

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

The Board of Supervisors of the Westview South Community Development District held a Regular Meeting and Audit Committee Meeting on December 13, 2023 at 2:00 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
Patrick "Rob" Bonin	Vice Chair
Logan Lantrip	Assistant Secretary
Nora Schuster	Assistant Secretary

Also present:

Andrew Kantarzhi	District Manager
Katie Ibarra (via telephone)	District Counsel
Bennett Davenport (via telephone)	Kutak Rock, LLP
Larry Thomas Ray	Interim District Engineer
Antonio Shaw	Operations Manager

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Kantarzhi called the meeting to order at 2:01 p.m. Supervisors Kalin, Bonin, Lantrip and Schuster were present. Supervisor Isaacs was not present.

SECOND ORDER OF BUSINESS

Public Comments

No members of the public were present.

THIRD ORDER OF BUSINESS

Consideration of Osceola Property Appraiser Agreement

On MOTION by Mr. Kalin and seconded by Mr. Lantrip, with all in favor, the Osceola Property Appraiser Agreement, was approved.

FOURTH ORDER OF BUSINESS

Ratification Items

- **Polk County Uniform Collection Agreement**

This item was an addition to the agenda.

Mr. Kantarzhi presented the Polk County Uniform Collection Agreement.

On MOTION by Mr. Kalin and seconded by Mr. Lantrip, with all in favor, the Polk County Uniform Collection Agreement, was ratified.

- **Acquisition of Pod A, Phase 1A Improvements, Cypress Parkway Improvements and Work Product**

This item, previously Item 4B, was presented out of order.

Mr. Kantarzhi presented the Letter Agreement for Acquisition of Pod A, Phase 1A Improvements, Cypress Parkway Improvements and Work Product.

On MOTION by Mr. Kalin and seconded by Mr. Bonin, with all in favor, Acquisition of Pod A, Phase 1A Improvements, Cypress Parkway Improvements and Work Product, was ratified.

- A. **Acceptance of Supplemental Corporate Declaration and Supplemental District Engineer’s Certificate Related to the Acquisition of Pod A, Phase 1A Improvements, Cypress Parkway Improvements and Work Product**

Mr. Kantarzhi presented the Supplemental Corporate Declaration and Supplemental District Engineer’s Certificate related to the Acquisition of Pod A, Phase 1A Improvements, Cypress Parkway Improvements and Work Product.

Ms. Ibarra and Mr. Davenport discussed supporting documentation for payments made to the contractor by the Developer for the improvements acquired.

On MOTION by Mr. Kalin and seconded by Ms. Schuster, with all in favor, acceptance of the Supplemental Corporate Declaration and Supplemental District Engineer’s Certificate Related to the Acquisition of Pod A, Phase 1A Improvements, Cypress Parkway Improvements and Work Product, was ratified.

- B. **Acquisition of Pod A, Phase 1A Improvements, Cypress Parkway Improvements and Work Product**

This item was presented before Item 4A.

- C. **Enviraquatic, LLC Aquatic Maintenance Services Agreement**

Mr. Kantarzhi presented the Enviraquatic, LLC Aquatic Maintenance Services Agreement. It was noted that Enviraquatic treats the water; Floralawn maintains pond banks.

On MOTION by Ms. Schuster and seconded by Mr. Kalin, with all in favor, the Enviraquatic, LLC Aquatic Maintenance Services Agreement, at a cost of \$625 per month, was ratified.

D. Floralawn Inc., Agreement for Pond Maintenance Services

Mr. Kantarzhi presented the Floralawn Inc., Agreement for Pond Maintenance Services. He noted that the scope of work includes mowing, trimming and cleanup of Ponds 1 through 6.

On MOTION by Mr. Kalin and seconded by Mr. Lantrip, with all in favor, the Floralawn Inc., Agreement for Pond Maintenance Services, at a cost of \$1,200 per month, was ratified.

E. Jr. Davis Construction Company, Inc., Change Order #2 [Pod B Project]

Mr. Kantarzhi presented Jr. Davis Construction Company, Inc., Change Order #2 for the Pod B Project. Backup documentation was discussed.

Mr. Kantarzhi stated he will circulate Change Order #1, which was previously executed.

On MOTION by Mr. Kalin and seconded by Mr. Lantrip, with all in favor, Jr. Davis Construction Company, Inc., Change Order #2 for the Pod B Project, was ratified.

F. Jr. Davis Construction Company, Inc., Change Order #3 [Pod B Project]

Mr. Kantarzhi presented Jr. Davis Construction Company, Inc., Change Order #3 for the Pod B Project.

Discussion ensued regarding performance bonds, Change Order #1 and the backup documentation.

Mr. Kalin asked if the CDD is the beneficiary of the performance bond. Ms. Ibarra replied affirmatively.

On MOTION by Mr. Kalin and seconded by Mr. Bonin, with all in favor, Jr. Davis Construction Company, Inc., Change Order #3 for the Pod B Project, was ratified.

FIFTH ORDER OF BUSINESS

Consideration of Response(s) to Request for Qualifications (RFQ) for Engineering Services

A. Affidavit of Publication

B. RFQ Package

These items were provided for informational purposes.

C. Respondent(s): Atwell, LLC

D. Competitive Selection Criteria/Ranking

E. Award of Contract

Mr. Kantarzhi stated that Atwell, LLC, (Atwell), who already serves as the Interim District Engineer was the only respondent to the RFQ. If the Board finds that Atwell meets all the requirements of the RFQ and Selection Criteria, awarding the contract to Atwell can proceed.

On MOTION by Mr. Kalin and seconded by Mr. Lantrip, with all in favor, accepting the response from Atwell, LLC, the sole respondent to the RFQ for Engineering Services, as a qualified response, awarding the contract for District Engineering Services to Atwell, LLC, and authorizing Staff to negotiate and prepare the Contract/Agreement and for the Chair to execute, was approved.

SIXTH ORDER OF BUSINESS

Consideration of Resolution 2024-01, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2023/2024 and Providing for an Effective Date

Mr. Kantarzhi presented Resolution 2024-01.

On MOTION by Mr. Bonin and seconded by Mr. Kalin, with all in favor, Resolution 2024-01, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2023/2024 and Providing for an Effective Date, was adopted.

The Regular Meeting recessed at 2:21 p.m., and the Audit Selection Committee Meeting convened.

EIGHTH ORDER OF BUSINESS

**Review of Response to Request for
Proposals (RFP) for Annual Audit Services**

A. Affidavit of Publication

B. RFP Package

The above items were provided for informational purposes.

C. Respondents

I. Grau & Associates

II. Berger, Toombs, Elam, Gaines & Frank

Mr. Kantarzhi stated that, as the District Manager of many CDDs, his firm has worked with both respondents and, in his opinion, both are qualified to perform the audit.

Discussion ensued regarding the scope of services and the requirement for a third-party audit, once bonds have been issued.

Mr. Kantarzhi presented his scores and rankings and stated the Auditor Selection Committee can accept his rankings or perform its own. He noted that cost is the factor that set the firms apart. Berger, Toombs, Elam, Gaines & Frank (BTEGF) bid \$4,300 for the first year with bond issuance. Grau & Associates (Grau) bid \$6,000 for the first year with bond issuance.

D. Auditor Evaluation Matrix/Ranking

Mr. Kantarzhi stated BTEGF is the lowest priced respondent. He presented jointly agreed upon scores and ranking of the Audit Selection Committee, as follows:

- | | | |
|----|--------------------------------------|-----|
| 1. | Berger, Toombs, Elam, Gaines & Frank | 100 |
| 2. | Grau & Associates | 99 |

Discussion ensued regarding the scope of service, annual renewals, etc.

On MOTION by Mr. Kalin and seconded by Mr. Bonin, with all in favor, the Audit Selection Committee joint scores and rankings, ranking Berger, Toombs, Elam, Gaines & Frank as the #1 ranked respondent to the RFP for Annual Audit Services, were approved.

NINTH ORDER OF BUSINESS

Termination of Audit Selection Committee Meeting/Reconvene Regular Meeting

The Audit Selection Committee Meeting terminated at 2:29 p.m., and the Regular Meeting reconvened.

TENTH ORDER OF BUSINESS

Consider Recommendation of Audit Selection Committee

• **Award of Contract**

On MOTION by Mr. Bonin and seconded by Mr. Kalin, with all in favor, accepting the scores, ranking and recommendation of the Audit Committee, ranking Berger, Toombs, Elam, Gaines & Frank as the #1 ranked respondent to the RFP for Annual Audit Services, and authorizing District Staff to negotiate an agreement with Berger, Toombs, Elam, Gaines & Frank, was approved.

ELEVENTH ORDER OF BUSINESS

Consider Assignment of Pod B and the Lift Station

Mr. Kantarzhi stated that this matter was raised toward the end of the last meeting.

Mr. Davenport stated this assignment no longer needs to be considered, as Change Order #2 incorporated Pod B and the lift station into the existing construction contract.

TWELFTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of October 31, 2023

On MOTION by Mr. Kalin and seconded by Mr. Bonin, with all in favor, Unaudited Financial Statements as of October 31, 2023, were accepted.

THIRTEENTH ORDER OF BUSINESS

Approval of August 9, 2023 Public Hearing and Regular Meeting Minutes

On MOTION by Ms. Schuster and seconded by Mr. Kalin, with all in favor, the August 9, 2023 Public Hearing and Regular Meeting Minutes, as presented, were approved.

FOURTEENTH ORDER OF BUSINESS

Staff Reports

A. District Counsel: Kutak Rock, LLP

B. District Engineer (Interim): Atwell, LLC

There were no District Counsel or District Engineer reports.

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

Mr. Shaw stated the first service by the pond maintenance contractor Enviraquatic was on December 5, 2023 and the report was provided to Mr. Kalin and Ms. Schuster. Going forward, the reports will be emailed to all Board Members. All six ponds will be serviced bi-weekly in the winter and weekly during growing season.

- **NEXT MEETING DATE: January 10, 2024 at 2:00 PM**
 - **QUORUM CHECK**

The next meeting will be on January 10, 2024, unless cancelled.

FIFTEENTH ORDER OF BUSINESS

Board Members' Comments/Requests

Mr. Shaw stated he will wait for Board direction regarding when to incorporate the front entry into the landscaping scope of service.

Discussion ensued regarding the need to define the scope of service.

It was noted that not all areas are CDD property; portions of the right-of-way (ROW) are HOA property.

Discussion ensued about irrigation meters belonging to the CDD and the HOA, planning for inaccessible areas, the location of swales adjacent to the wetlands, water management features and the need to review maps and plats.

Mr. Shaw will walk the property with landscaping contractors to determine if any areas are inaccessible or if there are concerns about equipment accessing lake banks.

SIXTEENTH ORDER OF BUSINESS

Public Comments

No members of the public were present.

SEVENTEENTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Bonin and seconded by Mr. Kalin, with all in favor, the meeting adjourned at 2:44 p.m.



Secretary/Assistant Secretary



Chair/Vice Chair