

*Westside Haines City
Community Development District*

Meeting Agenda

August 19, 2021

AGENDA

Westside Haines City

Community Development District

219 E. Livingston St., Orlando, Florida 32801

Phone: 407-841-5524 – Fax: 407-839-1526

August 12, 2021

**Board of Supervisors
Westside Haines City
Community Development District**

Dear Board Members:

The regular meeting of the Board of Supervisors of **Westside Haines City Community Development District** will be held **Thursday, August 19, 2021, at 10:00 AM at 346 East Central Ave., Winter Haven, FL 33880.**

Zoom Video Link: <https://us06web.zoom.us/j/88176655269>

Call-In Information: 1-646-876-9923

Meeting ID: 881 7665 5269

Following is the advance agenda for the meeting:

Board of Supervisors Meeting

1. Roll Call
2. Public Comment Period (¹Speakers will fill out a card and submit it to the District Manager prior to the beginning of the meeting)
3. Ratification of Joint Letter from Hopping, Green & Sams and KE Law Group Regarding District Counsel Representation
4. Consideration of Fee Agreement with KE Law Group
5. Organizational Matters
 - A. Acceptance of Resignations from Patrick Marone and April Payeur
 - B. Appointment of Individuals to Fulfill Board Vacancies with Terms Ending November 2023
 - C. Administration of Oaths to Newly Appointed Supervisors
 - D. Consideration of Resolution 2021-37 Electing Officers
6. Approval of Minutes of the July 15, 2021 Board of Supervisors Meeting

¹ Comments will be limited to three (3) minutes

7. Consideration of Resolution 2021-38 Ratifying, Confirming, and Approving the Actions of the Board and Staff Regarding the Sale and Closing of the Series 2021 Assessment Area One Bonds
8. Consideration of Resolution 2021-39 Re-Designating the Registered Agent for the District
9. Consideration of Resolution 2021-40 Re-Designating Date, Time, and Location for Fiscal Year 2022 Meetings
10. Staff Reports
 - A. Attorney
 - B. Engineer
 - C. District Manager's Report
 - i. Approval of Check Register
 - ii. Balance Sheet & Income Statement
 - iii. Ratification of Summary of Series 2021 AA1 Requisitions #1-8; #10 and #11
11. Other Business
12. Supervisors Requests and Audience Comments
13. Adjournment

SECTION III

Hopping Green & Sams

Attorneys and Counselors

July 22, 2021

VIA ELECTRONIC MAIL

Westside Haines City CDD
c/o Jill Burns
Governmental Management Services-Central Florida
219 East Livingston Street
Orlando, Florida 32801
Jburns@gmscfl.com



RE: JOINT LETTER BY HOPPING GREEN & SAMS AND KE LAW GROUP, PLLC, ANNOUNCING THE DEPARTURE OF ROY VAN WYK, JERE EARLYWINE, SARAH WARREN, AND JENNIFER KILINSKI TO KE LAW GROUP, PLLC

Dear Jill,

As of July 19, 2021, Roy Van Wyk, Jere Earlywine, Sarah Warren, Lauren Gentry, and Jennifer Kilinski ("Attorneys") will be withdrawing as Attorneys from Hopping Green & Sams, P.A. ("HGS") and will be working for KE Law Group, PLLC ("KE Law"). Attorneys have provided services in connection with this Firm's representation of the Client on the above referenced matter(s) (the "Client Matters"). While Attorneys through their new firm, KE Law, and HGS, are each prepared to continue as the Clients' legal counsel with respect to the Client Matters, it is the Client's choice as to who should serve as its legal counsel, and whether the Client Matters and files should be transferred to KE Law, or remain with HGS.

Please select one of the following alternatives:

1. ALTERNATIVE #1. The Client asks that the Client Matters be transferred to Attorneys and their new firm, KE Law. Please transfer to Attorneys and their new firm all original files and electronic files relating to the Client Matters. The Client understands that HGS will have the right to keep a copy of those files. HGS's legal representation of the Client will cease on the date of HGS's receipt of their written notice. After that date, Attorneys and their new firm, KE Law, will be responsible for legal representation of the Client in the Client Matters. To the extent that HGS is holding any trust funds or other property of the Client, HGS is further instructed to transfer such funds or property KE Law.

 
(Please sign if you want Alternative #1; [DATE]
otherwise, do not sign on this line.)

2. ALTERNATIVE #2. The Client does not want any files or pending matters transferred to Attorneys or their new firm. HGS should continue to serve as the Clients' legal counsel for all pending matters until the attorney-client relationship is changed sometime after the date of this document. All Client Matters and files should remain in the custody of HGS until further notice.

(Please sign if you want Alternative #2; [DATE]
otherwise, do not sign this line.)

3. If you do not want either Alternative #1 or Alternative #2, please advise us what we should do

regarding your matters and files.

(Please sign here if you have [DATE]
Given instructions under Alternative
#3; otherwise do not sign on this line.)

After you have completed and signed this form, please send a copy via electronic mail to JasonM@hgslaw.com, AmyC@hgslaw.com and MarkS@hgslaw.com, with a copy to roy@kelawgroup.com, jere@kelawgroup.com, sarah@kelawgroup.com, lauren@kelawgroup.com, jennifer@kelawgroup.com.

Thank you for your consideration and assistance.

HOPPING GREEN & SAMS, P.A.

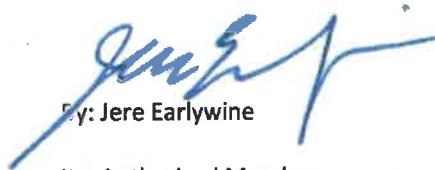


By: Jonathan Johnson

Its: President

Date: July 22, 2021

KE LAW GROUP, PLLC



By: Jere Earlywine

Its: Authorized Member

Date: July 22, 2021

SECTION IV



P.O. Box 6386, Tallahassee, Florida 32314

**KE LAW GROUP, PLLC FEE AGREEMENT
WESTSIDE HAINES CITY CDD**

I. PARTIES

THIS AGREEMENT is made and entered into by and between the following parties:

A. Westside Haines City Community Development District (“Client”)

Jill Burns, District Manager
219 East Livingston Street
Orlando, Florida 32801
and

B. KE LAW GROUP PLLC, (“KE Law”)

P.O. Box 6386
Tallahassee, FL 32314

II. SCOPE OF SERVICES

In consideration of the mutual undertakings and agreements contained herein, the parties agree as follows:

A. The Client agrees to employ and retain KE Law as its attorney and legal representative for counseling and representation for the purpose of providing advice and counsel regarding the Astonia Community Development District.

B. KE Law accepts such employment and agrees to serve as attorney for and provide legal representation to the Client in connection with those matters referenced above.

III. CLIENT FILES

The files and work product material (“client file”) of the Client generated or received by KE Law will be maintained by KE Law in its regular offices. At the conclusion of the representation, the client file will be stored by KE Law for a minimum of five (5) years. After the five (5) year storage period, the Client hereby acknowledges and consents that KE Law may confidentially destroy or shred the client file, unless KE Law is provided a written request from the Client requesting return of the client file, to which KE Law will return the client file at the Client’s expense.

IV. FEES

A. The Client agrees to compensate KE Law for services rendered in connection with any matters covered by this Agreement according to the agreed upon hourly billing rates for individual KE Law lawyers, plus actual expenses incurred by KE Law in accordance with the attached standard Expense Reimbursement Policy (Attachment A, incorporated herein by reference). The hourly rates of the attorneys who are initially expected to handle the bulk of Client's work are Roy Van Wyk at \$365/hour, Sarah Warren at \$350/hour. Associate attorneys will be billed between \$265/hour to \$285/hour. To the extent other KE Law attorneys or law clerks provide work on this matter, those rates will be provided to Client. Paralegals are billed at \$170/hour and the range of hourly rates for KE Law attorneys is \$265-\$450/hour.

1. Bond Validation - Billed at Hourly Rates
2. First Bond Issuance - \$45,000 Including Expenses
3. Each Subsequent Bond Issuance – To be Negotiated

B. To the extent practicable and consistent with the requirements of sound legal representation, KE Law will attempt to reduce Client's bills by assigning each task to the person best able to perform it at the lowest rate so long as he or she has the requisite knowledge and experience. KE Law's hourly billing rates are reevaluated annually prior to the beginning of the calendar year and are subject to change each year at that time. Client agrees to KE Law's annual rate increases to the extent hourly rates are not increased beyond \$15/hour for attorneys working on this matter.

C. In addition to billing for hourly rates, KE Law will include costs and expenses (including interest charges on past due statements) on its billing statements for Client reimbursement in accordance with the attached standard Expense Reimbursement Policy (Attachment A).

V. FLORIDA EXECUTIVE AND LEGISLATIVE BRANCH LOBBYING LAWS

Florida law requires any individual participating in executive or legislative branch lobbying to register as an executive or legislative branch lobbyist and report any fees associated with such representation. To the extent that KE Law represents Client on matters before executive branch agencies, or before applicable legislative entities, Client agrees to sign client consent forms required by Florida lobbying law and agrees to registration of KE Law attorneys as lobbyists and the reporting of fees associated with such representation.

VI. BILLING AND PAYMENT

The Client agrees to pay KE Law monthly billings for fees and expenses incurred within thirty (30) days following receipt of a statement from KE Law. KE Law shall not be obligated to perform further legal services under this Fee Agreement if any such billing statement remains unpaid longer than thirty (30) days after submittal to and receipt by Client. Non-payment of fees shall be a basis for KE Law to immediately withdraw from the representation without regard to remaining actions necessitating attention by KE Law as part of the representation.

VII. DEFAULT

In the event of a dispute arising under this Agreement, whether or not a lawsuit or other proceeding is filed, the prevailing party shall be entitled to recover its reasonable attorneys' fees and costs, including attorneys' fees and costs incurred in litigating entitlement to attorneys' fees and costs, as well as in determining or quantifying the amount of recoverable attorneys' fees and costs. The reasonable costs to which the prevailing party is entitled shall include costs that are taxable under any applicable statute, rule, or guideline, as well as non-taxable costs, including, but not limited to, costs of investigation, telephone charges, mailing and delivery charges, information technology support charges, consultant and expert witness fees, travel expenses, court reporter fees, and mediator fees, regardless of whether such costs are otherwise taxable. Venue of any such action shall be exclusive in the state courts of the Second Judicial Circuit in and for Leon County, Florida.

VIII. CONFLICTS

It is important to disclose that KE Law represents a number of special districts, builders, developers, and other entities throughout Florida relating to community development districts and other special districts. By accepting this Agreement Client agrees that (1) Client was provided with an explanation of the implications of the common representation(s) and the advantages and risks involved; (2) KE Law will be able to provide competent and diligent representation of Client, regardless of KE Law's other representations, and (3) there is not a substantial risk that KE Law's representation of Client would be materially limited by KE Law's responsibilities to another client, a former client or a third person or by a personal interest. Acceptance of this fee proposal will constitute your waiver of any "conflict" with KE Law's representation of various special districts, builders, developers, and other entities relating to community development districts and other special districts in Florida.

VIII. TERMINATION

Either party may terminate this Fee Agreement upon providing prior written notice to the other party at its regular place of business. All fees due and payable in accordance with this Agreement shall accrue and become payable pursuant to the terms of this Agreement through the date of termination.

IX. EXECUTION OF AGREEMENT

This Agreement shall be deemed fully executed upon its signing by KE Law and the Client. The contract formed between KE Law and the Client shall be the operational contract between the parties.

X. ENTIRE CONTRACT

This Agreement constitutes the entire agreement between the parties.

Accepted and Agreed to:

Westside Haines City Community
Development District

KE Law Group, PLLC

By:

Date: _____

By:

Date: _____

ATTACHMENT A

KE LAW GROUP PLLC EXPENSE REIMBURSEMENT POLICY

The following is KE Law Groups' standard expense reimbursement policy.

This policy applies unless a different arrangement has been negotiated based on the unique circumstances of a particular client or matter. All expenses are billed monthly. Billings ordinarily reflect expenses for the most recent month, except where there are delays in receiving bills from third party vendors.

Interest

. For all statements outstanding ninety (90) days past the invoice date, simple interest at a rate of one percent (1%) per month (twelve percent per annum) will be assessed on the outstanding fees and expenses.

Printing and Mailing

. In-house photocopying and printing is charged at \$0.25 per page (black & white) and \$.50 per page (color). Outside copying is billed as a pass-through of the outside vendor's charges.

. Outgoing facsimile transmissions are charged at \$1.00 per page. There is no charge for incoming faxes.

Postage and Delivery.

. Postage is billed at actual cost.

. Overnight delivery is billed at actual cost.

. Local messenger service is billed at the IRS approved reimbursement rate.

Computerized Legal Research

. Charges for computerized legal research are billed at an amount approximating actual cost.

Travel

. Travel (including air fare, rental cars, taxicabs, hotel, meals, tips, etc.) is billed at actual cost. Where air travel is required, coach class is used wherever feasible. Out-of-town mileage is billed at the IRS approved reimbursement rate.

Consultants

. Unless prior arrangements are made, consultants are ordinarily employed directly by the client. Where consultants are employed by the firm, their charges are passed-through with no mark-up. The client is responsible for notifying the firm of any billing arrangements or procedures which the client requires of the consultant.

Other Expenses.

. Other outside expenses, such as court reporters, agency copies, etc. are billed at actual cost.

Word Processing and Secretarial Overtime

. No charge is made for word processing.

No charge is made for secretarial overtime except in major litigation matters where unusual overtime demands are imposed.

SECTION V

SECTION A

Jill, I'd like to resign from the Westside Haines City CDD effective immediately.

Thanks,

Patrick

Good afternoon, Jill & Sam,

I regret to inform you that I must resign from my position as Board member for the Westside Haines City CDD as of 8/18/21.

I will be changing jobs effective 8/18/2021.

It has been an absolute pleasure working with you. Please do not hesitate to reach out to me for anything further you may need.

Thank you,

April W. Payeur

SECTION D

RESOLUTION 2021-37

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE WESTSIDE
HAINES CITY COMMUNITY DEVELOPMENT DISTRICT ELECTING THE
OFFICERS OF THE DISTRICT, AND PROVIDING FOR AN EFFECTIVE
DATE.**

WHEREAS, the Westside Haines City Community Development District (“**District**”) is a local unit of special-purpose government created and existing pursuant to Chapter 190, *Florida Statutes*, being situated partially within the City of Haines City, Florida and partially within unincorporated Polk County; and

WHEREAS, pursuant to Chapter 190, *Florida Statutes*, the Board of Supervisors (“**Board**”), shall organize by electing one of its members as Chairperson and by electing a Secretary, and such other officers as the Board may deem necessary.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS
OF THE WESTSIDE HAINES CITY COMMUNITY DEVELOPMENT
DISTRICT:**

1. DISTRICT OFFICERS. The District officers are as follows:

_____	is appointed Chairperson.
_____	is appointed Vice-Chairperson.
_____	is appointed Secretary.
_____	is appointed Assistant Secretary.
_____	is appointed Assistant Secretary.
_____	is appointed Assistant Secretary.
_____	is appointed Assistant Secretary.

2. CONFLICTS. All Resolutions or parts of Resolutions in conflict herewith are hereby repealed to the extent of such conflict.

3. EFFECTIVE DATE. This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED this 19th day of August, 2021

ATTEST:

**WESTSIDE HAINES CITY COMMUNITY
DEVELOPMENT DISTRICT**

Secretary/Assistant Secretary

Chairperson, Board of Supervisors

MINUTES

**MINUTES OF MEETING
WESTSIDE HAINES CITY
COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of the Westside Haines City Community Development District was held Monday, **July 15, 2021** at 10:00 a.m. at 346 E. Central Avenue, Winter Haven, Florida.

Present and constituting a quorum:

Lauren Schwenk
Patrick Marone
Justin Frye *via Zoom*
April Payeur

Vice Chairman
Assistant Secretary
Assistant Secretary
Assistant Secretary

Also present were:

Jill Burns
Roy Van Wyk
Rey Malave *via Zoom*
Ashton Bligh

District Manager, GMS
Hopping Green & Sams
Dewberry
Greenberg Traurig

FIRST ORDER OF BUSINESS

Introduction

Ms. Burns called the meeting to order and called the roll. Three Board members were physically present constituting a quorum.

SECOND ORDER OF BUSINESS

Public Comment Period

Ms. Burns noted no members of the public were present in person or via Zoom.

THIRD ORDER OF BUSINESS

**Approval of Minutes of the June 17, 2021
Board of Supervisors Meeting**

Ms. Burns presented the June 17, 2021 board of supervisors meeting minutes. She asked if there were any questions, comments, or changes, and hearing none asked for a motion to approve.

On MOTION by Ms. Schwenk, seconded by Ms. Payeur, with all in favor, the Minutes of the June 17, 2021 Board of Supervisors Meeting, were approved.

FOURTH ORDER OF BUSINESS

**Presentation of Supplemental Assessment
Methodology for Assessment Area One**

Ms. Burns reviewed the tables in the Supplemental Assessment Methodology for the Board. She stated that the only change was that this was updated to reflect the final pricing that was circulated for the term of the bonds.

Mr. Van Wyk asked Ms. Burns if the Supplemental Assessment Methodology was consistent with the Master Methodology report. Ms. Burns confirmed that it was. Mr. Van Wyk also asked if the properties that were subject to the assessment were receiving benefits greater than or equal to the assessment in Ms. Burns opinion. Ms. Burns said yes. Mr. Van Wyk then asked if the assessments were fairly and reasonably proportioned across the various product types within the District. Ms. Burns replied with yes.

On MOTION by Ms. Schwenk, seconded by Ms. Payeur, with all in favor, Supplemental Assessment Methodology for Assessment Area One, was approved.

FIFTH ORDER OF BUSINESS

Consideration of Resolution 2021-35 Supplemental Assessment Resolution (Series 2021)

Ms. Burns stated that this resolution sets forth the terms of the bonds issued by the District. Ms. Burns said that it applied to the Assessment Methodology of the project that is going to be completed.

On MOTION by Ms. Schwenk, seconded by Ms. Payeur, with all in favor, Resolution 2021-35 Supplemental Assessment Resolution, (Series 2021), was approved.

A. Consideration of Notice of Lien of Special Assessments (Series 2021)

Ms. Burns stated that they are looking for a motion to authorize counsel to record this notice.

On MOTION by Ms. Schwenk, seconded by Ms. Payeur, with all in favor, the Notice of Lien of Special Assessments (Series 2021) and Authorizing Counsel to Record, was approved.

SIXTH ORDER OF BUSINESS

Consideration of Developer Agreements for Series 2021 (AA1)

A. Lennar

i. True-Up Agreement

Ms. Burns stated that the landowner would confirm their intention and obligation if required to make the True-Up payments related to the Assessment Area One Special Assessments.

ii. Declaration of Consent

Ms. Burns stated that the landowner confirms or agrees that the assessments have been adopted by the Board and all proceedings that were taken by the Board are in accordance with Florida law and that the District has taken all action necessary to levy and impose the Assessment Area One special assessments.

On MOTION by Ms. Schwenk, seconded by Ms. Payeur, with all in favor, the True-Up Agreement and the Declaration of Consent Agreement for Series 2021 (AA1), was approved.

B. GLK Real Estate

i. True-Up Agreement

Ms. Burns stated that the landowner would confirm their intention and obligation if required to make the True-Up payments related to the Assessment Area One special assessments.

ii. Acquisition Agreement

Ms. Burns stated that the landowner and District will agree to the agreement set forth for the process by which the District can acquire work and property.

iii. Completion Agreement

Ms. Burns said that the landowner requested that the District limit the amount of assessments imposed on the Assessment Area One project, allowing the landowner to directly fund a portion of those expenses. The landowner has agreed to provide the funds to the District to complete that portion of the Assessment Area One project.

iv. Declaration of Consent

Ms. Burns said the landowner confirms for this agreement that the assessments have been adopted by the Board, and all proceedings that are taken by the District have been in accordance with the Florida law, and that the District has taken all action necessary to levy and impose the Assessment Area One special assessments.

v. Collateral Assignment Agreement

Ms. Burns said that in the event of a defaulted payment of the Assessment Area One Special Assessment, the landowner will sign certain development rates to the District to allow the District to complete the project or enable a third party to complete it.

On MOTION by Ms. Schwenk, seconded by Ms. Payeur, with all in favor, the GLK Real Estate Agreements for Series 2021 (AA1), were approved.

SEVENTH ORDER OF BUSINESS

Consideration of Assignment Packages for:

A. Cascades Phase 1A

Ms. Burns stated this was with QGS and was with the contract from GLK to the District. She offered to answer any questions about it but there were none.

On MOTION by Ms. Schwenk, seconded by Ms. Payeur, with all in favor, Cascades Phase 1A Assignment Package, was approved.

B. Cascades Phase 1B

Ms. Burns stated this contract was with Tucker Paving and would be the contract from GLK to the District. There were no questions.

On MOTION by Ms. Schwenk, seconded by Ms. Payeur, with all in favor, Cascades Phase 1B Assignment Package, was approved.

EIGHTH ORDER OF BUSINESS

Discussion and Consideration of Form of Temporary Construction and Access Easement Agreements for:

- A. Cascades Phase 1A**
- B. Cascades Phase 2B**
- C. Brentwood Phase 1**
- D. Cascades Phase 2**

Mr. Marone said there are multiple landowners and that they didn't have all of their names yet, but that they would like to get the Board to approve this form of easement and to allow the Chairman to execute each one that is necessary for each one of the construction areas.

On MOTION by Ms. Schwenk, seconded by Ms. Payeur, with all in favor, the Form of Temporary Construction and Access Easement Agreements for Cascades Phase 1A, Cascades Phase 2B, Brentwood Phase 1, Cascades Phase 2, and Authorization for the Chairman to sign, was approved in substantial form.

NINTH ORDER OF BUSINESS

Consideration of Construction Funding Agreement with GLK Real Estate, LLC

Ms. Burns stated that GLK Real Estate, LLC would agree to fund the construction expenses for the following Phases: Cascades Phase 1A, Cascades Phase 2B, Brentwood Phase 1, Cascades Phase 2. Ms. Burns also followed up that this would be reimbursed out of the bond issuance.

On MOTION by Ms. Schwenk, seconded by Ms. Payeur, with all in favor, the Construction Funding Agreement with GLK Real Estate, LLC, was approved.

TENTH ORDER OF BUSINESS

Consideration of Resolution 2021-36 Direct Purchase Resolution

Ms. Burns stated this was a resolution stating that the District determines that directly purchasing construction materials will provide construction cost reduction and savings that are in the best interest of the District. This appoints the District Manager and District Engineer as the purchasing agent.

On MOTION by Ms. Schwenk, seconded by Ms. Payeur with all in favor, Resolution 2021-36 Direct Purchase Resolution, was approved.

ELEVENTH ORDER OF BUSINESS

Staff Reports

A. Attorney

Mr. Van Wyk stated that he did not have anything further to report to the Board.

B. Engineer

Mr. Malave added that there was a question asked about the comparing of construction costs that came in through the bid and about their estimate shown in the Engineer's Report. Mr. Malave followed up that when the phases were added in along with the offsite development of the three construction pieces, the estimate came to about \$21.5 million. He stated that the estimate was

very comparable and that the conclusion was that what was in the Engineer's Report for costs collates to the actual construction costs closely. Mr. Malave offered to elaborate on any other questions for the Board. Hearing none, the next item followed.

C. District Manager's Report

i. Approval of Check Register

Ms. Burns stated that the current check register was \$29,967.66 and that it was through July 7, 2021.

On MOTION by Ms. Schwenk, seconded by Ms. Payeur, with all in favor, the Check Register totaling \$29,967.66 through July 7, 2021, was approved.

ii. Balance Sheet and Income Statement

Ms. Burns had nothing new to report to the Board. She stated that Financial Statements were included in the Board's package through the month of June. There was no action needed.

TWELTH ORDER OF BUSINESS

Other Business

Ms. Burns stated there was no other business to discuss.

THIRTEENTH ORDER OF BUSINESS

Supervisors Requests and Audience Comments

There being none, the next item followed.

FOURTEENTH ORDER OF BUSINESS

Adjournment

Ms. Burns adjourned the meeting.

On MOTION by Ms. Schwenk seconded by Ms. Payeur, with all in favor, the meeting was adjourned.

Secretary/Assistant Secretary

Chairman/Vice Chairman

SECTION VII

RESOLUTION 2021-38

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE WESTSIDE HAINES CITY COMMUNITY DEVELOPMENT DISTRICT RATIFYING, CONFIRMING, AND APPROVING THE ACTIONS OF THE CHAIRPERSON, VICE CHAIRPERSON, SECRETARY, ASSISTANT SECRETARIES, AND ALL DISTRICT STAFF REGARDING THE SALE AND CLOSING OF \$19,810,000 WESTSIDE HAINES CITY COMMUNITY DEVELOPMENT DISTRICT SPECIAL ASSESSMENT BONDS, SERIES 2021 (ASSESSMENT AREA ONE PROJECT); PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Westside Haines City Community Development District (the “**District**”) is a local unit of special-purpose government created and existing pursuant to Chapter 190, *Florida Statutes*, located partially within unincorporated Polk County, Florida and partially within the City of Haines City, Florida; and

WHEREAS, the District previously adopted Resolution No. 2021-24 and Resolution No. 2021-32, on March 29, 2021, and June 17, 2021, respectively (together, the “**Bond Resolution**”), authorizing the issuance of \$19,810,000 Westside Haines City Community Development District Special Assessment Bonds, Series 2021 (Assessment Area One Project) by the District (the “**Assessment Area One Bonds**”), for the purpose of financing a portion of the acquisition and/or construction of the District’s “Assessment Area One Project”; and

WHEREAS, the District closed on the issuance of the Assessment Area One Bonds on July 19, 2021; and

WHEREAS, as prerequisites to the issuance of the Assessment Area One Bonds, the Chairperson, Vice Chairperson, Treasurer, Secretary, Assistant Secretaries, and District staff including the District Manager, District Financial Advisor, District Counsel and Bond Counsel (the “**District Staff**”) were required to execute and deliver various documents (the “**Closing Documents**”); and

WHEREAS, the District desires to ratify, confirm, and approve all actions of the District Chairperson, Vice Chairperson, Treasurer, Secretary, Assistant Secretaries, and District Staff in closing on the issuance of the Assessment Area Two Bonds.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE WESTSIDE HAINES CITY COMMUNITY DEVELOPMENT DISTRICT:

SECTION 1. The issuance of the Assessment Area One Bonds, the adoption of resolutions relating to such Assessment Area One Bonds, and all actions taken in the furtherance

of the closing on the Assessment Area One Bonds, are hereby declared and affirmed as being in the best interests of the District and are hereby ratified, approved, and confirmed by the Board of Supervisors of the District.

SECTION 2. The actions of the Chairperson, Vice Chairperson, Treasurer, Secretary, Assistant Secretaries, and all District Staff in finalizing the closing and issuance of the Assessment Are One Bonds, including the execution and delivery of the Closing Documents, and such other certifications or other documents required for the closing on the Assessment Are One Bonds, are determined to be in accordance with the prior authorizations of the Board and are hereby ratified, approved, and confirmed in all respects.

SECTION 3. If any provision of this Resolution is held to be illegal or invalid, the other provisions shall remain in full force and effect.

SECTION 4. This Resolution shall become effective upon its adoption.

PASSED AND ADOPTED this 19th day of August 2021.

ATTEST:

**WESTSIDE HAINES CITY
COMMUNITY DEVELOPMENT
DISTRICT**

Secretary

Chairperson, Board of Supervisors

SECTION VIII

RESOLUTION 2021-39

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE WESTSIDE HAINES CITY COMMUNITY DEVELOPMENT DISTRICT DESIGNATING A REGISTERED AGENT AND REGISTERED OFFICE OF THE DISTRICT AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Westside Haines City Community Development District (the “District”) is a local unit of special-purpose government created and existing pursuant to Chapter 190, *Florida Statutes*, being situated partially within the City of Haines City, and partially within unincorporated Polk County, Florida; and

WHEREAS, the District is statutorily required to designate a registered agent and a registered office location for the purposes of accepting any process, notice, or demand required or permitted by law to be served upon the District in accordance with Section 189.014(1), *Florida Statutes*.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE WESTSIDE HAINES CITY COMMUNITY DEVELOPMENT DISTRICT:

SECTION 1. Jill Burns is hereby designated as the Registered Agent for the Westside Haines City Community Development District.

SECTION 2. The District’s Registered Office shall be located at Governmental Management Services—Central Florida, 219 East Livingston Street, Orlando, Florida 32801.

SECTION 3. In accordance with Section 189.014, *Florida Statutes*, the District’s Secretary is hereby directed to file certified copies of this Resolution with the City of Haines City, Polk County, and the Florida Department of Economic Opportunity.

SECTION 4. This Resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED this 19th day of August 2021

ATTEST:

**WESTSIDE HAINES CITY
COMMUNITY DEVELOPMENT
DISTRICT**

Secretary/Assistant Secretary

Chairperson, Board of Supervisors

SECTION IX

RESOLUTION 2021-40

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE
WESTSIDE HAINES CITY COMMUNITY DEVELOPMENT DISTRICT
ADOPTING THE REVISED ANNUAL MEETING SCHEDULE FOR
FISCAL YEAR 2021-2022; AND PROVIDING FOR AN EFFECTIVE DATE**

WHEREAS, the Westside Haines City Community Development District (the “District”) is a local unit of special-purpose government created and existing pursuant to Chapter 190, *Florida Statutes*, being situated partially within the City of Haines City, Florida and partially within unincorporated Polk County, Florida; and

WHEREAS, the District is required by Section 189.015, *Florida Statutes*, to file quarterly, semi-annually, or annually a schedule (including date, time, and location) of its regular meetings with local governing authorities; and

WHEREAS, further, in accordance with the above-referenced statute, the District shall also publish quarterly, semi-annually, or annually the District’s regular meeting schedule in a newspaper of general paid circulation in the county in which the District is located; and

WHEREAS, the Board desires to adopt the Fiscal Year 2021-2022 annual meeting schedule attached as **Exhibit A**.

**NOW THEREFORE BE IT RESOLVED BY THE BOARD OF
SUPERVISORS OF THE WESTSIDE HAINES CITY COMMUNITY
DEVELOPMENT DISTRICT:**

SECTION 1. The Fiscal Year 2021-2022 annual meeting schedule attached hereto and incorporated by reference herein as **Exhibit A** is hereby approved and shall be published in accordance with the requirements of Florida law and also provided to applicable governing authorities.

SECTION 2. This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED this 19th day of August 2021.

ATTEST:

**WESTSIDE HAINES CITY
COMMUNITY DEVELOPMENT
DISTRICT**

Secretary/Assistant Secretary

Chairperson, Board of Supervisors

Exhibit A: Fiscal Year 2021-2022 Annual Meeting Schedule

Exhibit A

**BOARD OF SUPERVISORS MEETING DATES
WESTSIDE HAINES CITY COMMUNITY DEVELOPMENT DISTRICT
FISCAL YEAR 2021-2022**

The Board of Supervisors of the Westside Haines City Community Development District will hold their regular meetings for Fiscal Year 2021-2022 on the 3rd Wednesday of each month, at the Offices of Cassidy Homes, at 346 E. Central Ave., Winter Haven, Florida 33880, at _____ p.m., unless otherwise indicated as follows:

**October 20, 2021
November 17, 2021
December 15, 2021
January 19, 2022
February 16, 2022
March 16, 2022
April 20, 2022
May 18, 2022
June 15, 2022
July 20, 2022
August 17, 2022
September 14, 2022**

The meetings are open to the public and will be conducted in accordance with the provision of Florida Law for Community Development Districts. The meetings may be continued to a date, time, and place to be specified on the record at the meeting. A copy of the agenda for these meetings may be obtained from Governmental Management Services – Central Florida, LLC, 219 E. Livingston Street, Orlando, Florida 32801 or by calling (407) 841-5524.

There may be occasions when one or more Supervisors or staff will participate by telephone. Pursuant to provisions of the Americans with Disabilities Act, any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the District Office at (407) 841-5524 at least 48 hours prior to the meeting. If you are hearing or speech impaired, please contact the Florida Relay Service by dialing 7-1-1, or 1-800-955-8771 (TTY) / 1-800-955-8770 (Voice), for aid in contacting the District Office.

A person who decides to appeal any decision made at the meeting with respect to any matter considered at the meeting is advised that person will need a record of the proceedings and that accordingly, the person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which such appeal is to be based.

District Manager

SECTION X

SECTION C

SECTION 1

Westside Haines City

Community Development District

Summary of Checks

July 8, 2021 to August 11, 2021

Bank	Date	Check No.'s	Amount	
General Fund	8/11/21	17-26	\$	31,744.93
			\$	31,744.93
			\$	31,744.93

CHECK DATE	VEND#INVOICE..... DATE INVOICE	...EXPENSED TO... YRMO DPT ACCT# SUB SUBCLASS	VENDOR NAME	STATUS	AMOUNTCHECK..... AMOUNT #
8/11/21	00005	6/17/21 JF061720	202106 310-51300-11000	SUPERVISOR FEES-6/17/21	*	200.00	
		7/15/21 JF071520	202107 310-51300-11000	SUPERVISOR FEES-7/15/21	*	200.00	
				JUSTIN KEITH FRYE			400.00 000021
8/11/21	00002	6/17/21 LS061720	202106 310-51300-11000	SUPERVISOR FEES-6/17/21	*	200.00	
		7/15/21 LS071520	202107 310-51300-11000	SUPERVISOR FEES-7/15/21	*	200.00	
				LAUREN SCHWENK			400.00 000022
8/11/21	00006	6/17/21 PM061720	202106 310-51300-11000	SUPERVISOR FEES-6/17/21	*	200.00	
		7/15/21 PM071520	202107 310-51300-11000	SUPERVISOR FEES-7/15/21	*	200.00	
				PATRICK MARONE			400.00 000023
8/11/21	00012	7/12/21 686	202107 310-51300-35200	DISTRICT WEBSITE CREATION	*	1,750.00	
				REALIGN WEB DESIGN			1,750.00 000024
8/11/21	00003	6/17/21 RH061720	202106 310-51300-11000	SUPERVISOR FEES-6/17/21	*	200.00	
				RENNIE HEATH			200.00 000025
8/11/21	00013	8/10/21 08102021	202108 300-20700-10100	PARTIAL REIMBURSEMT REQ#1	*	14,800.00	
				WESTSIDE HAINES CITY CDD			14,800.00 000026
				TOTAL FOR BANK A		31,744.93	
				TOTAL FOR REGISTER		31,744.93	

SECTION 2

Westside Haines City
Community Development District

Unaudited Financial Reporting
July 31, 2021



Table of Contents

1	Balance Sheet
2	General Fund
3	Series 2021 Debt Service Fund
4	Series 2021 Capital Projects Fund
5	Month to Month
6	Long Term Debt Report

Westside Haines City
Community Development District
Combined Balance Sheet
July 31, 2021

	<i>General Fund</i>	<i>Debt Service Fund</i>	<i>Capital Projects Fund</i>	<i>Total Governmental Funds</i>
Assets:				
Cash	\$ 39,832	\$ -	\$ -	\$ 39,832
<u>Series 2021</u>				
Reserve	\$ -	\$ 1,097,950	\$ -	\$ 1,097,950
Interest	\$ -	\$ 547,168	\$ -	\$ 547,168
Construction - Cascades Phase 1 & 2	\$ -	\$ -	\$ 7,741,891	\$ 7,741,891
Escrow - Cascades	\$ -	\$ -	\$ 6,173,425	\$ 6,173,425
Escrow - Brentwood	\$ -	\$ -	\$ 3,148,586	\$ 3,148,586
Due From General Fund	\$ -	\$ -	\$ 14,800	\$ 14,800
Total Assets	\$ 39,832	\$ 1,645,118	\$ 17,078,703	\$ 18,763,653
Liabilities:				
Accounts Payable	\$ 16,945	\$ -	\$ -	\$ 16,945
Due to Capital Projects Fund	\$ 14,800	\$ -	\$ -	\$ 14,800
Total Liabilities	\$ 31,745	\$ -	\$ -	\$ 31,745
Fund Balances:				
Unassigned	\$ 8,087	\$ -	\$ -	\$ 8,087
Assigned for Debt Service - Series 2021	\$ -	\$ 1,645,118	\$ -	\$ 1,645,118
Assigned for Capital Projects - Series 2021	\$ -	\$ -	\$ 17,078,703	\$ 17,078,703
Total Fund Balances	\$ 8,087	\$ 1,645,118	\$ 17,078,703	\$ 18,731,908
Total Liabilities & Fund Balance	\$ 39,832	\$ 1,645,118	\$ 17,078,703	\$ 18,763,653

Westside Haines City
Community Development District
General Fund

Statement of Revenues, Expenditures, and Changes in Fund Balance
For The Period Ending July 31, 2021

	Adopted	Prorated Budget	Actual	
	Budget*	Thru 07/31/21	Thru 07/31/21	Variance
<u>Revenues</u>				
Developer Contributions	\$ 69,933	\$ 55,000	\$ 55,000	\$ -
Total Revenues	\$ 69,933	\$ 55,000	\$ 55,000	\$ -
<u>Expenditures:</u>				
<u>General & Administrative:</u>				
Supervisor Fees	\$ 7,000	\$ 5,000	\$ 5,400	\$ (400)
Engineering	\$ 8,750	\$ 6,250	\$ -	\$ 6,250
Attorney	\$ 10,000	\$ 7,143	\$ 11,479	\$ (4,336)
Management Fees	\$ 20,417	\$ 14,583	\$ 11,667	\$ 2,917
Information Technology	\$ 1,050	\$ 750	\$ 600	\$ 150
Website Maintenance	\$ 2,450	\$ 1,750	\$ 2,150	\$ (400)
Telephone	\$ 175	\$ 125	\$ -	\$ 125
Postage & Delivery	\$ 583	\$ 417	\$ 70	\$ 347
Insurance	\$ 5,000	\$ 5,000	\$ 2,548	\$ 2,452
Printing & Binding	\$ 583	\$ 417	\$ 55	\$ 362
Legal Advertising	\$ 10,000	\$ 10,000	\$ 12,763	\$ (2,763)
Other Current Charges	\$ 3,000	\$ 2,143	\$ -	\$ 2,143
Office Supplies	\$ 365	\$ 260	\$ 56	\$ 204
Travel Per Diem	\$ 385	\$ 275	\$ -	\$ 275
Dues, Licenses & Subscriptions	\$ 175	\$ 175	\$ 125	\$ 50
Total Expenditures	\$ 69,933	\$ 54,288	\$ 46,913	\$ 7,375
Excess Revenues (Expenditures)	\$ -		\$ 8,087	
Fund Balance - Beginning	\$ -		\$ -	
Fund Balance - Ending	\$ -		\$ 8,087	

* Budget is prorated from March 2021 to September 2021.

Westside Haines City
Community Development District
Debt Service Fund Series 2021

Statement of Revenues, Expenditures, and Changes in Fund Balance
For The Period Ending July 31, 2021

	Adopted	Prorated Budget	Actual	
	Budget	Thru 07/31/21	Thru 07/31/21	Variance
<u>Revenues</u>				
Interest	\$ -	\$ -	\$ -	\$ -
Total Revenues	\$ -	\$ -	\$ -	\$ -
<u>Expenditures:</u>				
Interest - 11/1	\$ -	\$ -	\$ -	\$ -
Interest - 5/1	\$ -	\$ -	\$ -	\$ -
Principal - 5/1	\$ -	\$ -	\$ -	\$ -
Total Expenditures	\$ -	\$ -	\$ -	\$ -
<u>Other Sources/(Uses)</u>				
Bond Proceeds	\$ -	\$ -	\$ 1,645,118	\$ 1,645,118
Total Other Financing Sources (Uses)	\$ -	\$ -	\$ 1,645,118	\$ 1,645,118
Excess Revenues (Expenditures)	\$ -		\$ 1,645,118	
Fund Balance - Beginning	\$ -		\$ -	
Fund Balance - Ending	\$ -		\$ 1,645,118	

Westside Haines City

Community Development District

Debt Service Fund Series 2021

Statement of Revenues, Expenditures, and Changes in Fund Balance

For The Period Ending July 31, 2021

	Adopted	Prorated Budget	Actual	
	Budget	Thru 07/31/21	Thru 07/31/21	Variance
<u>Revenues</u>				
Interest	\$ -	\$ -	\$ -	\$ -
Total Revenues	\$ -	\$ -	\$ -	\$ -
<u>Expenditures:</u>				
Capital Outlay - Cascades	\$ -	\$ -	\$ 917,082	\$ (917,082)
Capital Outlay - Cost of Issuance	\$ -	\$ -	\$ 610,675	\$ (610,675)
Total Expenditures	\$ -	\$ -	\$ 1,527,757	\$ (1,527,757)
<u>Other Sources/(Uses)</u>				
Bond Proceeds	\$ -	\$ -	\$ 18,164,882	\$ 18,164,882
Bond Premium	\$ -	\$ -	\$ 441,578	\$ 441,578
Total Other Financing Sources (Uses)	\$ -	\$ -	\$ 18,606,459	\$ 18,606,459
Excess Revenues (Expenditures)	\$ -		\$ 17,078,703	
Fund Balance - Beginning	\$ -		\$ -	
Fund Balance - Ending	\$ -		\$ 17,078,703	

Westside Haines City

Community Development District

Month to Month

	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Total
Revenues													
Developer Contributions	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 35,000	\$ -	\$ -	\$ -	\$ 20,000	\$ -	\$ -	\$ 55,000
Total Revenues	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 35,000	\$ -	\$ -	\$ -	\$ 20,000	\$ -	\$ -	\$ 55,000
Expenditures:													
<u>General & Administrative:</u>													
Supervisor Fees	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,000	\$ 800	\$ 1,000	\$ 1,800	\$ 800	\$ -	\$ -	\$ 5,400
Engineering	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Attorney	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 5,638	\$ 2,230	\$ 1,241	\$ 2,371	\$ -	\$ -	\$ -	\$ 11,479
Management Fees	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 2,917	\$ 2,917	\$ 2,917	\$ 2,917	\$ -	\$ -	\$ 11,667
Information Technology	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 150	\$ 150	\$ 150	\$ 150	\$ -	\$ -	\$ 600
Website Maintenance	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 100	\$ 100	\$ 100	\$ 1,850	\$ -	\$ -	\$ 2,150
Telephone	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Postage & Delivery	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 3	\$ 10	\$ 22	\$ 35	\$ -	\$ -	\$ 70
Insurance	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 2,548	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 2,548
Printing & Binding	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 35	\$ 2	\$ 12	\$ 6	\$ -	\$ -	\$ 55
Legal Advertising	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 505	\$ 7,097	\$ 4,066	\$ 712	\$ 383	\$ -	\$ -	\$ 12,763
Other Current Charges	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Office Supplies	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 3	\$ 3	\$ 3	\$ 48	\$ -	\$ -	\$ 56
Travel Per Diem	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Dues, Licenses & Subscriptions	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 125	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 125
Total Expenditures	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 9,816	\$ 13,334	\$ 9,488	\$ 8,085	\$ 6,189	\$ -	\$ -	\$ 46,913
Excess Revenues (Expenditures)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 25,184	\$ (13,334)	\$ (9,488)	\$ (8,085)	\$ 13,811	\$ -	\$ -	\$ 8,087

Westside Haines City
Community Development District
Long Term Debt Report

Series 2021, Special Assessment Revenue Bonds		
Interest Rate:	2.500%, 3.000%, 3.250%, 4.000%	
Maturity Date:	5/1/2052	
Reserve Fund Definition	Maximum Annual Debt Service	
Reserve Fund Requirement	\$1,097,950	
Reserve Fund Balance	\$1,097,950	
Bonds Outstanding - 7/19/21		\$19,810,000
Current Bonds Outstanding		\$19,810,000

SECTION 3

Requisition	Payee/Vendor	Amount
1	GLK Real Estate, LLC	\$ 761,374.20
2	Cassidy Holdings Group, Inc.	\$ 170,507.49
3	Dunham Well Drilling, Inc.	\$ 3,368.00
4	Horner Environmental Professionals	\$ 8,308.84
5	Absolute Engineering, Inc.	\$ 16,327.46
6	Hopping Green & Sams	\$ 794.50
7	Dunham Well Drilling, Inc.	\$ 1,665.68
8	Hopping Green & Sams	\$ 655.50
9	-	\$ -
10	Raysor Transportation Consulting	\$ 1,750.00
11	GLK Real Estate, LLC	\$ 3,000.00
TOTAL		\$ 967,751.67