



**WINDING CYPRESS
COMMUNITY DEVELOPMENT
DISTRICT**

**COLLIER COUNTY
REGULAR BOARD MEETING
APRIL 4, 2023
1:00 P.M.**

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

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
April 4, 2023
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. February 7, 2023 Regular Board Meeting.....Page 2
- G. Old Business
- H. New Business
 - 1. Receive, Accept and Discuss Lake Bank Inspection Report (Phases 1 – 4)Page 7
 - 2. Discussion Regarding French Drains
- I. Administrative Matters
 - 1. Manager’s Report
 - 2. Engineer’s Report
 - 3. Attorney’s Report
- J. Board Members Comments
- K. Adjourn

Miscellaneous Notices

Published in Naples Daily News on March 24, 2023

Location

Collier County, Florida

Notice Text

NOTICE OF BOARD MEETING OF THE WINDING CYPRESS COMMUNITY DEVELOPMENT DISTRICT The Board of Supervisors of the Winding Cypress Community Development District (the "District") will hold a Board Meeting on April 4, 2023, at 1:00 p.m. at the Clubhouse at Winding Cypress located at 7180 Winding Cypress Drive, Naples, Florida 34114. The Board Meeting is open to the public and will be conducted in accordance with the provisions of Florida law for community development districts. The Board Meeting may be continued in progress without additional notice to a time, date, and location stated on the record. A copy of the agenda for the Board Meeting may be obtained from the District's website or from the District Manager, Special District Services, located at 2501A Burns Road, Palm Beach Gardens, Florida 33410. There may be occasions when one or more Supervisors will participate by telephone. Pursuant to provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this Board Meeting is asked to advise the District Office at least forty-eight (48) hours before the meeting by contacting the District Manager at (561) 630-4922 and/or toll free at 1-877-737-4922. If you are hearing or speech impaired, please contact the Florida Relay Service at 1-800-955-8770, who can aid you in contacting the District Office. A person who decides to appeal any decision made at this Board Meeting with respect to any matter considered at the Board Meeting is advised that person will need a record of the proceedings and that accordingly, the person may need to ensure that a verbatim record of the proceedings is made including the testimony and evidence upon which the appeal is to be based. Meetings may be cancelled from time to time without advertised notice. WINDING CYPRESS COMMUNITY DEVELOPMENT DISTRICT www.windingcypresscdd.org Pub Date: March 24, 2023 #5635337

**WINDING CYPRESS
COMMUNITY DEVELOPMENT DISTRICT
REGULAR BOARD MEETING
FEBRUARY 7, 2023**

A. CALL TO ORDER

The February 7, 2023, Regular Board Meeting of the Winding Cypress Community Development District (the “District”) was called to order at 1:04 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 January 30, 2023, as legally required.

C. BOARD MEMBER RESPONSIBILITIES AND DUTIES PRESENTATION

Ms. Willson went over the responsibilities and duties of Board Members and explained the importance of saving all correspondence and emails. She reminded the Board Members of the Sunshine Law and that no discussions can occur outside of Board Meetings regarding any District matters. Discussion ensued regarding social media, texts, emails, conversations or asking another member to pass a message. All Board Members can speak with District staff with any questions or concerns.

D. ESTABLISH A QUORUM

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

Chairman	Scott Brooks	Present
Vice Chairman	Patrick Butler	Present
Supervisor	Laura Ray	Present
Supervisor	Patrick Ciriello	Present
Supervisor	Alex Petrovsky	Present

Also present were the following Staff members:

District Manager	Michelle Krizen	Special District Services, Inc.
District Staff	Kathleen Meneely	Special District Services, Inc.
District Counsel	Alyssa Willson via phone	Kutak Rock
District Engineer	Josh Evans via phone	J.R. Evans Engineering, P.A.

Also present were the following:

Dr. James Verbist	Gerard O’Donohue
Peter Schmidt	BC Bell
John Jensen	Russ Glover

E. ADDITIONS OR DELETIONS TO THE AGENDA

There were no additions or deletions to the agenda.

F. COMMENTS FROM THE PUBLIC FOR ITEMS NOT ON THE AGENDA

Dr. Verbist asked for an update on the Brightview repairs for the drains. There was some discussion regarding the date of March 1 as a due date. This date was not clearly committed to the HOA. The HOA would like another option from the engineer that is less costly than the original design. The HOA would prefer to have a written description to go along with the sketches to explain to the homeowner. Brightview's engineers understand the sketch, but the average homeowner is not able to understand it. Mr. Evans was asked to write out an explanation of the sketch as well as a cost estimate to the HOA for the homeowners. Mr. Evans will do his Lake Bank Inspection and the homes with drain issues will be inspected when the work has been completed. Bill Powell and Bill Bell from the HOA will speak with the residents and have a date and plan to report to the Board at the next meeting. Mr. Evans will email Mr. Brooks and Ms. Krizen the explanation for distribution. There currently is not a good Plan B since all others would need to be tested before implementation.

G. APPROVAL OF MINUTES

1. November 1, 2022, Regular Board Meeting

The minutes of the November 1, 2022, Regular Board Meeting were presented for consideration.

A **motion** was then made by Mr. Brooks, seconded by Mr. Petrovsky and passed unanimously approving the minutes of the November 1, 2022, Regular Board Meeting, as presented.

H. OLD BUSINESS

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

I. NEW BUSINESS

1. Consider Resolution No. 2023-01 – Canvassing & Certifying Results of Landowners' Election

Resolution No. 2023-01 was presented, entitled:

RESOLUTION 2023-01

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE WINDING CYPRESS COMMUNITY DEVELOPMENT DISTRICT 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

A **motion** was made by Mr. Brooks, seconded by Mr. Petrovsky and passed unanimously adopting Resolution No. 2023-01, as presented.

2. Review Sunshine Law and Public Records Law to Social Media Use

Ms. Willson reviewed the public records law and explained that commenting on a social media post regarding a District topic should be avoided.

3. Consider Resolution No. 2023-02 – Designating Officers

Resolution No. 2023-02 was presented, entitled:

RESOLUTION 2023-02

A RESOLUTION OF THE WINDING CYPRESS COMMUNITY DEVELOPMENT DISTRICT DESIGNATING A CHAIR, A VICE CHAIR, A SECRETARY, ASSISTANT SECRETARIES, A TREASURER AND AN ASSISTANT TREASURER OF THE WINDING CYPRESS COMMUNITY DEVELOPMENT DISTRICT, AND PROVIDING FOR AN EFFECTIVE DATE

A **motion** was made by Mr. Petrovsky, seconded by Ms. Ray and passed unanimously adopting Resolution No. 2023-02 with the following designations:

Chair- Scott Brooks

Vice Chair- Patrick Buter

Secretary- Michelle Krizen

Assistant Secretaries- Patrick Ciriello, Laura Ray, Alex Petrovsky, Kathleen Meneely

Treasurer- Michelle Krizen

Each Board Member was asked individually if they wished to receive compensation. All Board Members declined compensation.

4. Consider Resolution No. 2023-03 – Adopting a Public Records Retention Policy – Option 2

Resolution no. 2023-03 was presented, entitled:

RESOLUTION 2023-03

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE WINDING CYPRESS COMMUNITY DEVELOPMENT DISTRICT PROVIDING FOR THE APPOINTMENT OF A RECORDS MANAGEMENT LIAISON OFFICER; PROVIDING THE DUTIES OF THE RECORDS MANAGEMENT LIAISON OFFICER; ADOPTING A RECORDS RETENTION POLICY; DETERMINING THE ELECTRONIC RECORD TO BE THE OFFICIAL RECORD; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

A **motion** was made by Mr. Brooks, seconded by Ms. Ray and passed unanimously adopting Resolution No. 2023-03 as presented.

5. Consider Resolution No. 2023-04 – Authorizing Electronic Approvals and Check Signers

Resolution No. 2023-04 was presented, entitled:

RESOLUTION NO. 2023-04

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE WINDING CYPRESS COMMUNITY DEVELOPMENT DISTRICT, AUTHORIZING THE ESTABLISHMENT OF A DISTRICT CHECKING/OPERATING ACCOUNT, DESIGNATING DISTRICT OFFICIALS AND/OR AUTHORIZED STAFF TO REVIEW, APPROVE AND ISSUE PAYMENT OF EXPENDITURES, SELECTING THE SIGNATORIES THEREOF; AND PROVIDING AN EFFECTIVE DATE.

A **motion** was made by Ms. Ray, seconded by Mr. Petrovsky and passed unanimously adopting Resolution No. 2023-04, as presented.

6. Discussion Regarding Status of 230-Acre Parcel of land on the Southern Edge of the District

Mr. Butler explained that the parcel is currently owned by DiVosta and is in the process of being conveyed to Verona Walk. DiVosta has been paying the maintenance bill for the parcel. The parcel was not counted as acreage during the landowner election, since it was not part of the District.. This is a conservation easement and cannot be developed.

There was discussion regarding the circle area by the fountain and the outer ring belonging to the CDD. The inner ring belongs to the HOA. Mr. Petrovsky will email the folio numbers to Ms. Krizen and we can look into the reasoning.

7. Discussion Regarding French Drains

Lake bank erosion was brought up by Mr. Petrovsky. He brought up the Lake Bank Report from May 2021. Planting grass on the bank is for stabilization, not repairs. Mr. Petrovsky would like to see remediation not stabilization. The November 2, 2021, meeting booklet with the August 2, 2021, minutes were brought up and there was a question regarding Pulte's comment about payment. Ms. Krizen found the minutes on the server and allowed the Board to review the minutes, before responding. Mr. Evans explained with lake bank stabilization, there are several things to be considered. The wider the lake, the higher the waves, the more erosion is possible. The lakes in this district are not that wide and typically do not require the rip rap. It is a costly solution at \$200-\$1,200 per square foot. On new development there is a grow in phase of a few years where the sod has root growth that stabilizes the soils. This requires annual maintenance. Matts and rocks were discussed as cost-effective alternatives if needed. Mr. Brooks explained that Pulte was responsible for the repairs for that year because there was no budget at that time for the CDD to pay. There were no lake bank repair funds, so Pulte stepped up to cover the cost. Lake bank erosion has since been budgeted for in the CDD budget, for the repairs going forward. Pulte is not responsible for the lake bank repairs. Further discussion regarding lake bank repairs will be discussed after the Lake Bank Report.

J. ADMINISTRATIVE MATTERS

1. Manager's Report

The next meetings are scheduled for March 7, 2023, and April 4, 2023.

Ms. Krizen gave some background into the process and costs involved with holding meetings. In order to hold a meeting, depending on the length of the meeting, starts at \$3,000, which includes costs such as advertising fees, printing, travel, engineering staff, legal staff, and the shipping of meeting materials.

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.

K. BOARD MEMBER COMMENTS

Discussion ensued regarding the Pulte Board Members resigning from the Board. The three remaining Board Members will resign one at a time. The four remaining Board Members would appoint a new Board Member.

L. ADJOURNMENT

There being no further business to come before the Board, the Regular Board Meeting was adjourned at 2:30 p.m. on a **motion** made by Mr. Brooks, seconded by Ms. Ray and passed unanimously.

Chairman/Vice Chairman

Secretary/Assistant Secretary

Date Approved _____

WINDING CYPRESS (PHASES 1 -4)

LAKE BANK INSPECTION REPORT

FEBRUARY 2023

PREPARED FOR:

WINDING CYPRESS COMMUNITY DEVELOPMENT DISTRICT

SPECIAL DISTRICT SERVICES, INC.

7225 WIREGRASS COURT

NAPLES, FL 34114

PREPARED BY:



9351 CORKSCREW ROAD DRIVE, SUITE 102

ESTERO, FLORIDA 33928

JOSH R. EVANS, P.E.
FLORIDA LICENSE NO. 57436
J.R. Evans Engineering, P.A.

OVERVIEW

In a continuing effort to monitor and report on the functionality of The Winding Cypress Stormwater Management System (SWMS), an inspection of the SWMS was performed in February of 2023. Inspections included field observations of all lake banks within Phases 1-4 of the Winding Cypress SWMS to determine the extent of existing stabilization and any areas of erosion. This report outlines the observations made and identifies areas of concern which need maintenance/repair, and any recommended additional inspections/monitoring.

GENERAL PROJECT INFORMATION

- Project Location: Winding Cypress, Collier County, FL
- Dates of Inspection:
 - Lake Banks: February 2023 (field observation by J.R. Evans Engineering, P.A.)

LAKE BANK INSPECTION

Field observation of the lakes within Phases 1-4 of the Winding Cypress SWMS were performed in February 2023. All lakes within Phases 1-4 were inspected. Lake stabilization consists of grassed shorelines at varying slopes and seawall stabilization.

Within Phases 1-4 of the SWMS, there were areas of erosion noted on grassed shorelines, including areas of minor erosion that require maintenance/repair to prevent substantial erosion or failure, and areas of extensive erosion that require immediate corrective action to remediate the shorelines. It is recommended that corrective action is taken to remediate shorelines identified as having “minor erosion” and “extensive erosion” within this report.

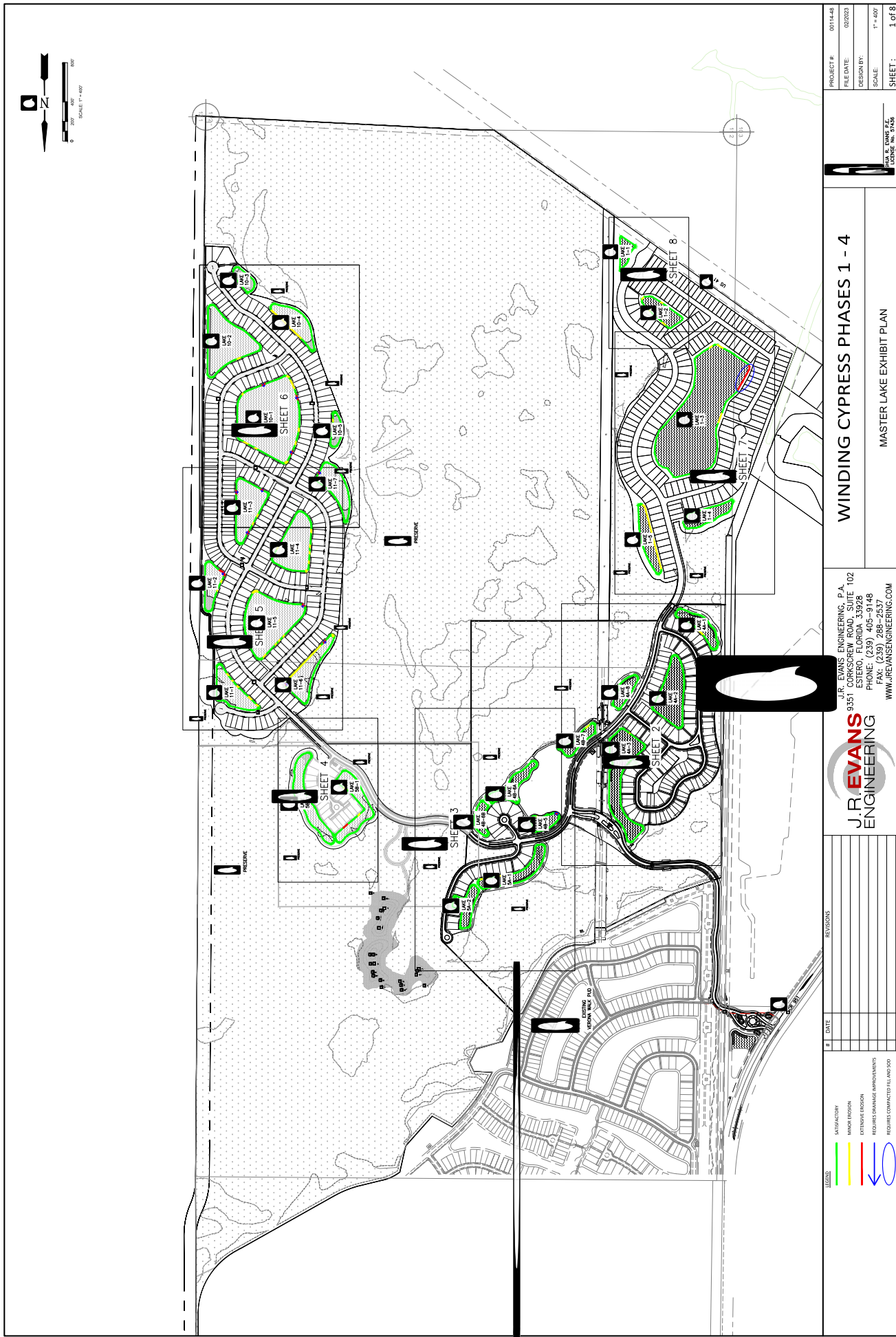
Included as Exhibit A to this report is an exhibit identifying the lake shorelines that were inspected, with color-coded identification to delineate shorelines that were satisfactory (green), shorelines with “minor erosion” (yellow) to monitor throughout the year and shorelines with “extensive erosion” (red) need to be repaired. Exhibit A also includes recommended solutions to shorelines with “extensive erosion” such as compacted fill and sod, or drainage improvements. The exhibit also identifies reference numbers for photographs which are included as Exhibit B to this report. Please note that the photos were taken during the dry season.

SUMMARY

It is also recommended that continuing inspections of the Winding Cypress SWMS be performed to monitor the condition of the SWMS. A SWMS of this nature requires continuing maintenance to ensure functionality of the system, and inspections by a registered professional engineer are integral to identify problem areas and/or confirm that the system is functioning adequately.

EXHIBIT A

LAKE SUMMARY AND IDENTIFICATION EXHIBIT



J.R. EVANS ENGINEERING 9351 CORKSCREW ROAD, SUITE 102 CORKSCREW, NC 27024 PHONE: (239) 405-9148 FAX: (239) 288-7537 WWW.JREVAENGINEERING.COM		WINDING CYPRESS PHASES 1 - 4 MASTER LAKE EXHIBIT PLAN		PROJECT #: 00114-48 FILE DATE: 02/20/23 DESIGN BY: J.R. EVANS SCALE: 1" = 400' SHEET: 1 of 8
# DATE REVISIONS		LEGEND SARAFACUMY MAYOR ENDS EXTENSIVE EROSION EXISTING PROPOSED EXISTING WALK PROPOSED WALK REQUIRES DRAINAGE IMPROVEMENTS REQUIRES COMPACTED FILL AND GDD		

