

**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 Tuesday, **February 6, 2024** at 9:30 a.m. at the Holiday Inn – Winter Haven, 200 Cypress Gardens Blvd., Winter Haven, Florida.

Present and constituting a quorum:

| | |
|-------------------------------|---------------------|
| Rennie Heath | Chairman |
| Lauren Schwenk <i>by Zoom</i> | Vice Chairperson |
| Bobbie Henley | Assistant Secretary |
| Rob Bonin <i>by Zoom</i> | Assistant Secretary |
| Eric Lavoie | Assistant Secretary |

Also present were:

| | |
|--------------------------------|--|
| Jill Burns | District Manager, GMS |
| Lauren Gentry | District Counsel, Kilinski Van Wyk Law |
| Savannah Hancock | District Counsel, Kilinski Van Wyk Law |
| Rey Malave <i>by Zoom</i> | District Engineer, Dewberry |
| Chace Arrington <i>by Zoom</i> | District Engineer, Dewberry |
| Joel Blanco | Field Manager, GMS |
| Clayton Smith <i>by Zoom</i> | Field Manager, GMS |
| Bob Gang | Bond Counsel, Greenberg Traurig, P.A. |

FIRST ORDER OF BUSINESS

Roll Call

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

SECOND ORDER OF BUSINESS

Public Comment Period

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

THIRD ORDER OF BUSINESS

Approval of Minutes of the December 5, 2023 Board of Supervisors Meeting

Ms. Burns presented the December 5, 2023 Board of Supervisors meeting minutes, she asked if there were any questions, comments, or changes. Hearing no changes, she asked for a motion to approve.

February 6, 2024

Westside Haines City CDD

On MOTION by Mr. Heath, seconded by Ms. Henley, with all in favor, the Minutes of the December 5, 2023 Board of Supervisors Meeting, were approved.

FOURTH ORDER OF BUSINESS **Presentation and Approval of Updated Engineer’s Report**

Ms. Burns stated that this item would be tabled to a future meeting agenda.

FIFTH ORDER OF BUSINESS **Presentation and Approval of Updated Supplemental Assessment Methodology Report for Assessment Area Two**

Ms. Burns stated that this item would be tabled to a future meeting agenda.

SIXTH ORDER OF BUSINESS **Consideration of Resolution 2024-05 Amending and Supplemental Delegation Resolution 2024-03**

Ms. Burns stated that this item would be tabled to a future meeting agenda.

SEVENTH ORDER OF BUSINESS **Consideration of Updated Ancillary Documents for Series 2023 Assessment Area Two Bonds**

- A. True-Up Agreement**
- B. Collateral Assignment Agreement**
- C. Completion Agreement**
- D. Acquisition Agreement**
- E. Declaration of Consent**
- F. Notice of Special Assessments**

Ms. Burns noted that items A through F would be tabled to a future agenda.

**Lauren Schwenk joined the meeting at this time.*

EIGHTH ORDER OF BUSINESS **Consideration of Resolution 2024-06 Setting a Public Hearing on the Adoption of Easement Variance Rules for the District**

Ms. Burns stated this resolution will be revised a little bit. There was some discussion with Lauren and the HOA about reviewing easement variances for fences within the community. There have been issues with CDD easements being blocked. She noted they started a process to review some of those applications for Districts. Once those were reviewed, they decided to remove the drainage easements. If these are approved and there is a fence post going through the middle of the drainage

February 6, 2024

Westside Haines City CDD

swell along with the fence that runs across the back, once the swells are fenced, they can't see to inspect them. These documents were going to be revised to reference access and maintenance easements only and that is what staff would review. We will set the public hearing but also revise these forms.

Ms. Gentry noted this would be a hearing to adopt the \$75 fee. If a resident wanted to fence an easement area and if we wanted to review to say yes or no, the resident would pay the fee for the review and inspection. Ms. Schwenk stated she thought they were not going to do the fee for those reviews because there are so few of them to review and the CDD would cover them. Ms. Burns noted since there are costs associated, it can be built into the budget and everyone in the community would pay for it or the person asking to fence the easement area. Ms. Gentry noted the fee would cover the recording cost of that agreement but if wanted it can be built into the budget. Ms. Schwenk asked to table this until next meeting.

NINTH ORDER OF BUSINESS

Consideration of Special Warranty Deed Transferring ROW from CDD to GLK Real Estate, LLC

Ms. Gentry stated they are looking for approval in concept that the CDD did accept the deed from Polk County for certain right of way tracts that have property in them that is going to block private homebuilders. The CDD accepted a deed from the county for that property. We are looking for approval of a deed in turn from the CDD to GLK Real Estate so that property can be sold.

On MOTION by Mr. Heath, seconded by Mr. Lavoie, with all in favor, the Warranty Deed Transferring ROW from CDD to GLK Real Estate, LLC, was approved.

TENTH ORDER OF BUSINESS

Ratification of Construction Funding Agreements for:

- A. Brentwood Phase 2 & 3**
- B. Brentwood Phase 4 & 5**
- C. Wynnstone Phase 1 & 2**
- D. Cascades Phase 3**

Ms. Burns stated these agreements have already been approved and she suggested making one motion to ratify them all.

On MOTION by Mr. Heath, seconded by Mr. Lavoie, with all in favor, the Construction Funding Agreements for Brentwood Phase 2 & 3 and 4 & 5, Wynnstone Phase 1 & 2, and Cascades Phase 3, were approved.

February 6, 2024

Westside Haines City CDD

ELEVENTH ORDER OF BUSINESS

Ratification of Temporary Construction and Access Easement Agreements for:

- A. Brentwood Phase 2 & 3**
- B. Brentwood Phase 4 & 5**
- C. Wynnstone Phase 1 & 2**
- D. Cascades Phase 3**

Ms. Burns stated these have already been signed and they were looking for a motion to ratify all of them.

On MOTION by Mr. Heath, seconded by Mr. Lavoie, with all in favor, the Temporary Construction and Access Easements for Brentwood Phases 2 & 3 and 4 & 5, Wynnstone 1 & 2, and Cascades Phase 3, were ratified.

TWELFTH ORDER OF BUSINESS

Ratification of Notice of Commencement for:

- A. Brentwood Phase 2 & 3**
- B. Cascades Phase 3**

Ms. Burns stated these have already been signed and just need to be ratified.

On MOTION by Mr. Heath, seconded by Mr. Lavoie, with all in favor, the Notice of Commencement for Brentwood Phase 2 & 3 and Cascades Phase 3, was approved.

THIRTEENTH ORDER OF BUSINESS

Ratification of Notice to Proceed for Cascades Phase 3

Ms. Burns asked for ratification of the Notice to Proceed for Cascades Phase 3.

On MOTION by Mr. Heath, seconded by Mr. Lavoie, with all in favor, the Notice to Proceed for Cascades Phase 3, was approved.

FOURTEENTH ORDER OF BUSINESS

Ratification of ROW Conveyance from Polk County

Ms. Burns stated this has already been signed and they are seeking for it to be ratified.

On MOTION by Mr. Heath, seconded by Mr. Lavoie with all in favor, the ROW Conveyance from Polk County, was approved.

February 6, 2024

Westside Haines City CDD

FIFTEENTH ORDER OF BUSINESS

Consideration of Documents in Relation to CDD Acceptance of Assignment of Construction Contract and Infrastructure and Impact Fee Agreement for FDC Grove Road Project

- A. Assignment of Contractor Agreement**
- B. Agreement between Owner and Contract for Construction Contract for FDC Grove Road Project**
- C. Construction Funding Agreement**
- D. Assignment of Infrastructure and Impact Fee Agreement**

Ms. Gentry noted this is assignment of a private contract for FDC Grove Rd construction to the CDD. Also associated with that is assignment of the infrastructure and impact fee agreement between the developer and the county so that impact fee would flow to the CDD with intent that under the funding agreement those impact fees would then flow back to the developer.

On MOTION by Mr. Heath, seconded by Mr. Lavoie, with all in favor, the Assignment of Infrastructure and Impact Fee Agreement, was approved substantial form.

SIXTEENTH ORDER OF BUSINESS

Consideration of 2024 Non-Ad Valorem Contract Agreement with Polk County Property Appraiser

Ms. Burns stated this is the annual renewal.

On MOTION by Mr. Heath, seconded by Mr. Lavoie, with all in favor, the Consideration of 2024 Non-Ad Valorem Contract Agreement with Polk County Property Appraiser, was approved.

SEVENTEENTH ORDER OF BUSINESS

Consideration of Resolution 2024-07 Granting the Chairperson and Vice Chairperson the Authority to Execute Plats and Documents Related to the Development of the District’s Improvements

Ms. Burns asked for approval of Resolution 2024-07.

On MOTION by Mr. Heath, seconded by Mr. Lavoie, with all in favor, Resolution 2024-07 Granting the Chairperson and Vice Chairperson the

February 6, 2024

Westside Haines City CDD

Authority to Execute Plats and Documents Related to the Development of the District’s Improvements, was approved.

EIGHTEENTH ORDER OF BUSINESS

Staff Reports

A. Attorney

Ms. Gentry had nothing further to report.

B. Engineer

Mr. Arrington had nothing further to report.

C. Field Manager’s Report

Mr. Blanco stated pond reviews have been conducted. Aquatics vendor has been treating the wet ponds that have algae blooms which are looking clearer and landscaping around the ponds is neater. Construction debris has been removed from ponds. The wet ponds are at a healthy level and dry ponds are looking very good. There is erosion at the frontage of FDC Grove Rd and irrigation technicians verified the cause was not irrigation related. The maintenance crew treated gopher mounds at the Massey Rd entrance and plan to treat again the middle of February. He noted a 7 ft. x 6 ft. hole was found at the dry pond at the back of the community that maintenance filled in last week and will monitor for recurrence. Amenities are being monitored.

i. Consideration of Proposal for Iron Filtration Systems at Irrigation Wells

Mr. Blanco presented a quote for an iron filtration system from Dunham for each well at Cascades as there are rust stains in the monuments at both entrances. The quote is \$1,950 for each system. The monthly service is \$95 per hour and 2.5 gallons of chemicals run \$61 per gallon. He noted it could take two of these in both 35-gallon chemical tanks to treat it depending on how frequent the irrigation system runs. There was no action taken at this time.

i. District Manager’s Report

i. Approval of Check Register

Ms. Burns presented approval of the check register. She asked for any questions on that, otherwise looking for a motion to approve.

On MOTION by Mr. Heath, seconded by Mr. Lavoie, with all in favor, the Check Register, was approved.

February 6, 2024

Westside Haines City CDD

ii. Balance Sheet & Income Statement

Ms. Burns stated that financial statements from December were included in the Board’s package for review. No action needed.

NINETEENTH ORDER OF BUSINESS Other Business

Ms. Burns stated they need to pick a date to continue this meeting to. She noted they have a meeting scheduled for Crosswinds East at the Board’s offices at 3:30 PM on Wednesday, February 14, 2024. She suggested continuing this meeting to February 14th at 3:00 PM before that one at the 346 East Central Avenue, Winter Haven, FL 3380 meeting location.

TWENTIETH ORDER OF BUSINESS Supervisors Requests and Audience Comments

There being no comments, the next item followed.

TWENTY-FIRST ORDER OF BUSINESS Continuation of Meeting

Ms. Burns adjourned the meeting.

On MOTION by Mr. Lavoie, seconded by Mr. Heath, with all in favor, the meeting was continued to Wednesday, February 14, 2024 at 3:00 p.m. at 346 E. Central Ave., Winter Haven, FL 33880

Jill Burns

Secretary/Assistant Secretary

DocuSigned by:

Rennie Heath

8215FA2B8FB744A...

Chairman/Vice Chairman