

**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 25, 2023** 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 *by phone*
McKinzie Terrill
Steve Rosser
Hyzens Marc

Chairman
Vice Chairman
Assistant Secretary
Assistant Secretary

Also present were:

Jill Burns
Grace Kobitter
Marshall Tindall
Rodney Gadd *by phone*

District Manager, GMS
District Counsel, KVV Law
Field Manager, GMS
District Engineer, Gadd Engineering

FIRST ORDER OF BUSINESS

Roll Call

Ms. Burns called the meeting to order and called the roll. Three Supervisors were present in person constituting a quorum.

SECOND ORDER OF BUSINESS

Public Comment Period

Ms. Burns noted that no members of the public were present and no members joining via zoom to provide comments.

THIRD ORDER OF BUSINESS

Organizational Matters

A. Administration of Oaths of Office to Newly Elected Board Members Appointed at November 1, 2022 Landowners' Meeting (Steve Rosser and Hyzens Marc)

Ms. Burns stated that just Steve and Hyzens need to be sworn in. Ms. Burns administered the oath of office.

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B. Consideration of Resolution 2023-01 Canvassing and Certifying the Results of the Landowners' Election

Ms. Burns stated the landowner's election was held on November 1st. Steve and Allan were elected to four-year terms and Hyzens elected to a two-year term. She asked for any questions, otherwise looking for a motion to approve.

On MOTION by Mr. Terrill, seconded by Mr. Marc, with all in favor, Resolution 2023-01 Canvassing and Certifying the Results of the Landowner's Election, was approved.

C. Election of Officers

D. Consideration of Resolution 2023-02 Electing Officers

Ms. Burns stated after a landowner's election has been held, they generally go through and re-elect officers in case any of the officers have changed. She noted the same people were elected so it can be kept the same. Scott is the Chairman, McKinzie is the Vice Chair and the other three Supervisors are Assistant Secretaries. She asked if that still works for everyone and if so, asked for a motion to approve as outlined.

On MOTION by Mr. Marc, seconded by Mr. Rosser, Resolution 2023-02 Electing Officers as slated above, was approved.

FOURTH ORDER OF BUSINESS

Approval of the Minutes of the October 25, 2022 Board of Supervisors Meeting and the November 1, 2022 Landowners' Meeting

Ms. Burns asked for any questions, comments, corrections to the October 25, 2022 Board of Supervisors meeting and November 1, 2022 Landowners meeting minutes. The Board had no changes.

On MOTION by Mr. Terrill, seconded by Mr. Marc, with all in favor, the Minutes of the October 25, 2022 Board of Supervisors Meeting and November 1, 2022 Landowner's Meeting, were approved.

**Mr. Shapiro joined the meeting by phone at this time.*

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FIFTH ORDER OF BUSINESS**Consideration of Resolution 2023-03 Approving the Proposed Fiscal Year 2023/2024 Budget (Suggested Date: July 25, 2023), Declaring Special Assessments, and Setting the Public Hearings on the Adoption of the Fiscal Year 2023/2024 Budget and the Imposition of Operations and Maintenance Assessments**

Ms. Burns stated the budget was included in the agenda package for review. She noted the admin portion of the budget went down a little. She stated the legal advertising was reduced now that the land has been levied and advertising costs are down as there are not a lot of ads for assessments. She noted field costs have been included for Phase 2 & 3 based on the development estimates. She noted that is where the majority of the increases are coming from to the landscape maintenance to account for those phases coming online. She noted the fountain maintenance was added as that was currently not contemplated and increases to the amenity based on some actuals in place for electric. She noted there is an increase to the playground lease for the playground that will be installed in Phase 2 & 3 and increased janitorial to account for some of the waste stations that were added. She stated with the new Phase 2 & 3 lots coming online, there was some capacity. Those had an unplatted rate last year where they were just assessed admin because nobody lived in those and now that there are field expenses contemplated, they had some capacity to add those.

She noted with the increases to all of those line items, the budget that is proposed has the platted lot assessment the same so for the current year \$953 net, \$1,025 gross when collected on roll. She stated there is a capital reserve transfer of \$114,892 in the event assessments were lowered that could be reduced a little bit. She noted for the purposes of the preliminary budget she suggests keeping this the same and sending the mailed notice to Phase 2 & 3 at the same rate that Phase 1 is currently noticed at. She noted if they wanted to look at reducing that, it can be done at the final budget option in a couple of months. For the notice purposes,

Ms. Burns noted the biggest increase was for landscape maintenance and the playground lease. She noted it includes the increased contingency as well as things like the amenity and pool maintenance went up slightly based on chemical costs and amenity electric had to be doubled based on the actual. She noted it was at \$12,500 and projecting for it to come in closer to \$18,000 and they haven't hit the summer yet so that is increased a little more too. She stated with the capacity from the other ones coming from unplatted rate to a platted rate, they are able to account

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for all of those things without increasing assessments to Phase 1 which helps. Ms. Burns noted that this is their cap so the Board can always bring it down later or move line items around later.

On MOTION by Mr. Terrill, seconded by Mr. Rosser, with all in favor, Resolution 2023-03 Approving the Proposed Fiscal Year 2023/2024 Budget and Setting the Public Hearings on the Adoption of the Fiscal Year 2023/2024 Budget and the Imposition of Operations and Maintenance Assessments for Phase 2/3 for July 25, 2023, was approved.

SIXTH ORDER OF BUSINESS

**Consideration of Resolution 2023-04
Authorizing Bank Account Signatories**

Ms. Burns noted in a prior resolution that the Board appointed specific people such as current Treasurers, Assistant Treasurer, and Secretary named in a resolution. In the event those change, this resolution is helpful for staff to be able to provide this resolution that appoints the offices as signers and they can give those to the bank with the people who are assigned. It is really just administrative in nature.

On MOTION by Mr. Terrill, seconded by Mr. Rosser, with all in favor, Resolution 2023-04 Authorizing Bank Account Signatories, was approved.

SEVENTH ORDER OF BUSINESS

**Consideration of Arbitrage Rebate
Reports**

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

Ms. Burns stated under internal revenue code, the District has to demonstrate that they do not earn more interest than they pay. This report is a requirement of the trust indenture. She noted on page 4 it shows a negative arbitrage amount so they in fact do not earn more interest than they pay.

On MOTION by Mr. Marc, seconded by Mr. Rosser, with all in favor, the Arbitrage Rebate Reports, were approved.

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EIGHTH ORDER OF BUSINESS

Ratification of Agreements with Florida Wall Concepts

A. Phase 2

B. Phase 3

Ms. Burns stated these are for the parameter walls in Phase 2 & 3. She noted these have already been approved by the Chair and just need to be ratified by the Board.

On MOTION by Mr. Rosser, seconded by Mr. Terrill, with all in favor, the Agreements with Florida Wall Concepts, were ratified.

NINTH ORDER OF BUSINESS

Ratification of Contract Agreement with Polk County Property Appraiser

Ms. Burns stated this agreement has already been signed and is required by the property appraiser every year in order to collect the assessments on roll.

TENTH ORDER OF BUSINESS

Ratification of 2023 Data Sharing and Usage Agreement with Polk County Property Appraiser

Ms. Burns stated this agreement has already been signed and is required by the property appraiser every year in order to collect the assessments on roll.

On MOTION by Mr. Terrill, seconded by Mr. Marc, with all in favor, the Contract Agreement with Polk County Property Appraiser and the 2023 Data Sharing and Usage Agreement with Polk County Property Appraiser, were ratified.

ELEVENTH ORDER OF BUSINESS

Staff Reports

A. Attorney

Ms. Kobitter had nothing additional unless the Board has questions. Hearing none.

B. Engineer

Mr. Gadd had nothing for the Board.

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C. Field Manager's Report**i. Consideration of Proposal for Amenity Rear Gate Camera from Current Demands** *(to be provided under separate cover)*

Mr. Tindall reviewed the Field Manager's Report, overall the property has done well. He noted the vendors have been maintaining the facility and the landscapers have done a good job keeping everything up to speed. He stated the minor items that have been dealt with are some pavers that were sinking a little bit around where the shades were installed, they added garbage cans, they fixed the dumpster enclosure that was damaged. The fencing was not readily available from their usual vendor but they did get that repaired.

The final playground adjustments, as far as landscaping goes, the only major note other than basic maintenance is that the sod that was installed had a lot of thistles in it. The grass as it grows during the rainy season will help chuck this out some but it is not really good for the playground as so many people walk around with sandals on. He stated this item was not included in the agenda but if they want a ballpark number, they are recommending every other month treatments probably about \$625 and annual would be \$3,750. The Landscaper also noted they would try to include some ant treatment as well as insecticide and they will go toward the amenity as well. Mr. Tindall noted the current cost to maintain Phase 1 is \$40,000 and in the budget is \$80,000 so they take Phase 1 out it leaves us \$40,000 for the next six months and Phase 2 half of the projected number for those two phases right now would be \$35,000 and should leave them about \$5,000 for the existing landscaping budget for this year, would cover that \$3,750. Ms. Burns asked if the \$625 every other month is just for the amenity area. Mr. Tindall stated it covers the amenity, pool area, playground and the soccer field behind it. Ms. Burns stated it would not be a bad idea to do it now obviously with where we are as it is going to get a ton of use now.

On MOTION by Mr. Terrill seconded by Mr. Rosser, with all in favor, Add Treatment to Lawn at Amenity not to exceed \$625 every other Month for one Year, was approved

Mr. Tindall stated the other item is the mainline break. They had a company come out to get that repaired. On page 117 is the backup showing that was repaired and replaced and everything looks good now. The landscaping prep, there are some odds and ends because the thistles that have been noted in the agenda. The fountain was recently brought up to the Board. There is potentially a leak or the fountain and wind is causing some of the water to be dispersed. There is some plant

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dieback along the entrance sign due to the chlorine chemical being sprayed on them. He noted he talked to the landscaper about getting a quote for next time hopefully for plants that might be a little more sustainable. He noted as well they are looking to see if there is a potential leak and if there is a leak in the fountain, he will get with the original installer and try to have that repaired.

Ms. Burns stated there is the closed secure session to talk about security so can do the camera proposal under that portion as well.

D. District Manager's Report

i. Approval of Check Register

Ms. Burns presented the check register from February 17th through April 18th with total amount of \$176,032.04 to the Board, which was included in the agenda package. She asked for any questions otherwise looking for a motion to approve. She noted most of those are transfers from when they get the assessments from the tax collector, the debt assessments are deposited into the account with the operations and maintenance and then separated out. She noted of that amount there is a transfer of \$106,000 to US Bank which would the debt assessments that were collected. She stated there is another \$19,000 transfer to US Bank and another \$5,000 transferred which a lot of that is debt assessments passing through.

On MOTION by Mr. Terrill, seconded by Mr. Rosser, with all in favor, the Check Register, was approved.

ii. Balance Sheet and Income Statement

Ms. Burns noted that the financial statements through March 2023 were included in the agenda package for review and there is no action required.

iii. Ratification of Change Order Request #6 and #7 for Tucker Paving

Ms. Burns stated these have already been approved by the Chair and the District Engineer and she was seeking a motion to ratify.

On MOTION by Mr. Marc, second by Mr. Rosser, with all in favor, Change Orders Request #6 and #7 for Tucker Paving, were ratified.

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TWELFTH ORDER OF BUSINESS Other Business

There being no comments, the next item followed.

THIRTEENTH ORDER OF BUSINESS Supervisors Requests and Audience Comments

There being no comments, the next item followed.

FOURTEENTH ORDER OF BUSINESS CLOSED Board Security Session

Ms. Burns stated there are no members of the public on the line it was still all staff or Board members. She noted under Florida statute certain items are exempt from public record related to security so things like camera locations or security contracts would not have to be disclosed.

On MOTION by Mr. Terrill, seconded by Mr. Rosser, with all in favor, the Quote from Securitas to start before Memorial Day, was approved.

On MOTION by Mr. Rosser, seconded by Mr. Marc, with all in favor, the Current Demands Quote, was approved.

FIFTEENFTH ORDER OF BUSINESS Adjournment

Ms. Burns asked for a motion to adjourn.

On MOTION by Mr. Rosser, seconded by Mr. Terrill, with all in favor, the meeting was adjourned.

Jill Burns

Secretary/Assistant Secretary

Scott Shapiro

Chairman/Vice Chairman