

CYPRESS SHADOWS COMMUNITY DEVELOPMENT DISTRICT

June 01, 2023, 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 **Thursday, June 01, 2023, at 3:00 p.m. at the Preserve at Corkscrew Clubhouse located at 20021 Cypress Shadows Boulevard, Estero, FL 33928.**

1. CALL TO ORDER/ROLL CALL

Justin Faircloth called the Regular Meeting of the Board on **Thursday, June 01, 2023, at approximately 3:02 p.m.**

Board Members Present and Constituting a Quorum:

Don Lozzi	Chairman	
Craig Schneider	Vice-Chair	
Nickolas Liberto	Supervisor	
Tony Provinzino	Supervisor	
Timothy McElmury	Supervisor	<i>(via conference call)</i>

Staff Members Present:

Justin Faircloth	District Manager, Inframark	
Gregory L. Urbancic	District Counsel, Coleman Yovanovich & Koester	<i>(via conference call)</i>
Jordan L. Varble	District Engineer	
Jacob Whitlock	Assistant District Manager	

In attendance was Megan Magaldi with Coleman Yovanovich Koester and various residents.

The Board agreed and approved Mr. McElmury to attend and vote via conference call.

MOTION TO:	Approve Supervisor McElmury to attend the meeting and vote via conference call.
MADE BY:	Supervisor Lozzi
SECONDED BY:	Supervisor Schneider
DISCUSSION:	None further
RESULT:	Called to Vote: Motion PASSED 5/0 - Motion Passed Unanimously

3. APPROVAL OF AGENDA

The Board discussed items on the agenda and made some adjustments as follows:

- Item 5.E. Hoover Proposal SPN100090 was added.
- 8.C.i. Zoom Discussion was added.
- 8.C.ii. ipad Discussion was added.
- 8.C.iii. Spending Resolution was added.

The following changes were made to the 5/17/23 meeting minutes:

- Line 18 should be deleted.
- Line 23 – Mr. Brian Lamb should be added and reference to MRI should be deleted.
- Line 41 vote was 4/0.
- Lines 46-48 should read “The Board agreed to table the item and rescinded the prior approval from the March 15, 2023, meeting regarding the parking policy.”
- Line 57 vote was 4/0.
- Line 77 vote was 4/0.
- Line 93 vote was 4/0.
- Line 108 vote was 4/0.
- Line 131 vote was 4/0.
- Line 145 vote was 4/0.
- Line 159 vote was 4/0.
- Line 76 vote was 4/0.
- Line 193 vote was 4/0.
- Line 228 vote was 4/0.

The agenda was approved as amended.

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

4. PUBLIC COMMENTS ON AGENDA ITEMS

The residents commented on the website noting the agenda was not posted to the website a week before the meeting as required and on the FY2024 budget.

5. NEW BUSINESS ITEMS

A. Consideration of Resolution 2023-06; Designating Officers

The Board reviewed and discussed the resolution and Mr. Faircloth noted that Resolution 2023-06 should be amended as follows:

- Justin Faircloth as Secretary
- Stephen Bloom as Treasurer
- Justin Faircloth as Assistant Secretary

MOTION TO:	Approve Resolution 2023-06 as amended.
MADE BY:	Supervisor Liberto
SECONDED BY:	Supervisor Schneider
DISCUSSION:	None further
RESULT:	Called to Vote: Motion PASSED 5/0 - Motion Passed Unanimously

B. La Jungla Lawn Maintenance, Inc. Estimate

Mr. Lozzi discussed the La Jungla Lawn Maintenance, Inc. Estimates. A Discussion ensued regarding the caliber of tree size as well as the gallon size of trees that should be used to meet the District's landscape plan.

Mr. Faircloth inquired whether the Village of Estero had the authority to impose certain restrictions on the District in regards to landscaping. Mr. Varble noted that the Village of Estero is now the enforcer of the District's landscape plan even though the District was established by Lee County.

i. 986976

The estimate 986976 was tabled. Mr. Lozzi will have the estimate revised by La Jungla.

ii. 986977

The estimate 986977 was tabled. Mr. Lozzi will have the estimate revised by La Jungla.

iii. 986978

The Board approved the La Jungla Lawn Maintenance, Inc Estimate 986978 in the amount of \$1,500.00.

MOTION TO:	Approve La Jungla Lawn Maintenance, Inc Estimate 986978 in the amount of \$1,500.00.
MADE BY:	Supervisor Liberto
SECONDED BY:	Supervisor Lozzi
DISCUSSION:	None further
RESULT:	Called to Vote: Motion PASSED 5/0 - Motion Passed Unanimously

iv. 987061

Mr. Lozzi introduced La Jungla Lawn Maintenance, Inc Estimate 987061 in the amount of \$7,338.00 for entrance landscaping enhancements.

A discussion ensued on whether the District can proceed with work on land owned by the association. Ms. Magaldi noted she believed the District had an easement over the land in question and could proceed with the work, but would confirm.

The Board approved the La Jungla Lawn Maintenance, Inc Estimate 987061 in the amount of \$7,338.00 subject to the attorney confirming that the District could cover costs for the monument landscaping on lands owned by the association. The Board noted the project should be taken from reserves.

MOTION TO:	Approve La Jungla Lawn Maintenance, Inc Estimate 987061 in the amount of \$7,338.00 subject to the attorney confirming that the District could cover costs for the monument landscaping on lands owned by the association.
MADE BY:	Supervisor Schneider
SECONDED BY:	Supervisor Provinzino
DISCUSSION:	None further
RESULT:	Called to Vote: Motion PASSED 5/0 - Motion Passed Unanimously

v. 987098

The Board approved a not to exceed amount of \$15,000 for the La Jungla Lawn Maintenance, Inc Estimate 987098 to be revised to utilize 45-gallon size trees.

MOTION TO:	Approve a not exceed amount of \$15,000 for the La Jungla Lawn Maintenance, Inc Estimate 987098 and to be revised to utilize 45-gallon size trees.
MADE BY:	Supervisor Liberto
SECONDED BY:	Supervisor Lozzi
DISCUSSION:	None further
RESULT:	Called to Vote: Motion PASSED 5/0 - Motion Passed Unanimously

C. General Matters of the District

i. Stormwater System Update

ii. Bella Terra Discussion Regarding Access & Buffer Hedge

iii. Crone Residence Update

Mr. Lozzi commented on stormwater system work and noted that MRI is not yet finished with their stormwater system inspection.

A conversation ensued with issues regarding the District's eastern boundary adjacent to Bella Terra around Villa Di Preserve Lane and Black Tree Lane were discussed. Mr. Lozzi will obtain proposals for additional fencing and landscaping in these areas to prevent access into the District.

Mr. Lozzi discussed the Crone residence landscape repair and will reach out to the CAM for the association regarding the matter.

D. FP&L LED Lighting Agreement

The FP&L LED Lighting Agreement was reviewed with the Board and tabled until the next meeting. The Board requested the attorney to review the agreement and provide guidance.

The Board noted there are poles that are still leaning after the storm, lenses missing, and concerns that the replacement lights installed exceed the Village of Estero requirements.

Mr. Faircloth recommended possibly placing a contingency on signing the agreement that FPL come out and make the necessary repairs to the lights within the District.

E. Discussion on Hoover Proposal SPN100090

Mr. Lozzi discussed concerns with the irrigation system and reviewed Hoover Pumping Systems Proposal SPN100090 in the amount of \$1,812.80 with the Board.

The Board approved Hoover Proposal SPN100090 in the amount of \$1,812.80.

MOTION TO:	Approved Hoover Proposal SPN100090 in the amount of \$1,812.80.
MADE BY:	Supervisor Lozzi
SECONDED BY:	Supervisor Provinzino
DISCUSSION:	None further
RESULT:	Called to Vote: Motion PASSED 5/0 - Motion Passed Unanimously

6. OLD BUSINESS ITEMS

A. Review of the Approved Proposed Fiscal Year 2024 Budget

The Board discussed the FY2024 budget. Mr. Liberto inquired about the status of field management with Inframark. Mr. Faircloth noted that staff would review and come back to the next meeting with a proposal for the Board to consider if the expectations were not already outlined in the contract with the District.

A discussion ensued with various questions regarding the current financials and the FY2024 budget.

The residents asked various questions on the budgeted line items. After extensive discussion on the financials Mr. Faircloth noted that it may be possible to adjust the FY2024 budget and provide additional detail within the budget by listing contractual line items separate from R&M-line items.

7. CONSENT AGENDA

A. Approval of the Minutes of the May 17, 2023, Meeting

The Board reviewed the minutes from the meeting held on 05/17/2023 and motioned to approve as amended with corrections.

MOTION TO:	Approved the Consent Agenda items A as amended with corrections.
MADE BY:	Supervisor Liberto
SECONDED BY:	Supervisor Lozzi
DISCUSSION:	None further
RESULT:	Called to Vote: Motion PASSED 5/0 - Motion Passed Unanimously

8. VENDORS AND STAFF REPORTS

A. District Counsel

There were currently no reports on behalf of the District Counsel.

B. District Engineer

i. Work Authorization #4055

ii. 5/24/23 Berm Email Update

The Board approved Work Authorization 4055 in the amount of \$6,100.

MOTION TO:	Approve Work Authorization 4055 in the amount of \$6,100.00.
MADE BY:	Supervisor Lozzi
SECONDED BY:	Supervisor Provinzino
DISCUSSION:	None further
RESULT:	Called to Vote: Motion PASSED 5/0 - Motion Passed Unanimously

Mr. Varble noted the report would be completed in September.

Mr. Lozzi provided an update on the berm and noted that La Jungla has been made aware of erosion concerns.

C. District Manager

i. Zoom Discussion

ii. ipad Discussion

iii. Spending Resolution

Mr. Faircloth discussed hosting the meetings on Zoom and inquired about the specifics of how it had been handled in the past. Further discussion ensued on volunteers handling Zoom during the meeting. The Board agreed to no longer host the meetings via Zoom.

Mr. Faircloth discussed iPads and how the District has received the packet information the day of the meeting in the past. The Board agreed to bring their own electronic devices to future meetings to view the agenda packet that is sent out for each meeting.

Mr. Faircloth discussed the possibility of the District considering a spending resolution so that action could be taken on necessary items outside of scheduled meetings for efficiency of the District's business needs. The Board agreed and requested that counsel develop a draft spending resolution to be considered at the July meeting.

9. SUPERVISORS REQUESTS AND COMMENTS

Supervisor Lozzi updated the Board that the willow tree project was complete.

Supervisor McElmury discussed the need for the Board to be kept updated on the progress of items. Mr. Faircloth noted that he would blind copy the Board on communications regarding District items so the Board would be kept updated on the progress of items.

Mr. Faircloth noted when he would be out of the office in June and July, noting that Mr. Whitlock would be assisting in his absence.

10. AUDIENCE QUESTIONS

The residents commented on assessments and the need for various HOA accounts to be changed over to the CDD. Ms. Dianne Cooper noted that the HOA would now have to bill the CDD for amounts owed to the association.

11. ADJOURNMENT

It was noted that the next meeting would be held on July 6, 2023, at 3:00 P.M. and Jacob Whitlock would be present for the meeting in Mr. Faircloth's absence.

MOTION TO:	Adjourn the Regular meeting at 6:19 P.M.
MADE BY:	Supervisor McElmury
SECONDED BY:	Supervisor Provinzino
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.

*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 _____.

Don Lozzi
Signature

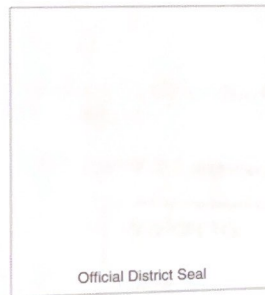
Don Lozzi
Printed Name

Title:
 Chairman
 Vice Chairman

Craig Schneider
Signature

Craig Schneider
Printed Name
Vice Chairman

Title:
 Secretary
 Assistant Secretary



Recorded by Records Administrator

Signature

Date