



**CITYPLACE
COMMUNITY DEVELOPMENT
DISTRICT**

**PALM BEACH COUNTY
REGULAR BOARD MEETING
& PUBLIC HEARING
AUGUST 14, 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
360 S. Rosemary Avenue, Suite 1100
West Palm Beach, Florida 33401
REGULAR BOARD MEETING & PUBLIC HEARING
August 14, 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
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- G. Public Hearing
 - 1. Proof of Publication.....Page 5
 - 2. Receive Public Comments on Fiscal Year 2023/2024 Final Budget
 - 3. Consider Resolution No. 2023-04 – Adopting a Fiscal Year 2023/2024 Final Budget.....Page 6
- H. Old Business
- I. New Business
 - 1. Consider Appointment to Board Vacancy
 - 2. Consider Approval of Funding Agreement between the District and Developer.....Page 13
 - 3. Consider Resolution No. 2023-05 – Adopting a Fiscal Year 2023/2024 Meeting Schedule.....Page 20
 - 4. Consider Resolution No. 2023-06 – Adopting a Records Retention Policy.....Page 22
 - 5. Discussion Regarding Required Ethics Training
 - 6. Discussion Regarding District Boundary Change
- J. Administrative Matters
- K. Board Members Comments
- L. Adjourn

Miscellaneous Notices

Published in The Palm Beach Post on July 25, 2023

Location

Palm Beach County, Florida

Notice Text

Notice of Public Hearing and Regular Board Meeting of the CityPlace Community Development District

The Board of Supervisors (the Board) of the CityPlace Community Development District (the District) will hold a Public Hearing and Regular Board Meeting (Meetings) on August 14, 2023, at 4:00 p.m., or as soon thereafter as can be heard, at 360 S. Rosemary Avenue, Suite 1100, West Palm Beach, Florida 33401.

The purpose of the Public Hearing is to receive public comment on the Fiscal Year 2023/2024 Proposed Final Budget of the District. The purpose of the Regular Board Meeting is for the Board to consider any business which may properly come before it. A copy of the Budget and/or the Agenda may be obtained from the District s website or at the offices of the District Manager, Special District Services, Inc., 2501A Burns Road, Palm Beach Gardens, Florida 33410, during normal business hours. The Meetings are open to the public and will be conducted in accordance with the provisions of Florida law for community development districts. Meetings may be continued as found necessary to a time and place specified on the record.

There may be occasions when one or more Supervisors will participate by telephone; therefore, a speaker telephone will be present at the meeting location so that Supervisors may be fully informed of the discussions taking place.

In accordance with the provisions of the Americans with Disabilities Act, any person requiring special accommodations or an interpreter to participate at 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 meeting.

If any person decides to appeal any decision made with respect to any matter considered at this Public Hearing and Regular Board Meeting, such person will need a record of the proceedings and such person may need to ensure that a verbatim record of the proceedings is made at their own expense and which record includes the testimony and evidence on which the appeal is based. Meetings may be cancelled from time to time without advertised notice.

CityPlace Community
Development District

www.cityplacecdd.org

July 25, Aug 1, 2023 #9076117

CITYPLACE COMMUNITY DEVELOPMENT DISTRICT
REGULAR BOARD MEETING
JUNE 12, 2023

A. CALL TO ORDER

District Manager Michael McElligott called the June 12, 2023, Regular Board Meeting and Public Hearing of the CityPlace Community Development District to order at 4:00 p.m. at the Conference Room of Lewis Longman & Walker, P.A. located at 360 S. Rosemary Ave., Suite 1100, 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 May 24, 2023, as legally required.

C. ESTABLISH A QUORUM

It was determined that the attendance of Chair Dennis Grady, and Supervisors Ken Tuma, Stephen Travers, and Wendy Link (arrived at 4:05 pm) constituted a quorum, and it was in order to proceed with the meeting.

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

D. ADDITIONS OR DELETIONS TO THE AGENDA

There were no additions or deletions to the agenda.

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

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

F. APPROVAL OF MINUTES

1. February 28, 2023, Regular Board Meeting

Mr. McElligott presented the minutes of the February 28, 2023, Regular Board Meeting and without changes, Mr. Travers **moved**, and Mr. Tuma seconded that the minutes of the February 28, 2023, Regular Board Meeting be approved, as presented. The **motion** carried **3-0**.

G. PUBLIC HEARING

1. Proof of Publication

Proof of publication was presented that notice of the Public Hearing had been published in *The Palm Beach Post* on May 24, 2023, as legally required.

CITYPLACE COMMUNITY DEVELOPMENT DISTRICT
REGULAR BOARD MEETING
JUNE 12, 2023

2. Receive Public Comments on Adopting an O&M Methodology

There were no public comments.

3. Consider Resolution No. 2023-02 – Adopting an O&M Methodology

Mr. McElligott introduced Resolution No. 2023-02, entitled:

RESOLUTION NO. 2023-02

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE CITYPLACE COMMUNITY DEVELOPMENT DISTRICT ADOPTING A METHODOLOGY FOR LEVYING SPECIAL ASSESSMENTS FOR OPERATION AND MAINTENANCE OF DISTRICT INFRASTRUCTURE; AND PROVIDING AN EFFECTIVE DATE.

Mr. McElligott presented the methodology, which was the same one the Board had reviewed back in February. After a brief discussion, Mr. Tuma made a **motion** to approve Resolution No. 2023-02, Adopting an O&M Methodology as presented, Mr. Travers seconded, and the **motion** carried **3-0**

H. OLD BUSINESS

There was no old business.

I. NEW BUSINESS

1. Consider Resolution No. 2023-03 – Adopting a Fiscal year 2023/2024 Proposed Budget

Mr. McElligott introduced Resolution No. 2023-03, entitled:

RESOLUTION NO. 2023-03

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE CITYPLACE COMMUNITY DEVELOPMENT DISTRICT APPROVING A PROPOSED BUDGET FOR FISCAL YEAR 2023/2024; AND PROVIDING AN EFFECTIVE DATE.

Mr. McElligott presented the 2023/2024 Proposed Budget. Mr. McElligott explained that now that the Board has approved an O&M Methodology the Board has the option to have the O&M Assessments collected on the property tax bill, or to continue to collect via a direct bill since the property is still under the ownership of a main developer. After a brief discussion, the Board decided to have the assessments collected via direct bill for at least one more year. Mr. Travers then made a **motion** to approve Resolution

CITYPLACE COMMUNITY DEVELOPMENT DISTRICT
REGULAR BOARD MEETING
JUNE 12, 2023

No. 2023-3 as presented and set the Public Hearing date for the Final Budget to be August 14, 2023, at 4pm, Mrs. Link seconded, and the **motion** carried 4-0.

I. ADMINISTRATIVE MATTERS

Mr. McElligott reminded everyone of the Form 1 coming due.

J. BOARD MEMBER COMMENTS

There were no board comments.

K. ADJOURNMENT

There being no further business to come before the Board, the Regular Board Meeting was adjourned at 4:15 p.m. on a **motion** from Mr. Tuma, seconded by Mrs. Link and the **motion** carried 4-0.

Secretary/Assistant Secretary

Chair/Vice-Chair

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CityPlace Community
Development District

www.cityplacecdd.org

July 25, Aug 1, 2023 #9076117

RESOLUTION NO. 2023-04

A RESOLUTION OF THE CITYPLACE COMMUNITY DEVELOPMENT DISTRICT ADOPTING A FISCAL YEAR 2023/2024 BUDGET.

WHEREAS, the CityPlace Community Development District (“District”) has prepared a Proposed Budget and Final Special Assessment Roll for Fiscal Year 2023/2024 and has held a duly advertised Public Hearing to receive public comments on the Proposed Budget and Final Special Assessment Roll; and,

WHEREAS, following the Public Hearing and the adoption of the Proposed Budget and Final Assessment Roll, the District is now authorized to levy non ad-valorem assessments upon the properties within the District.

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

Section 1. The Final Budget and Final Special Assessment Roll for Fiscal Year 2023/2024 attached hereto as Exhibit “A” is approved and adopted, and the assessments set forth therein shall be levied.

Section 2. The Secretary of the District is 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 14th day of August, 2023.

ATTEST:

**CITYPLACE
COMMUNITY DEVELOPMENT DISTRICT**

By: _____
Secretary/Assistant Secretary

By: _____
Chairperson/Vice Chairperson

CityPlace
Community Development District

**Final Budget For
Fiscal Year 2023/2024
October 1, 2023 - September 30, 2024**

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FINAL BUDGET
CITYPLACE COMMUNITY DEVELOPMENT DISTRICT
FISCAL YEAR 2023/2024
OCTOBER 1, 2023 - SEPTEMBER 30, 2024

	FISCAL YEAR 2023/2024 BUDGET
REVENUES	
Assessments - Administrative	532,972
Excess Revenue Funds	350,000
Assessments - Maintenance (Palladium)	2,542,570
Parking Revenue (Palladium)	5,045,160
Sponsor & Promotion Revenue (Palladium)	108,300
Rental Income (Palladium)	45,000
Tenant CAM Reimbursement (Palladium)	662,900
Interest Income	480
TOTAL REVENUES	\$ 9,287,382
EXPENDITURES	
ADMINISTRATIVE/MAINTENANCE EXPENDITURES	
Supervisor Fees	5,000
Payroll Taxes (Employer)	400
Engineering	5,000
Management Fee	43,452
Legal	50,000
Audit Fees	6,900
Arbitrage Rebate Fee	1,300
Insurance - Liability	54,000
Insurance - Garages	380,000
Legal Advertising	1,750
Bank Service Charges	425
Miscellaneous	1,500
Postage	250
Office Supplies	800
Dues & Subscriptions	175
Trustee Fees	9,500
Continuing Disclosure Fee	1,000
Website Management	2,000
Roadway & Sidewalk Maintenance	320,000
TOTAL ADMINISTRATIVE/MAINTENANCE EXPENDITURES	\$ 883,452
Palladium CDD Property	
MAINTENANCE EXPENDITURES	
Parking Expenses	1,925,000
Administrative	325,000
Payroll	963,500
Professional Fees	220,000
Sweeping and Cleaning	345,000
Utilities	750,000
Insurance	165,000
Landscaping And Irrigation	272,900
Contracted Services	160,000
Repairs & Maintenance	175,000
Security	1,850,000
Marketing	800,000
Management Fee	200,000
Plaza CDD Property	
Plaza Entertainment	225,000
Signage	27,530
TOTAL MAINTENANCE EXPENDITURES	\$ 8,403,930
TOTAL EXPENDITURES	\$ 9,287,382
REVENUES LESS EXPENDITURES	\$ -
County Appraiser & Tax Collector Fee	0
Discounts For Early Payments	0
Excess/ (Shortfall)	\$ -

DETAILED FINAL BUDGET
CITYPLACE COMMUNITY DEVELOPMENT DISTRICT
FISCAL YEAR 2023/2024
OCTOBER 1, 2023 - SEPTEMBER 30, 2024

	FISCAL YEAR 2021/2022 ACTUAL	FISCAL YEAR 2022/2023 BUDGET	FISCAL YEAR 2023/2024 BUDGET	COMMENTS
REVENUES				
Assessments - Administrative	275,845	501,392	532,972	CDD Expenditures Less Excess Revenue Funds & Interest
Excess Revenue Funds	353,601	300,000	350,000	Excess Revenue Funds Payment
Assessments - Maintenance (Palladium)	1,188,885	2,242,570	2,542,570	No Change From 2022/2023 Budget
Parking Revenue (Palladium)	5,052,348	5,045,160	5,045,160	No Change From 2022/2023 Budget
Sponsor & Promotion Revenue (Palladium)	0	108,300	108,300	No Change From 2022/2023 Budget
Rental Income (Palladium)	112,924	45,000	45,000	No Change From 2022/2023 Budget
Tenant CAM Reimbursement (Palladium)	173,526	662,900	662,900	No Change From 2022/2023 Budget
Interest Income	196	0	480	Projected At \$30 Per Month
TOTAL REVENUES	\$ 7,157,325	\$ 8,905,322	\$ 9,287,382	
EXPENDITURES				
ADMINISTRATIVE/MAINTENANCE EXPENDITURES				
Supervisor Fees	1,200	5,000	5,000	Projected At Five Meetings Per Year
Payroll Taxes (Employer)	92	400	400	Projected At 8% Of Supervisor Fees
Engineering	0	5,000	5,000	No Change From 2022/2023 Budget
Management Fee	40,968	42,192	43,452	CPI Adjustment (Capped At 3%)
Legal	24,424	38,000	50,000	FY 22/23 Expenditure Through 3/31/23 Was \$39,218
Audit Fees	6,700	6,800	6,900	Accepted Amount For FY 2022/2023 Audit
Arbitrage Rebate Fee	1,300	1,300	1,300	No Change From 2022/2023 Budget
Insurance - Liability	47,879	53,900	54,000	Insurance Estimate
Insurance - Garages	364,596	330,000	380,000	Insurance Estimate
Legal Advertising	902	1,750	1,750	No Change From 2022/2023 Budget
Bank Service Charges	350	425	425	No Change From 2022/2023 Budget
Miscellaneous	354	1,500	1,500	No Change From 2022/2023 Budget
Postage	51	250	250	No Change From 2022/2023 Budget
Office Supplies	686	700	800	\$100 Increase From 2022/2023 Budget
Dues & Subscriptions	175	175	175	No Change From 2022/2023 Budget
Trustee Fees	8,722	10,000	9,500	\$500 Decrease From 2022/2023 Budget
Continuing Disclosure Fee	1,000	2,000	1,000	\$1,000 Decrease From 2022/2023 Budget
Website Management	2,000	2,000	2,000	No Change From 2022/2023 Budget
Roadway & Sidewalk Maintenance	247,391	300,000	320,000	FY 22/23 Expenditure Through 4/30/23 Was \$151,488
TOTAL ADMINISTRATIVE/MAINTENANCE EXPENDITURES	\$ 748,790	\$ 801,392	\$ 883,452	
Palladium CDD Property				
MAINTENANCE EXPENDITURES				
Parking Expenses	1,829,750	1,925,000	1,925,000	No Change From 2022/2023 Budget
Administrative	290,739	325,000	325,000	No Change From 2022/2023 Budget
Payroll	946,713	763,500	963,500	\$200,000 Increase From 2022/2023 Budget
Professional Fees	84,612	270,000	220,000	\$50,000 Decrease From 2022/2023 Budget
Sweeping and Cleaning	139,922	370,000	345,000	\$25,000 Decrease From 2022/2023 Budget
Utilities	727,029	750,000	750,000	No Change From 2022/2023 Budget
Insurance	34,715	165,000	165,000	No Change From 2022/2023 Budget
Landscaping And Irrigation	255,456	172,900	272,900	\$100,000 Increase From 2022/2023 Budget
Contracted Services	85,986	160,000	160,000	No Change From 2022/2023 Budget
Repairs & Maintenance	68,377	175,000	175,000	No Change From 2022/2023 Budget
Security	925,084	1,950,000	1,850,000	\$100,000 Decrease From 2022/2023 Budget
Marketing	798,366	600,000	800,000	\$200,000 Increase From 2022/2023 Budget
Management Fee	200,000	200,000	200,000	No Change From 2022/2023 Budget
Plaza CDD Property				
Plaza Entertainment	115,739	250,000	225,000	\$25,000 Decrease From 2022/2023 Budget
Signage	25,195	27,530	27,530	No Change From 2022/2023 Budget
TOTAL MAINTENANCE EXPENDITURES	\$ 6,527,683	\$ 8,103,930	\$ 8,403,930	
TOTAL EXPENDITURES	\$ 7,276,473	\$ 8,905,322	\$ 9,287,382	
REVENUES LESS EXPENDITURES	\$ (119,148)	\$ -	\$ -	
County Appraiser & Tax Collector Fee	0	0	0	Two Percent Of Total Assessment Roll
Discounts For Early Payments	0	0	0	Four Percent Of Total Assessment Roll
Excess/ (Shortfall)	\$ (119,148)	\$ -	\$ -	

DETAILED FINAL DEBT SERVICE FUND (SERIES 2012) BUDGET
CITYPLACE COMMUNITY DEVELOPMENT DISTRICT
FISCAL YEAR 2023/2024
OCTOBER 1, 2023 - SEPTEMBER 30, 2024

	FISCAL YEAR 2021/2022	FISCAL YEAR 2022/2023	FISCAL YEAR 2023/2024	
REVENUES	ACTUAL	BUDGET	BUDGET	COMMENTS
Interest Income	23,503	100	100	Projected Interest For 2023/2024
Tax Incremental Revenues	4,557,965	4,557,965	5,032,968	Projected 2024 TIF - 2023 TIF Was \$5,032,968
Developer Contributions	0	0	0	TIF Projected To Be More Than P&I Payments
Total Revenues	\$ 4,581,468	\$ 4,558,065	\$ 5,033,068	
EXPENDITURES				
Principal Payments	3,360,000	3,530,000	3,710,000	Principal Payment Due In 2024
Interest Payments	930,000	674,250	493,250	Interest Payments Due In 2024
Excess Revenue Funds Payment	353,601	353,815	829,818	Estimated Excess Debt Collections Due To General Fund
Total Expenditures	\$ 4,643,601	\$ 4,558,065	\$ 5,033,068	
Excess/ (Shortfall)	\$ (62,133)	\$ -	\$ -	

Series 2012 Bond Refunding Information

Original Par Amount =	\$39,890,000	Annual Principal Payments Due =	May 1st
Interest Rate =	5.00%	Annual Interest Payments Due =	May 1st & November 1st
Issue Date =	April 2012		
Maturity Date =	May 2026		
Par Amount As Of 1/1/23 =	\$15,250,000		

DETAILED FINAL DEBT SERVICE FUND (SERIES 2018) BUDGET
CITYPLACE COMMUNITY DEVELOPMENT DISTRICT
FISCAL YEAR 2023/2024
OCTOBER 1, 2023 - SEPTEMBER 30, 2024

	FISCAL YEAR	FISCAL YEAR	FISCAL YEAR	
	2021/2022	2022/2023	2023/2024	
REVENUES	ACTUAL	BUDGET	BUDGET	COMMENTS
Interest Income	0	0	0	Projected Interest For 2023/2024
Tax Incremental Revenues	0	0	0	TIF For Series 2018 Will Commence In 2026
Developer Contributions	0	0	0	
Total Revenues	\$ -	\$ -	\$ -	
EXPENDITURES				
Principal Payments	0	0	0	No Principal Payment Due In 2024
Interest Payments	0	0	0	No Interest Payment Due In 2024
Excess Revenue Funds Payment	0	0	0	Estimated Excess Debt Collections Due To General Fund
Total Expenditures	\$ -	\$ -	\$ -	
Excess/ (Shortfall)	\$ -	\$ -	\$ -	

Series 2018 Bond Principal & Interest Payments Will Commence In 2026
When Bond Converts In 2026, New Principal Amount Will Be \$56,420,000

Series 2018 Bond Information

Original Par Amount =	\$41,954,466	Annual Principal Payments Due =	May 1st
Interest Rate =	3.65% - 4.5%	Annual Interest Payments Due =	May 1st & November 1st
Issue Date =	November 2018		
Maturity Date =	May 2046		
Par Amount As Of 1/1/23 =	\$41,954,466		

FUNDING AGREEMENT

THIS FUNDING AGREEMENT (this “Agreement”) is made this ___ day of ____, 20__ (the “Effective Date”), by and between **CITYPLACE COMMUNITY DEVELOPMENT DISTRICT**, a local unit of special purpose government established pursuant to Chapter 190 of Florida Statutes (together with its successors and assigns, the “District”) and _____ (the “Developer”).

RECITALS

A. The City of West Palm Beach, Florida, a municipal corporation (the “City”), West Palm Beach Community Redevelopment Agency (the “Agency”), a public body corporate and politic under the laws of the State of Florida established pursuant to Part III of Chapter 163, Florida Statutes, as amended, and the District previously entered into that certain Interlocal Agreement, dated October 9, 1998 (the “Original Interlocal Agreement”), as amended by that certain First Amendment to Interlocal Agreement, dated December 2, 1998 (the “First Amendment”), as amended by that certain Second Amendment to Interlocal Agreement, dated March 8, 1999 (the “Second Amendment”), as amended by that certain Third Amendment to Interlocal Agreement, dated as of March 1, 2012 (the “Third Amendment”), as amended by that certain Fourth Amendment to Interlocal Agreement, dated as of June 1, 2018 (the “Fourth Amendment”), as amended by that certain Fifth Amendment to Interlocal Agreement, dated as of September 1, 2018 (the “Fifth Amendment”), as amended by that certain Sixth Amendment to Interlocal Agreement, dated May 4, 2023 (the “Sixth Amendment,” together with the First Amendment, the Second Amendment, the Third Amendment, the Fourth Amendment, and the Fifth Amendment, collectively, the “Interlocal Agreement”).

B. On December 27, 2018, the City, the Agency, and the District entered into that certain Right-of-Way Improvement and Maintenance Agreement, dated September 16, 2019 (the “Original ROW Agreement”), as amended by that certain First Amendment to Right-of-Way Improvement and Maintenance Agreement, dated September 16, 2019 (the “First ROW Amendment”), as amended by that certain Second Amendment to Right-of-Way Improvement and Maintenance Agreement, dated May 4, 2023 (the “Second ROW Amendment, together with the Original ROW Agreement and the First ROW Amendment, collectively the “ROW Agreement”).

C. The District and Wells Fargo Bank, National Association as Trustee (the “Trustee”) entered into a Master Trust Indenture, dated April 1, 2012 (the “Master Indenture”), as supplemented by that certain First Supplemental Trust Indenture, dated April 1, 2012 (the “First Supplemental Indenture”) with respect to the Series 2012 Bonds referred to therein, as supplemented by that certain Second Supplemental Trust Indenture, dated October 1, 2018 (the “Second Supplemental Indenture”) with respect to the Series 2018 Bonds referred to therein.

D. The First Supplemental Indenture provides that the Agency pay Increment Revenues (as defined in the First Supplemental Indenture) to the Trustee as part of the Pledged Revenues which are the security and source of payment of the principal, redemption price and interest on the Series 2012 Bonds as provided in the First Supplemental Indenture.

E. Pursuant to the Interlocal Agreement, the Agency agreed to transfer the Increment Revenues and Coverage Revenues (as defined in the Second Supplemental Indenture) to the Trustee. In accordance with the Second Supplemental Indenture and the Interlocal Agreement, during the period that the Series 2012 Bonds are outstanding, the Agency will transfer the Increment Revenues and the Coverage Revenues to the Trustee for deposit into the Series 2012 Revenue Account or the Series 2012 Excess Revenue Account, as the case may be, created and established under the First Supplemental Trust Indenture. Pursuant to the ROW Agreement, “Excess Increment Revenues” is defined as excess Increment Revenues on deposit in the Series 2012 Revenue Account or the Series 2012 Excess Revenue Account, as the case may be, as determined by the Trustee in accordance with Section 4.01(b) of the First Supplemental Indenture. After the Series 2012 Bonds are paid or deemed paid pursuant to the Master Indenture and the First Supplemental Indenture, “Excess Increment Revenue” is defined as any available moneys transferred by the Trustee to the District pursuant to the sixth clause of Section 4.02 of the Second Supplemental Indenture for deposit in the District’s general fund after satisfying its annual maintenance and operating costs.

F. After fulfilling its obligations under the ROW Agreement, the District may expend the Excess Increment Revenues for any lawful District purpose, provided the use is also consistent with those uses permitted under Chapter 163, Part III, Florida Statutes and the Interlocal Agreement.

G. The District has approved that certain project as described on Exhibit “A” attached hereto (the “Project”) and has found that the Project benefits all of the lands within the District.

F. The District and the Developer desire to enter into this Agreement whereby the District agrees to distribute Excess Increment Revenues to the Developer to provide funding for the Project as described in this Agreement.

NOW, THEREFORE, for and in consideration of the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, Developer and the District hereby agree as follows:

1. **Recitals and Exhibits.** The District and the Developer acknowledge and agree that the Recitals set forth above are true and correct, and, together with Exhibit “A,” Exhibit “B,” and Exhibit “C” attached hereto, are incorporated herein by this reference.

2. **District Compliance with Interlocal Agreement.** The District acknowledges and confirms that, pursuant Section 4.05(b) to the Sixth Amendment, the District covenanted and agreed to submit an annual report to the Agency (the “Annual Reporting Requirements”) which report shall include the information described in Exhibit “C” attached hereto. The District hereby agrees (a) to comply with the Annual Reporting Requirements and (b) to provide to the Developer copies thereof at the request of the Developer.

3. **Project.** The District and the Developer acknowledge and agree that Excess Increment Revenues available to the District shall be used by the District for the lawful purposes as described in Exhibit “A” attached to the Sixth Amendment (the “Lawful Purposes”). The District and the Developer acknowledge and confirm that the subject matter of the Project is a Lawful Purpose.

4. **Distribution of Excess Increment Revenue.** Upon the District’s receipt from the Trustee on March 15th of each year of the Excess Increment Revenues and following the District’s payment of its annual maintenance and operating costs for public improvements, the District covenants and agrees to distribute to the Developer up to \$_____ (the “Payment”) to fund the cost of the Project. The Developer acknowledges and confirms that the District’s obligation hereunder to pay the Developer the Payment is subject to the District’s payment of its annual maintenance and operating costs as well as the priority of payments set forth in Exhibit “B” attached hereto (“Priority of Payments”). The District shall transfer the Payment according to the Priority of Payments and as directed by the Developer. The Developer represents and warrants to the District that the Developer will use the Payment solely for the costs of the Project. To enable the District to comply with the Annual Reporting Requirements, the Developer agrees to provide evidence of its use of the Excess Increment Revenues for the Project to the District by July 1 of each year. Such evidence of payment shall include receipts of payment, invoices or other such documents as reasonably requested by the District.

5. **Term.** This Agreement shall commence on the Effective Date and shall continue in full force and effect until either the District (a) no longer receives Excess Increment Revenues or (b) ceases to exist, whichever event occurs earlier.

6. **Amendment.** This Agreement may only be amended by a written instrument executed by the parties hereto.

7. **Severability.** In the event any term or provision in this Agreement is determined by appropriate judicial authority to be illegal or otherwise invalid, such provision shall be given its nearest legal meaning or be construed as deleted as such authority determines, and the remainder of the Agreement shall be construed in full force and effect.

8. **Attorneys’ Fees.** The prevailing party in any litigation involving this Agreement shall be entitled to recover from the non-prevailing party all attorneys’ fees and costs incurred in connection with such litigation, whether at arbitration, on appeal or otherwise.

9. **Governing Law and Venue.** This Agreement shall be governed by and construed in accordance with the laws of the State of Florida. Venue and jurisdiction for any dispute arising under this Agreement shall be exclusively in the courts located in Palm Beach County, Florida.

10. **Counterparts.** This Agreement may be executed in any number of counterparts, each of which shall be deemed an original and all of which, when taken together, shall constitute one and the same instrument.

IN WITNESS WHEREOF, the District and the Developer, by and through the undersigned, have entered into this Agreement as of the Effective Date.

The Developer

CPR, L.L.C.

The District

CITYPLACE COMMUNITY DEVELOPMENT DISTRICT

By: _____

Name: _____

Title: _____

By: _____

Name: _____

Title: _____

EXHIBIT “A”

THE PROJECT

NAME	DESCRIPTION	COST

EXHIBIT “B”

PRIORITY OF PAYMENTS

The District shall make the following payments from Excess Increment Revenues for the following projects designated below, including the Payment, in the following amounts, at the following times and in the following order of priority:

PAYMENT	DATE	PROJECT	AMOUNT
FIRST to			
SECOND to			
THIRD to			

EXHIBIT “C”

ANNUAL REPORTING REQUIREMENTS

After the District satisfies its obligations identified in the ROW Agreement and before the District’s disbursements of Excess Increment Revenue, it shall submit a report to the Agency which report shall include:

- (a) The total amount of Excess Increment Revenue available to the District after it has satisfied its obligations under the ROW Agreement together with the source of funds used to satisfy such obligations; and
- (b) By August 1 of each year, the District shall submit a report to the Agency’s executive director of Excess Increment Revenues transferred to the Developer to undertake and carry out redevelopment activities within the Project Area, including the date of the transfer, the amount, a description of the Project, and the estimated time for completion of the Project.

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RESOLUTION NO. 2023-05

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE CITYPLACE COMMUNITY DEVELOPMENT DISTRICT, ESTABLISHING A REGULAR MEETING SCHEDULE FOR FISCAL YEAR 2023/2024 AND SETTING THE TIME AND LOCATION OF SAID DISTRICT MEETINGS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, it is necessary for the CityPlace Community Development District ("District") to establish a regular meeting schedule for fiscal year 2023/2024; and

WHEREAS, the Board of Supervisors of the District has set a regular meeting schedule, location and time for District meetings for fiscal year 2023/2024 which is attached hereto and made a part hereof as Exhibit "A".

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE CITYPLACE COMMUNITY DEVELOPMENT DISTRICT, PALM BEACH COUNTY, FLORIDA, AS FOLLOWS:

Section 1. The above recitals are hereby adopted.

Section 2. The regular meeting schedule, time and location for meetings for fiscal year 2023/2024 which is attached hereto as Exhibit "A" is hereby adopted and authorized to be published.

PASSED, ADOPTED and EFFECTIVE this 14th day of August, 2023.

ATTEST:

**CITYPLACE
COMMUNITY DEVELOPMENT DISTRICT**

By: _____
Secretary/Assistant Secretary

By: _____
Chairperson/Vice Chairperson

**CITYPLACE COMMUNITY DEVELOPMENT DISTRICT
FISCAL YEAR 2023/2024 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 Lewis Longman & Walker, P.A., 360 S. Rosemary Avenue, Suite 1100, West Palm Beach, Florida 33401.at 4:00 p.m. on the following dates:

November 3, 2023

February 2, 2024

May 10, 2024

August 2, 2024

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 telephone; therefore a speaker telephone 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 meetings, 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 accommodations 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

PUBLISH: THE PALM BEACH POST

RESOLUTION 2023-06

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE CITYPLACE COMMUNITY DEVELOPMENT DISTRICT PROVIDING FOR THE APPOINTMENT OF A RECORDS MANAGEMENT LIAISON OFFICER; PROVIDING THE DUTIES OF THE RECORDS MANAGEMENT LIAISON OFFICER; ADOPTING A RECORDS RETENTION POLICY; DETERMINING THE ELECTRONIC RECORD TO BE THE OFFICIAL RECORD; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

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

WHEREAS, Chapter 190, *Florida Statutes*, authorizes the District to adopt rules to govern the administration of the District and to adopt resolutions as may be necessary for the conduct of District business; and

WHEREAS, Section 257.36(5), *Florida Statutes*, requires the District to establish and maintain an active and continuing program for the economical and efficient management of records and to provide for the appointment of a records management liaison officer (“Records Management Liaison Officer”); and

WHEREAS, the District desires for the Records Management Liaison Officer to be an employee of the District or an employee of the District Manager; and

WHEREAS, the District desires to authorize the District’s records custodian to appoint a Records Management Liaison Officer, which may or may not be the District’s records custodian; and

WHEREAS, the District desires to prescribe duties of the Records Management Liaison Officer and provide for the assignment of additional duties; and

WHEREAS, the District’s Board of Supervisors (“Board”) finds that it is in the best interests of the District to adopt by resolution a records retention policy (the “Records Retention Policy”) for immediate use and application.

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

SECTION 1. The District hereby authorizes the District’s records custodian to appoint a Records Management Liaison Officer and report such appointment to the appropriate State of Florida agencies. A Records Management Liaison Officer shall be an employee of the District or the District Manager. The Board, and the District’s records custodian, shall each have the individual power to remove the Records Management

Liaison Officer at any time for any reason. Immediately following the removal or resignation of a Records Management Liaison Officer, the District's records custodian shall appoint a replacement Records Management Liaison Officer.

SECTION 2. The duties of the Records Management Liaison Officer shall include the following:

- A.** Serve as the District's contact with the Florida Department of State, State Library and Archives of Florida;
- B.** Coordinate the District's records inventory;
- C.** Maintain records retention and disposition forms;
- D.** Coordinate District records management training;
- E.** Develop records management procedures consistent with the Records Retention Policy, as amended as provided herein;
- F.** Participate in the development of the District's development of electronic record keeping systems;
- G.** Submit annual compliance statements;
- H.** Work with the Florida Department of State, State Library and Archives of Florida to establish individual retention schedules for the District, from time to time and as may be necessary; and
- I.** Such other duties as may be assigned by the Board or the District's records custodian in the future.

SECTION 3. The District hereby adopts as its Records Retention Policy the applicable provisions of Section 257.36(5), *Florida Statutes*, the rules adopted by the Division of Library and Information Services of the Department of State ("Division") pursuant to Section 257.36, *Florida Statutes*, and the General Records Schedules established by the Division. However, the District will retain certain records longer than required by the General Records Schedules established by the Division as set forth in Exhibit A. To the extent the above statute, rules or schedules are amended or supplemented in the future, the District's Records Retention Policy shall automatically incorporate such amendment or supplement provided that such automatic amendment shall not reduce the retention times set forth in Exhibit A. The Records Retention Policy shall remain in full force and effect until such time as the Board amends the Policy.

SECTION 4. In accordance with section 668.50, Florida Statutes, and section 119.01, Florida Statutes, the Board finds that the electronic record shall be considered the official record and any paper originals are hereby duplicates which may be disposed of unless required to be preserved by any applicable statute, rule or ordinance.

SECTION 5. If any provision of this resolution is held to be illegal or invalid, the other provisions shall remain in full force and effect.

SECTION 6. This Resolution shall become effective upon its passage; shall replace, supplant, and supersede any prior policy or resolution of the District regarding records retention; and shall remain in effect unless rescinded or repealed.

PASSED AND ADOPTED at a meeting of the District Board of Supervisors, this 14th day of August, 2023.

ATTEST:

**CITYPLACE COMMUNITY
DEVELOPMENT DISTRICT**

Print name: _____
Secretary / Assistant Secretary

Print name: _____
Chairperson, Board of Supervisors

Exhibit A: Amendments to General Records Schedules Established by the Division

Exhibit A

Amendments to General Records Schedules established by the Division

ADVERTISEMENTS: LEGAL (Item #25)

The District shall retain mailed and published legal advertisements, and corresponding affidavits, relating to proceedings under uniform method of collection of debt assessments permanently. The District shall retain mailed and published legal advertisements, and corresponding affidavits, relating to the levy of assessments securing bonds for five (5) fiscal years provided applicable audits have been released, or until three (3) calendar years after related bonds are redeemed, whichever is later.

AUDITS: INDEPENDENT (Item #56)

The District shall retain the record copy of independent audits for ten (10) fiscal years or until three (3) calendar years after all related bonds are redeemed, whichever is later.

DISBURSEMENT RECORDS: DETAIL (Item #340)

The District shall retain the record copy of disbursement records relating to the use of bonds for five (5) fiscal years provided applicable audits have been released or until three (3) calendar years after related bonds are redeemed, whichever is later.

DISBURSEMENT RECORDS: SUMMARY (Item #341)

The District shall retain the record copy of disbursement records relating to the use of bonds for ten (10) fiscal years provided applicable audits have been released or until three (3) calendar years after related bonds are redeemed, whichever is later.

FINANCIAL REPORTS: LOCAL GOVERNMENT ANNUAL REPORTS (Item #107)

The District shall retain the record copy of disbursement records relating to the use of bonds for ten (10) fiscal years provided applicable audits have been released or until three (3) calendar years after all related bonds are redeemed, whichever is later.

INCIDENT REPORT FILES (Item #241)

The District shall retain incident reports for five (5) anniversary years from the date of the incident.

MINUTES: OFFICIAL MEETINGS (PRELIMINARY/AUDIO RECORDINGS/VIDEO RECORDINGS (Item #4)

The District shall retain audio recordings of board of supervisor meetings for five (5) calendar years after adoption of the official minutes.

PROJECT FILES: CAPITAL IMPROVEMENT (Item #136)

The District shall retain the record copy of project files for projects funded with bonds for ten (10) fiscal years after completion of the project provided applicable audits have been released or until three (3) calendar years after all related bonds are redeemed, whichever is later.

REAL PROPERTY RECORDS: CONDEMNATION/DEMOLITION (Item #364)

The District shall retain the record copy of project files for condemnation/demolition projects funded with bonds for five (5) anniversary years after final action or until three (3) calendar years after all related bonds are redeemed, whichever is later. The record copy of deeds and easements shall be kept permanently.

REAL PROPERTY RECORDS: PROPERTY ACQUIRED (Item #172)

The District shall retain the record copy of documents related to property acquisitions funded with bonds for three (3) fiscal years after final disposition of the property provided applicable audits have been released or until three (3) calendar years after all related bonds are redeemed, whichever is later. The record copy of deeds and easements shall be kept permanently.