

FOX BRANCH RANCH

**COMMUNITY DEVELOPMENT
DISTRICT**

January 15, 2025

**BOARD OF SUPERVISORS
REGULAR MEETING
AGENDA**

FOX BRANCH RANCH

COMMUNITY DEVELOPMENT DISTRICT

AGENDA LETTER

Fox Branch Ranch 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

January 8, 2025

Board of Supervisors
Fox Branch Ranch Community Development District

Dear Board Members:

The Board of Supervisors of the Fox Branch Ranch Community Development District will hold a Regular Meeting on January 15, 2025, immediately following the Landowners Meeting scheduled to commence at 9:30 a.m., at the Holiday Inn Express & Suites - Orlando South, 4050 Hotel Drive, Davenport, Florida 33897. The agenda is as follows:

1. Call to Order/Roll Call
2. Public Comments
3. Administration of Oath of Office to Newly Elected Supervisors [SEATS 3, 4, 5] (*the following to be provided under a separate cover*)
 - A. Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees
 - B. Membership, Obligations and Responsibilities
 - C. Sample Form 1: Statement of Financial Interests/Instructions
 - D. Form 8B – Memorandum of Voting Conflict
4. Consideration of Resolution 2025-01, 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
5. Consideration of Resolution 2025-02, Electing and Removing Officers of the District, and Providing for an Effective Date
6. Consideration of Resolution 2025-03, Designating the Location of the Local District Records Office and Providing an Effective Date
7. Acceptance of Unaudited Financial Statements as of November 30, 2024
8. Approval of August 14, 2024 Public Hearing and Regular Meeting Minutes

ATTENDEES:

Please identify yourself each time you speak to facilitate accurate transcription of meeting minutes.

NOTE: Meeting Location

9. Staff Reports

- A. District Counsel: *Kutak Rock LLP*
- B. District Engineer: *Dewberry Engineers, Inc.*
- C. District Manager: *Wrathell, Hunt and Associates, LLC*

- UPCOMING MEETINGS

- February 12, 2025 at 9:30 AM [Regular Meeting]
- February 19, 2025 at 9:30 AM [Special Meeting]

- QUORUM CHECK

SEAT 1	CHRIS TYREE	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
SEAT 2	ROGER VAN AUKE	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
SEAT 3	JC NOWOTNY	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
SEAT 4	MARY MOULTON	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
SEAT 5	SHELLEY KAERCHER	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO

10. Board Members' Comments/Requests

11. Public Comments

12. Adjournment

If you should have any questions or concerns, please do not hesitate to contact me directly at (415) 516-2161.

Sincerely,



Andrew Kantarzhi
District Manager

FOR BOARD MEMBERS AND STAFF TO ATTEND BY TELEPHONE

CALL-IN NUMBER: 1-888-354-0094

PARTICIPANT PASSCODE: 867 327 4756

FOX BRANCH RANCH

COMMUNITY DEVELOPMENT DISTRICT

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RESOLUTION 2025-01

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE FOX BRANCH RANCH COMMUNITY DEVELOPMENT DISTRICT 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.

WHEREAS, the Fox Branch Ranch Community Development District ("**District**") is a local unit of special-purpose government created and existing pursuant to Chapter 190, *Florida Statutes*, being situated entirely within Polk County, Florida; and

WHEREAS, pursuant to Section 190.006(2), *Florida Statutes*, a landowners meeting is required to be held within 90 days of the District's creation and every two (2) years following the creation of the District for the purpose of electing supervisors of the District; and

WHEREAS, such landowners meeting was held at which the below recited persons were duly elected by virtue of the votes cast in their favor; and

WHEREAS, the Board of Supervisors of the District, by means of this Resolution, desire to canvass the votes and declare and certify the results of said election.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE FOX BRANCH RANCH COMMUNITY DEVELOPMENT DISTRICT:

1. **ELECTION RESULTS.** The following persons are found, certified, and declared to have been duly elected as Supervisors of and for the District, having been elected by the votes cast in their favor as shown:

BOARD OF SUPERVISORS	SEAT	VOTES
	Seat 3	
	Seat 4	
	Seat 5	

2. **TERMS.** In accordance with Section 190.006(2), *Florida Statutes*, and by virtue of the number of votes cast for the Supervisors, the above-named persons are declared to have been elected for the following term of office:

BOARD OF SUPERVISORS	SEAT	TERM OF OFFICE
	Seat 3	
	Seat 4	
	Seat 5	

3. **EFFECTIVE DATE.** This resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED this 15th day of January, 2025

Attest:

**FOX BRANCH RANCH COMMUNITY
DEVELOPMENT DISTRICT**

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

FOX BRANCH RANCH

COMMUNITY DEVELOPMENT DISTRICT

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RESOLUTION 2025-02

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE FOX
BRANCH RANCH COMMUNITY DEVELOPMENT DISTRICT ELECTING
AND REMOVING OFFICERS OF THE DISTRICT AND PROVIDING FOR
AN EFFECTIVE DATE.**

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

WHEREAS, the District’s Board of Supervisors desires to appoint and remove Officers of the District.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF
SUPERVISORS OF FOX BRANCH RANCH COMMUNITY
DEVELOPMENT DISTRICT THAT:**

SECTION 1. The following is/are appointed as Officer(s) of the District effective January 15, 2025:

_____ is appointed Chair

_____ is appointed Vice Chair

_____ is appointed Assistant Secretary

_____ is appointed Assistant Secretary

_____ is appointed Assistant Secretary

SECTION 2. The following Officer(s) shall be removed as Officer(s) as of January 15, 2025:

SECTION 3. The following prior appointments by the Board remain unaffected by this Resolution:

Craig Wrathell is Secretary

Cindy Cerbone is Assistant Secretary

Andrew Kantarzi is Assistant Secretary

Craig Wrathell is Treasurer

Jeff Pinder is Assistant Treasurer

PASSED AND ADOPTED THIS 15TH DAY OF JANUARY, 2025.

ATTEST:

**FOX BRANCH RANCH COMMUNITY
DEVELOPMENT DISTRICT**

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

FOX BRANCH RANCH

COMMUNITY DEVELOPMENT DISTRICT

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RESOLUTION 2025-03

**A RESOLUTION BY THE BOARD OF SUPERVISORS OF THE FOX BRANCH RANCH
COMMUNITY DEVELOPMENT DISTRICT DESIGNATING THE LOCATION OF THE
LOCAL DISTRICT RECORDS OFFICE AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the Fox Branch Ranch Community Development District (“District”) is a local unit of special-purpose government created and existing pursuant to Chapter 190, *Florida Statutes*, being situated within Polk County, Florida; and

WHEREAS, the District is statutorily required to designate a local district records office location for the purposes of affording citizens the ability to access the District’s records, promoting the disclosure of matters undertaken by the District, and ensuring that the public is informed of the activities of the District in accordance with Chapter 119 and Section 190.006(7), *Florida Statutes*.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE FOX
BRANCH RANCH COMMUNITY DEVELOPMENT DISTRICT:**

SECTION 1. The District’s local records office shall be located at: _____

_____.

SECTION 2. This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED this ____ day of _____, 2025.

ATTEST:

**FOX BRANCH RANCH COMMUNITY
DEVELOPMENT DISTRICT**

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

FOX BRANCH RANCH

COMMUNITY DEVELOPMENT DISTRICT

UNAUDITED FINANCIAL STATEMENTS

**FOX BRANCH RANCH
COMMUNITY DEVELOPMENT DISTRICT
FINANCIAL STATEMENTS
UNAUDITED
NOVEMBER 30, 2024**

**FOX BRANCH RANCH
COMMUNITY DEVELOPMENT DISTRICT
BALANCE SHEET
GOVERNMENTAL FUNDS
NOVEMBER 30, 2024**

	General Fund	Debt Service Fund	Total Governmental Funds
ASSETS			
Cash	\$ 1,105	\$ -	\$ 1,105
Undeposited funds	8,198	-	8,198
Due from Landowner	3,183	-	3,183
Total assets	<u>\$ 12,486</u>	<u>\$ -</u>	<u>\$ 12,486</u>
LIABILITIES AND FUND BALANCES			
Liabilities:			
Accounts payable	\$ 5,441	\$ -	\$ 5,441
Due to Landowner	438	5,608	6,046
Landowner advance	6,000	-	6,000
Total liabilities	<u>11,879</u>	<u>5,608</u>	<u>17,487</u>
DEFERRED INFLOWS OF RESOURCES			
Deferred receipts	3,183	-	3,183
Total deferred inflows of resources	<u>3,183</u>	<u>-</u>	<u>3,183</u>
Fund balances:			
Restricted for:			
Debt service	-	(5,608)	(5,608)
Unassigned	(2,576)	-	(2,576)
Total fund balances	<u>(2,576)</u>	<u>(5,608)</u>	<u>(8,184)</u>
Total liabilities, deferred inflows of resources and fund balances	<u>\$ 12,486</u>	<u>\$ -</u>	<u>\$ 12,486</u>

**FOX BRANCH RANCH
COMMUNITY DEVELOPMENT DISTRICT
GENERAL FUND
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
FOR THE PERIOD ENDED NOVEMBER 30, 2024**

	Current Month	Year to Date	Budget	% of Budget
REVENUES				
Landowner contribution	\$ 7,998	\$ 7,998	\$ 315,940	3%
Total revenues	<u>7,998</u>	<u>7,998</u>	<u>315,940</u>	3%
EXPENDITURES				
Professional & administrative				
Management/accounting/recording**	2,000	4,000	48,000	8%
Legal	228	228	25,000	1%
Engineering	-	-	3,000	0%
Audit	-	-	5,500	0%
Arbitrage rebate calculation*	-	-	500	0%
Dissemination agent*	-	-	1,000	0%
Trustee*	-	-	5,500	0%
Telephone	17	33	200	17%
Postage	42	83	500	17%
Printing & binding	-	-	500	0%
Legal advertising	663	1,019	6,500	16%
Annual special district fee	-	175	175	100%
Insurance	-	5,408	6,000	90%
Contingencies/bank charges	88	179	500	36%
Website hosting & maintenance	-	-	705	0%
EMMA Software service	-	-	1,000	0%
Website ADA compliance	-	-	210	0%
Total professional & administrative	<u>3,038</u>	<u>11,125</u>	<u>104,790</u>	11%

**FOX BRANCH RANCH
COMMUNITY DEVELOPMENT DISTRICT
GENERAL FUND
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
FOR THE PERIOD ENDED NOVEMBER 30, 2024**

	Current Month	Year to Date	Budget	% of Budget
Other fees & charges				
Field operations and maintenance				
Field operations manager	-	-	3,000	0%
Landscaping contract labor	-	-	40,000	0%
Backflow prevention test	-	-	350	0%
Irrigation maintenance/repair	-	-	4,000	0%
Plants, shrubs & mulch	-	-	50,000	0%
Annuals	-	-	9,000	0%
Tree trimming	-	-	3,000	0%
Signage	-	-	1,500	0%
General maintenance	-	-	2,500	0%
Fence/wall repair	-	-	1,000	0%
Irrigation pump maintenance	-	-	3,000	0%
Aquatic control - ponds	-	-	15,000	0%
Wetland mitigation	-	-	25,000	0%
Holiday decorations	-	-	5,000	0%
Pressure washing	-	-	3,000	0%
Misc. field operations - contingency	-	-	20,000	0%
Electric:				
Irrigation	-	-	6,000	0%
Street lights	-	-	18,000	0%
Entrance signs	-	-	1,800	0%
Total Field Operations	-	-	211,150	0%
Total expenditures	<u>3,038</u>	<u>11,125</u>	<u>315,940</u>	4%
Excess/(deficiency) of revenues over/(under) expenditures	4,960	(3,127)	-	
Fund balances - beginning	(7,536)	551	-	
Fund balances - ending	<u>\$ (2,576)</u>	<u>\$ (2,576)</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.

**FOX BRANCH RANCH
COMMUNITY DEVELOPMENT DISTRICT
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
DEBT SERVICE FUND
FOR THE PERIOD ENDED NOVEMBER 30, 2024**

	Current Month	Year To Date
REVENUES	<u>\$ -</u>	<u>\$ -</u>
Total revenues	<u>-</u>	<u>-</u>
EXPENDITURES	<u>-</u>	<u>-</u>
Total debt service	<u>-</u>	<u>-</u>
Excess/(deficiency) of revenues over/(under) expenditures	-	-
Fund balances - beginning	(5,608)	(5,608)
Fund balances - ending	<u><u>\$ (5,608)</u></u>	<u><u>\$ (5,608)</u></u>

FOX BRANCH RANCH

COMMUNITY DEVELOPMENT DISTRICT

MINUTES

DRAFT

**MINUTES OF MEETING
FOX BRANCH RANCH
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Fox Branch Ranch Community Development District held a Public Hearing and Regular Meeting on August 14, 2024 at 9:30 a.m., at the Ramada by Wyndham Davenport Orlando South, 43824 Highway 27, Davenport, Florida 33837-6808.

Present were:

Mary Moulton	Vice Chair
John (JC) Nowotny	Assistant Secretary
Shelley Kaercher	Assistant Secretary

Also present:

Cindy Cerbone	District Manager
Andrew Kantarzi (via telephone)	Wrathell, Hunt and Associates, LLC (WHA)
Jere Earlywine (via telephone)	District Counsel
Christopher Allen (via telephone)	District Engineer

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Ms. Cerbone called the meeting to order at 10:13 a.m.

Supervisors Moulton, Kaercher and Nowotny were present. Supervisor Tyree and Van Auker were not present.

SECOND ORDER OF BUSINESS

Public Comments

There were no public comments.

THIRD ORDER OF BUSINESS

**Public Hearing on Adoption of Fiscal Year
2024/2025 Budget**

A. Proof/Affidavit of Publication

The affidavit of publication was included for informational purposes.

B. Consideration of Resolution 2024-08, Relating to the Annual Appropriations and Adopting the Budget(s) for the Fiscal Year Beginning October 1, 2024, and Ending September 30, 2025; Authorizing Budget Amendments; and Providing an Effective Date

Ms. Cerbone presented Resolution 2024-08. She reviewed the proposed Fiscal Year 2025 budget, highlighting increases, decreases and adjustments, compared to the Fiscal Year 2024 budget, and explained the reasons for any changes.

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

No affected property owners or members of the public spoke.

On MOTION by Ms. Kaercher and seconded by Mr. Nowotny, with all in favor, the Public Hearing was closed.

On MOTION by Ms. Kaercher and seconded by Ms. Moulton, with all in favor, Resolution 2024-08, Relating to the Annual Appropriations and Adopting the Budget(s) for the Fiscal Year Beginning October 1, 2024, and Ending September 30, 2025; Authorizing Budget Amendments; and Providing an Effective Date, was adopted.

FOURTH ORDER OF BUSINESS

**Consideration of Fiscal Year 2024/2025
Budget Funding Agreement**

Ms. Cerbone presented the Fiscal Year 2024/2025 Budget Funding Agreement.

On MOTION by Ms. Kaercher and seconded by Ms. Moulton, with all in favor, the Fiscal Year 2024/2025 Budget Funding Agreement, was approved.

FIFTH ORDER OF BUSINESS

**Consideration of Goals and Objectives
Reporting [HB7013 - Special Districts
Performance Measures and Standards
Reporting]**

Ms. Cerbone presented the Memorandum explaining the new requirement for special districts to develop goals and objectives annually and develop performance measures and standards to assess the achievement of the goals and objectives. Community Communication and Engagement, Infrastructure and Facilities Maintenance, and Financial Transparency and Accountability will be the key categories to focus on for Fiscal Year 2025. She presented the Performance Measures/Standards & Annual Reporting Form developed for the CDD, which explains how the CDD will meet the goals.

On MOTION by Ms. Kaercher and seconded by Mr. Nowotny, with all in favor, the Goals and Objectives and the Performance Measures/Standards & Annual Reporting Form, were approved.

SIXTH ORDER OF BUSINESS

**Consideration of Resolution 2024-03,
Designating the Location of the Local
District Records Office and Providing an
Effective Date**

This item was deferred.

SEVENTH ORDER OF BUSINESS

**Acceptance of Unaudited Financial
Statements as of June 30, 2024**

On MOTION by Ms. Kaercher and seconded by Ms. Moulton, with all in favor, the Unaudited Financial Statements as of June 30, 2024, were accepted.

EIGHTH ORDER OF BUSINESS

**Approval of May 8, 2024 Regular Meeting
Minutes**

On MOTION by Ms. Kaercher and seconded by Mr. Nowotny, with all in favor, the May 8, 2024 Regular Meeting Minutes, as presented, were approved.

NINTH ORDER OF BUSINESS

Staff Reports

A. District Counsel: Kutak Rock LLP

B. District Engineer: Dewberry Engineers, Inc.

There were no District Counsel or District Engineer reports.

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

- **NEXT MEETING DATE: September 11, 2024 at 9:30 AM**

- **QUORUM CHECK**

The September 11, 2024 meeting will be canceled.

TENTH ORDER OF BUSINESS**Board Members' Comments/Requests**

There were no Board Members' comments or requests.

ELEVENTH ORDER OF BUSINESS**Public Comments**

No members of the public spoke.

TWELFTH ORDER OF BUSINESS**Adjournment**

On MOTION by Ms. Kaercher and seconded by Mr. Nowotny, with all in favor, the meeting adjourned at 10:17 a.m.
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[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

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Secretary/Assistant Secretary

Chair/Vice Chair

FOX BRANCH RANCH

COMMUNITY DEVELOPMENT DISTRICT

STAFF REPORTS

FOX BRANCH RANCH COMMUNITY DEVELOPMENT DISTRICT		
BOARD OF SUPERVISORS FISCAL YEAR 2024/2025 MEETING SCHEDULE		
LOCATION <i>Ramada by Wyndham Davenport Orlando South</i> <i>43824 Highway 27, Davenport, Florida 33837-6808</i> <i>¹Holiday Inn Express & Suites – Orlando South, 4050 Hotel Drive, Davenport, Florida 33897</i>		
DATE	POTENTIAL DISCUSSION/FOCUS	TIME
October 9, 2024 CANCELED	Regular Meeting	9:30 AM
November 5, 2024 <i>Rescheduled to December 11, 2024</i>	Landowners' Meeting	10:00 AM
November 13, 2024 CANCELED	Regular Meeting	9:30 AM
December 11, 2024 <i>rescheduled to January 8, 2025</i>	Landowners' Meeting	9:30 AM
December 11, 2024 CANCELED	Regular Meeting	9:30 AM
January 8, 2025 <i>rescheduled to January 15, 2025</i>	Landowners' Meeting	9:30 AM
January 8, 2025 <i>rescheduled to January 15, 2025</i>	Regular Meeting	9:30 AM
January 15, 2025¹	Landowners' Meeting	9:30 AM
January 15, 2025¹	Regular Meeting	9:30 AM
February 12, 2025	Regular Meeting	9:30 AM
February 19, 2025¹	Special Meeting	9:30 AM
March 12, 2025	Regular Meeting	9:30 AM
April 9, 2025	Regular Meeting	9:30 AM
May 14, 2025	Regular Meeting	9:30 AM
June 11, 2025	Regular Meeting	9:30 AM

DATE	POTENTIAL DISCUSSION/FOCUS	TIME
July 9, 2025	Regular Meeting	9:30 AM
August 13, 2025	Regular Meeting	9:30 AM
September 10, 2025	Regular Meeting	9:30 AM