating a Date, Time, and Location of a Public Hearing Regarding the District’s Intent to Use the Uniform Method for the Levy, Collection, and Enforcement of Non-Ad Valorem Special Assessments as Authorized by Section 197.3632, Florida Statutes; Authorizing the Publication of the Notice of Such Hearing; and Providing an Effective Date

Ms. Cerbone presented Resolution 2023-24.

On MOTION by Mr. Wills and seconded by Mr. Fragala, with all in favor, Resolution 2023-24, Designating a Date, Time, and Location of August 29, 2023 at 11:00 a.m., at the office of Cobb Cole, 231 North Woodland Boulevard, Deland, Florida 32720, for a Public Hearing Regarding the District's Intent to Use the Uniform Method for the Levy, Collection, and Enforcement of Non-Ad Valorem Special Assessments as Authorized by Section 197.3632, Florida Statutes; Authorizing the Publication of the Notice of Such Hearing; and Providing an Effective Date, was adopted.

D. Presentation of Master Engineer's Report (to be deferred)

This item was deferred.

E. Presentation of Master Special Assessment Methodology Report (to be deferred)

This item was deferred.

F. Resolution 2023-25, Declaring Special Assessments; Indicating the Location, Nature and Estimated Cost of Those Infrastructure Improvements Whose Cost is to be Defrayed by the Special Assessments; Providing the Portion of the Estimated Cost of the Improvements to be Defrayed by the Special Assessments; Providing the Manner in Which Such Special Assessments Shall Be Made; Providing When Such Special Assessments Shall be Paid; Designating Lands Upon Which the Special Assessments Shall be Levied; Providing for an Assessment Plat; Adopting a Preliminary Assessment Roll; Providing for Publication of this Resolution *(to be deferred)*

This item was deferred.

G. Resolution 2023-26, Setting a Public Hearing for the Purpose of Hearing Public Comment on Imposing Special Assessments on Certain Property Within the District Generally Described as the Daytona West Community Development District in Accordance with Chapter 170, 190, and 197, Florida Statutes *(to be deferred)*

This item was deferred.

H. Resolution 2023-27, Authorizing the Issuance of Not Exceeding Not Exceeding \$[_____] Principal Amount of Daytona West Community Development District Bonds in One or More Series, for the Purpose of Financing the Construction and/or Acquisition by the District of the Public Improvements and Community Facilities Permitted by the Provisions of Chapter 190, Florida Statutes, as Amended, and the

Ordinance Creating the District; Approving a Form of a Master Trust Indenture; Approving and Appointing a Trustee; Authorizing the Commencement of Validation Proceedings Relating To the Foregoing Bonds; Authorizing and Approving Other Matter Relating to the Foregoing Bonds; and Providing an Effective Date (*to be deferred*)

This item was deferred.

TENTH ORDER OF BUSINESS

Staff Reports

- A. District Counsel: Cobb Cole**
- B. District Engineer (Interim): England-Thims & Miller, Inc.**
- C. District Manager: Wrathell, Hunt and Associates, LLC**

There were no Staff Reports.

The next meeting will be held on August 29, 2023 at 11:00 a.m.

ELEVENTH ORDER OF BUSINESS

Board Members' Comments/Requests

A Board Member asked about submitting Financial Disclosure Form 1. Ms. Cerbone directed the Board Members to file Form 1 with the Supervisor of Elections office in their County of residence and to obtain proof of receipt. Mr. Wrathell discussed the criteria for a Board Member executing the Form 8B Memorandum of Voting Conflict.

TWELFTH ORDER OF BUSINESS

Public Comments

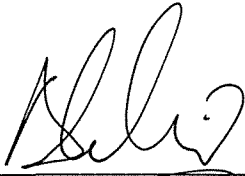
No members of the public spoke.

THIRTEENTH ORDER OF BUSINESS

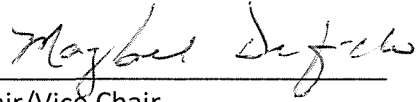
Adjournment

On MOTION by Ms. Defillo and seconded by Mr. Wills, with all in favor, the meeting adjourned at 12:29 p.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]



Secretary/Assistant Secretary



Chair/Vice Chair