

MINUTES OF MEETING  
WINDWARD  
COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Windward Community Development District was held Wednesday, July 15, 2020 at 2:00 p.m. via Zoom Video Conferencing, pursuant to Executive Orders 20-52, 20-69, 20-112, and 20-150 issued by Governor DeSantis on March 9, 2020, March 20, 2020, April 29, 2020, and June 23, 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
Thomas Franklin	Assistant Secretary
Marvin Morris	Assistant Secretary
Leslie Peters	Assistant Secretary

Also present were:

Jason Showe	District Manager
Kristen Trucco	District Counsel
David Kelly	District Engineer
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**

**Organizational Matters**

**A. Acceptance of Resignation of Ellis Roe**

Mr. Showe stated we have a resignation from Mr. Roe that was included in the agenda package.

On MOTION by Mr. Franklin seconded by Mr. Morris with all in favor Mr. Roe's resignation was accepted.
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**B. Appointment of Individual to Fill the Board Vacancy with a Term Ending November 2021**

On MOTION by Mr. Kassik seconded by Mr. Franklin with all in favor Leslie Peters was appointed to fill the Board Vacancy with a term ending November 2021.

**C. Administration of Oath of Office to Newly Appointed Supervisor**

Mr. Showe stated I do have the oath of office and she has been sworn in already. You are now a member of the Board, you are subject to the government in the sunshine law and that means you cannot communicate with other Board Members outside a public meeting about things that may come before the Board for a vote. That applies to emails, phone or texts, any communication. You will see emails from our office and they say please do not reply to all. You do not need to keep any records from these meetings, that is our job as District manager as the record keeper for the District but if you decide to keep records we recommend that you keep those in a separate file and if there is a public records request the District records are not intermingled with personal files. You can set up a separate CDD email or a folder on your computer for District emails because emails are also subject to public records requests.

Ms. Trucco stated our office will also send you a new Board Member package with some background about CDDs in general and the sunshine law and if you have any questions reach to me or to Jason.

Mr. Showe stated we provided you with a form 1 statement of financial interests and it is important that you file that form within 30 days of today with the Supervisor of Elections in the County in which you reside. There are fines if that is not filed timely.

**D. Consideration of Resolution 2020-06 Electing an Assistant Secretary**

On MOTION by Mr. Franklin seconded by Mr. Morris with all in favor Resolution 2020-06 Electing an Assistant Secretary, was approved.

**FOURTH ORDER OF BUSINESS**

**Approval of the Minutes of the May 20, 2020 Meeting**

On MOTION by Mr. Franklin seconded by Mr. Kassik with all in favor the minutes of the May 20, 2020 meeting were approved as presented.

**FIFTH ORDER OF BUSINESS**

**Ratification of Resolution 2020-07 Accepting the Conveyance of Tract LS-1 Lift Station**

Mr. Showe stated we had the Chair review and execute this and we are asking the Board to ratify that action.

Ms. Trucco stated that is a resolution for the District to acquire the lift station and also convey it to the Toho Water Authority. It is going from the developer to the District to the general water authority. We have to do that because the lift station was constructed by the CDD using bond funds.

Mr. Kelly stated it is still in review by legal counsel at TWA, we reached out to them again this week and this still has not been finalized with TWA at this point.

On MOTION by Mr. Franklin seconded by Mr. Kassik with all in favor Resolution 2020-07 Accepting the Conveyance of Tract LS-1 Lift Station, was ratified.

**SIXTH ORDER OF BUSINESS**

**Consideration of Resolution 2020-08 Amending Resolution 2020-05**

Mr. Showe stated Resolution 2020-08 amends your prior budget resolution. We included a zoom link that was there before and we also edited it, when we go back to in person meetings at the clubhouse we included the zoom link and the address of the clubhouse.

On MOTION by Mr. Morris seconded by Mr. Franklin with all in favor Resolution 2020-08 Amending Resolution 2020-05, was approved.

**SEVENTH ORDER OF BUSINESS**

**Consideration of Proposal with AMTEC for Arbitrage Rebate Calculation Services**

Mr. Showe stated next is consideration of a proposal from AMTEC for arbitrage rebate calculations services. The District is required to have arbitrage rebate calculations performed to ensure that we are not earning more interest than we are paying on our tax-exempt bonds.

On MOTION by Mr. Kassik seconded by Mr. Franklin with all in favor the proposal from AMTEC for arbitrage rebate calculation services in the annual amount of \$450 per year was approved.

**EIGHTH ORDER OF BUSINESS**

**Review and Acceptance of Fiscal Year 2019 Audit Report**

Mr. Showe stated the Fiscal Year 2019 audit is a clean audit with no prior or present year findings and no recommendations.

On MOTION by Mr. Morris seconded by Mr. Franklin with all in favor the Fiscal Year 2019 Audit was accepted and staff was authorized to transmit the final report to the State of Florida.

**NINTH ORDER OF BUSINESS**

**Staff Reports**

**A. Attorney**

Ms. Trucco stated we are working on the expansion of the CDD to include Parcels H & I. We are just about ready to submit the petition to the county and we estimate that will take three to four months to process with the county. We will keep the Board updated.

**B. Engineer**

Mr. Kelly stated for the existing CDD area we have all the plans approved we have Phases 3C, 3D and 3B under construction. We are approving shop drawings for portions that they are grading right now and the rest is under construction.

With regard to the expansion area, which is Phases 4A and 4B, those plans are also approved and 4A is under construction and 4B is starting mass grading. The timing of the infrastructure on that one is to be determined but they are grading it now.

I'm also in receipt of the petition to expand the CDD and I need to read the paragraph they designated and make sure it is accurate and provide any exhibits I need to and I will do that shortly.

**D. Manager**

**i. Approval of Check Register**

On MOTION by Mr. Franklin seconded by Mr. Kassik 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. Field Operations**

Mr. Viasalyers stated Khov has approved quite an extensive work order proposal from Down to Earth that in conjunction with the HOA and CDD areas they are replacing a lot of sod. The residents have probably already noticed a lot of that going on. Staff worked getting multiple columns repaired throughout the boulevard that have come loose. One of the previous requests was to get a gutter crack repaired and that is done. We also worked on trimming the magnolias on Antilles Drive coming around the corner of the lift station and that has been completed. Staff is also working on getting the guardhouse pressure washed and cleaned up.

Mr. Morris stated I have a few things to add to your list. What about the side plot, it says the oak trees on the curb of the property should be spaced at 40 feet? Have you ever looked at that? Some are longer than that and some are shorter.

Mr. Kelly stated I would have to go back and look at the approved landscape plans. I believe the tree spacing was 50 feet but I would have to research that.

Mr. Morris stated there is a magnolia tree on Coral Shore Lane at the intersection of Antilles Club Drive that completely blocks the stop sign. Were you aware of that?

Mr. Viasalyers stated yes, I know we have to have a certain amount of hardscape in there. I will get with the engineer on that as well.

Mr. Morris stated near the sales office there is a palm tree with a pink ribbon around it and if you look at the tree you can see it is dead. Hurricane season is coming and a dead tree could be an issue if we were to get a storm. That tree needs to come down.

Mr. Viasalyers stated that is why it is marked. The staff went through with Down to Earth and identified all the trees that need to be removed. We are going to work on getting that removed.

**TENTH ORDER OF BUSINESS**

**Other Business**


There being none, the next item followed.

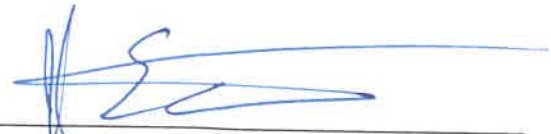
**ELEVENTH ORDER OF BUSINESS**

**Supervisor's Requests**

There being none,

On MOTION by Mr. Franklin seconded by Mr. Kassik with all in favor the meeting adjourned at 2:20 p.m.

  
Secretary/Assistant Secretary

  
Chairman/Vice Chairman