



**CITYPLACE
COMMUNITY DEVELOPMENT
DISTRICT**

**PALM BEACH COUNTY
REGULAR BOARD MEETING
FEBRUARY 3, 2023
4:00 P.M.**

Special District Services, Inc.
The Oaks Center
2501A Burns Road
Palm Beach Gardens, FL 33410

www.cityplacecdd.org
561.630.4922 Telephone
877.SDS.4922 Toll Free
561.630.4923 Facsimile

AGENDA
CITYPLACE COMMUNITY DEVELOPMENT DISTRICT
Chamber of Commerce of the Palm Beaches
401 North Flagler Drive
West Palm Beach, Florida 33401
REGULAR BOARD MEETING
February 3, 2023
4:00 p.m.

- A. Call to Order
- B. Proof of Publication.....Page 1
- C. Establish Quorum
- D. Additions or Deletions to Agenda
- E. Comments from the Public for Items Not on the Agenda
- F. Approval of Minutes
 - 1. November 30, 2022 Regular Board Meeting.....Page 2
- G. Old Business
 - 1. Discussion Regarding Existing ‘D’ Garage Exclusive Easement and Proposed use of Proceeds
- H. New Business
 - 1. Consider Approval of O&M Methodology and Set Public Hearing.....Page 7
 - 2. Consider Resolution No. 2023-01 – Approving an Interlocal Agreement with the Tax Collector for Palm Beach County.....Page 8
 - 3. Consider Approval to Continue to Use the Uniform Method of Collection.....Page 11
 - 4. Discussion Regarding Adding Additional Meeting Date
- I. Administrative Matters
- J. Board Members Comments
- K. Adjourn

LOCALiQ

The Gainesville Sun | The Ledger
Daily Commercial | Ocala StarBanner
News Chief | Herald-Tribune
News Herald | The Palm Beach Post
Northwest Florida Daily News

PO Box 631244 Cincinnati, OH 45263-1244

PROOF OF PUBLICATION

Cityplace Cdd
Cityplace Cdd
2501 BURNS RD
STE A

PALM BEACH GARDENS FL 334105207

STATE OF FLORIDA, COUNTY OF PALM BEACH

The Palm Beach Post, a daily newspaper printed and published in the city of West Palm Beach and of general circulation in Palm Beach, Martin, Okeechobee and St Lucie Counties, Florida; and personal knowledge of the facts herein state and that the notice hereto annexed was Published in said newspapers in the issues dated or by publication on the newspaper's website, if authorized, on:

10/24/2022

and that the fees charged are legal.
Sworn to and subscribed before on 10/24/2022

Legal Clerk

Notary, State of WI, County of Brown

My commission expires

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1

THIS IS NOT AN INVOICE!

Please do not use this form for payment remittance.

CITYPLACE COMMUNITY
DEVELOPMENT DISTRICT
FISCAL YEAR 2022/2023
REGULAR MEETING SCHEDULE
NOTICE IS HEREBY GIVEN that
the Board of Supervisors of the City
Place Community Development
District will hold Regular Meetings
in the Conference Room of The
Chamber of Commerce of the Palm
Beaches, 401 North Flagler Drive,
West Palm Beach, Florida 33401 at
4:00 p.m. on the following dates:

November 4, 2022

February 3, 2023

May 5, 2023

August 4, 2023

The purpose of the meetings is to
conduct any and all business coming
before the Board. Meetings are open
to the public and will be conducted
in accordance with the provisions of
Florida law. Copies of the Agenda
for any of the meetings may be
obtained from the District's website
or by contacting the District
Manager at (561) 630-4922 and/or toll
free at 1-877-737-4922.

From time to time one or more
Supervisors may participate by tele-
phone; therefore a speaker tele-
phone will be present at the meeting
location so that Supervisors may be
fully informed of the discussions
taking place. Meetings may be
continued as found necessary to a
time and place specified on the
record.

If any person decides to appeal any
decision made with respect to any
matter considered at these meet-
ings, such person will need a record
of the proceedings and such person
may need to insure that a verbatim
record of the proceedings is made at
his or her own expense and which
record includes the testimony and
evidence on which the appeal is
based.

In accordance with the provisions of
the Americans with Disabilities Act,
any person requiring special accom-
modations or an interpreter to
participate at any of these meetings
should contact the District Manager
at (561) 630-4922 and/or toll-free at 1-
877-737-4922 at least seven (7) days
prior to the date of the particular
meeting.

Meetings may be cancelled from
time to time without advertised
notice.

CITYPLACE COMMUNITY
DEVELOPMENT DISTRICT
www.cityplacecdd.org
Oct. 24, 2022 #7933890

MARIAH VERHAGEN
Notary Public
State of Wisconsin

CITYPLACE COMMUNITY DEVELOPMENT DISTRICT
REGULAR BOARD MEETING
NOVEMBER 30, 2022

A. CALL TO ORDER

District Manager Michael McElligott called the November 30, 2022, Regular Board Meeting of the CityPlace Community Development District to order at 4:08 p.m. at the Chamber of Commerce of the Palm Beaches located at 401 North Flagler Drive, West Palm Beach, Florida 33401.

B. PROOF OF PUBLICATION

Proof of publication was presented that notice of the Regular Board Meeting had been published in *The Palm Beach Post* on November 3, 2022, and November 10, 2022, as legally required.

C. SEAT NEW BOARD MEMBERS

At this point, Mr. Travers was sat as a City Place CDD Board Member being re-elected to his previous held seat. Mrs. Link was re-elected to her seat, but was not present, so she will be emailed an oath to be notarized and brought back to the next meeting.

D. ADMINISTER OATH OF OFFICE & REVIEW BOARD MEMBER RESPONSIBILITIES AND DUTIES

At this point, Mr. Travers was sworn in by Mr. McElligott. Mr. McElligott also briefly explained the responsibilities and duties as a City Place CDD Board Member.

E. ESTABLISH A QUORUM

It was determined that the attendance of Supervisors Stephen Travers, Ken Tuma and Dennis Grady constituted a quorum, and it was in order to proceed with the meeting.

Staff in attendance were: District Manager Michael McElligott of Special District Services, Inc.; and District Counsel Bill Capko of Lewis Longman & Walker, P.A.

Jordan Rathlev with Related Companies was also present.

F. ELECTION OF OFFICERS

All officers were re-elected as they currently serve.

G. ADDITIONS OR DELETIONS TO THE AGENDA

There were no additions or deletions to the agenda.

H. COMMENTS FROM THE PUBLIC FOR ITEMS NOT ON THE AGENDA

CITYPLACE COMMUNITY DEVELOPMENT DISTRICT
REGULAR BOARD MEETING
NOVEMBER 30, 2022

There were no comments from the public for items not on the agenda.

I. APPROVAL OF MINUTES

1. September 16, 2022, Regular Board Meeting & Public Hearing

Mr. McElligott presented the minutes of the September 16, 2022, Regular Board Meeting and Public Hearing and without comment, Mr. Tuma **moved**, and Mr. Travers seconded that the minutes of the September 16, 2022, Regular Board Meeting be approved, as presented. That **motion** carried 3 to 0.

J. OLD BUSINESS

There were no Old Business items to come before the Board.

K. NEW BUSINESS

1. Consider Approval of Amendment to B Deck Easement Agreement

Jordan Rathlev with the main development group gave a brief description of the amendment. The amendment is primarily due to new ownership groups coming on board that will require the bifurcation of several existing agreements. District attorney, Mr. Capko, has reviewed the documents and recommends approving them in substantial form, with the final version being signed subject to his review.

After a brief discussion among the Board, there was a **motion** made by Mr. Tuma, with a second by Mr. Travers, to approve the Amendment to B Deck Easement Agreement in substantial form, subject to final review by the District Attorney. That **motion** passed **3-0**.

2. Consider Approval of SDS, Inc. Methodology Agreement

Mr. McElligott explained that the agreement will allow SDS, Inc to prepare an O&M Methodology to bring back to the Board for final approval at the February meeting. This will allow the District to collect the O&M assessments on the assessment roll.

After a brief discussion, a **motion** was made by Mr. Tuma, seconded by Mr. Travers to approve the SDS, Inc. Methodology Agreement, as presented, and the **motion** carried **3 to 0**.

3. Discussion Regarding Proposed “C” Garage Exclusive Easement

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NOVEMBER 30, 2022

Jordan Rathlev of Related Companies presented this item. He stated that these easements were similar to the ones the Board approve for the Delta Garage. It will require the District to obtain an appraisal, similar to the one they had done for the Delta Garage.

After a brief discussion, a **motion** was made by Mr. Tuma, seconded by Mr. Travers to authorize District staff to obtain the needed appraisal. The **motion** carried **3 to 0**.

4. Discussion Regarding Existing “D” Garage Exclusive Easement and Proposed Use of Proceeds

Jordan Rathlev gave a brief description of the item. There was some discussion about the garage and how the garage revenue flows through the District budget. There was no action required today, and this item will be coming back to the Board in the future.

5. Consider Approval of Amendment to West Parking Lease and Corresponding Memorandum of Lease

Jordan Rathlev gave a brief description of the item. Similar to the discussion before, the changes are primarily due to new ownership groups coming on board that will require the bifurcation of several existing easements and agreements. District attorney, Mr. Capko, has reviewed the documents and recommends approving them in substantial form, with the final version being signed subject to his review.

After a brief discussion among the Board, there was a **motion** by Mr. Tuma, with a second by Mr. Travers, to approve the Amendment to West Parking Lease and Corresponding Memorandum of Lease in substantial form, subject to final review by the District Attorney. That **motion** passed **3-0**.

6. Consider Approval of Amendment to East Parking Lease and Corresponding Memorandum of Lease

Jordan Rathlev gave a brief description of the item. Similar to the discussion before, the changes are primarily due to new ownership groups coming on board that will require the bifurcation of several existing easements and agreements. District attorney, Mr. Capko, has reviewed the documents and recommends approving them in substantial form, with the final version being signed subject to his review.

After a brief discussion among the Board, there was a **motion** by Mr. Tuma, with a second by Mr. Travers, to approve the Amendment to East Parking Lease and Corresponding Memorandum of Lease in substantial form, subject to final review by the District Attorney. That **motion** passed **3-0**.

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7. Consider Approval of Amendment to Plaza Lease and Corresponding Memorandum of Lease

Jordan Rathlev gave a brief description of the item. Similar to the discussion before, the changes are primarily due to new ownership groups coming on board that will require the bifurcation of several existing easements and agreements. District attorney, Mr. Capko, has reviewed the documents and recommends approving them in substantial form, with the final version being signed subject to his review.

After a brief discussion among the Board, there was **a motion** by Mr. Tuma, with a second by Mr. Travers, to approve the Amendment to Plaza Lease and Corresponding Memorandum of Lease in substantial form, subject to final review by the District Attorney. That **motion** passed **3-0**.

8. Consider Approval of Amendment to CDD's Management Agreement with Related Urban Management Southeast

Jordan Rathlev gave a brief description of the item. Similar to the discussion before, the changes are primarily due to new ownership groups coming on board that will require the bifurcation of several existing easements and agreements. District attorney, Mr. Capko, has reviewed the documents and recommends approving them in substantial form, with the final version being signed subject to his review.

After a brief discussion among the Board, there was **a motion** by Mr. Tuma, with a second by Mr. Travers, to approve the CDD's Management Agreement with Related Urban Management Southeast in substantial form, subject to final review by the District Attorney. That **motion** passed **3-0**.

M. ADMINISTRATIVE MATTERS

There were no Administrative Matters to come before the Board.

N. BOARD MEMBER COMMENTS

There were no comments from the Board Members.

O. ADJOURNMENT

There being no further business to come before the Board, the Regular Board Meeting was adjourned at 4:19 pm. on a **motion** from Mr. Travers, seconded by Mr. Tuma and the **motion** carried **3 to 0**.

CITYPLACE COMMUNITY DEVELOPMENT DISTRICT
REGULAR BOARD MEETING
NOVEMBER 30, 2022

Secretary/Assistant Secretary

Chair/Vice-Chair

**CONSIDER APPROVAL OF
O&M METHODOLOGY AND
SET PUBLIC HEARING**

**TO BE DISTRIBUTED
UNDER SEPARATE COVER**

RESOLUTION NO. 2023-01

**A RESOLUTION OF THE CITYPLACE COMMUNITY
DEVELOPMENT DISTRICT APPROVING AN
INTERLOCAL AGREEMENT WITH THE TAX
COLLECTOR FOR PALM BEACH COUNTY**

WHEREAS, the CityPlace Community Development District (“District”) is authorized to levy non-ad valorem assessments and to have such assessments placed on Palm Beach County property tax bills by the Tax Collector pursuant to Sections 197.3631 and 197.3632, Florida Statutes; and

WHEREAS, in order to implement such billing and collection procedures it is necessary for the District to enter into an agreement with the Tax Collector for Palm Beach County.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE CITYPLACE COMMUNITY DEVELOPMENT DISTRICT THAT:

Section 1. The Interlocal Agreement with the Tax Collector for Palm Beach County attached hereto as Exhibit “A” is approved and adopted.

Section 2. The Chairperson and Secretary of the District are authorized to execute any and all necessary transmittals, certifications or other acknowledgements or writings, as necessary, to comply with the intent of this Resolution.

PASSED, ADOPTED and EFFECTIVE this 3rd day of February, 2023.

ATTEST:

**CITYPLACE COMMUNITY DEVELOPMENT
DISTRICT**

By: _____
Secretary/Assistant Secretary

By: _____
Chairperson/Vice Chairperson

INTERLOCAL AGREEMENT

THIS INTERLOCAL AGREEMENT made and entered into this ____ day of _____, 2022 by and between **Anne M. Gannon as Constitutional Tax Collector for Palm Beach County** (the “**Tax Collector**”), and the **City Place Community Development District** (the “**District**”), for the levy and collection of a non-ad valorem special assessment to be levied upon certain real properties as follows:

1. The District shall meet all the requirements of Florida Statutes 197.3631 and 197.3632 for the implementation of the District’s non-ad valorem assessment billing.
2. Upon the performance by the District of its requirements in compliance with the above statutes and this Agreement, the Tax Collector agrees to implement the District’s non-ad valorem assessments billing and collection.
3. The District further agrees that it shall provide to the Tax Collector compensation for the actual cost of collecting these non-ad valorem assessments as provided in Florida Statutes (F.S. Section 197.3632(8)(c)). Since the actual costs of collection cannot be precisely determined, the parties agree that one percent (1%) of total collections will be considered the costs.
4. This Agreement shall be in effect for the tax year 2022 and subsequent years thereafter unless canceled by either the City or the Tax Collector by giving notice in writing to the other by January 10th.
5. This Agreement may be modified by both parties in writing provided such modifications are agreed upon prior to any notice of termination.
6. This Agreement shall be changed, modified, or amended in writing as necessary to conform with any new statutory requirements when and if enacted into law.
7. Subject to the provisions and limitations of Florida Statute 768.28, the City shall indemnify and save harmless and defend the Tax Collector, its agents, servants, and employees from and against any and all claims, liability, losses, or causes of action which may arise from any misconduct, improper action, negligent act, or omission of the City, its servants, or employees in the performance of services under this Agreement. The City acknowledges that the Tax Collector is entering this Agreement without any determination that the City is legally authorized or qualified to assess these non-ad valorem assessments pursuant to Section 197.3632, Florida Statutes, determine the legality of the assessment, or determine the constitutionality of any lien resulting from nonpayment of the assessment.
8. **Notice**

All notices or other communications hereunder shall be in writing and shall be deemed duly given if delivered in person or sent by certified mail return receipt requested and addressed as follows:

If to the City:

With a copy to:

City Place Community Development District
Attn:

If to the Tax Collector:

With a copy to:

Honorable Anne M. Gannon
Constitutional Tax Collector,
Serving Palm Beach County
301 North Olive Avenue, Third Floor
West Palm Beach, Florida 33401

Carmen Richardson,
Director, Finance and Budget Dept.
301 North Olive Avenue, Third Floor
West Palm Beach, Florida 33401

IN WITNESS HEREOF, the parties have executed this Agreement by their respective duly authorized officers or representatives.

ATTEST:

City Place Community Development District

NAME_____

BY: _____
(Authorized Signature for City)

Name: _____

Title: _____

Date Signed: _____

ATTEST:

PALM BEACH COUNTY TAX COLLECTOR

NAME_____

BY: _____
Anne M. Gannon, Tax Collector

Date Signed: _____

Approved as to form and legal sufficiency:

Signature: _____ Date Signed: _____

Hampton C. Peterson, Esq.
General Counsel
Palm Beach County Tax Collector

Tax Roll Coordinator
301 North Olive Avenue, 5th Floor
West Palm Beach, Florida 33401
(561)355-2681 Fax: (561)355-3963
Email: dmanioti@pbcgov.org



Gary R. Nikolits, CFA
Palm Beach County
Property Appraiser

December 7, 2022

Michael McElligott – District Manager
City Place Community Development District
c/o Special District Services, Inc.
2501A Burns Road
Palm Beach Gardens, FL 33410

Ref: City Place CDD
"To Continue to Use the Uniform Method of Collection"

Dear Mr. McElligott,

In accordance with Fla. Stat. §197.3632(3)(a), your request for an extension of time to make a determination regarding the resolution for Continuing to Use the Uniform Method of Collection has been granted until March 1, 2023.

Please make sure your public hearing does not extend no later than March 1, 2023, and the resolution is mailed or emailed to the Property Appraiser's Office by March 10, 2023. If you need further assistance, please call me.

Sincerely,

A handwritten signature in black ink, appearing to read "Constantine Dino Maniotis", is written over a horizontal line.

Constantine Dino Maniotis, CFE
Tax Roll Coordinator

cc: John Enck, GIS Director, Property Appraiser's Office