



**WINDING CYPRESS  
COMMUNITY DEVELOPMENT  
DISTRICT**

**COLLIER COUNTY  
REGULAR BOARD MEETING  
NOVEMBER 1, 2022  
1:00 P.M.**

**Special District Services, Inc.  
The Oaks Center  
2501A Burns Road  
Palm Beach Gardens, FL 33410**

**[www.windingcypresscdd.org](http://www.windingcypresscdd.org)**

**561.630.4922 Telephone**

**877.SDS.4922 Toll Free**

**561.630.4923 Facsimile**

**AGENDA**  
**WINDING CYPRESS COMMUNITY DEVELOPMENT DISTRICT**  
Clubhouse at Winding Cypress  
7180 Winding Cypress Drive  
Naples, Florida 34114  
**REGULAR BOARD MEETING**  
**November 1, 2022**  
**1:00 p.m.**

- A. Call to Order
- B. Proof of Publication.....Page 1
- C. Establish a Quorum
- D. Additions or Deletions to Agenda
- E. Comments from the Public for Items Not on the Agenda
- F. Approval of Minutes
  - 1. August 2, 2022 Regular Board Meeting.....Page 2
- G. Old Business
- H. New Business
  - 1. Consider Resolution No. 2022-10 – Adopting a Fiscal Year 2021/2022 Amended Budget.....Page 6
  - 2. Discussion on Individual Lot Drainage
  - 3. Discussion on Hurricane Ian Impacts
- I. Administrative Matters
  - 1. Manager’s Report
    - a. Consider Approval of Auto Renewal of Auditor Services.....Page 12
    - b. Announce Landowner Election – November 9, 2022 at 1:00 p.m.
  - 2. Engineer’s Report
  - 3. Attorney’s Report
- J. Board Members Comments
- K. Adjourn

## Miscellaneous Notices



Published in Naples Daily News on September 23, 2022

### Location

Collier County,

### Notice Text

WINDING CYPRESS COMMUNITY DEVELOPMENT DISTRICT FISCAL YEAR 2022/2023 REGULAR MEETING SCHEDULE NOTICE IS HEREBY GIVEN that the Board of Supervisors of the Winding Cypress Community Development District will hold Regular Meetings in the Clubhouse at Winding Cypress located at 7180 Winding Cypress Drive, Naples, Florida 34114 at 1:00 p.m. on the following dates: October 4, 2022 November 1, 2022 December 6, 2022 February 7, 2023 March 7, 2023 April 4, 2023 May 2, 2023 June 6, 2023 August 1, 2023 September 5, 2023 The purpose of the meetings is to conduct any business coming before the Board. Meetings are open to the public and will be conducted in accordance with the provisions of Florida law. Copies of the Agendas for any of the meetings may be obtained from the District's website or by contacting the District Manager at 561-630-4922 and/or toll free at 1-877-737-4922 prior to the date of the particular meeting. From time to time one or two Supervisors may participate by telephone; therefore, a speaker telephone will be present at the meeting location so that Supervisors may be fully informed of the discussions taking place. Said meeting(s) may be continued as found necessary to a time and place specified on the record. If any person decides to appeal any decision made with respect to any matter considered at these meetings, such person will need a record of the proceedings and such person may need to insure that a verbatim record of the proceedings is made at his or her own expense and which record includes the testimony and evidence on which the appeal is based. In accordance with the provisions of the Americans with Disabilities Act, any person requiring special accommodations or an interpreter to participate at any of these meetings should contact the District Manager at 561-630-4922 and/or toll free at 1-877-737-4922 at least seven (7) days prior to the date of the particular meeting. Meetings may be cancelled from time to time without advertised notice. WINDING CYPRESS COMMUNITY DEVELOPMENT DISTRICT [www.windingcypresscdd.org](http://www.windingcypresscdd.org) Pub: Sept. 23, 2022 #5418150

**WINDING CYPRESS  
COMMUNITY DEVELOPMENT DISTRICT  
REGULAR BOARD MEETING  
AUGUST 2, 2022**

**A. CALL TO ORDER**

The August 2, 2022, Regular Board Meeting of the Winding Cypress Community Development District (the “District”) was called to order at 1:03 p.m. at the Clubhouse at Winding Cypress located at 7180 Winding Cypress Drive, Naples, Florida 34114.

**B. PROOF OF PUBLICATION**

Proof of publication was presented that Notice of the Regular Board Meeting had been published in the *Naples Daily News* on July 25, 2022, as legally required.

**C. ESTABLISH A QUORUM**

It was determined that the virtual attendance of the following Supervisors constituted a quorum and it was in order to proceed with the meeting:

Chairman	Scott Brooks	Present
Vice Chairman	Mike Hueniken	Present
Supervisor	Laura Ray	Absent
Supervisor	Patrick Butler	Present
Supervisor	Dr. James Verbist	Present via phone

Also present were the following Staff members:

District Manager	Kathleen Meneely	Special District Services, Inc.
	Michelle Krizen	Special District Services, Inc.
District Counsel	Alyssa Willson (via phone)	Hopping, Green & Sams
District Engineer	Josh Evans (via phone)	J.R. Evans Engineering, P.A.

Also present were the following: Bill Powell, Roy Hyman, BC Bell and Miguel Diaz.

**D. ADDITIONS OR DELETIONS TO THE AGENDA**

There were no additions or deletions to the agenda.

**E. COMMENTS FROM THE PUBLIC FOR ITEMS NOT ON THE AGENDA**

There were no comments from the public for items not on the agenda.

**F. APPROVAL OF MINUTES**

**1. June 7, 2022, Public Hearing & Regular Board Meeting**

The minutes of the June 7, 2022, Public Hearing & Regular Board Meeting were presented for consideration.

Mr. Brooks proposed the following amendments: remove the word “virtual” under Establish a Quorum, as it was an in-person meeting; and on page 2, Ms. Ray asked if the Supervisor Fees line item should be (increased), as there would be new board members due to turnover. The word “increased” was missing.

A **motion** was then made by Mr. Brooks, seconded by Mr. Butler and passed unanimously approving the minutes of the June 7, 2022, Public Hearing & Regular Board Meeting, as amended.

## **G. OLD BUSINESS**

There were no Old Business items to come before the Board.

## **H. NEW BUSINESS**

### **1. Consider Resolution No. 2022-07 – Accepting Engineering Certification of Series 2015 Project**

Resolution No. 2022-07 was presented, entitled:

#### **RESOLUTION 2022-07**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE WINDING CYPRESS COMMUNITY DEVELOPMENT DISTRICT ACCEPTING THE CERTIFICATION OF THE DISTRICT ENGINEER THAT THE SERIES 2015 PROJECT IS COMPLETE; DECLARING THE SERIES 2015 PROJECT COMPLETE; FINALIZING THE SPECIAL ASSESSMENTS SECURING THE DISTRICT’S SERIES 2015 BONDS; PROVIDING FOR A SUPPLEMENT TO THE IMPROVEMENT LIEN BOOK; PROVIDING FOR SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.**

Ms. Willson went over the details of the resolution, advising of the legal requirement in order to finish out project.

Mr. Brooks noted in Section 4, securing 2019 should be 2015. It was indicated that the change would be made.

Dr. Verbist questioned the \$2 Million increase to the 2015 project and the \$1 Million increase to the 2019 project. He asked why there was a significant difference between the projected and actual spending. Mr. Evans explained the original report was made in 2018 and costs had increased since. Dr. Verbist questioned how the funds would be paid back and Ms. Willson explained the developer, not the District, was responsible for those costs.

A **motion** was made by Dr. Verbist, seconded by Mr. Brooks and passed unanimously adopting Resolution No. 2022-07, as presented.

### **2. Consider Resolution No. 2022-08 – Accepting Engineering Certification of Series 2019 Project**

Resolution No. 2022-08 was presented, entitled:

### **RESOLUTION 2022-08**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE WINDING CYPRESS COMMUNITY DEVELOPMENT DISTRICT ACCEPTING THE CERTIFICATION OF THE DISTRICT ENGINEER THAT THE SERIES 2019 PROJECT IS COMPLETE; DECLARING THE SERIES 2019 PROJECT COMPLETE; FINALIZING THE SPECIAL ASSESSMENTS SECURING THE DISTRICT'S SERIES 2019 BONDS; PROVIDING FOR A SUPPLEMENT TO THE IMPROVEMENT LIEN BOOK; PROVIDING FOR SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.**

Ms. Willson advised this followed the same procedure as Resolution No. 2022-07 and was required in order to close out the projects. She reiterated that additional funds would not be required of the District.

A **motion** was made by Mr. Brooks, seconded by Dr. Verbist and passed unanimously adopting Resolution No. 2022-08, as presented.

### **3. Consider Resolution No. 2022-09 – Setting a Landowners' Meeting**

Resolution No. 2022-09 was presented, entitled:

### **RESOLUTION 2022-09**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE WINDING CYPRESS COMMUNITY DEVELOPMENT DISTRICT DESIGNATING A DATE, TIME AND LOCATION FOR A LANDOWNERS' MEETING AND ELECTION; PROVIDING FOR PUBLICATION; ESTABLISHING FORMS FOR THE LANDOWNER ELECTION; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.**

Ms. Meneely explained the process, noting that each landowner would have one vote per acre or less and Pulte would have 1 vote per acre. Mr. Diaz noted that he would send a message to District residents to make them aware of the Landowners' Meeting, as well as the publication of the notice in the newspaper.

A **motion** was made by Mr. Brooks, seconded by Mr. Hueniken and passed unanimously adopting Resolution No. 2022-09, setting the Landowners' Meeting for November 9, 2022, at 1:00 p.m. at the Winding Cypress Clubhouse.

## **I. ADMINISTRATIVE MATTERS**

### **1. Manager's Report**

Ms. Meneely went over the meeting schedule for the next several months. There was a consensus of the Board to cancel the September 6, 2022, meeting. Inquiries will be sent regarding the October 4, 2022, meeting date. Inquiries will also be sent regarding the November 1, 2022, meeting date; and November 9, 2022, would be the Landowners' Meeting.

Ms. Meneely also noted that the amended budget would need to be reviewed at one of the above-noted meetings.

## **2. Engineer's Report**

There was no Engineer's Report at this time.

## **3. Attorney's Report**

There was no Attorney's Report at this time.

## **J. BOARD MEMBER COMMENTS**

There were no further comments from the Board Members.

## **K. ADJOURNMENT**

There being no further business to come before the Board, the Regular Board Meeting was adjourned at 1:23 p.m. on a **motion** made by Mr. Hueniken, seconded by Mr. Butler and passed unanimously.

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Chairman/Vice Chairman

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Secretary/Assistant Secretary

Date Approved \_\_\_\_\_

**RESOLUTION NO. 2022-10**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE WINDING CYPRESS COMMUNITY DEVELOPMENT DISTRICT AUTHORIZING AND ADOPTING AN AMENDED FINAL FISCAL YEAR 2021/2022 BUDGET (“AMENDED BUDGET”), PURSUANT TO CHAPTER 189, FLORIDA STATUTES; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Board of Supervisors of the Winding Cypress Community Development District (“District”) is empowered to provide a funding source and to impose special assessments upon the properties within the District; and,

**WHEREAS**, the District has prepared for consideration and approval an Amended Budget.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE WINDING CYPRESS COMMUNITY DEVELOPMENT DISTRICT, THAT:**

**Section 1.** The Amended Budget for Fiscal Year 2021/2022 attached hereto as Exhibit “A” is hereby approved and adopted.

**Section 2.** The Secretary/Assistant Secretary of the District is authorized to execute any and all necessary transmittals, certifications or other acknowledgements or writings, as necessary, to comply with the intent of this Resolution.

**PASSED, ADOPTED and EFFECTIVE** this 1<sup>st</sup> day of November, 2022.

**ATTEST:**

**WINDING CYPRESS  
COMMUNITY DEVELOPMENT DISTRICT**

By: \_\_\_\_\_  
Secretary/Assistant Secretary

By: \_\_\_\_\_  
Chairperson/Vice Chairperson



# Winding Cypress Community Development District

**Amended Final Budget For  
Fiscal Year 2021/2022  
October 1, 2021 - September 30, 2022**

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**AMENDED FINAL BUDGET**  
**WINDING CYPRESS COMMUNITY DEVELOPMENT DISTRICT**  
**OPERATING FUND**  
**FISCAL YEAR 2021/2022**  
**OCTOBER 1, 2021 - SEPTEMBER 30, 2022**

	<b>FISCAL YEAR 2021/2022 BUDGET 10/1/21 - 9/30/22</b>	<b>AMENDED FINAL BUDGET 10/1/21 - 9/30/22</b>	<b>YEAR TO DATE ACTUAL 10/1/21 - 9/29/22</b>
<b>REVENUES</b>			
O & M Assessments	177,761	178,300	178,300
Debt Assessments (2015)	526,216	526,393	526,393
Debt Assessments (2019)	311,687	311,909	311,909
Other Revenue - Preserve Areas	0	748,196	748,196
Interest Income - Operating	180	215	205
Interest Income - Preserve Areas	0	680	632
<b>TOTAL REVENUES</b>	<b>\$ 1,015,844</b>	<b>\$ 1,765,693</b>	<b>\$ 1,765,635</b>
<b>EXPENDITURES</b>			
Supervisor Fees	1,200	0	0
Payroll Taxes - Employer	96	0	0
Engineering/Inspections	7,500	35,000	27,088
Preserve Maintenance	79,700	75,100	75,100
Management	36,588	36,588	36,588
Legal	15,500	12,000	8,194
Assessment Roll	5,000	5,000	5,000
Audit Fees	4,000	4,000	4,000
Arbitrage Rebate Fee	650	650	650
Insurance	5,900	5,706	5,706
Legal Advertisements	2,000	2,200	1,740
Miscellaneous	750	750	465
Postage	275	330	303
Office Supplies	575	625	588
Dues & Subscriptions	175	175	175
Trustee Fee	7,800	7,740	7,740
Continuing Disclosure Fee	2,000	1,500	1,500
<b>TOTAL EXPENDITURES</b>	<b>\$ 169,709</b>	<b>\$ 187,364</b>	<b>\$ 174,837</b>
<b>REVENUES LESS EXPENDITURES</b>	<b>\$ 846,135</b>	<b>\$ 1,578,329</b>	<b>\$ 1,590,798</b>
Bond Payments (2015)	(486,750)	(496,286)	(496,286)
Bond Payments (2019)	(288,311)	(294,081)	(294,081)
<b>BALANCE</b>	<b>\$ 71,074</b>	<b>\$ 787,962</b>	<b>\$ 800,431</b>
County Appraiser & Tax Collector Fee	(35,040)	(19,559)	(19,559)
Discounts For Early Payments	(41,134)	(38,548)	(38,548)
<b>EXCESS/ (SHORTFALL)</b>	<b>\$ (5,100)</b>	<b>\$ 729,855</b>	<b>\$ 742,324</b>
Carryover From Prior Year	5,100	5,100	0
<b>NET EXCESS/ (SHORTFALL)</b>	<b>\$ -</b>	<b>\$ 734,955</b>	<b>\$ 742,324</b>
FUND BALANCE AS OF 9/30/21		\$108,212	
FY 2021/2022 ACTIVITY		\$729,855	
LESS PRESERVE AREAS ACCOUNT AS OF 9/30/22		\$748,876	
FUND BALANCE AS OF 9/30/22		\$89,191	

**Notes**

Carryover From Prior Year Of \$5,100 to be used to reduce Fiscal Year 2021/2022 Assessments.  
\$32,375 Of Fund Balance To Be Used To Reduce 2022/2023 Assessments.

**AMENDED FINAL BUDGET**  
**WINDING CYPRESS COMMUNITY DEVELOPMENT DISTRICT**  
**DEBT SERVICE FUND - SERIES 2015**  
**FISCAL YEAR 2021/2022**  
**OCTOBER 1, 2021 - SEPTEMBER 30, 2022**

	<b>FISCAL YEAR 2021/2022 BUDGET 10/1/21 - 9/30/22</b>	<b>AMENDED FINAL BUDGET 10/1/21 - 9/29/22</b>	<b>YEAR TO DATE ACTUAL 10/1/21 - 9/29/22</b>
<b>REVENUES</b>			
Interest Income	25	27	25
NAV Tax Collection	486,750	496,286	496,286
<b>Total Revenues</b>	<b>\$ 486,775</b>	<b>\$ 496,313</b>	<b>\$ 496,311</b>
<b>EXPENDITURES</b>			
Principal Payments	155,000	145,000	145,000
Interest Payments	330,406	333,578	333,578
Bond Redemption	1,369	0	0
<b>Total Expenditures</b>	<b>\$ 486,775</b>	<b>\$ 478,578</b>	<b>\$ 478,578</b>
<b>Excess/ (Shortfall)</b>	<b>\$ -</b>	<b>\$ 17,735</b>	<b>\$ 17,733</b>

FUND BALANCE AS OF 9/30/21	\$615,974
FY 2021/2022 ACTIVITY	\$17,735
FUND BALANCE AS OF 9/30/22	\$633,709

Notes

Reserve Fund Balance = \$245,403\*. Revenue Fund Balance = \$388,306\*.

Revenue Fund Balance To Be Used To Make 11/1/2022 Principal &  
Interest Payment Of \$320,203 (Principal = \$155,000 & Interest = \$165,203).

\* Approximate Amounts

**Series 2015 Bond Information**

Original Par Amount = \$7,535,000	Annual Principal Payments Due:
Interest Rate = 4.00% - 5.00%	November 1st
Issue Date = December 2015	Annual Interest Payments Due:
Maturity Date = November 2045	May 1st & November 1st

Par Amount As Of 8/31/22= \$6,690,000

**AMENDED FINAL BUDGET**  
**WINDING CYPRESS COMMUNITY DEVELOPMENT DISTRICT**  
**DEBT SERVICE FUND - SERIES 2019**  
**FISCAL YEAR 2021/2022**  
**OCTOBER 1, 2021 - SEPTEMBER 30, 2022**

	<b>FISCAL YEAR 2021/2022 BUDGET 10/1/21 - 9/30/22</b>	<b>AMENDED FINAL BUDGET 10/1/21 - 9/30/22</b>	<b>YEAR TO DATE ACTUAL 10/1/21 - 9/29/22</b>
<b>REVENUES</b>			
Interest Income	25	15	14
NAV Assessment Collection	288,311	294,081	294,081
<b>Total Revenues</b>	<b>\$ 288,336</b>	<b>\$ 294,096</b>	<b>\$ 294,095</b>
<b>EXPENDITURES</b>			
Principal Payments	80,000	75,000	75,000
Interest Payments	207,527	208,937	208,937
Bond Redemption	809	0	0
<b>Total Expenditures</b>	<b>\$ 288,336</b>	<b>\$ 283,937</b>	<b>\$ 283,937</b>
<b>Excess/ (Shortfall)</b>	<b>\$ -</b>	<b>\$ 10,159</b>	<b>\$ 10,158</b>

FUND BALANCE AS OF 9/30/21	\$341,609
FY 2021/2022 ACTIVITY	\$10,159
FUND BALANCE AS OF 9/30/22	\$351,768

Notes

Reserve Fund Balance = \$144,766\*. Revenue Fund Balance = \$207,002\*.

Revenue Fund Balance To Be Used To Make 11/1/2022 Principal &  
Interest Payment Of \$183,766 (Principal = \$80,000 & Interest = \$103,766).

\* Approximate Amounts

**Series 2019 Bond Information**

Original Par Amount = \$4,470,000	Annual Principal Payments Due:
Interest Rate = 3.75% - 5.00%	November 1st
Issue Date = February 2019	Annual Interest Payments Due:
Maturity Date = November 2049	May 1st & November 1st

Par Amount As Of 8/31/22= \$4,320,000

November 1, 2022

RE: Winding Cypress Community Development District Auditor Renewal

At the November 5, 2019, Winding Cypress Community Development District Board Of Supervisors meeting, the firm of Grau & Associates was selected to perform the 9-30-2019, 9-30-2020 and 9-30-2021 year end audits of the District with an option to perform the 9-30-2022 and 9-30-2023 audits.

The fees for the 9-30-2019 audit were \$3,800. The fees for the 9-30-2020 audit were \$3,900. And the fees for the 9-30-2021 audit were \$4,000. The proposed fees for the 9-30-2022 audit is \$4,100, which is the budgeted amount for audit fees for Fiscal Year 2022/2023. The proposed fee for the 9-30-2023 audit is \$4,200.

Management is pleased with the professionalism and the competence of the Grau & Associates partners and staff; therefore, management recommends that the Board approve the renewal option for the Fiscal Year Ending 9-30-2022 and 9-30-2023 audits for Grau & Associates.

Special District Services, Inc.