

MINUTES OF MEETING
WESTSIDE
COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Westside Community Development District was held Tuesday, July 11, 2023 at 11:00 a.m. at the offices of Hanson Walter & Associates, 8 Broadway Avenue, Suite 104, Kissimmee, Florida.

Present and constituting a quorum were:

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|---------------------|---------------------|
| Tom Franklin | Chairman |
| Scott Stewart | Vice Chairman |
| Jose Lagunilla, Jr. | Assistant Secretary |

Also present were:

| | |
|-----------------|-------------------|
| Jason Showe | District Manager |
| Jay Lazarovich | Latham Shuker |
| Mark Vincutonis | District Engineer |
| Andy Hatton | Field Manager |

FIRST ORDER OF BUSINESS

Roll Call

Mr. Showe called the meeting to order and called the roll.

SECOND ORDER OF BUSINESS

Public Comment Period

There being none, the next item followed.

THIRD ORDER OF BUSINESS

Organizational Matters

- A. Appointment of Individuals to Fill Seats 3, 4 & 5
- B. Administration of the Oath of Office for Newly Appointed Supervisors
- C. Consideration of Resolution 2023-15 Electing Officers

This item was tabled.

FOURTH ORDER OF BUSINESS

Approval of the Minutes of the May 2, 2023 Meeting

On MOTION by Mr. Lagunilla seconded by Mr. Franklin with all in favor the minutes of the May 2, 2023 meeting were approved, as presented.

FIFTH ORDER OF BUSINESS

Public Hearing

On MOTION by Mr. Franklin seconded by Mr. Stewart with all in favor the public hearing was opened.

A. Consideration of Resolution 2023-12 Adopting the Fiscal Year 2024 Budget and Relating to the Annual Appropriations

Mr. Showe stated Resolution 2023-12 adopts the Fiscal Year 2024 budget, copy of which is included in the agenda package. There are no changes to the assessments, and we have been able to accumulate some reserves for capital projects.

There being no public present to comment, the Board took the following action.

On MOTION by Mr. Franklin seconded by Mr. Stewart with all in favor Resolution 2023-12 Adopting the Fiscal Year 2024 Budget and Relating to the Annual Appropriations was approved.

B. Consideration of Resolution 2023-13 Imposing Special Assessments and Certifying an Assessment Roll

Mr. Showe stated Resolution 2023-13 imposes the special assessments and certifies the assessment roll. Attached to this resolution will be the budget you just adopted as well as the assessment roll that will be transmitted to the property appraiser and tax collector so that the assessments will be placed on the tax bill.

There being no public present, the Board took the following action.

On MOTION by Mr. Lagunilla seconded by Mr. Franklin with all in favor Resolution 2023-13 Imposing Special Assessments and Certifying an Assessment Roll was approved.

On MOTION by Mr. Franklin seconded by Mr. Stewart with all in favor the public hearing was closed.

SIXTH ORDER OF BUSINESS

Review and Acceptance of Fiscal Year 2022 Audit Report

Mr. Showe stated in the letter to management there is a finding from 2011 that the District didn't make all the reserve payments for the Series 2005 and 2007 bonds. We did note that those were canceled in 2022 and we expect in future years that note should go away.

On MOTION by Mr. Franklin seconded by Mr. Lagunilla with all in favor the Fiscal Year 2022 Audit report was accepted.

**SEVENTH ORDER OF BUSINESS Consideration of Resolution 2023-14
Designating Assistant Treasurer**

On MOTION by Mr. Franklin seconded by Mr. Lagunilla with all in favor Resolution 2023-14 designating Darrin Mossing, Sr. as an Assistant Treasurer was approved.

**EIGHTH ORDER OF BUSINESS Ratification of Landscape Maintenance
Addendum with Yellowstone Landscape for
Soleil Area**

Mr. Showe stated next is an addendum to the landscape agreement with Yellowstone, we have an additional area.

Mr. Hatton stated it is the pond at the end of Westside Boulevard Phase 4 of Soleil. It is a new dry pond on the corner and the vegetation around it.

On MOTION by Mr. Franklin seconded by Mr. Lagunilla with all in favor the addendum to the Yellowstone contract for the Soleil area in the amount of \$63,260 was ratified.

NINTH ORDER OF BUSINESS Discussion Items

A. Request from Landowner to an Easement Agreement

Mr. Showe stated we received a request from someone who is interested in purchasing a parcel that is not within the CDD, but they are asking for easement access through a parcel we own. It is staff's recommendation to not approve the request; they can get access from another location.

On MOTION by Mr. Franklin seconded by Mr. Stewart with all in favor the request for an easement agreement was denied.

B. Engaging Consulting Engineer

Mr. Showe stated next is a discussion of getting a consulting engineer. Your current District Engineer is also the design engineer on the pond and we would like an independent engineer and evaluate what steps need to be taken to make sure the pond was constructed properly. We don't have a proposal yet.

Mr. Vincutonis stated we had Universal look at it and they set piezometers and have been monitoring them. The levels peaked last fall and a month ago storms came through and flooded and it slowly receded last month. Their recommendation was that we need to find an outfall for it. We came up with an option to run 2,000 to 3,000 feet of pipe, setting the structure in the east side of that, running a pipe under the south entrance of Solara Phase 2, following the east line then up the east line to the wetlands. To avoid any permitting issues we would have to set the invert coming out of the pond at the 100 years because the pond was designed as a 100 year landlocked pond. It helps drop the elevation very quickly to that level, but it was estimated to be \$190,000.

Mr. Showe stated if the Board is amenable, we will get some proposals for a consulting engineer and have the Chairman approve that once they are received so we can get an evaluation and we can approach the developer of that project about how to best resolve it.

On MOTION by Mr. Franklin seconded by Mr. Stewart with all in favor staff was authorized to obtain a proposal from a consulting engineer and the Chairman was authorized to approve the proposal to get the evaluation underway.

TENTH ORDER OF BUSINESS

Staff Reports

A. Attorney

Mr. Lazarovich stated I distributed a memo via email that is also in front of you that goes over a couple changes in Florida Law. There is now ethics training that applies to special districts, it spells out reporting requirements and we included links to find those trainings online. It is effective January 1, 2024. You will have to complete four hours every year. As to the concealed carry law we want to remind everyone that it is prohibited to have any firearms in a government meeting. There was also a technology transparency law put in place that restricts governments from entering into agreements with social media companies and sets different prohibitions on removing content or accounts unless it met an exception and there is also a government and corporate activism, which discusses entering into agreements, you can't take any ideological or social aspect of the company into consideration when entering into contracts.

B. Engineer

There being no comments, the next item followed.

C. Manager

i. Approval of Check Register

Mr. Showe presented the April and May 2023 check registers in the amount of \$259,247.31 and \$69,153.73.

On MOTION by Mr. Franklin seconded by Mr. Lagunilla with all in favor the check registers were approved.

ii. Balance Sheet and Income Statement

A copy of the balance sheet and income statement were included in the agenda package.

iii. Discussion of Direct Bill Status

A copy of the direct bill status was included in the agenda package.

iv. Approval of Fiscal Year 2024 Meeting Schedule

On MOTION by Mr. Franklin seconded by Mr. Stewart with all in favor the Fiscal Year 2024 meeting schedule reflecting meetings on the first Tuesday of the month at 11:00 AM at the Offices of Hanson, Walter & Associates was approved.

ELEVENTH ORDER OF BUSINESS

Supervisor's Requests


There being no comments, the next item followed.

TWELFTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Stewart seconded by Mr. Lagunilla with all in favor the meeting adjourned at 11:29 a.m.


Secretary/Assistant Secretary


Chairman/Vice Chairman