

**MINUTES OF MEETING
CYPRESS PARK ESTATES
COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of the Cypress Park Estates Community Development District was held **Tuesday, April 26, 2022** at 11:00 a.m. at the Lake Alfred Public Library, 245 N. Seminole Ave., Lake Alfred, Florida.

Present and constituting a quorum:

Scott Shapiro	Chairman
McKinzie Terrill	Vice Chairman
Steve Rosser	Assistant Secretary
Allan Keen	Assistant Secretary
Hyzens Marc	Assistant Secretary

Also present were:

Jill Burns	District Manager, GMS
Meredith Hammock	KE Law
Roy Van Wyk <i>via Zoom</i>	KE Law
Rodney Gadd <i>via Zoom</i>	District Engineer
Ashton Bligh <i>via Zoom</i>	Greenberg Traurig
Clayton Smith <i>via Zoom</i>	GMS

FIRST ORDER OF BUSINESS

Roll Call

Ms. Burns called the meeting to order and called the roll. Five Board members were present, constituting a quorum.

SECOND ORDER OF BUSINESS

Public Comment Period

Ms. Burns noted that no members of the public were present to provide comments.

THIRD ORDER OF BUSINESS

**Approval of the Minutes of the October 26,
2021 Board of Supervisors Meeting**

Ms. Burns asked for any questions, comments, corrections to the October 26, 2021 meeting minutes. The Board had no changes, and Ms. Burns asked for a motion of approval.

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On MOTION by Mr. Shapiro, seconded by Mr. Terrill, with all in favor, the Minutes of the October 26, 2021 Board of Supervisors Meeting, were approved.

FOURTH ORDER OF BUSINESS

Presentation and Approval of Supplemental Engineer’s Report dated February 15, 2022

Mr. Gadd gave an overview of the Engineer’s report for the Board. All the dates and costs have been updated as related to the site as they know from bidding and construction and other than those two things everything else remains the same.

Mr. Van Wyk asked for confirmation for the record that the costs outlined in the report are reasonable for the type and scope of the construction for the area that the improvements will be constructed. Mr. Gadd answered yes. Mr. Van Wyk then asked if there would be any reason for the engineer to believe that the improvements would not be able to be constructed such as missing permits or items prohibiting the District from constructing improvements. Mr. Gadd noted that they are lacking some permits but there is no reason to believe that the missing permits wouldn’t be granted. There being no other questions, Ms. Burns asked for a motion of approval.

On MOTION by Mr. Shapiro, seconded by Mr. Marc, with all in favor, the Supplemental Engineer’s Report dated February 15, 2022, was approved.

FIFTH ORDER OF BUSINESS

Presentation and Approval of Preliminary Second Supplemental Assessment Methodology for the Series 2022 Assessment Area (Phase 2 & Phase 3) dated March 22, 2022

Ms. Burns noted that there was some new information that will be updated that came prior to the start of the meeting and will be implemented. She gave a brief overview for the Board. This assessment report allocates debt to properties based on the special benefits each receive from the Series 2022 project. Table 1 is the development program with a total of 349 total lots in this assessment area. They are all the same single family unit product type which is one ERU for both Phase 1 and 2. Table 2 shows the development program that is outlined in the engineer’s report. The total cost estimate is \$9,586,446. Table 3 shows the bond sizing of \$6,995,000. Table 4 shows the improvement cost per unit. Table 5 shows the par debt per unit which is \$16,915 for the Phase

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2 lots and \$23,065 on the Phase 3 lots. Ms. Burns noted there is already debt on the Phase 2 lots which is listed in Table 6. Table 6 is the Series 2020 debt for phase 2. The gross assessment for Phase 2 is \$1,183 and \$1,613 for Phase 3. These lots will have the same amount of debt when they combined the Series 2020 debt and the new Series 2022 debt for Phase 2. Table 7 shows the par debt per acre.

Mr. Van Wyk asked Ms. Burns if it is her opinion that the assessments are fairly and reasonably apportioned across the product types. Ms. Burns answered yes. Mr. Van Wyk asked if the benefits of the parcels outlined in the report are greater than or equal to the burden placed upon the unit by the special assessments. Her answer was yes. Lastly, he asked if it was her opinion that the Supplemental Assessment Methodology report was consistent with the terms and conditions of the Master Assessment Methodology report. Ms. Burns answered yes. There being no other questions, Ms. Burns asked for a motion of approval.

On MOTION by Mr. Shapiro, seconded by Mr. Keen, with all in favor, the Preliminary Second Supplemental Assessment Methodology for the Series 2022 Assessment Area (Phase 2 and Phase 3) dated March 22, 2022, was approved.

SIXTH ORDER OF BUSINESS

**Consideration of Resolution 2022-02
Authorizing the Use of Electronic
Documents and Signatures**

Ms. Burns stated this resolution allows electronic signatures to be used on most of the documents that need to be signed for the District.

On MOTION by Mr. Keen, seconded by Mr. Terrill, with all in favor, Resolution 2022-02 Authorizing the Use of Electronic Documents and Signatures, was approved.

SEVENTH ORDER OF BUSINESS

**Consideration of Resolution 2022-03
Delegation Resolution for Series 2022
Assessment Area**

Ms. Bligh outlined the resolution for the Board. This was contemplated when the Board adopted the original bond resolution in December of 2019. This delegation resolution contains documents as exhibits to sell one series of bond called the Series 2022 bonds and approves forms

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of the documents that are attached which can be found in the agenda package. The underwriter is FMS. There being no questions on the resolution, Ms. Burns asked for a motion of approval.

On MOTION by Mr. Shapiro, seconded by Mr. Marc, with all in favor, Resolution 2022-03 Delegation Resolution for Series 2022 Assessment Area, was approved.

EIGHTH ORDER OF BUSINESS

Consideration of Letter from FMS Bonds for Underwriter Services for Series 2022 Bonds

Ms. Burns stated that this is FMS’s standard form of agreement and there being no questions, Ms. Burns asked for a motion of approval.

On MOTION by Mr. Shapiro, seconded by Mr. Keen, with all in favor, the Letter from FMS Bonds for Underwriter Services for Series 2022 Bonds, was approved.

NINTH ORDER OF BUSINESS

Consideration of Arbitrage Rebate Reports:

- A. Assessment Area 1 Project**
- B. Assessment Area 2 – 2020 Project**

Ms. Burns noted that under the Trust Indenture they are required to demonstrate that the District does not earn more interest than it pays which is required by the IRS. There is a negative arbitrage shown on both reports. Ms. Burns asked for a motion to accept both reports.

On MOTION by Mr. Terrill, seconded by Mr. Keen, with all in favor, the Arbitrage Rebate Reports: Assessment Area 1 Project and Assessment Area 2 – 2020 Project, were approved.

TENTH ORDER OF BUSINESS

Ratification of Playground Equipment Agreement with ProPlaygrounds

Ms. Burns stated this has already been approved for the purchase of playground equipment and staff is looking for the Board to ratify the agreement.

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On MOTION by Mr. Terrill, seconded by Mr. Shapiro, with all in favor, the Playground Equipment Agreement with ProPlaygrounds, was ratified.

ELEVENTH ORDER OF BUSINESS

Ratification of 2022 Data Sharing and Usage Agreement with Polk County Property Appraiser

Ms. Burns reported that this is an annual agreement with the county that states the District will not turn over information on confidential or exempt parcels that are not subject to a public records request.

On MOTION by Mr. Shapiro, seconded by Mr. Marc, with all in favor, the 2022 Data Sharing and Usage Agreement with Polk County Property Appraiser, was ratified.

TWELFTH ORDER OF BUSINESS

Ratification of Contract Agreement with Polk County Property Appraiser

Ms. Burns stated that this is also an annual agreement that allows the District to collect assessments on the Polk County tax roll.

On MOTION by Mr. Keen, seconded by Mr. Marc, with all in favor, the Contract Agreement with Polk County Property Appraiser, was ratified.

THIRTEENTH ORDER OF BUSINESS

Ratification of Amendment No. 1 for Permit of the Turn Lane for Baker Ave. at US 17-92

Ms. Burns reported that this has already been approved and that she is looking for the Board to ratify.

On MOTION by Mr. Shapiro, seconded by Mr. Terrill, with all in favor, Amendment No. 1 for Permit of the Turn Lane for Baker Ave. at US 17-92, was ratified.

FOURTEENTH ORDER OF BUSINESS

Staff Reports

A. Attorney

Ms. Hammock had nothing further for the Board.

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B. Engineer

Mr. Gadd had nothing further to report.

C. Field Manager's Report

Mr. Smith introduced himself and explained his role and scope of responsibilities to the Board. He also introduced Marshall Tindall who will be the primary contact on site, and he went over the field manager's report with the Board. Completed items include:

- Site reviews and monitoring to assess contract readiness.
- Meeting with the landscaper for temporary one-time mows.
- Monitoring amenity progress with the builder.
- Account setup for electric meter.

In progress items include:

- Contacting landscapers for contract proposals.
- Reaching out to vendors to begin collecting facility maintenance proposals.

D. District Manager's Report

i. Approval of Check Register

Ms. Burns presented the check register to the Board which was included in the agenda package. There were two presented dated October 1, 2021 through March 14, 2022 and March 15, 2022 through April 11, 2022. The Board had no questions.

On MOTION by Mr. Terrill, second by Mr. Marc, with all in favor, the Check Registers, were approved.
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ii. Balance Sheet and Income Statement

Ms. Burns noted that the financial statements are included in the agenda package for review and there is no action required.

iii. Ratification of:

a) Jon M. Hall Company Change Order's

Ms. Burns presented ratification of the change order that had already been approved and asked for approval from the Board.

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On MOTION by Mr. Keen, seconded by Mr. Marc, with all in favor, Jon M. Hall Company Change Order's, were ratified.

b) Henkelman Construction Proposal to Add Hose Bibs to Dog Parks

Ms. Burns stated that this will add the hose bibs to the dog parks.

On MOTION by Mr. Keen, seconded by Mr. Marc, with all in favor, Henkleman Construction Proposal to Add Hose Bibs to Dog Park, was ratified.

FIFTEENTH ORDER OF BUSINESS

Other Business

There being none, the next item followed.

SIXTEENTH ORDER OF BUSINESS

Supervisors Requests and Audience Comments

There was a question about a previously approved change order from Jon M. Hall for a temporary generator that they ended up not doing. RCO #14 is the change order in question. The Board made a motion to terminate change order # 14.

On MOTION by Mr. Terrill, seconded by Mr. Shapiro, with all in favor, the Termination of CO # 14, was approved.

SEVENTEENTH ORDER OF BUSINESS

Adjournment

Ms. Burns adjourned the meeting.

On MOTION by Mr. Shapiro, seconded by Mr. Marc, with all in favor, the meeting was adjourned.

Jill Burns

Secretary/Assistant Secretary

Scott Shapiro

Chairman/Vice Chairman