

# **CYPRESS SHADOWS COMMUNITY DEVELOPMENT DISTRICT**

**March 25, 2021 Minutes of the Special Meeting**

## **Minutes of the Special Meeting**

The Special Meeting of the Board of Supervisors of the Cypress Shadows Community Development District was held on **Wednesday, March 25, 2021 at 6:00 p.m. at the Preserve at Corkscrew Clubhouse located at 20021 Cypress Shadows Boulevard, Estero, FL 33928.**

### **1. CALL TO ORDER/ROLL CALL**

Mr. Lamb called the Special Meeting of the Board of Supervisors of the Cypress Shadows Community Development District to order on **Wednesday, March 25, 2021 at approximately 6:00 p.m.**

Board Members Present and Constituting a Quorum:

Louis Frattarelli	Chair
Walt Giesbrecht	Supervisor
Nicholas Liberto	Supervisor
Don Lozzi	Supervisor
Tony Provinzino	Supervisor

Staff Members Present:

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

There were many residents in attendance, including representatives from the HOA Board.

### **2. PUBLIC COMMENT ON AGENDA ITEMS**

There were no public comments on agenda items.

### **3. VENDOR/STAFF REPORTS**

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

There were no additional reports from staff at this time.

42 **4. BUSINESS ITEMS**

43 **CDD/HOA LEADERSHIP DISCUSSION**

44 **A. Review of HOA/CDD Facilities Operation and Maintenance Agreement**

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46 Mr. Lamb reviewed the HOA/CDD Facilities Operation and Maintenance Agreement Reference  
47 Index with both the CDD and HOA Boards. After discussion, the CDD Board and the HOA  
48 Board agreed to schedule future workshops related to the individual components of the  
49 agreement.

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51 **B. Reserve Study Discussion**

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53 The CDD Board and HOA Board reviewed the Reserve Study and its relation to the HOA/CDD  
54 Facilities Operation and Maintenance Agreement.

55  
56 **C. Review of HOA/CDD Facilities Operations and Maintenance Agreement**

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58 The CDD Board and HOA Board reviewed the report from Johnson Engineering regarding the  
59 hardscape and landscape elements within the community. The Boards requested a representative  
60 from Johnson Engineering to attend the next meeting in April to answer questions.

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62 **D. Discussion on HOA-owned 160 Acre Mitigation Area and Historical Considerations**  
63 **for Transfer to the CDD**

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65 Supervisor Frattarelli reviewed the history of the mitigation area, and Mr. Urbancic went over  
66 the reasons why the area needs to be transferred from the HOA to the CDD.

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68 **E. Update on CDD Easement on Main Entryway Sign**

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70 Mr. Lamb and Mr. Urbancic provided an update to both Boards on the easement for the main  
71 entryway sign.

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73 **F. Update on Corkscrew Road Widening Project**

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75 Supervisor Frattarelli updated both Boards on the Corkscrew Road widening project.

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78 **CDD BOARD CONSIDERATIONS**

79 **A. Consideration of Resolution 2021-01; Establishing Policies and Procedures for the**  
80 **Facilities Operation and Maintenance Agreement**

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82 Mr. Urbancic reviewed the resolution with the Board.

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MOTION TO:	Approve Resolution 2021-01.
MADE BY:	Supervisor Liberto
SECONDED BY:	Supervisor Lozzi
DISCUSSION:	None further
RESULT:	Called to Vote: Motion PASSED 5/0 - Motion Passed Unanimously

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**B. Discussion Approval for Driveway Widening at 2005 Eagle Stone Dr.**

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The Board reviewed the homeowner’s request to alter/widen his driveway. The Board determined that the project will affect CDD property and will require additional research from Johnson Engineering. Approval has been tabled pending review by Johnson Engineering to determine the impact the driveway extension will have on CDD property.

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**C. Consideration of Temporary Construction Easement Agreement with Lee County**

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*Keith Gomez joined the meeting via conference call.*

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Mr. Urbancic and Mr. Gomez from Lee County Transportation reviewed the Temporary Construction Easement Agreement with Lee County with both Boards. The Agreement includes a start and end date for the easement along with a requirement to make sure all equipment is removed as soon as possible.

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MOTION TO:	Approve the Temporary Construction Easement Agreement with Lee County in substantial form, along with authorizing staff and the Chair to sign an additional construction easement agreement for emergency access.
MADE BY:	Supervisor Giesbrecht
SECONDED BY:	Supervisor Liberto
DISCUSSION:	None further
RESULT:	Called to Vote: Motion PASSED 5/0 - Motion Passed Unanimously

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*Keith Gomez exited the conference call.*

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**D. Memo on Bond Refinancing**

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Mr. Lamb reviewed the topic of bond refinancing for the Series 2011 and 2012 Bonds. Mr. Lamb advised the Board that both bonds are approaching the time period where refinancing can be

125 addressed. The Board requested for District staff to proceed with the process in anticipation of  
126 being eligible in 2022.

127

128 **E. General Matters of the District**

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130 The Board discussed having Mr. Urbancic prepare a memorandum of understanding for the 160  
131 acre mitigation area.

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MOTION TO: Authorize District Counsel to prepare a memorandum  
of understanding and summary of the 160 acre  
mitigation area with a not-to-exceed amount of  
\$1,000.

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MADE BY: Supervisor Liberto

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SECONDED BY: Supervisor Lozzi

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DISCUSSION: None further

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RESULT: Called to Vote: Motion PASSED

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5/0 - Motion Passed Unanimously

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143 Mr. Lamb also advised the Board that future workshops involving the CDD could come with  
144 additional costs in the form of advertising, supervisor fees and staff costs.

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147 **5. CONSENT AGENDA**

148 **A. Consideration of Board of Supervisors Regular Meeting Minutes October 21, 2020**

149 **B. Consideration of Operations and Maintenance Expenditures October 2020**

150 **C. Consideration of Operations and Maintenance Expenditures November 2020**

151 **D. Consideration of Operations and Maintenance Expenditures December 2020**

152 **E. Consideration of Operations and Maintenance Expenditures January 2021**

153 **F. Consideration of Operations and Maintenance Expenditures February 2021**

154 **G. Review of Financial Statements Month Ending February 28, 2021**

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156 The Board reviewed the Consent Agenda items.

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MOTION TO: Approve the Consent Agenda.

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MADE BY: Supervisor Liberto

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SECONDED BY: Supervisor Lozzi

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DISCUSSION: None further

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RESULT: Called to Vote: Motion PASSED

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5/0 - Motion Passed Unanimously

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166 **6. SUPERVISOR REQUESTS**

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168 Supervisor Lozzi commented on the status of digging on Eaglestone by Comcast and the  
169 subsequent broken water lines. The HOA will follow up with landscape maintenance and  
170 Comcast and look into a possible adjustment of the monthly ACH payment to address the repair  
171 cost.

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173 Supervisor Liberto commented on the Xfinity/Comcast contact, which is an HOA agreement.

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176 **7. AUDIENCE QUESTIONS, COMMENTS AND DISCUSSION FORUM**

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178 There were no audience comments.

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181 **8. ADJOURNMENT**

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183	MOTION TO:	Adjourn at 7:52 p.m.
184	MADE BY:	Supervisor Lozzi
185	SECONDED BY:	Supervisor Giesbrecht
186	DISCUSSION:	None further
187	RESULT:	Called to Vote: Motion PASSED
188		5/0 - Motion Passed Unanimously

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

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193 *\*These minutes were done in summary format.*

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

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199 Meeting minutes were approved at a meeting by vote of the Board of Supervisors at a publicly noticed  
200 meeting held on 5/24/2021.

201 *Louis E. Frattarelli*  
202  
203 Signature

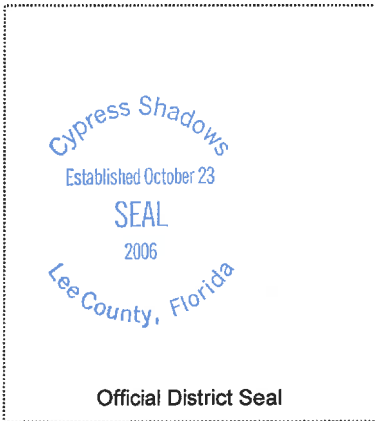
204 LOUIS E FRATTARELLI  
205  
206 Printed Name

207  
208 Title:  
209  Chairman  
210  Vice Chairman

*Brian Lamb*  
Signature

Brian Lamb  
Printed Name

207  
208 Title:  
209  Secretary  
210  Assistant Secretary



Recorded by Records Administrator  
*[Signature]*  
Signature  
5/30/21  
Date