

CYPRESS SHADOWS COMMUNITY DEVELOPMENT DISTRICT

June 15, 2020 Minutes of the Continued Regular Meeting

Minutes of the Continued Regular Meeting

The Continued Regular Meeting of the Board of Supervisors of the Cypress Shadows Community Development District was held on **Wednesday, June 15, 2020 at 4:00 p.m. via Zoom Meetings at <https://zoom.us/j/98989844183> with meeting ID 989 8984 4183.**

1. CALL TO ORDER/ROLL CALL

Mr. Lamb called the Continued Regular Meeting of the Board of Supervisors of the Cypress Shadows Community Development District to order on **Wednesday, June 15, 2020 at approximately 4:00 p.m.**

Board Members Present and Constituting a Quorum:

- Louis Frattarelli Chair
- Charlie Bawtinheimer Vice Chair
- Don Lozzi Supervisor
- Tony Provinzino Supervisor
- Walt Giesbrecht Supervisor

Staff Members Present:

- Brian Lamb District Manager, Meritus
- Greg Urbancic District Counsel, Coleman, Yovanovich & Koester

There were many residents in attendance.

2. VENDOR/STAFF REPORTS

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

Mr. Lamb went over the purpose for the meeting and reviewed the process of approving a proposed budget and then having the public hearing in August to approve the final budget for fiscal year 2021. The Board will need to approve a proposed budget today so it can be sent to the County and there is time to send notice to residents before the date of the public hearing in August. It is only the first step in the process and sets a cap on the budget. The budget can be amended down in cost between this meeting and the August meeting, but not up. At the last meeting, the Board was deadlocked on which of the three proposed budget options to move forward with because of the HOA Maintenance Agreement and the Board possibly wanting to take over some or all of the CDD maintenance items from the HOA. The Board had directed management and Counsel to talk with the HOA and look into possibly amending the HOA Maintenance Agreement to give the CDD more oversight on the CDD assets.

46 **3. BUSINESS ITEMS**47 **A. Consideration of Resolution 2020-01; Approving Fiscal Year 2021 Proposed Budget**
48 **& Setting Public Hearing**
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50 The Board and Mr. Lamb discussed the budget and options. Supervisor Lozzi asked about
51 FEMA and how the HOA Maintenance Agreement would affect it. Mr. Urbancic went over what
52 he has seen with FEMA denying claims after hurricane Irma in instances where the HOA was
53 maintaining CDD assets instead of the CDD.

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55 Supervisor Bawtinheimer was concerned about the costs in option C. Mr. Lamb went over the
56 numbers and where they come from. Supervisor Frattarelli explained that the line item for
57 independent oversight for the landscape and lakes maintenance was what the CDD had requested
58 of the HOA last year; however, the HOA did not put it in their budget. Supervisor Provinzino
59 asked if there are any funds in option A for independent oversight. Mr. Lamb said there may be
60 enough for a one-time inspection, but to get the full benefit of the overweight, it would need to
61 be done quarterly.

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63 The Board continued to discuss the budget options, costs, process, and the HOA Maintenance
64 Agreement in detail. The Board agreed to allow a resident who is on the HOA board to speak
65 about the budget. The HOA board member commented about the lake and landscape
66 maintenance costs. Supervisor Bawtinheimer asked the CDD Board about amending the HOA
67 Maintenance Agreement and going with option A. The Board discussed.

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69 Mr. Lamb reviewed the options and timeline with the Board. He recommended opening up
70 comments to residents and then calling a vote. Two HOA board members commented that the
71 HOA and CDD need better communication and transparency and that the HOA is willing to
72 work on the Agreement with the CDD. Another resident had questions about the CDD budget vs.
73 the HOA budget, legal fees, and contract termination. Supervisor Frattarelli and Mr. Lamb
74 answered. A resident had a question about what needs oversight with the HOA maintaining the
75 CDD assets and commented that she thought it would be difficult for the HOA and CDD to work
76 together. Another resident said he did not see it as a takeover and the CDD is ultimately
77 responsible for the assets and maintenance; the resident also said the CDD and HOA should
78 work together and a motion should go ahead and be made to move forward.

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80 The Board discussed the budget and dates for the public hearing. Mr. Lamb summarized that it
81 sounds like the Board is looking to approve Resolution 2020-01 with option C for the proposed
82 budget, and to set the public hearing for August 26, 2020 at 4:00 p.m. at the Preserve at
83 Corkscrew Clubhouse with an acknowledgment that the parties will look to sit and meet with the
84 HOA representation regarding some revisions to the Agreement between today's meeting and a
85 special meeting in July and look to hold that meeting subject to everyone's availability and the
86 conclusion of those negotiations on or around July 15th. Mr. Urbancic asked if they could
87 designate a CDD Board representative to work with management, Counsel, and the HOA.
88 Supervisor Provinzino said he would be available to be that representative.

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MOTION TO:	Approve Resolution 2020-01 with option C for the proposed budget and set the public hearing for August 26, 2020 at 4:00 p.m. at the Preserve at Corkscrew Clubhouse with an acknowledgment that the parties will look to sit and meet with the HOA representation regarding some revisions to the Agreement between today’s meeting and a special meeting in July and look to hold that meeting subject to everyone’s availability, and the conclusion of those negotiations on or around July 15, with Supervisor Provinzino as the authorized Board representative.
MADE BY:	Supervisor Frattarelli
SECONDED BY:	Supervisor Bawtinheimer
DISCUSSION:	None further
RESULT:	Called to Vote: Motion PASSED 5/0 - Motion Passed Unanimously

Mr. Lamb said staff will work on confirming a special meeting in July before the 25th and will notice and work with the HOA on it.

Supervisor Bawtinheimer mentioned that there is a lot of confusion about how CDD members are elected vs. HOA members. Mr. Lamb said there was a lot of information in the previous memorandum that was put in the agenda package a few months ago. Mr. Urbancic explained that now that the CDD is turned over to the general election, a CDD Board of Supervisors candidate must be a registered elector who lives within the District. Mr. Lamb went over that now that the qualifying period for the November elections has closed, there are two individuals who are running unopposed and will hold the two seats that are up for election this year. Nick Liberto will have Seat 1 and Tony Provinzino will have Seat 3 in November.

4. SUPERVISOR REQUESTS

There were no supervisor requests at this time.

5. AUDIENCE QUESTIONS, COMMENTS AND DISCUSSION FORUM

There were no audience questions or comments.

132 **6. ADJOURNMENT**

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

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

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**These minutes were done in summary format.*

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**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.*

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Meeting minutes were approved at a meeting by vote of the Board of Supervisors at a publicly noticed meeting held on 08/26/2020.

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Louis Frattarelli

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Signature

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Louis Frattarelli

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Printed Name

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Title:

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Chairman

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Vice Chairman

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Brian Lamb

Signature

Brian Lamb

Printed Name

Title:

Secretary

Assistant Secretary

Recorded by Records Administrator

Brittany Crutchfield

Signature

08/28/2020

Date

