

**MINUTES OF MEETING
WESTVIEW SOUTH COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Westview South Community Development District held Public Hearings and a Regular Meeting on February 8, 2023, immediately following the adjournment of the Center Lake Ranch West CDD Board Meeting, scheduled to commence at 1:30 p.m., at the Hampton Inn & Suites Orlando South Lake Buena Vista, 4971 Calypso Cay Way, Kissimmee, Florida 34746.

Present at the meeting were:

Josh Kalin	Chair
Rob Bonin	Vice Chair
Nora Schuster	Assistant Secretary
Heather Isaacs	Assistant Secretary
Logan Lantrip	Assistant Secretary

Also present were:

Cindy Cerbone	District Manager
Andrew Kantarzhi	Wrathell, Hunt and Associates, LLC (WHA)
Jere Earlywine (via telephone)	District Counsel
Meredith Hammock	KE Law Group
Santiago Machado	Interim District Engineer
Steve Sanford (via telephone)	Bond Counsel

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Ms. Cerbone called the meeting to order at 2:17 p.m. All Supervisors were present.

Ms. Cerbone stated that the Oath of Office was administered to Ms. Isaacs and Mr. Lantrip prior to the meeting.

- **Consideration of Engagement of Jere Earlywine/Kutak Rock LLP for District Counsel Services**

This item was an addition to the agenda.

Ms. Cerbone stated that the CDD was notified that Mr. Earlywine resigned from KE Law Group, effective February 6, 2023, and is joining Kutak Rock LLP. The Board can choose to

remain with KE Law Group, transfer District Counsel Services to Mr. Earlywine at his new firm or retain new District Counsel.

Mr. Earlywine discussed his professional background working as a CDD lawyer for almost 20 years and his hope to continue representing Westview South CDD, as he has been involved in its establishment and working on the project since inception. Kutak Rock’s proposal and fees are very competitive and, in his opinion, the switch would be beneficial to the CDD.

On MOTION by Mr. Kalin and seconded by Ms. Isaacs, with all in favor, engaging Jere Earlywine/Kutak Rock LLP for District Counsel Services, was approved.

SECOND ORDER OF BUSINESS

Public Comments

No members of the public spoke.

THIRD ORDER OF BUSINESS

Administration of Oath of Office, Heather Isaacs [SEAT 2] and Logan Lantrip [SEAT 4] *(the following will be provided in a separate package)*

Ms. Cerbone briefly explained the following items that were previously provided:

- 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

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 2023-27, Expressing its Intent to Utilize the Uniform Method of Levying, Collecting, and Enforcing Non-Ad Valorem Assessments Which May Be Levied by the Westview South Community Development District in Accordance with Section 197.3632, Florida Statutes; Providing a Severability Clause; and Providing an Effective Date

On MOTION by Ms. Isaacs and seconded by Ms. Schuster, with all in favor, the Public Hearing was opened.

No members of the public spoke.

On MOTION by Ms. Isaacs and seconded by Mr. Kalin, with all in favor, the Public Hearing was closed.

Ms. Cerbone presented Resolution 2023-27 and read the title.

On MOTION by Mr. Kalin and seconded by Ms. Schuster, with all in favor, Resolution 2023-27, Expressing its Intent to Utilize the Uniform Method of Levying, Collecting, and Enforcing Non-Ad Valorem Assessments Which May Be Levied by the Westview South Community Development District in Accordance with Section 197.3632, Florida Statutes; Providing a Severability Clause; and Providing an Effective Date, was adopted.

FIFTH 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)**
- C. Engineer’s Report *(for informational purposes)***
- D. Master Special Assessment Methodology Report *(for informational purposes)***

Ms. Cerbone recalled that the Engineer’s and Master Special Assessment Methodology Reports were presented and discussed at the previous meeting and any necessary updates were made. The most recent versions are in the agenda books.

Discussion ensued regarding the need to adjust the Equivalent Residential Units (ERUs) in the Methodology Report, the market rate, the financing schedule and the bond issuance.

Ms. Cerbone stated Staff will take feedback from the Board, pending review by Management’s office. Mr. Kalin offered to coordinate with District Staff. Mr. Earlywine stated the ERUs for the townhomes should be .25 and 1.0 for the 50’ product types. Ms. Cerbone will check the ERUs with her office and report her findings. Mr. Earlywine will contact Mr. Kessler and Mr. Mark McDonald regarding the bond financing schedule.

On MOTION by Mr. Kalin and seconded by Ms. Schuster, with all in favor, authorizing Staff to amend the Master Special Assessment Methodology Report in relation to the townhomes, subject to review by Management’s office, was approved.

- *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.*

On MOTION by Mr. Kalin and seconded by Ms. Schuster, with all in favor, the Public Hearing was opened.

No members of the public spoke.

On MOTION by Mr. Kalin and seconded by Ms. Isaacs, 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 had no changes.

Ms. Cerbone presented Resolution 2023-28 and read the title.

- E. **Consideration of Resolution 2023-28, Making Certain Findings; Authorizing a Capital Improvement Plan; Adopting an Engineer’s Report; Providing an Estimated Cost of Improvements; Adopting an Assessment Report; Equalizing, Approving, Confirming and Levying Debt Assessments; Addressing the Finalization of Special Assessments; Addressing the Payment of Debt Assessments and the Method of Collection; Providing for the Allocation of Debt Assessments and True-Up Payments; Addressing Government Property, and Transfers of Property to Units of Local, State and Federal Government; Authorizing an Assessment Notice; and Providing for Severability, Conflicts and an Effective Date**

On MOTION by Ms. Isaacs and seconded by Ms. Schuster, with all in favor, Resolution 2023-28, Making Certain Findings; Authorizing a Capital Improvement Plan; Adopting an Engineer’s Report; Providing an Estimated Cost of Improvements; Adopting an Assessment Report; Equalizing, Approving, Confirming and Levying Debt Assessments; Addressing the Finalization of Special Assessments; Addressing the Payment of Debt Assessments and the Method of Collection; Providing for the Allocation of Debt Assessments and True-Up Payments; Addressing Government Property, and Transfers of Property to Units of Local, State and Federal Government; Authorizing an Assessment Notice; and Providing for Severability, Conflicts and an Effective Date, was adopted.

- A. **Affidavit of Publication**
- B. **Consideration of Resolution 2023-29, 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**

Ms. Cerbone presented the proposed Fiscal Year 2023 budget, which is a landowner-contribution budget. In response to a question regarding the “Insurance” line item, Mr. Earlywine stated the insurance covers the CDD officers, includes general liability and protects Board Members from lawsuits.

On MOTION by Mr. Kalin and seconded by Ms. Schuster, with all in favor, the Public Hearing was opened.

No members of the public spoke.

On MOTION by Mr. Kalin and seconded by Ms. Schuster, with all in favor, the Public Hearing was closed.

Ms. Cerbone presented Resolution 2023-29 and read the title.

On MOTION by Ms. Schuster and seconded by Ms. Isaacs, with all in favor, Resolution 2023-29, 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.

SEVENTH ORDER OF BUSINESS

Consideration of Resolution 2023-30, Ratifying the Amendment to Resolution 2023-13 to Re-Set the Date of the Public Hearing to Consider and Hear Comment on the Adoption of Rules of Procedure; Providing a Severability Clause; and Providing an Effective Date

Ms. Cerbone presented Resolution 2023-30 and read the title. A new meeting date must be set for the public hearing for the Rules of Procedure.

On MOTION by Mr. Kalin and seconded by Ms. Schuster, with all in favor, Resolution 2023-30, Ratifying the Amendment to Resolution 2023-13 to Re-Set the Date of the Public Hearing to Consider and Hear Comment on the Adoption of Rules of Procedure; Providing a Severability Clause; and Providing an Effective Date, allowing Ms. Cerbone to set the Public Hearing date, was adopted.

EIGHTH ORDER OF BUSINESS

Consideration of Resolution 2023-07, Designating the Primary Administrative Office and Principal Headquarters of the District and Providing an Effective Date

Ms. Cerbone presented Resolution 2023-07. She stated Management’s office is the designated primary administrative office of the CDD. The Principal Headquarters must be in Osceola County.

Discussion ensued regarding potential local records office locations in Osceola County.

The following change was made to Resolution 2023-07:

Section 2: Change “The District’s principal headquarters” to “The District’s local records office”

On MOTION by Ms. Isaacs and seconded by Mr. Kalin, with all in favor, Resolution 2023-07, Designating, Wrathell, Hunt and Associates, 2300 Glades Road, Suite 410W, Boca Raton, Florida, 33431 as the Primary Administrative Office and Bella Lago Clubhouse, 1220 Lago Vista Court, Kissimmee, Florida, 34746 as the local records office of the District and Providing an Effective Date, was adopted.

NINTH ORDER OF BUSINESS

Consideration of Resolution 2023-14, 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

Ms. Cerbone presented Resolution 2023-14.

Discussion ensued regarding potential meeting locations, costs and the meeting schedule.

The following will be inserted into the Fiscal Year 2023 Meeting Schedule:

DATES: Second Wednesday of each month

TIME: 2:00 p.m.

LOCATION: Hampton Inn & Suites Orlando South Lake Buena Vista, 4971 Calypso Cay Way, Kissimmee, Florida 34746

On MOTION by Mr. Kalin and seconded by Ms. Isaacs, with all in favor, Resolution 2023-14, 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, was adopted.

TENTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of December 31, 2022

Ms. Cerbone presented the Unaudited Financial Statements as of December 31, 2022.

On MOTION by Ms. Isaacs and seconded by Mr. Kalin, with all in favor, the Unaudited Financial Statements as of December 31, 2022, were accepted.

ELEVENTH ORDER OF BUSINESS

Approval of Minutes

Ms. Cerbone presented the following:

- A. December 8, 2022 Landowners' Meeting**
- B. December 8, 2022 Organizational Meeting**

On MOTION by Ms. Schuster and seconded by Ms. Isaacs, with all in favor, the December 8, 2022 Landowners' Meeting and December 8, 2022 Organizational Meeting Minutes, as presented, were approved.

TWELFTH ORDER OF BUSINESS

Staff Reports

C. District Counsel: *Kutak Rock LLP*

Mr. Earlywine asked about the status of the construction and utility turnovers, if there will be construction draws from the bond proceeds with the contracts being in the CDD’s name or if the Developer will complete the improvements and then “sell them” once completed and when bond funds will be needed.

Mr. Kalin stated construction is nearly complete and turnover to the utility provider will occur in July, the follow-up date is in June and the bond funds will be needed in April.

D. District Engineer (Interim): *Atwell, LLC*

There was no report.

E. District Manager: *Wrathell, Hunt and Associates, LLC*

Discussion ensued regarding CDD-owned assets, the benefits of contracting with the Master Association for Field Operations as improvements come online, operation and maintenance (O&M) and debt service assessment amounts, the proposed Fiscal Year 2024 budget and the next meeting date.

- **NEXT MEETING DATE: TBD**
 - **QUORUM CHECK**

THIRTEENTH ORDER OF BUSINESS

Board Members’ Comments/Requests

There were no Board Members’ comments or requests.

FOURTEENTH ORDER OF BUSINESS

Public Comments

No members of the public spoke.

FIFTEENTH ORDER OF BUSINESS

Adjournment

On MOTION by Ms. Isaacs and seconded by Mr. Kalin, with all in favor, the meeting adjourned at 2:56 p.m.



Secretary/Assistant Secretary



Chair/Vice Chair