

CYPRESS SHADOWS COMMUNITY DEVELOPMENT DISTRICT

May 15, 2019 Minutes of the Regular Meeting

Minutes of the Regular Meeting

The Regular Meeting of the Board of Supervisors of the Cypress Shadows Community Development District was held on **Wednesday, May 15, 2019 at 4:00 p.m.** at The Preserves at Corkscrew Clubhouse located at 20021 Cypress Shadows Blvd., Estero, Florida 33928.

1. CALL TO ORDER/ROLL CALL

Mr. Lamb called the Regular Meeting of the Board of Supervisors of the Cypress Shadows Community Development District to order on **Wednesday, May 15, 2019 at approximately 4:00 p.m.**

Board Members Present and Constituting a Quorum:

Louis Frattarelli	Chair
Charlie Bawtinheimer	Vice Chair
George Zalucki	Supervisor
Eric Mauss	Supervisor
Walt Giesbrecht	Supervisor

Staff Members Present:

Brian Lamb	Meritus
Charles Thompson	District Counsel

There were several residents in attendance.

2. PUBLIC COMMENT ON AGENDA ITEMS

A resident stated that she recommended for Tony Provinzino to be appointed to the Board.

3. VENDOR/STAFF REPORTS

- A. District Counsel
- B. District Engineer
- C. District Manager

Mr. Lamb noted that the Engineer was working on the District ownership map. Counsel will be involved to review some of the deeds as it relates to them being filed with the County. Mr. Thompson went over that they are looking at a 160-acre parcel to the southwest of the community. He went over that it may make sense to have it deeded to the CDD for water management purposes. Mr. Thompson stated that they would need to run a full title report. Supervisor Frattarelli provided a history of what had transpired with the property. The Board, Counsel, and Mr. Lamb continued to discuss the parcel.

The full discussion is available on audio recording.

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4. BUSINESS ITEMS

A. Interested Candidates Presentation

Mr. Lamb noted that there were two interested individuals, but one withdrew for personal reasons. The candidate remaining, Tony Provinzino, introduced himself and briefly went over his credentials. Mr. Lamb asked if anyone attending had an interest in being appointed to the Board, and no one in the audience came forward.

Supervisor Zalucki went over that he is the Board member who is resigning and that he stayed on past when his term was over until they could get a candidate appointed to the Board. He thanked Mr. Provinzino for stepping forward to fill the vacancy. The rest of the Board also thanked Mr. Provinzino. It was noted that the term of the appointment would be through 2020. The Board agreed that they would like to appoint Mr. Provinzino to fill Supervisor Zalucki's seat.

Mr. Lamb went over the process of Supervisor Zalucki resigning and Mr. Provinzino being appointed to the Board.

B. Consideration of Resignation

Supervisor Zalucki stated that he was resigning from the Board effective May 15, 2019.

MOTION TO:	Accept Supervisor Zalucki's resignation.
MADE BY:	Supervisor Giesbrecht
SECONDED BY:	Supervisor Bawtinheimer
DISCUSSION:	None further
RESULT:	Called to Vote: Motion PASSED 4/0 - Motion Passed Unanimously

Supervisor Frattarelli thanked Supervisor Zalucki for his service to the community. Supervisor Zalucki thanked the Board, Meritus, and the community.

C. Consideration of Appointment to Remaining Term of Vacancy

Mr. Lamb went over that the term for the vacancy in Seat 3 would be through November 2020.

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MOTION TO:	Appoint Tony Provinzino to Seat 3 for the remainder of the term through November 2020.
MADE BY:	Supervisor Giesbrecht
SECONDED BY:	Supervisor Frattarelli
DISCUSSION:	None further
RESULT:	Called to Vote: Motion PASSED 4/0 - Motion Passed Unanimously

Mr. Lamb noted that Supervisor Provinzino could be sworn in now or at the end of the meeting. Supervisor Provinzino stated that he would like to be sworn in at the end of the meeting.

D. Consideration of Resolution 2019-05; Designation of Officers

Mr. Lamb reviewed the resolution with the Board. The Board discussed who would take the Chair position. Supervisor Mauss stated that he would like to nominate Supervisor Bawtinheimer as the Chair, but Supervisor Bawtinheimer said he would prefer to be the Vice Chair and for Supervisor Frattarelli to continue as Chair. The resolution will continue the current positions with Supervisor Frattarelli will be the Chair, Supervisor Bawtinheimer will be the Vice Chair, Mr. Lamb will be the Secretary, Eric Davidson with Meritus will be the Treasurer, the balance of the Board will be Assistant Secretaries, and Mr. Howell with Meritus will be an additional Assistant Secretary.

MOTION TO:	Approve Resolution 2019-05 as stated.
MADE BY:	Supervisor Bawtinheimer
SECONDED BY:	Supervisor Giesbrecht
DISCUSSION:	None further
RESULT:	Called to Vote: Motion PASSED 3/1 – Supervisor Mauss opposed.

E. Acceptance of Financial Report for Fiscal Year Ended September 30, 2018

The Board reviewed the audit. Mr. Lamb went over that it is a clean audit. He also went over that the 2016 B bonds referenced were developer bonds, and they since have been retired. There was a question about landscaping being referenced in the report.

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MOTION TO:	Approve the Financial Report for Fiscal Year Ended September 30, 2018.
MADE BY:	Supervisor Frattarelli
SECONDED BY:	Supervisor Bawtinheimer
DISCUSSION:	None further
RESULT:	Called to Vote: Motion PASSED 4/0 - Motion Passed Unanimously

F. Consideration of Resolution 2019-06; Approve FY 2020 Proposed Budget & Setting Public Hearing

Mr. Lamb reviewed the resolution and budget line items with the Board. He went over that the public hearing on the budget is scheduled to be held on August 21, 2019 at 4:00 p.m. at the same location. Mr. Lamb stated that he does not recommend an increase in assessments. The Board noted an error regarding the recreational facilities, which are owned by the HOA and not the CDD. This will be corrected. Supervisor Frattarelli wanted to call a CDD workshop on June 14, 2019 at 11:30 a.m. The Board and Mr. Lamb discussed the proposed budget and resolution.

MOTION TO:	Approve Resolution 2019-06.
MADE BY:	Supervisor Bawtinheimer
SECONDED BY:	Supervisor Giesbrecht
DISCUSSION:	None further
RESULT:	Called to Vote: Motion PASSED 4/0 - Motion Passed Unanimously

G. Annual Disclosure of Qualified Electors

Mr. Lamb stated that Cypress Shadows CDD had 744 qualified electors as of April 15, 2019. The next election will be in November 2020, at which time two seats will come up for election. Mr. Lamb also briefly went over the election process.

H. General Matters of the District

Mr. Lamb wanted to get a consensus by motion regarding utilizing District Counsel and the Engineer in identifying the parcels, getting a clear map of the easements, and getting a title search. Mr. Lamb stated that it would cost around \$5,000 to complete everything that is necessary. The Board discussed.

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MOTION TO:	Authorize the District Manager to coordinate with Counsel and the Engineer to produce the Exhibit, maps, and research needed.
MADE BY:	Supervisor Mauss
SECONDED BY:	Supervisor Bawtinheimer
DISCUSSION:	Supervisor Bawtinheimer asked a question about easements. Supervisor Frattarelli answered. The Board also asked what the title report would contain.
RESULT:	Called to Vote: Motion PASSED 4/0 - Motion Passed Unanimously

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Mr. Lamb also went over the request for the potential conveyance of the wetland areas to the Village. Mr. Lamb wanted the Board to have a consensus on who would be meeting to discuss the requests. The Board asked to find out more about the 951 improvements and how it would impact the wetland area based on road path projections. Supervisor Frattarelli said he was willing to be the CDD/Village liaison. The Board discussed.

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MOTION TO:	Have Supervisor Frattarelli continue to work with the Village with the stipulation that the Board is informed about what is going on from management.
MADE BY:	Supervisor Mauss
SECONDED BY:	Supervisor Giesbrecht
DISCUSSION:	None further
RESULT:	Called to Vote: Motion PASSED 4/0 - Motion Passed Unanimously

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- 5. CONSENT AGENDA**
- A. Consideration of Minutes of the Landowners Election November 27, 2018**
 - B. Consideration of Minutes of the Regular Meeting November 27, 2018**
 - C. Consideration of Minutes of the Special Meeting February 5, 2019**
 - D. Consideration of Operations and Maintenance Expenditures November 2018**
 - E. Consideration of Operations and Maintenance Expenditures December 2018**
 - F. Consideration of Operations and Maintenance Expenditures January 2019**
 - G. Consideration of Operations and Maintenance Expenditures February 2019**
 - H. Consideration of Operations and Maintenance Expenditures March 2019**
 - I. Review of Financial Statements through March 31, 2019**

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The Board reviewed the Consent Agenda.

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MOTION TO:	Approve the Consent Agenda.
MADE BY:	Supervisor Frattarelli
SECONDED BY:	Supervisor Bawtinheimer
DISCUSSION:	None further
RESULT:	Called to Vote: Motion PASSED 4/0 - Motion Passed Unanimously

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6. SUPERVISOR REQUESTS

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Supervisor Giesbrecht asked about planting within the easements.

Supervisor Bawtinheimer asked about communication between the CDD and HOA. Mr. Lamb suggested appointing a Board member to be a CDD/HOA liaison to help facilitate better communication.

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MOTION TO:	Appoint Supervisor Bawtinheimer as the CDD/HOA liaison.
MADE BY:	Supervisor Mauss
SECONDED BY:	Supervisor Giesbrecht
DISCUSSION:	The Board asked about how it would work, and Mr. Lamb went over the process and the restrictions.
RESULT:	Called to Vote: Motion PASSED 4/0 - Motion Passed Unanimously

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Supervisor Mauss asked about the insurance. He also asked an invoice from Counsel, follow up on the HOA, and getting a report from the property manager.

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7. AUDIENCE QUESTIONS, COMMENTS AND DISCUSSION FORUM

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A resident asked about the landscaping around a Lee County pump station that is adjacent to her home. The ARC asked her to present the issue to the CDD. She requested to have the trees removed that are currently there and to replace them with a suitable alternative to block the pump station. She provided a map and photos of her property and where the pump station is located. The Board reviewed the materials provided and asked the homeowner some questions. Mr. Lamb went over that the HOA has taken over maintenance of the area per the agreement they went into with the CDD. Supervisor Bawtinheimer will follow up with the HOA.

Residents also asked about minutes, having the Engineer attend the meetings, doing HOA/CDD maintenance reports, the financial reports, and if the CDD is bound by HOA documents.

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8. ADJOURNMENT

MOTION TO:	Adjourn at 5:30 p.m.
MADE BY:	Supervisor Giesbrecht
SECONDED BY:	Supervisor Bawtinheimer
DISCUSSION:	None further
RESULT:	Called to Vote: Motion PASSED 4/0 - Motion Passed Unanimously

**Please note the entire meeting is available on disc.*

**These minutes were done in summary format.*

**Each person who decides to appeal any decision made by the Board with respect to any matter considered at the meeting is advised that person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which such appeal is to be based.*

Meeting minutes were approved at a meeting by vote of the Board of Supervisors at a publicly noticed meeting held on 08-21-19.

Louis Frattarelli

Signature

LOUIS FRATTARELLI

Printed Name

~~Title:~~

Chairman

Vice Chairman

Brian Lamb

Signature

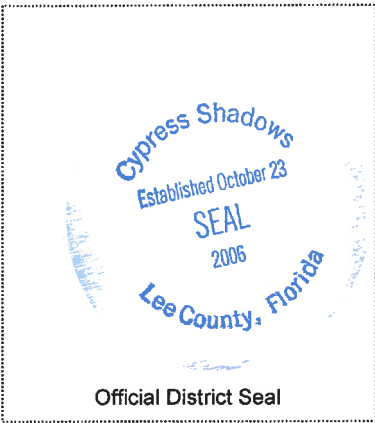
Brian Lamb

Printed Name

~~Title:~~

Secretary

Assistant Secretary



Recorded by Records Administrator

Brian Lamb

Signature

08-28-19

Date