

MINUTES OF MEETING
WINDWARD
COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Windward Community Development District was held Wednesday, January 19, 2022 at 2:00 p.m. at 7813 Four Seasons Boulevard, Kissimmee, Florida.

Present and constituting a quorum were:

Scott Johnston	Chairman
Jimmy Clark	Vice chairman
Marvin Morris	Assistant Secretary
Susan Moss	Assistant Secretary

Also present were:

Jason Showe	District Manager
Kristen Trucco	District Counsel
David Kelly	District Engineer
Clayton Smith	Field Manager
Logan Smith	GMS

FIRST ORDER OF BUSINESS

Roll Call

Mr. Showe called the meeting to order and called the roll.

SECOND ORDER OF BUSINESS

Public Comment

Mr. Maskell asked is it possible to put in an access box at the Mystic Dunes entrance? Apparently, they are at the other two entrances. I have had to go there twice to let emergency vehicles through the gate. A point of ongoing confusion is who owns the roads in this community.

Mr. Showe responded the Windward CDD owns the roads.

Mr. Maskell stated I understand that after the bond is paid off there is a possibility the roads will be turned over to the county or will it always be the CDD.

Ms. Trucco stated it is possible to make the roads private so long so long as bonds are paid off.

Mr. Maskell stated right now the CDD is responsible for maintaining the roads.

Mr. Showe stated yes.

Ms. Williams asked does that make these roads public roads?

Mr. Showe stated yes.

Ms. Williams stated I have two safety issues and one nuisance issue. I live at the corner of Four Seasons and Estuary and the planting by the island in the eastern part of the intersection by the stop sign is so high you can't see golf carts coming. My request is to take out the bushes and put in a ground cover so that is very visible. Coming in from the guard gate Four Seasons and turning right on Estuary, people go very fast and there is quite a bit of curve where Sabal Point comes in. There is a stop sign there at Sabal Point Loop but you have to go way past the sign to be able to see and all of a sudden, a car comes speeding around that corner. Can a sign be put there saying, blind entrance, slow down? I also see a lot of speeding in the community.

Mr. Morris stated I wouldn't think it would be a bad idea at the entrance by the main guard gate to put up a sign saying that the speed limit is 20 mph.

Mr. Showe stated the field manager is taking notes and we will work on those items.

Ms. Williams stated speed limit signs throughout the community will remind people to slow down. I brought up at a meeting last year about the streetlight behind my house that make it look like daylight. Last year you talked about putting some kind of shield on it so the light would be focused downward where it needs to be and not in my window.

Mr. Morris asked is this a light owned by Duke Energy?

Mr. Showe stated the CDD leases them from Duke and we need to reach out to them with that information.

Ms. Monaco stated we lease the streetlights from Duke and that is new to us. Do we lease them to the end of time and is that typical here?

Mr. Johnston stated the good thing about that is if there is an issue you just call them and they come out and fix it opposed to if you own the fixture then you pay for the fix. When they change out the lights in the older communities that did not have LED lights Duke replaces that as part of the program and it doesn't cost the association anything.

Ms. Monaco asked if the lights are out, how do we resolve that?

Mr. Morris stated write down the pole number and get it to them and they will fix it.

Mr. Showe stated you can go the Duke's website and report it.

THIRD ORDER OF BUSINESS

Approval of the Minutes of the November 17, 2021 Meeting and Acceptance of the November 17, 2021 Landowners meeting.

On MOTION by Mr. Clark seconded by Mr. Morris with all in favor the minutes of the November 17, 2021 regular business meeting were approved and the November 17, 2021 landowners' meeting minutes were accepted.

FOURTH ORDER OF BUSINESS

Consideration of Disclosure of Public Financing

Mr. Showe stated this is required after every bond issue and this reflects the terms of the bond issue.

On MOTION by Mr. Clark seconded by Ms. Moss with all in favor the disclosure of public financing was approved.

FIFTH ORDER OF BUSINESS

Consideration of Temporary Access Easement Agreement with Lionel Mendez

Mr. Showe stated we have a request for a temporary access easement agreement from a resident from 7890 Sabal Point Loop who is putting in a pool. We typically approve these on our own but because it was so close to the board meeting, we placed it on the agenda for board consideration. The easement agreement lays out the terms under which they can use the CDD property for the purpose of getting to their property and they have to correct any damage that is done to CDD property.

On MOTION by Mr. Morris seconded by Mr. Clark with all in favor the temporary access easement agreement with Lionel Mendez at 7890 Sabal Point Loop was approved.

SIXTH ORDER OF BUSINESS

Consideration of Amendment to Agreement with Poulous & Bennett to Provide Additional Wastewater Services & Stormwater Management Needs Analysis

Mr. Showe stated next is consideration of an amendment to the agreement with Poulous & Bennet to provide a stormwater management needs analysis.

Ms. Trucco stated we had presented a memorandum to the board regarding a new law that requires cities, counties and special districts to prepare a 20-year projected needs analysis report on the stormwater and wastewater systems. It is due by June 30, 2022 and the board had directed the district engineer to prepare a cost estimate proposal for this report.

Mr. Kelly stated the proposal is based on the legislation and part of these items need to be researched, itemized, costs projected and we put all those in the proposal for that work as well as the time necessary.

Mr. Johnston asked as far as cost allocation, is there a way to get this incorporated to get it covered at some point in time?

Mr. Showe stated this particular report is not budgeted ,but we will program the five-year updates into the budget.

On MOTION by Mr. Clark seconded by Mr. Johnston with all in favor the amendment to the agreement with Poulous & Bennett to provide the wastewater and stormwater management needs analysis in the amount of \$18,000 was approved.

SEVENTH ORDER OF BUSINESS

Ratification of Consent to Assignment of Agreement for Landscape Maintenance Services with Capital Land Management

Mr. Showe stated we signed this consent to assignment of agreement and we are asking the board to ratify that action. The landscape company has been purchased by another company and this agreement acknowledges that the previous agreement with Capital Land Management will now be Juniper.

On MOTION by Mr. Clark seconded by Mr. Johnston with all in favor the consent to assignment of agreement for landscape maintenance services with Capital Land Management to Juniper Landscaping of Florida, LLC was ratified.

EIGHTH ORDER OF BUSINESS

Staff Reports

A. Attorney

There being none, the next item followed.

B. Engineer

Mr. Kelly stated the majority of the underground utilities are in the ground now and we are hoping to get road base this week.

Mr. Johnston stated we will be recording the plat for 3C and 4B in the next few weeks. I have to get the mylar to the county so they can record that phase and then the other ones we have already submitted and are targeting the recording of those towards the end of February.

Ms. Trucco stated we just ask for a copy of that so if there are any dedications to the CDD.

Mr. Morris stated when I drive down Old Lake Wilson Road, I see a road being built connecting our property to an area that is separate from all the other buildings. Is this the new area that we acquired a few months ago?

Mr. Johnston stated yes.

Mr. Morris asked has KHOV determined where the dog park is going to be?

Mr. Johnston responded yes, it is in the corner upfront and I will bring that to the next meeting.

D. Manager

Mr. Showe introduced Clayton Smith, the new field operations manager and stated that a representative of Juniper was present and wanted to talk about some irrigation repairs.

Juniper Representative: stated we have some damage created by heavy equipment, trucks going over the island. We need to dig out what is buried because we don't want to get into an issue with warranty.

Mr. Showe asked are you going to cover those?

Mr. Johnston stated KHOV is going to pay that anyway so just as long we get the invoice, we can take care of it directly. That is not a CDD issue that is KHOV construction. We wanted to make sure we didn't have any more trucks coming through that area.

Mr. Smith stated we had a complaint about an area in front of the guardhouse and it is definitely an area that can use some pressure washing. We do have a maintenance program that I oversee and for this situation I will bring a proposal to the next meeting.

i. Approval of Check Register

On MOTION by Mr. Clark seconded by Mr. Johnston 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. Presentation of Arbitrage Rebate Calculation Report

Mr. Showe stated next is presentation of the arbitrage rebate calculation report for the Series 2018 Bonds. This is a presentation that is required annually, a test to make sure that we are not earning more in interest on the bond funds than legally allowed. There is no rebate liability, so we are in compliance with the Florida Statutes.

NINTH ORDER OF BUSINESS

Other Business

There being none, the next item followed.

TENTH ORDER OF BUSINESS

Supervisor’s Requests

Mr. Morris asked in September/October William mentioned that there was a one-way sign on the circle that had to be replaced and it was never done. I think there was another pipe that was more or less sticking out on the exit side of the guard station and I don’t know if that has been repaired. If you drive down Hanson Bay and make a left turn at Antilles immediately on your left the sidewalk looks like it is starting to break up.

Mr. Smith stated I will look into that.

On MOTION by Mr. Clark seconded by Mr. Johnston with all in favor the meeting adjourned at 2:27 p.m.


Secretary/Assistant Secretary


Chairman/Vice Chairman