

**MINUTES OF MEETING
CYPRESS BLUFF COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Cypress Bluff Community Development District held Public Hearings and a Regular Meeting on June 20, 2023 at 1:00 p.m., at the Cooper Memorial Library, 2525 Oakley Seaver Dr., Room 221 (Conference Room) Clermont, Florida 34711.

Present at the meeting were:

Stephen McConn	Chair
Casey Dare	Vice Chair
Paul Thomas	Assistant Secretary

Also present were:

Ernesto Torres	District Manager
Grace Kobitter	District Counsel
Dave Kelly	Interim District Engineer
James McKrinsky	Public

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Torres called the meeting to order at 1:02 p.m. Supervisors McConn, Thomas and Dare were present. Supervisors-Elect Doug Beasley and Tony Iorio were not present.

SECOND ORDER OF BUSINESS

Public Comments

No members of the public spoke.

THIRD ORDER OF BUSINESS

Administration of Oath of Office to Elected Supervisors (the following will be provided in a separate package)

Mr. Torres, a Notary of the State of Florida and duly authorized, administered the Oath of Office to Mr. McConn, Mr. Thomas and Mr. Dare. All were familiar with the following:

- A. Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees**
- B. Membership, Obligations and Responsibilities**
- C. Chapter 190, Florida Statutes**

D. Financial Disclosure Forms**I. Form 1: Statement of Financial Interests****II. Form 1X: Amendment to Form 1, Statement of Financial Interests****III. Form 1F: Final Statement of Financial Interests****E. Form 8B: Memorandum of Voting Conflict****FOURTH ORDER OF BUSINESS**

**Consideration of Resolution 2023-33,
Canvassing and Certifying the Results of
the Landowners' Election of Supervisors
Held Pursuant to Section 190.006(2),
Florida Statutes, and Providing for an
Effective Date**

Mr. Torres presented Resolution 2023-33. The results of the Landowners' Election were as follows:

Seat 1	Stephen McConn	157 votes	4-year Term
Seat 2	Doug Beasley	155 votes	2-year Term
Seat 3	Tony Iorio	155 votes	2-year Term
Seat 4	Paul Thomas	155 votes	2-year Term
Seat 5	Casey Dare	157 votes	4-year Term

On MOTION by Mr. McConn and seconded by Mr. Thomas, with all in favor, Resolution 2023-33, Canvassing and Certifying the Results of the Landowners' Election of Supervisors Held Pursuant to Section 190.006(2), Florida Statutes, and Providing for an Effective Date, was adopted.

FIFTH ORDER OF BUSINESS

**Consideration of Resolution 2023-34,
Designating Certain Officers of the District,
and Providing for an Effective Date**

Mr. Torres presented Resolution 2023-34. Mr. McConn nominated the following slate:

Chair	Stephen McConn
Vice Chair	Casey Dare
Assistant Secretary	Tony Iorio

Assistant Secretary

Paul Thomas

Assistant Secretary

Doug Beasley

Assistant Secretary

Ernesto Torres

No other nominations were made. Prior appointments by the Board for Secretary, Treasurer and Assistant Treasurer(s) remain unaffected by this Resolution.

On MOTION by Mr. McConn and seconded by Mr. Dare, with all in favor, Resolution 2023-34, Designating Certain Officers of the District, as nominated and Providing for an Effective Date, was adopted.

SIXTH ORDER OF BUSINESS

Public Hearing Confirming the Intent of the District to Use the Uniform Method of Levy, Collection and Enforcement of Non-Ad Valorem Assessments as Authorized and Permitted by Section 197.3632, Florida Statutes; Expressing the Need for the Levy of Non-Ad Valorem Assessments and Setting Forth the Legal Description of the Real Property Within the District's Jurisdictional Boundaries that May or Shall Be Subject to the Levy of District Non-Ad Valorem Assessments; Providing for Severability; Providing for Conflict and Providing for an Effective Date

- A. Affidavit/Proof of Publication**
- B. Consideration of Resolution 2023-35, Expressing its Intent to Utilize the Uniform Method of Levying, Collecting, and Enforcing Non-Ad Valorem Assessments Which May Be Levied by the Cypress Bluff Community Development District in Accordance with Section 197.3632, Florida Statutes; Providing a Severability Clause; and Providing an Effective Date**

Mr. Torres presented Resolution 2023-35.

On MOTION by Mr. McConn and seconded by Mr. Thomas, with all in favor, the Public Hearing was opened.

No members of the public spoke.

On MOTION by Mr. McConn and seconded by Mr. Thomas, with all in favor, the Public Hearing was closed.

On MOTION by Mr. McConn and seconded by Mr. Thomas, with all in favor, Resolution 2023-35, Expressing its Intent to Utilize the Uniform Method of Levying, Collecting, and Enforcing Non-Ad Valorem Assessments Which May Be Levied by the Cypress Bluff Community Development District in Accordance with Section 197.3632, Florida Statutes; Providing a Severability Clause; and Providing an Effective Date, was adopted.

SEVENTH ORDER OF BUSINESS

Public Hearing to Consider the Adoption of an Assessment Roll and the Imposition of Special Assessments Relating to the Financing and Securing of Certain Public Improvements

- A. Affidavit/Proof of Publication**
- B. Mailed Notice to Property Owner(s)**

On MOTION by Mr. McConn and seconded by Mr. Thomas, with all in favor, the Public Hearing was opened.

- **Hear testimony from the affected property owners as to the propriety and advisability of making the improvements and funding them with special assessments on the property.**

No affected property owners or members of the public spoke.

On MOTION by Mr. McConn and seconded by Mr. Thomas, with all in favor, the Public Hearing was closed.

- **Thereafter, the governing authority shall meet as an equalizing board to hear any and all complaints as to the special assessments on a basis of justice and right.**

The Board, sitting as the Equalizing Board, made no changes to the assessments.

C. Master Engineer's Report (for informational purposes)

Mr. Kelly presented the Master Engineer's Report. He noted the following:

- The CDD will construct the infrastructure as set forth in the Master Engineer's Report and the plans for which permitting is underway.
- The Ownership and Maintenance Table was memorialized through the County for the elements, including the stormwater system, roadways, utilities, landscaping, amenities and street lighting.
- Regarding a recent inquiry about making the roads private, in this instance, the CDD was approved such that the City would own and maintain the roads after construction and the County would own the offsite roadway improvements in the right-of-way (ROW).

D. Master Special Assessment Methodology Report (for informational purposes)

Mr. Torres presented the Master Special Assessment Methodology Report and noted the following:

- The project provides special benefits to the property owners.
- The proposed financing plan for the CDD provides for issuance of bonds in the approximate principal amount of \$28,070,000 to finance approximately \$20,270,573.50 in CIP costs, as reflected in the District Engineer's Report.

Mr. Torres discussed pertinent information, including the types of units in the CDD, types of bonds to be issued, the Capital Improvement Plan (CIP), Financing Program and Appendix Tables.

Ms. Kobitter posed and Mr. Kelly answered the following questions:

Ms. Kobitter: Based on your experience, are the cost estimates in your Engineer's Report reasonable and proper?

Mr. Kelly: Yes.

Ms. Kobitter: Do you have any reason to believe the CIP cannot be carried out by the District?

Mr. Kelly: No.

Ms. Kobitter posed and Mr. Torres answered the following questions:

Ms. Kobitter: In your professional opinion, do the lands subject to the assessments receive special benefits from the District's CIP?

Mr. Torres: Yes.

Ms. Kobitter: In your professional opinion, are the master assessments reasonable apportioned among the lands subject to the special assessments?

Mr. Torres: Yes.

Ms. Kobitter: In your professional opinion, is it reasonable, proper and just to assess the costs of the CIP as a system of improvements and against the lands of the District in accordance with your Methodology?

Mr. Torres: Yes.

Ms. Kobitter: Is it your opinion that the special benefits the land will receive, as set forth in the final assessment roll will be equal to or in excess of the maximum master assessments thereon, when allocated as set forth in the Methodology?

Mr. Torres: Yes.

Ms. Kobitter: Is it your opinion that it is in the best interest of the District that the master assessments be paid and collected in accordance with the Methodology and the District's Assessment Resolutions?

Mr. Torres: Yes.

- E. Consideration of Resolution 2023-36, Authorizing District Projects for Construction and/or Acquisition of Infrastructure Improvements; Equalizing, Approving, Confirming, and Levying Special Assessments on Property Specially Benefited by Such Projects to Pay the Cost Thereof; Providing For the Payment and the Collection of Such Special Assessments by the Methods Provided for by Chapters 170, 190, and 197, Florida Statutes; Confirming the District's Intention to Issue Special Assessment Bonds; Making Provisions for Transfers of Real Property to Governmental Bodies; Providing for the Recording of an Assessment Notice; Providing for Severability, Conflicts and an Effective Date**

Mr. Torres presented Resolution 2023-36.

On MOTION by Mr. McConn and seconded by Mr. Thomas, with all in favor, Resolution 2023-36, Authorizing District Projects for Construction and/or Acquisition of Infrastructure Improvements; Equalizing, Approving, Confirming, and Levying Special Assessments on Property Specially Benefited by Such Projects to Pay the Cost Thereof; Providing For the Payment and the Collection of Such Special Assessments by the Methods Provided for by Chapters 170, 190, and 197, Florida Statutes; Confirming the District's Intention to Issue Special Assessment Bonds; Making Provisions for Transfers of Real Property to Governmental Bodies; Providing for the Recording of an Assessment Notice; Providing for Severability, Conflicts and an Effective Date, was adopted.

EIGHTH ORDER OF BUSINESS

Public Hearing to Hear Public Comments and Objections to the Adoption of the Rules of Procedure, Pursuant to Sections 120.54 and 190.035, Florida Statutes

- A. Affidavits of Publication
- B. Consideration of Resolution 2023-37, Adopting Rules of Procedure; Providing a Severability Clause; and Providing an Effective Date

Mr. Torres presented Resolution 2023-37.

On MOTION by Mr. McConn and seconded by Mr. Thomas, with all in favor, the Public Hearing was opened.

No members of the public spoke.

On MOTION by Mr. McConn and seconded by Mr. Thomas, with all in favor, the Public Hearing was closed.

On MOTION by Mr. McConn and seconded by Mr. Thomas, with all in favor, Resolution 2023-37, Adopting Rules of Procedure; Providing a Severability Clause; and Providing an Effective Date, was adopted.

NINTH ORDER OF BUSINESS

**Public Hearing on Adoption of Fiscal Year
2022/2023 Budget**

- A. Affidavit of Publication**
- B. Consideration of Resolution 2023-38, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2022 and Ending September 30, 2023; Authorizing Budget Amendments; and Providing an Effective Date**

Mr. Torres presented Resolution 2023-38.

On MOTION by Mr. McConn and seconded by Mr. Thomas, with all in favor, the Public Hearing was opened.

No members of the public spoke.

On MOTION by Mr. McConn and seconded by Mr. Thomas, with all in favor, the Public Hearing was closed.

On MOTION by Mr. McConn and seconded by Mr. Thomas, with all in favor, Resolution 2023-38, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2022 and Ending September 30, 2023; Authorizing Budget Amendments; and Providing an Effective Date, was adopted.

TENTH ORDER OF BUSINESS

**Public Hearing on Adoption of Fiscal Year
2023/2024 Budget**

- A. Affidavit of Publication**
- B. Consideration of Resolution 2023-39, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2023 and Ending September 30, 2024; Authorizing Budget Amendments; and Providing an Effective Date**

Mr. Torres presented Resolution 2023-39. This is a Landowner/Developer-funded budget, with expenses funded as they are incurred.

On MOTION by Mr. McConn and seconded by Mr. Thomas, with all in favor, the Public Hearing was opened.

No members of the public spoke.

On MOTION by Mr. McConn and seconded by Mr. Thomas, with all in favor, the Public Hearing was closed.

On MOTION by Mr. McConn and seconded by Mr. Thomas, with all in favor, Resolution 2023-39, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2023 and Ending September 30, 2024; Authorizing Budget Amendments; and Providing an Effective Date, was adopted.

ELEVENTH ORDER OF BUSINESS

Consideration of Resolution 2023-07, Designating the Location of the Local District Records Office and Providing an Effective Date

Mr. Torres presented Resolution 2023-07.

On MOTION by Mr. McConn and seconded by Mr. Thomas, with all in favor, Resolution 2023-07, Designating Wrathell, Hunt and Associates, LLC, 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431 as the Location of the Local District Records Office and Providing an Effective Date, was adopted.

TWELFTH ORDER OF BUSINESS

Consideration of Resolution 2023-08, Designating the Primary Administrative Office and Principal Headquarters of the District and Providing an Effective Date

Mr. Torres presented Resolution 2023-08.

On MOTION by Mr. McConn and seconded by Mr. Thomas, with all in favor, deferring this item, was approved.

THIRTEENTH ORDER OF BUSINESS

Consideration of Resolution 2023-15, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2022/2023 and Providing for an Effective Date

Mr. Torres presented Resolution 2023-15.

The following changes were made:

DATE: Delete July meeting

DATE: Insert August 8, 2023 and September 12, 2023

TIME: 1:00 PM

On MOTION by Mr. McConn and seconded by Mr. Thomas, with all in favor, Resolution 2023-15, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2022/2023, as amended, and Providing for an Effective Date, was adopted.

FOURTEENTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of April 30, 2023

On MOTION by Mr. McConn and seconded by Mr. Thomas, with all in favor, the Acceptance of Unaudited Financial Statements as of April 30, 2023, were accepted.

FIFTEENTH ORDER OF BUSINESS

Approval of Minutes

- A. April 18, 2023 Organizational Meeting**
- B. May 19, 2023 Landowners' Meeting**

On MOTION by Mr. McConn and seconded by Mr. Thomas, with all in favor, the April 18, 2023 Organizational Meeting and May 19, 2023 Landowners' Meeting Minutes, as presented, were approved.

SIXTEENTH ORDER OF BUSINESS**Staff Reports****A. District Counsel: Kilinski | Van Wyk, PLLC**

Ms. Kobitter stated that the Boundary Amendment Petition was submitted to the City and a response to the City's questions is being prepared and the hearings will be forthcoming. Hearing dates for the bond validation are pending.

B. District Engineer (Interim): Poulos & Bennett LLC

There was no report.

C. District Manager: Wrathell, Hunt and Associates, LLC

- **NEXT MEETING DATE: TBD**

The next meeting will be held on August 8, 2023 at 1:00 p.m.

SEVENTEENTH ORDER OF BUSINESS**Board Members' Comments/Requests**

There were no Board Members' comments or requests.

EIGHTEENTH ORDER OF BUSINESS**Public Comments**

No members of the public spoke.

NINETEENTH ORDER OF BUSINESS**Adjournment**

On MOTION by Mr. McConn and seconded by Mr. Thomas, with all in favor, the meeting adjourned at 1:30 p.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]


Secretary/Assistant Secretary


Chair/Vice Chair