

**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, July 25, 2023** at 11:04 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
Hyzens Marc	Assistant Secretary

Also present were:

Jill Burns	District Manager, GMS
Grace Kobitter	District Counsel, KVW Law
Marshall Tindall	Field Manager, GMS
Rodney Gadd <i>via Zoom</i>	District Engineer, Gadd Engineering

FIRST ORDER OF BUSINESS

Roll Call

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

SECOND ORDER OF BUSINESS

Public Comment Period

Ms. Burns noted that this was the portion of the meeting where if any members of the public have any comments on any agenda items listed, now would be the time to make those comments. She stated that they also had a separate public hearing on the adoption of the budget and a public hearing on imposing the operations and maintenance assessments. She also stated that there was a public comment portion at the end of the meeting for any agenda items that they don't see listed. Hearing no public comments, the next item followed.

THIRD ORDER OF BUSINESS

**Approval of the Minutes of the April 25,
2023 Board of Supervisors Meeting**

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Ms. Burns asked for any questions, comments, or corrections to the April 25, 2023 Board of Supervisors meeting minutes. The Board had no changes to the minutes.

On MOTION by Mr. Shapiro, seconded by Mr. Marc, with all in favor, the Minutes of the April 25, 2023 Board of Supervisors Meeting, were approved.

FOURTH ORDER OF BUSINESS

**Consideration of Resolution 2023-05
Setting a Public Hearing on the Adoption
of Parking and Towing Policies for the
District**

Ms. Burns presented Resolution 2023-05 to the Board. After Board discussion, it was decided to table this item for a future meeting. Ms. Burns asked Mr. Tindall to do the review for the signs. She noted that they could develop a map and bring it back to the Board.

FIFTH ORDER OF BUSINESS

Public Hearings

A. Public Hearing on the Adoption of the Fiscal Year 2024 Budget

Ms. Burns stated that this public hearing was advertised in the paper.

On MOTION by Mr. Shapiro, seconded by Mr. Terrill, with all in favor, Opening the Public Hearing, was approved.

Ms. Burns stated asked for any public comments on the budget. A member of the public joining via Zoom, Eric Hoyt, didn't have a comment on the budget, but had a comment on the roadways. Mr. Hoyt stated that the parking situation where the construction vehicles were was not a big deal. He explained that it was one roadway area, and he didn't think it would be an issue. He noted that the other parking situation was people parking their cars on the side of the road in excess, but it didn't impede anyone, it was just visually unappealing. Ms. Burns asked for a motion to close the public hearing.

On MOTION by Mr. Shapiro, seconded by Mr. Marc, with all in favor, Closing the Public Hearing, was approved.

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i. Consideration of Resolution 2023-06 Adopting the District's Fiscal Year 2024 Budget and Appropriating Funds

Ms. Burns reviewed Resolution 2023-06 to the Board. She noted a change to this budget that she suggested they make. She explained that Mr. Shapiro reviewed a few versions to present to the Board, and this version had a reduction for the Phase 1 residents, so the assessments in Phase One would go down this year. She noted that the one change she would suggest was on the Capital Reserve Transfer, which shows zero. She suggested that they add a reserve transfer of \$33,571 to this budget, which will give them some flexibility. She explained that when they looked at the numbers and realized their builder caps were \$850 net, not gross. She further explained that they had a little bit more compacity here because this was at \$802 net, and they could add some of that reserve transfer back in and still be under those caps and still not need a contribution. She added that the gross amount would be \$913. She stated that it would be \$850 net and \$913 gross. The current year budget for Phase 1 platted lots was \$953 net and \$1,025 gross, so the residents would get a \$100 reduction for Phase 1.

Ms. Burns explained that the admin portion of the budget went down from the current year. She noted that in the field expenses they increased in landscaping, streetlights, and utilities to account for the new phase coming online. She stated that they added a line item for street tree replacement, \$10,000. She explained that they had an issue with Haines City sending code enforcement letters to the CDD, even though the trees between the sidewalk and the curb was the residents' responsibility to maintain. She further explained that their attorneys were working with the city to try to educate them and help get the CDD not involved in this because it was more of an HOA and resident issue. She stated that in other communities they had to go in and do it ultimately because they have taken the stance that it was the CDD responsibility if residents did not replace them. She noted that the problem was because they don't control the irrigation, their staff had to review them, they had to put water bags on them, and they had to have people out there every week. She added that it was not an easy process nor was it an inexpensive process. She pointed out that the HOA there had been good and sent out letters immediately to the residents notifying them that it was their responsibility to replace them, and they had 30-days to do so. Mr. Tindall spoke to the code enforcement officer and got them to give an extension. She also stated that the problem was that the HOA had to give the resident 30-days to cure the issue, which would be August 25th.

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Ms. Burns stated that the only other increases that they would see here were mostly to the amenity items and that was because they were prorated for the current year because the amenity opened part way through the year and now, they are budgeting for a full year. She noted that the net difference was all the Phase One lots would get about \$103 reduction in their O&M assessment for the current year and there is no developer contribution listed on the budget.

On MOTION by Mr. Shapiro, seconded by Mr. Marc, with all in favor, Resolution 2023-06 Adopting the District's Fiscal Year 2024 Budget, Adding the Capital Reserve Transfer of \$33,571, Updating the Net and Gross Figures for the Per Lot resulting in \$850 net per lot and Appropriating Funds, was approved as amended.

B. Public Hearing on the Imposition of Operations and Maintenance Special Assessments

Ms. Burns presented the public hearing on the imposition of the operations and maintenance special assessments.

On MOTION by Mr. Terrill, seconded by Mr. Marc, with all in favor, Opening the Public Hearing, was approved.

Ms. Burns stated that this public hearing was advertised in the paper and a mailed notice was sent to landowners for Phases Two and Three. She pointed out that they didn't have to send mailed noticed to Phase One because they were not getting an increase to their O&M assessments. She explained that with this, they were imposing the assessment based on the budget that the Board just adopted and certifying their assessment roll for collection. She noted that they would take any public comments on certifying the assessment roll for collection. Hearing no comments, Ms. Burns asked to close the public hearing.

On MOTION by Mr. Rosser, seconded by Mr. Marc, with all in favor, Closing the Public Hearing, was approved.

i. Consideration of Resolution 2023-07 Imposing Special Assessments and Certifying an Assessment Roll

Ms. Burns stated that this resolution was included in the agenda package for review. She noted that they would update this figure to the new gross amount listed, \$913. She also noted that

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for the O&M, they could see the debt assessments that were previously levied listed as well. She stated that she would be happy to answer any questions.

On MOTION by Mr. Rosser, seconded by Mr. Marc, with all in favor, Resolution 2023-07 Imposing Special Assessments and Certifying an Assessment Roll, was approved as amended.

SIXTH ORDER OF BUSINESS

Consideration of Resolution 2023-08 Designation of a Regular Monthly Meeting Date, Time, and Location for Fiscal Year 2024

Ms. Burns presented Resolution 2023-08 to the Board. She stated that the date and location was the same as the current schedule, but they proposed moving the time 30 minutes to 10:30 a.m. because they were expecting more resident input now that they have residents, the amenity is open and Mr. Shapiro, Ms. Kobitter, and Ms. Burns have a meeting after this meeting. The Board agreed to move the time to 10:30 a.m. and for the date and location to stay the same. She pointed out that this schedule would start in October.

On MOTION by Mr. Rosser, seconded by Mr. Marc, with all in favor, Resolution 2023-08 Designation of a Regular Monthly Meeting for Fiscal Year 2024 to 10:30 a.m. on the Fourth Tuesday of Each Month, was approved.

SEVENTH ORDER OF BUSINESS

Consideration of Resolution 2023-09 Appointing an Assistant Treasurer

Ms. Burns stated that this resolution would appoint Darrin Mossing as an Assistant Treasurer of the District.

On MOTION by Mr. Terrill, seconded by Mr. Marc, with all in favor, Resolution 2023-09 Appointing Darrin Mossing as an Assistant Treasurer, was approved.

EIGHTH ORDER OF BUSINESS

Acceptance of Fiscal Year 2022 Audit Report

Ms. Burns stated that the report to management started on page 29. She explained that the District was required to get an annual audit and it was considered a clean audit with no findings

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and no instances of non-compliance. She added that they did not meet any of the conditions for financial emergency. She pointed out that it was submitted to the state by the June 30 deadline. She noted that since it was an independent audit, they were looking for the Board to accept that audit report.

On MOTION by Mr. Terrill, seconded by Mr. Marc, with all in favor, the Fiscal Year 2022 Audit Report, was approved.

NINTH ORDER OF BUSINESS

Staff Reports

A. Attorney

i. Memo Regarding Ethics Training for Elected Officials

Ms. Kobitter stated that there was a memo in the agenda package from her office that summarizes the new requirement that came out of this past legislative session that requires Supervisors to have four hours of ethics training annually beginning in January of 2024. She explained that the Florida Commission on Ethics provided courses that were both free and for a charge. She noted that her office was putting together a training that will help Boards meet this requirement and it could be done as a workshop or in conjunction with a Board meeting.

B. Engineer

i. Acceptance of Annual District Engineering Report

Mr. Gadd stated that they submitted the 2023 District Engineer's report. He noted that he was available for questions. Ms. Burns noted that the District Engineer's report was included in the agenda package for review.

On MOTION by Mr. Terrill seconded by Mr. Marc, with all in favor, Accepting the Annual District Engineering Report, was approved.

C. Field Manager's Report

i. Presentation of Conveyance Report for District Tree Replacement

Mr. Tindall presented the Field Manager's report starting on page 123 of the agenda package. He noted that the amenity overall did well. He noted some minor issues at the amenity that needed adjustments including pavers by the pool that were leveled, rear gate was adjusted, and the monthly playground review was completed. He reviewed the landscaping portion of his report stating that the mowing and landscaping did well. He explained that to make sure the

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community stays up and running in a clean attractive state, they went ahead and approved some landscaping items that were within budget. He reviewed the site items and general maintenance portion of his report stating that there were some spills in the street that were cleaned up and pressure washed. He noted that the fountain that was an issue and was asked to be investigated was reviewed by AllSeasons and the vendor found no issues with the original design, but the fountain was not at the requested three feet. He explained that he was able to get a jet to approximately three feet, but it popped one of the lines which would be fixed. Once that is done, the jet will be more attractive. He stated that the playgrounds in Phases Two and Three were installed. He explained that they were coordinating the bike rack, which was lacking a pad at time of the install. He pointed out that the review of the trees started on page 130 of the agenda package for the Boards review. He noted that the two playgrounds have a garbage can each and they would probably start janitorial on a temporary basis with once a week and then move up to twice a week. He stated that it would be \$35 per can for once a week empties per month and \$50 per can for twice a week empties per month. He explained that for both playgrounds per month it would be \$70 per month for once a week empties and \$100 for twice a week empties.

D. District Manager's Report

i. Approval of Check Register

Ms. Burns presented the check register from April through July totaling \$1,655,146.27.

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

ii. Balance Sheet and Income Statement

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

iii. Ratification of Change Order Request #10 from 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. Terrill, second by Mr. Marc, with all in favor, Change Orders Request #10 for Tucker Paving, were ratified.

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iv. Presentation of Number of Registered Voters – 0

Ms. Burns presented the number of registered voters to the Board but stated that she was going to reverify the number of zero registered voters with the Supervisor of Elections because it was odd with the number of people living in the community. She explained that they were required to determine the number of registered voters within the District as of April 15 of each year to track the turnover threshold. She pointed out that they had not hit the six years threshold yet.

TENTH ORDER OF BUSINESS**Other Business**

Ms. Burns opened the public comment period. Mr. Eric Hoyt stated that there were a couple of things as a homeowner in the area that he had questions on. He explained that earlier in the meeting someone was questioning their seat and he spoke with Ms. Burns about being a member of the Board as a resident in the community. He asked that if someone were to resign before the timeframe of the six years, would they, as a resident, be able to be selected to fill that seat on the Board or would it be automatically appointed by the CDD. He also asked if the next meeting could be an approval of putting canopies over the playgrounds because it was extremely hot in Florida. He added that it almost burns their skin walking up and sliding down the slides. He pointed out that there was a canopy over the single bench, but nothing over the units. He stated that other residents he met in the common areas requested and thought it was a good idea as well. He suggested that instead of three playgrounds in the community to do something to help their teenage residents do something such as a basketball court in lieu of the playground or in place of the soccer field. He didn't know if this would be an option and he knew it would require a fence, security camera, and gate access. He also pointed out that it may come at an additional cost for their CDD fees to go up but would be good to have a safe place for their teenagers to hang out rather than crowding the toddler area and the pool. He also commented on the fire ant problem stating that he knew they were paying for landscaping services and maintenance, but there were fire ants everywhere in the pool area and at the park. He suggested getting an extra spray or something to help stop the rampant growth of the fire ants.

Ms. Burns addressed Mr. Hoyt's questions and comments starting with his question on a resident being on the Board. She explained that if one of the Board members were to resign at this meeting, the four remaining Board members were able to appoint someone and the only

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requirements would be that they are 18, a citizen of the United States of America and a resident of the State of Florida. She addressed his question about the canopy over the playground stating that they could bring a quote back to the next meeting, if the Board wanted to consider that. She added that she didn't think that it was in the budget for the current year. The Board decided to think about this suggestion. Ms. Burns responded to Mr. Hoyt's question regarding the basketball court stating that all the amenities for the community were generally planned and designated well before all the residents show up and what was built was what was planned and marketed to builders and residents. She further explained that once residents take over the Board and if that was something they wanted to budget and pay for to add a basketball court, then it would definitely be something that they could look at to see if it would be possible. She pointed out that under the current development stage, there was nothing like that budgeted for or planned. Ms. Burns addressed the residents concern regarding the fire ants stating that fire ant treatment was not part of the general scope, but they could look at it. Mr. Tindall explained that there was an approval in April for a turf treatment that was done at the amenity area to reduce thistles once a month for six months. He noted that he would follow up and find out if that treatment is not working, but they would get it taken care of.

ELEVENTH ORDER OF BUSINESS

Supervisors Requests and Audience Comments

There being no comments, the next item followed.

TWELFTH ORDER OF BUSINESS

Adjournment

Ms. Burns asked for a motion to adjourn.

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

Jill Burns

Secretary/Assistant Secretary

DocuSigned by:
Scott Shapiro
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Chairman/Vice Chairman