

**MINUTES OF MEETING
MALABAR SPRINGS
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Malabar Springs Community Development District held a Regular Meeting on May 16, 2023 at 11:00 a.m., at B.S.E. Consultants, Inc., 312 South Harbor City Boulevard, Suite 4, Melbourne, Florida 32901.

Present at the meeting were:

Michael Caputo	Chair
Timothy Smith	Vice Chair
Justin Frye	Assistant Secretary

Also present were:

Cindy Cerbone	District Manager
Andrew Kantarzhi	Wrathell, Hunt and Associates, LLC
Ashley Ligas (via telephone)	District Counsel
Katie Ibarra	Kutak Rock LLP
Ana Saunders	Interim District Engineer

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Ms. Cerbone called the meeting to order at 11:03 a.m. Supervisors Caputo, Frye and Tim Smith were present. Supervisors Seifel and Candice Smith were not present.

SECOND ORDER OF BUSINESS

Public Comments

There were no public comments.

THIRD ORDER OF BUSINESS

Administration of Oath of Office to Supervisors, Jon Seifel [SEAT 4] and Candice Smith [SEAT 5] (the following will be provided in a separate package)

Ms. Cerbone noted that the Oath of Office was previously administered to Ms. Candice Smith. The Oath of Office will be administered to Mr. Jon Seifel at or before the next meeting.

- A. Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees**
- B. Membership, Obligations and Responsibilities**
- C. 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
- D. Form 8B - Memorandum of Voting Conflict

FOURTH ORDER OF BUSINESS

Consideration of Resolution 2023-31, 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

Mr. Kantarzhi presented Resolution 2023-31 and he and Ms. Cerbone reviewed the proposed Fiscal Year 2024 budget, highlighting increases, decreases and adjustments, compared to the Fiscal Year 2023 budget, and explained the reasons for any changes.

On MOTION by Mr. Smith and seconded by Mr. Caputo, with all in favor, Resolution 2023-31, Approving a Proposed Budget for Fiscal Year 2023/2024 and Setting a Public Hearing Thereon Pursuant to Florida Law for August 15, 2023 at 11:00 a.m., at B.S.E. Consultants, Inc., 312 South Harbor City Boulevard, Suite 4, Melbourne, Florida 32901; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing for an Effective Date, was adopted.

FIFTH ORDER OF BUSINESS

Consideration of Resolution 2023-32, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2023/2024 and Providing for an Effective Date

On MOTION by Mr. Smith and seconded by Mr. Caputo, with all in favor, Resolution 2023-32, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2023/2024 and Providing for an Effective Date, was adopted.

SIXTH ORDER OF BUSINESS

Consideration of Kutak Rock LLP, Retention and Fee Agreement

On MOTION by Mr. Caputo and seconded by Mr. Smith, with all in favor, the Kutak Rock LLP, Retention and Fee Agreement, was approved.

SEVENTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of March 31, 2023

On MOTION by Mr. Frye and seconded by Mr. Smith, with all in favor, the Unaudited Financial Statements as of March 31, 2023, were accepted.

EIGHTH ORDER OF BUSINESS

Approval of February 21, 2023 Public Hearings and Regular Meeting Minutes

On MOTION by Mr. Frye and seconded by Mr. Smith, with all in favor, the February 21, 2023 Public Hearings and Regular Meeting Minutes, as presented, were approved.

NINTH ORDER OF BUSINESS

Staff Reports

A. District Counsel: Kutak Rock LLP

B. District Engineer (Interim): B.S.E. Consultants

There were no reports from District Counsel or the District Engineer.

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

- 0 Registered Voters in District as of April 15, 2023
- NEXT MEETING DATE: June 20, 2023 at 11:00 AM
 - QUORUM CHECK

TENTH ORDER OF BUSINESS

Board Members' Comments/Requests

There were no Board Members' comments or requests.

ELEVENTH ORDER OF BUSINESS

Public Comments

There were no public comments.

TWELFTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Smith and seconded by Mr. Frye, with all in favor, the meeting adjourned at 11:14 a.m.



Secretary/Assistant Secretary



Chair/Vice Chair