

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

The Board of Supervisors of the Westview South Community Development District held a Regular Meeting on May 8, 2024 at 2:00 p.m., as soon thereafter as the matter could be heard, 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:

Cindy Cerbone	District Manager
Andrew Kantarzhi	Wrathell, Hunt and Associates, LLC
Antonio Shaw	Operations Manager
Jere Earlywine (via telephone)	District Counsel
Larry Thomas Ray (via telephone)	Interim District Engineer
Susan Kane	Supervisor-Appointee
Gaylon Barcom	Supervisor-Appointee

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Kantarzhi called the meeting to order at 2:28 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.

▪ **Acceptance of Resignations from Supervisors**

This item was an addition to the agenda.

Mr. Kantarzhi presented the resignation letter of Ms. Nora Schuster, from Seat 5. Ms. Cerbone presented the emailed resignation of Ms. Heather Isaacs, from Seat 2.

On MOTION by Mr. Kalin and seconded by Mr. Lantrip, with all in favor, the resignations of Ms. Schuster and Ms. Isaacs, from Seats 5 and 2, respectively, were accepted.

▪ **Appointment of Supervisor(s) to Fill Seats 2 and 5**

This item was an addition to the agenda.

Mr. Kalin nominated Ms. Susan Kane to fill Seat 2. No other nominations were made.

On MOTION by Mr. Kalin and seconded by Mr. Lantrip, with all in favor, the appointment of Ms. Susan Kane to Seat 2, term expires November 2026, was approved.

Mr. Kalin nominated Mr. Gaylon Barcom to fill Seat 5. No other nominations were made.

On MOTION by Mr. Kalin and seconded by Mr. Lantrip, with all in favor, the appointment of Mr. Gaylon Barcom to Seat 5, term expires November 2024, was approved.

▪ **Administration of Oath of Office**

This item was an addition to the agenda.

Mr. Kantarzhi, a Notary of the State of Florida and duly authorized, administered the Oath of Office to Ms. Kane and Mr. Barcom. As experienced Board Members, Ms. Kane and Mr. Barcom are familiar with CDD Board membership requirements, obligations and responsibilities; the Sunshine Law; recordkeeping requirements; Form 1 filing requirements and ethics. Any questions regarding these items should be directed to District Management or District Counsel.

Supervisors Kane and Barcom completed Form 8B, which will be effective as of May 8, 2024. Mr. Kantarzhi read the following into the record, with regard to Form 8B that Supervisors Kane and Barcom submitted:

"I am a member of the Board of Supervisors of the Westview South Community Development District created under Chapter 190, Florida Statutes, and I am a principal, employee and/or business associate, or relative, of a landowner in the District. Decisions

potentially affecting the landowner may come before the Board from time to time. Pursuant to Section 112.3143(3)(b), and 190.007(1), Florida Statutes, I understand that I do not have a conflict of interest when voting on such matters, and that I am not prohibited from voting on such matters. That said, I am filing this disclosure of voting conflict in an abundance of caution, and to follow the procedures required by section 112.3143, Florida Statutes, and for the duration of my term and any subsequent terms.”

The Form 8Bs will be noted and attached to specific meeting minutes, only when necessary to disclose a conflict of interest.

THIRD ORDER OF BUSINESS

Consideration of Resolution 2024-03, Relating to the Amendment of the Annual Budget for the Fiscal Year Beginning October 1, 2022 and Ending September 30, 2023; and Providing for an Effective Date

Mr. Kantarzhi presented Resolution 2024-03 and the proposed amended Fiscal Year 2023 budget.

Ms. Cerbone stated, as required by Statute, the budget being amended must be presented to the Board. While the “Budget to Actual Variance” is \$17,171, in an abundance of caution and in the event that additional bills related to Fiscal Year 2023 are received, the proposed amendment will increase the Fiscal Year 2023 budget by \$23,671.

On MOTION by Mr. Kalin and seconded by Mr. Lantrip, with all in favor, Resolution 2024-03, Relating to the Amendment of the Annual Budget for the Fiscal Year Beginning October 1, 2022 and Ending September 30, 2023; and Providing for an Effective Date, was adopted.

FOURTH ORDER OF BUSINESS

Consideration of Resolution 2024-04, Approving a Proposed Budget for Fiscal Year 2024/2025 and Setting a Public Hearing Thereon Pursuant to Florida Law; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing an Effective Date

Ms. Cerbone stated she spoke with the Chair before the meeting. This is Management's first opportunity to work with a combined Taylor Morrison and Lennar team on budgets that have an impact regardless of the amount spent, meaning, rather than utilizing a Landowner contribution, pay as you go budget, on-roll and off-roll assessments will require that the CDD be paid whatever is budgeted. She discussed the benefits of scrutinizing the proposed Fiscal Year 2025 budget further and conferring with others within each organization to ensure that reasonable numbers are in the budget. Operations Manager Antonio Shaw is in attendance. She suggested the Board review the budget and voiced her belief that this item will be deferred today and that a proposed Fiscal Year 2025 budget might be adopted at the June meeting.

The Board and Staff discussed the proposed Fiscal Year 2025 budget, compared to the Fiscal Year 2024 budget, and noted the following:

- Landowner contributions will discontinue and off-roll assessments will be imposed.
- A second bond issuance is anticipated, as evidenced by increases in the Trustee, Emma software service and Debt Service Fund accounting line items.
- The Management/accounting/recording fee of \$48,000 is typical of a CDD with bonds; when Field Operations begin, some additional line items will be added, accordingly.

Discussion ensued regarding the "Street lighting agreement" line item, projected to increase from \$40,000 to \$90,000 due to Pod A and portions of Pod B, i.e., the southern portion of Assessment Area One, and additional neighborhoods coming online.

Mr. Kalin stated the \$90,000 includes areas projected to be installed and utilizing electricity as of October 2024, so additional areas will need to be included. The challenge will be the coordination to ensure that accounts are transferred by October. Ms. Cerbone stated that Accounting will work to have the accounts transferred efficiently.

- Off-roll assessments do not incur Property Appraiser and Tax Collector Fees because District Management sends the bills. On-roll assessments will increase by as much as 8% due to annual fees, which vary by County.
- Operation and Maintenance (O&M) will increase from year to year, as more phases are brought online and the CDD owns more and must maintain more. If any restrictive covenants or caps apply, that must be considered in the budget so that a Landowner contribution can be forced. Typically, these would be included in the Purchase and Sale Agreement. District Staff will assist in making calculations.

The meeting recessed at 2:51 p.m., and resumed at 2:54 p.m.

Mr. Kantarzhi stated, if the meeting is deferred, he will send a PDF of the proposed Fiscal Year 2025 budget to the Chair and other designated parties, including Mr. Shaw, who will work together and consult as necessary to develop the proposed Fiscal Year 2025 budget, which will be presented at the June meeting.

Ms. Cerbone stated these numbers were developed following a call with Mr. Kantarzhi, Mr. Shaw, Mr. Kalin and Mr. Kevin LaRue. Staff will continue conferring; it is important for other Board Members to work with Staff, on an individual basis, to contribute insights, ask questions, or defer to other Board Members, in advance of the June meeting.

Ms. Cerbone and Mr. Earlywine discussed the use of a Deficit Funding Agreement, given the hesitancy a Developer might have related to building up a large contingency.

Ms. Kane asked when platted and recorded properties are added to the tax roll. Mr. Earlywine stated it depends on the County and whether anything is currently on the tax roll this year or not. Ms. Cerbone stated that none are on the roll right now; properties might be recorded but the question is whether the Property Appraiser has updated Parcel IDs that District Management can extract from the Property Appraiser's website. Counties vary; however, by June 1st, a Preliminary Tax Roll is generally available from every County in Florida. An updated tax roll will likely be available in August; at that time, some assessments might have shifted to on roll.

Mr. Earlywine suggested Staff check with Mr. Szymonowicz to ensure that JV's platted lots are not put on roll, as an additional 7% cost would be incurred.

Mr. Kalin stated that slightly over 1,000 lots should be fully platted by June 2024.

Mr. Earlywine stated that lots platted during this calendar year will probably not make it on the tax roll in the fall, in most counties. Ms. Cerbone stated that off-roll assessments would be beneficial; they will be due on October 1, 2024 so that CDD expenses can be paid.

Ms. Cerbone asked if any other Field Operations line items might need to be adjusted. Mr. Kalin stated that another agenda item relates to the CDD's decision whether to maintain more property; the costs to maintain that extra land are unknown. Ms. Cerbone stated, if the CDD is not ready to make that decision, the Deficit Funding Agreement would be helpful.

Discontinuing Developer funding in favor of assessment liens was discussed. It was noted that over 100 residents, and 11 registered voters, currently reside in the CDD.

Mr. Shaw stated that \$150,000 is budgeted for additional landscaping; however, the proposal submitted totals \$203,792.

Discussion ensued regarding the amount that prompts a Request for Proposals (RFP), the scope of the Floralawn proposal, the carve out areas, Floralawn's familiarity with the property, the swale, the forward-looking nature of the quote given the addition of 22 ponds and the spine road that are not currently maintained.

This item was deferred.

FIFTH ORDER OF BUSINESS

Consideration of Resolution 2024-05, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2024/2025 and Providing for an Effective Date

Mr. Kantarzhi presented Resolution 2024-05.

On MOTION by Mr. Kalin and seconded by Ms. Kane, with all in favor, Resolution 2024-05, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2024/2025 and Providing for an Effective Date, was adopted.

SIXTH ORDER OF BUSINESS

Status Updates

A. Tract OS-1, OS-6, OS-15 Maintenance Carve Out

Mr. Kantarzhi stated that District Counsel and the District Engineer are addressing the maintenance carve out. An update or an agenda item will be presented at the next meeting.

Mr. Kalin expressed concern about the public road in the townhome area and two sign monuments on HOA land, which restricts the CDD from maintaining the wetlands as it is obligated to do. A previous Supervisor recommended the carve out to the CDD but he was concerned that the HOA might prefer to manage monument lighting rather than the CDD.

Discussion ensued regarding the map provided under Staff Reports, the pros and cons of an easement across the tract, CDD access to the wetlands, the HOA tracts and landscaping.

Mr. Shaw stated the landscape design shown in the agenda is currently estimated at an annual cost of \$14,000.

Discussion ensued regarding whether the CDD or the HOA should own and maintain this property, ownership of the amenity center, cash flow and bond issuance strategy.

Mr. Shaw stated that the swale should be broken out. It was noted that the CDD needs to maintain the southern portion of the swale. Mr. Shaw recalled that the irrigation controls are tied together. An updated proposal will be requested to solely address the swale.

B. Lighting Agreement from Duke Energy

This item was discussed during the Fourth Order of Business.

SEVENTH ORDER OF BUSINESS

Ratification Items

Mr. Kantarzhi presented the following:

A. Atwell, LLC Agreement for Engineering Services

On MOTION by Ms. Kane and seconded by Mr. Kalin, with all in favor, the Atwell, LLC Agreement for Engineering Services, was ratified.

B. Disclosure Technology Services, LLC EMMA® Filing Assistance Software as a Service License Agreement

On MOTION by Ms. Kane and seconded by Mr. Barcom, with all in favor, the Disclosure Technology Services, LLC EMMA® Filing Assistance Software as a Service License Agreement, was ratified.

Ms. Cerbone suggested the Board review the ratification items and ratify them with a single motion.

Mr. Earlywine suggested that, going forward, these items be labeled as Consent Agenda.

Ms. Cerbone presented items 7C through 7H.

Mr. Kantharzi distributed and stated there will be an additional item to ratify, Item 7I, which is the final package of fully executed documents related to Acquisitions of Pod A, including Phases IB and 2.

Ms. Kane asked for additional description to be included for items such as “Additional incidental materials items” totaling \$30,000, in Item 7DI.

- C. Ferguson Waterworks Change Orders [POD B Spine Road]
 - I. No. 5 Sample Point Materials
 - II. No. 6 Scope Gap TWA #220047
 - III. No. 7 Scope Gap TWA #220047/Additional Incidental Items
 - IV. No. 8 Sample Point Material for Watermark and KOA/Offsite Configuration for Reclaim
 - D. Fortiline Waterworks Change Orders [POD B Spine Road - N2A2B]
 - I. No. 5 Cul-de-sac Service & Blowoff/Additional Incidental Materials Items
 - II. No. 6 Updated Fitting Calculation
 - III. No. 7 Water and Reclaim Services Omitted from Original PO
 - IV. No. 9 Pipe Offset for Fire Hydrant/PVC Wye and Plug/Accessories
 - V. No. 10 Material Waste/Overage/Incidental Additional Material Items
 - E. Jr. Davis Construction Company, Inc. Change Orders [Pod B]
 - I. No. 5 Sleeves, Balance of Project
 - II. No. 6 Electrical Sleeve Crossing
 - III. No. 7 Irrigation Sleeves, Based on September 20, 2023 Designs
 - IV. No. 8 Storm Changes
 - V. No. 9 Added Handrail
 - VI. No. 10 Storm Changes
 - VII. No. 11 Storm Changes
 - F. Mack Concrete Industries, Inc. Change Order No. 5 [POD B Spine Road, Field Damaged Replacement]
 - G. Hydro Conduit, LLC d/b/a Rinker Materials Change Order No. 2 POD B Spine Road Plan Revisions – Additional Material/Reduction of Material]
 - H. Trugrit Roofing, LLC Agreement for Services [Hog Trapping]
 - I. Fully Executed Documents Related to Acquisitions of Pod A, Phases IB and 2
- This item was an addition to the agenda.

On MOTION by Mr. Barcom and seconded by Mr. Kalin, with all in favor, Items 7C through 7I, were approved and/or ratified.

EIGHTH ORDER OF BUSINESS

Consideration of Resolution 2024-06, Ratifying the Actions of the District Manager in Redesignating the Time and Location for Landowners' Meeting; Providing for Publication, Providing for an Effective Date

Mr. Kantarzhi presented Resolution 2024-06.

On MOTION by Ms. Kane and seconded by Mr. Barcom, with all in favor, Resolution 2024-06, Ratifying the Actions of the District Manager in Redesignating the Time and Location of November 5, 2024 at 1:00 p.m., at Johnston's Surveying, Inc., 900 Cross Prairie Parkway, Kissimmee, Florida 34744, for a Landowners' Meeting; Providing for Publication, Providing for an Effective Date, was adopted.

NINTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of March 31, 2024

Mr. Kantharzi stated the "Website hosting & maintenance" line item is over budget due to unique first-year expenses related to website setup; in subsequent years, the expense will be \$705, as budgeted.

Ms. Cerbone stated that, when developing the Fiscal Year 2024 General Fund budget, two to three bond issuances were anticipated. According to the Wrathell, Hunt and Associates, LLC (WHA) Agreement, the Management Fee is \$2,000 per month until bonds are issued; once bonds are issued the monthly Management fee is \$4,000. The Dissemination Agent fee for every bond issuance is \$1,000 for the Securities & Exchange Commission (SEC) filing. When the second bond issuance is completed, an additional \$5,500 fee for every additional bond issuance applies, as listed in the separate line item for "DSF accounting" for Debt service fund accounting. \$11,000 was budgeted for Fiscal Year 2024 because two bond issuances were anticipated; however, in September 2023 one bond issuance split in two assessment areas, which requires two separate SEC filings. Staff needs to ensure that the CDD was billed for two Dissemination agent charges for bond issuances. Regarding Debt Service Fund Accounting, because it was unanticipated, is such a large bond issuance and it is duplicative, she notified the Chair in September or October and advised that, while the fee was budgeted, she would hold off on charging for Debt service fund accounting. She stated that the charge will now need to go

into effect. She believes that halfway through the fiscal year is fair; while \$11,000 is budgeted, only \$5,500 will be charged. The next invoice will include the Dissemination Agent fee and half of the Debt Service Fund Accounting fee.

On MOTION by Mr. Kalin and seconded by Mr. Lantrip, with all in favor, the Unaudited Financial Statements as of March 31, 2024, were accepted.

TENTH ORDER OF BUSINESS**Approval of January 10, 2024 Regular Meeting Minutes**

Mr. Kantarzhi presented the January 10, 2024 Regular Meeting Minutes. The following change was made:

Line 23: Delete "Interim"

On MOTION by Mr. Kalin and seconded by Mr. Barcom, with all in favor, the January 10, 2024 Regular Meeting Minutes, as amended, were approved.

ELEVENTH ORDER OF BUSINESS**Staff Reports****A. District Counsel: Kutak Rock, LLP**

Mr. Earlywine estimated that the next bond issuance will occur in 2025. He asked to be informed of any additional assets, outside of the Site Work Contract, that need to be acquired.

B. District Engineer: Atwell, LLC

Mr. Ray stated construction is ongoing and requisitions are being approved daily.

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

Mr. Kantarzhi stated he emailed the Supervisors regarding Form 1. All Supervisors confirmed receipt of an email from the Commission on Ethics (COE). Mr. Kantarzhi stated that he will email an additional reminder containing links to ethics training courses.

- **Status Report - Field Operations**

Mr. Shaw presented the Field Operations Report. While an HOA representative was in favor of mosquito treatments, the current vendor stated that the ponds do not have conditions conducive to mosquito breeding, such as standing water. Proactive treatments are being applied and currently there are no issues.

Mr. Kalin asked how the aquatics vendor is performing. Mr. Shaw stated that Enviraquatic has been the best that he has worked with; reports are good and detailed. He does not believe they are treating the swale, as it is not under CDD control. He noted that the water level is currently low. The dumpster was cleaned up as documented in the Report.

Mr. Shaw discussed ongoing hog control measures and efforts to obtain permission for trapping in the South Florida Water Management District (SFWMD) areas.

- **Registered Voters in District as of April 15, 2024**
 - **Osceola County: 0**
 - **Polk County: 11**

Ms. Cerbone stated that these totals reflect only those residents within CDD boundaries who have changed their Voter Registration information. It was estimated that 100 townhomes are currently occupied.

- **NEXT MEETING DATE: June 12, 2024 at 2:00 PM**
 - **QUORUM CHECK**

The next meeting will be on June 12, 2024, unless cancelled.

TWELFTH ORDER OF BUSINESS

Board Members' Comments/Requests

Discussion ensued regarding the upcoming meetings scheduled immediately after the Clear Lake Ranch West meetings. The consensus was that there is no need to readvertise the meetings; the schedule can be addressed in the future, if necessary.

THIRTEENTH ORDER OF BUSINESS

Public Comments

No members of the public were present.


FOURTEENTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Kalin and seconded by Mr. Barcom, with all in favor, the meeting adjourned at 3:43 p.m.

SIGNATURES APPEAR ON THE FOLLOWING PAGE]


Secretary/Assistant Secretary


Chair/Vice Chair