

**MINUTES OF MEETING
WESTSIDE
COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of the Westside Community Development District was held Tuesday, **June 4, 2024** 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:

Tom Franklin	Chairman
Scott Stewart	Vice Chairman
Robert Bagwell	Assistant Secretary
Milagros Solano <i>by phone</i>	Assistant Secretary

Also present were:

Jason Showe	District Manager
Jay Lazarovich	Latham Shuker
Mark Vincutonis	District Engineer
Thomas Santos	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 no comments, the next item followed.

THIRD ORDER OF BUSINESS

Organizational Matters

A. Consideration of Resume(s)/Letter(s) of Interest

Mr. Showe stated we received a letter of interest from Ms. Solano that was included in the agenda package.

B. Appointment of Individuals to Fill seats 2, 3, 4 & 5

On MOTION by Mr. Bagwell seconded by Mr. Franklin with all in favor Milagros Solano was appointed to seat 3 with a term ending November 2026.

C. Administration of Oaths of Office to Newly Appointed Supervisor(s)

The oath of office will be administered prior to the next meeting.

D. Consideration of Resolution 2024-04 Electing Officers

On MOTION by Mr. Franklin seconded by Mr. Stewart with all in favor Resolution 2024-04 was approved adding Ms. Solano as an assistant secretary:

FOURTH ORDER OF BUSINESS

Approval of the Minutes of the February 6, 2024 Meeting

On MOTION by Mr. Franklin seconded by Mr. Stewart with all in favor the minutes of the February 6, 2024 meeting were approved as presented.

FIFTH ORDER OF BUSINESS

Ratification of Series 2022-2 Requisitions 6-8

On MOTION by Mr. Stewart seconded by Mr. Franklin with all in favor Requisitions 6-8 from the Series 2022-3 bonds were ratified.

SIXTH ORDER OF BUSINESS

Consideration of Resolution 2024-01 Ratifying the Conveyance of Infrastructure Improvements

Mr. Lazarovich stated this is for the conveyance of utilities from Mattamy to the CDD then from the CDD to Toho Water Authority.

On MOTION by Mr. Stewart seconded by Mr. Bagwell with all in favor Resolution 2024-01 ratifying the conveyance of infrastructure improvements was approved.

SEVENTH ORDER OF BUSINESS

**Consideration of Resolution 2024-02
Approving the Conveyance of Real Property
and Infrastructure Improvements**

Mr. Lazarovich stated this is tract 1R it is a stormwater pond also in Solera Phase 3. We have gone back and forth with Mattamy’s counsel for our form documents. We have accepted some of their changes, however we have gone back and forth on the bill of sale. They are requesting that the indemnification is taken out and they want the pond transferred as is. That is not normally what we would do. Under our bond documents we have told them that they are required to transfer the pond to us in a condition reasonable satisfaction to the district. If we deny this request and I have spoken with Jan and we don’t believe we should accept these changes, they could come back and say we are not being reasonable, but we suggest that you deny these comments and we can go back and negotiate further. We don’t recommend accepting these changes.

Mr. Vincutonis asked are they done with the punch list items? I have been out there three or four times and there is trash, barren areas, and silt on the bottom on the pond.

EIGHTH ORDER OF BUSINESS

**Consideration of Resolution 2024-03
Approving the Proposed Fiscal Year 2025
Budget and Setting a Public Hearing**

Mr. Showe stated Resolution 2024-03 approves the proposed fiscal year 2025 budget, sets the public hearing for August 6, 2024 and authorizes staff to provide the approved budget to the county and post it on the district’s website. The budget is similar to what you have seen in the past and we were able to keep the assessments level.

On MOTION by Mr. Stewart seconded by Mr. Bagwell with all in favor Resolution 2024-03 approving the proposed fiscal year 2025 budget and setting the public hearing for August 6, 2024 for final adoption was approved.

NINTH ORDER OF BUSINESS

**Consideration of Agreement with Florida
Native Plant Society**

Mr. Showe stated there is a tract that apparently has some rare seeds and the Florida Plant Society has inspected the area and propose to collect some seeds. They wouldn’t take any plants

with them. District counsel and the engineer have looked at the request and they don't see any issues with it.

On MOTION by Mr. Stewart seconded by Mr. Bagwell with all in favor the agreement with Florida Native Plant Society for seed collection was approved.

TENTH ORDER OF BUSINESS Discussion of Access/Property Transfer Request

Mr. Showe stated this is a request of the Caribe Cove Condominium Association to transfer a piece of property to them. It is a conservation area and staff does not recommend approval of the request.

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

ELEVENTH ORDER OF BUSINESS Discussion of Towing Rules

TWELFTH ORDER OF BUSINESS Consideration of Resolution 2024-02 Setting the Public Hearing on Parking and Towing Rules

Mr. Lazarovich stated we prepared Resolution 2024-02 setting the public hearing on parking and towing rules. This would be within Calabria on the west side, those are CDD owned streets. There is a map attached to the resolution.

Mr. Showe stated the crux is how do you enforce the policy. We don't have staff out there doing it. Does the HOA have parking rules for street parking?

Mr. Franklin stated new this week is a new ordinance HB 306 that clarifies what you can and can't do. The governor said yesterday he was going to sign the bill. It was primarily for HOAs but did make comment about CDDs as well. You might want to check that and make sure it doesn't conflict.

Mr. Showe stated based on our experience in terms of street parking, if the HOA is going to be the enforcement arm, CDDs will enter into an agreement with the HOA giving them permission to enforce parking on CDD roads.

Mr. Stewart stated I think we just give them permission for enforcement.

On MOTION by Mr. Franklin seconded by Mr. Stewart with all in favor Resolution 2024-02 setting the public hearing on the parking and towing policies was approved.

**THIRTEENTH ORDER OF BUSINESS Ratification of the Tolling Agreement
Related to Pond 4**

Mr. Lazarovich stated the tolling agreement was entered into by both parties in regard to pond 4 phase 2. There was some negotiation and we wanted to bring this back to the board, we had previously asked the board to approve us filing a complaint to protect the statute of limitations and this agreement now does that. It goes from May 9th until one of the parties decides to terminate the agreement. There has been no notice and it requires 60-days' notice to terminate.

On MOTION by Mr. Stewart seconded by Mr. Bagwell with all in favor the Tolling Agreement related to Pond 4 was ratified.

FOURTEENTH ORDER OF BUSINESS Staff Reports

A. Attorney

i. Annual Reminder on Florida Laws for Public Officials

Mr. Lazarovich stated we have two memos in the agenda. The first is our annual ethics reminder.

ii. Memo Regarding Recently Enacted Legislation

Mr. Lazarovich stated the second memo is regarding new legislation that goes into effect July 1st. This sets forth your requirements and GMS is going to prepare performance goals and objectives and by October 1, 2024 is when we need to begin setting forth every year their goals and objectives and the following year by December 1st, post that on the website that you have met those objectives or failed to meet them. There was also one other change to Chapter 190, F.S., there used to be a requirement that once you pass a certain population threshold you had to have a referendum on incorporation that has been removed from the statute. It doesn't apply to the CDD.

I want to update you on Paradise Palms, there are three ponds we previously discussed that they requested that the CDD take over maintenance and we have been going back and forth with their counsel. We put their counsel on notice that if the CDD were to begin maintaining and owning the ponds, they have to be open to the public. It is within a gated area, and I have not heard back from them and that was the middle of May.

B. Engineer

There being no comments, the next item followed.

C. Manager

i. Approval of Check Register

On MOTION by Mr. Franklin seconded by Mr. Bagwell with all in favor the check register was 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. Presentation of Series 2018, 2019, 2022-1 and 2022-2 Arbitrage Rebate Calculation Reports

Mr. Showe stated a copy of the Series 2018, 2019, 2022-1 and 2022-2 arbitrage rebate reports were included in your agenda package.

v. General Election Qualifying Period & Process

Mr. Showe stated we have two seats that are up for election, seat 1 Mr. Bagwell, and seat 2 which is vacant. The official qualifying period is noon Monday June 10 through noon June 14th.

vi. Presentation of Number of Registered Voters, 1,281

A copy of the letter from the supervisor of elections indicating that there are 1, 281 registered voters residing in the district was included in the agenda package.

FIFTEENTH ORDER OF BUSINESS Supervisor's Requests

There being no comments, the next item followed.

SIXTEENTH ORDER OF BUSINESS Other Business

There being no comments, the next item followed.

SEVENTEENTH ORDER OF BUSINESS Adjournment

On MOTION by Mr. Franklin seconded by Mr. Stewart with all in favor the meeting adjourned at 11:40 a.m.



Secretary/Assistant Secretary



Chairman/Vice Chairman