

MINUTES OF MEETING  
WINDWARD  
COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Windward Community Development District was held Wednesday, October 21, 2020 at 2:00 p.m. via Zoom Video Conferencing, pursuant to Executive Orders 20-52, 20-69, 20-112, 20-150, 20-179, 20-193 and 20-246 issued by Governor DeSantis on March 9, 2020, March 20, 2020, April 29, 2020, June 23, 2020, July 30, 2020, August 7, 2020, and September 30, 2020 respectively, and any extensions or supplements thereof, and pursuant to Section 120.54(5)(b)2., *Florida Statutes*.

Present and constituting a quorum were:

John Kassik	Chairperson
Jimmy Clark	Vice Chairman
Marvin Morris	Assistant Secretary
Leslie Peters	Assistant Secretary

Also present were:

Jason Showe	District Manager
Kristen Trucco	District Counsel
David Kelly	District Engineer
Justin Rowan	MBS Capital Markets
William Viasalyers	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**

There being none, the next item followed.

**THIRD ORDER OF BUSINESS**

**Approval of the Minutes of the September 16,  
2020 Meeting**

On MOTION by Mr. Morris seconded by Ms. Peters with all in favor the minutes of the September 16, 2020 meeting were approved as presented.
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**FOURTH ORDER OF BUSINESS**

**Consideration of Landscape Maintenance Proposal with Capital Land Management**

Mr. Showe stated we were asked by KHov to line up a different landscape vender to line up the HOA’s transition with the landscape vendor. We were provided a proposal in the amount of \$93,180 from Capital Land Management, which is included as part of your agenda package. William met with them to make sure their proposal lined up with what we expect. It is higher than what is in the budget, but we have a deficit funding agreement with KHov. We confirmed with them that they understand they would be responsible for the deficit should we go over budget.

We need to terminate our existing contract with Down to Earth, it has a 30-day termination clause, however, they would probably like to leave sooner than that. Right now they are transitioning from the HOA November 2<sup>nd</sup> and Capital Land Management is willing to start as early as November 2<sup>nd</sup> if that is the transition date that Down to Earth would be amenable to. We need a motion to terminate the Down to Earth agreement and a motion to approve the proposal from Capital Land Management. Counsel will draft a formal agreement with the new vendor.

On MOTION by Mr. Morris seconded by Mr. Kassik with all in favor staff was authorized to terminate the landscape maintenance agreement with Down to Earth and approved the proposal from Capital Land Management for landscape maintenance in the annual amount of \$93,180.

**FIFTH ORDER OF BUSINESS**

**Consideration of Sidewalk Replacement Proposals (2)**

Mr. Viasalyers stated a few weeks back we had a washout underneath the section towards the back of the community that is provided in the agenda. I tried to obtain three proposals, but because it is such a small-scale job a lot of the larger companies in the area didn’t want to bid on it. We have two proposals for your review. One is from Berry Construction in the amount of \$3,830 and we have a maintenance division that does this type of work and that proposal is for \$3,050.

On MOTION by Mr. Kassik seconded by Ms. Peters with all in favor the proposal from Governmental Management Services – Central Florida, LLC for sidewalk replacement at Four Seasons Resort in the amount of \$3,050 was approved.

**SIXTH ORDER OF BUSINESS**

**Consideration of Resident Easement Agreement**

Mr. Showe stated Mr. Hall, a resident, wants to put in a pool behind his home and would like a temporary easement agreement to allow his vendor to access across our easement to his property. He understands he will be responsible for returning it back to its original grade and repair any damages. He still has to go through the HOA process. I sent him a map of what we can grant access for and what we can't, since our easement backs up to the golf course.

Mr. Kassik stated my only concern is directly on the backyard line there is an irrigation easement there where we have the two-wire irrigation control system and if he gets into that, please notify us right away.

Mr. Showe stated I think that will be part of what he goes through with the HOA since that is probably more on his property. We can let him know that.

Mr. Clark joined the meeting during this item.

On MOTION by Mr. Kassik seconded by Mr. Morris with all in favor District Counsel was authorized to draft a temporary easement agreement for property located at 2185 Antilles Club Drive.

Ms. Trucco asked will you notify us as soon as he receives confirmation from the HOA that we can proceed? Mr. Showe responded yes. Ms. Trucco stated we will draft it after he has approval from the HOA.

**SEVENTH ORDER OF BUSINESS**

**Staff Reports**

**A. Attorney**

Ms. Trucco stated as an update to the Board we have submitted our petition to the County to expand the CDD boundaries. We are currently waiting for a response and will keep the Board updated as to that expansion. With respect to the bonds they have been sold and issued and the underwriter will go into detail on those.

We will have a resolution for the next Board meeting, which will adopt the final assessment roll for the 2020 bonds and confirm the lien also for the 2020 bonds. We will be looking for Board approval on that. We want to thank Jim Clark for helping us sign those documents very quickly a few weeks ago to get those bonds posted.

Mr. Rowan stated yesterday we did successfully price and sell the bonds. The total par amount of bonds issued was \$12,240,000 and that was broken out between Series 2020A-1 and Series 2020A-2. The A-1 was in the amount of \$4,230,000 and those are the bonds that ultimately assessments will be levied on the homeowners to repay the principal and interest on those bonds. The Series A-2 Bonds were in the principal amount of \$8,010,000 and those are bonds for which the assessments will be paid down in conjunction with or prior to a home closing with retail buyers. Retail buyers will not be responsible for assessments in connection with those particular bonds. The assessments that will be levied for the A-1 Bonds are consistent with the bonds that were done in 2018 and the total construction funds that were generated in aggregate from both series was approximately \$8.3 million and then there is an additional \$2.65 million that will be held in a retainage account in the trust account for which once the District's boundaries are expanded and the District goes through the assessment process for those two parcels, those monies will be released into the construction account as well. The interest rate on the bonds on the Series 2020A-1 had an average coupon of 4.38% and the interest rate on the 2020A-2 Bonds was 4.4% so we were very pleased with that pricing as well as the interest we had from institutional purchasers.

Mr. Showe stated we will bring the final documents back at your next meeting after the bonds have closed for final approval. The Board has already provided the delegation to the Chairman to execute and close.

**B. Engineer**

Mr. Kelley stated Phases 3B and 4A, which is the majority of the work right now out there, we estimate about 65% complete. The utilities are nearly complete. We are working on the lift station. The curb is going down on the Four Seasons Boulevard and they will be installing the base there shortly.

**D. Manager**

**i. Approval of Check Register**

On MOTION by Mr. Kassik seconded by Mr. Clark 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.

**EIGHTH ORDER OF BUSINESS**

**Other Business**

There being none, the next item followed.

**NINTH ORDER OF BUSINESS**

**Supervisor's Requests**

Mr. Showe stated we expect that we will returning to regular meetings after November 1<sup>st</sup> and will be at the clubhouse at the Four Seasons.

On MOTION by Mr. Kassik seconded by Mr. Morris with all in favor the meeting adjourned at 2:18 p.m.

  
Secretary/Assistant Secretary

  
Chairman/Vice Chairman