

**MINUTES OF MEETING  
WINDWARD  
COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of the Windward Community Development District was held Wednesday, **November 16, 2022** at 2:00 p.m. at 7813 Four Seasons Boulevard, Kissimmee, Florida.

Present and constituting a quorum were:

Jimmy Clark	Chairman
Susan Moss	Vice Chairperson
Gretta Akellino	Assistant Secretary

Also Present were:

Jason Showe	District Manager
Kristen Trucco	District Counsel
David Kelly	District Engineer
Andy Hatton	Field Manager
Several Residents	

**FIRST ORDER OF BUSINESS**

**Roll Call**

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

**SECOND ORDER OF BUSINESS**

**Public Comment**

Ms. King stated I want to thank you for replacing the bushes at the corner of Estuary and Four seasons. Will we have the same issue with the new ones?

Mr. Hatton responded no, it is a different plant, and we are going to keep it low so we don't have a line-of-sight issue.

Ms. King stated at the intersection of Flora Pass and Four Season there is a dip in the road. Why hasn't it been fixed.

Mr. Hatton stated I wasn't aware of an issue, but I will look into it.

Ms. King stated as you enter the main entrance of the property there are two landscape lights on the second median that need to be adjusted since they shine directly into a driver's eyes.

Mr. Hatton stated the electrician just replaced four bulbs and they were supposed to adjust them. I can adjust those myself.

A resident stated there are 8-12 trees bent over from the hurricane.

Mr. Hatton stated all the smaller trees that can be straightened by hand have been straightened. The bigger ones need to be straightened by machine and re-strapped.

A resident stated the curb along Four Seasons needs to be replaced and construction workers are still running over them as well as the trailers.

**THIRD ORDER OF BUSINESS**

**Approval of the Minutes of the July 20, 2022 Meeting**

On MOTION by Mr. Clark seconded by Ms. Akellino with all in favor the minutes of the July 20, 2022 meeting were approved as presented.

**FOURTH ORDER OF BUSINESS**

**Ratification of Fiscal Year 2022 Audit Engagement Letter with Grau & Associates**

Mr. Showe stated several years ago the board went through an audit selection process and selected Grau & Associates as the district’s auditor. This proposal is in line with that agreement in terms of pricing. I signed it so they could get started with the audit and am asking the board to ratify that action.

On MOTION by Ms. Akellino seconded by Mr. Clark with all in favor execution of the engagement letter with Grau & Associates to perform the fiscal year 2022 audit was ratified.

**FIFTH ORDER OF BUSINESS**

**Consideration of Budget Amendment Resolution 2023-01**

Mr. Showe stated this budget amendment reconciles fiscal year 2022, it recognizes additional carry forward surplus and some additional expenses.

On MOTION by Mr. Clark seconded by Ms. Moss with all in favor Resolution 2023-01 Budget Amendment was approved.

**SIXTH ORDER OF BUSINESS**

**Staff Reports**

**A. Attorney**

Ms. Trucco stated we are working on sorting out the parkway area. Hopefully, we will have a resolution by the next meeting. Also we are following a completion of the improvements in Grove Park Phases 3C and 3D and you may see a resolution conveying real property improvements in those phases once the district engineer certifies that those are complete, then they will be transferred to the district.

**B. Engineer**

Mr. Kelly stated we are in the final stages of the clearances for the drainage and we are just waiting on some testing. We will make sure all the documents are in order for all completed construction.

**D. Manager**

**i. Approval of Check Register**

On MOTION by Ms. Moss 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.

**iii. Field Operations**

Mr. Hatton gave an overview of the work completed since the last meeting and ongoing work taking place.

**SEVENTH ORDER OF BUSINESS**

**Public Comment Period**

A resident asked when will the other dog stations be installed?

Mr. Hatton stated we are ordering more and there will be more dog stations.

A resident asked will there be a dog park.

Mr. Showe stated I think that is going in the new phase.

A resident asked is there any way you can coordinate with the landscape maintenance company so that they cut the CDD grass as the same time as they cut the homeowners' grass?

Mr. Showe stated they are separate contracts with separate scopes of service. We can't compel them to do that.

Mr. Hatton stated there is some tall grass in front of the ponds and we are trying to get them to push it back when they can.

A resident stated the exit gate has a big bend in it.

Mr. Hatton stated it will be taken care of.

A resident stated it was brought up at the last meeting about who has oversight of the CDD and you talked about the board. Is there a state agency or county agency that has oversight of the CDD?

Ms. Trucco stated there are multiple state agencies that we submit reports to and I can get with you after the meeting with more detail on that list. We don't have state oversight or government oversight, but CDDs also have to comply with the Florida Statutes.

Mr. Showe stated this is a separate, independent governmental body. It is very similar to a city or county and as long as the board is acting within the Florida Statutes and following all the rules they have authority to make those decisions on their own. There is also staff, the district engineer, district counsel, and district manager. It is our job to keep them in compliance.

A resident stated the CDD assessment went up \$700 from last year. Can you tell us why it went up?

Mr. Showe stated we assess all property within the district equally, whether it is developed or undeveloped. KHov as the developer pays a significant portion of assessments. If there are expenses that go above the budgeted amount, there is an agreement with KHov that they have to fund that. As we bring new areas on, it is already being assessed but there are new maintenance responsibilities and those costs go up. At some point the community will be built out and that will set where the assessments are going to fall to a certain degree.

A resident asked do you have an idea of what that number will be when you leave and we take over?

Mr. Showe stated when we presented the proposed budget the first time it was actually \$300 to \$400 more than it ended up being. We anticipate another increase next year, but again it depends on contracts, how quick development happens, there are a lot of factors. We look at that throughout the year and work with the developer and in this case the developer agreed to fund a certain portion of the budget so the assessments didn't go up as high as proposed.

A resident asked where do you see our assessment in five years?

Mr. Showe stated when we did a full buildout budget it was probably \$400 to \$500 higher than it is right now on the O&M side, but it is hard to give you any certainty. Remember that the areas that are not yet developed are being assessed the same as you are. If services increase those costs go up, we are not spreading it over more people, it is the same properties.

A resident asked is there a budget showing us where the moneys are going?

Mr. Showe responded yes the budget is posted on the district's website. Along with the current budget, there are a couple years of historical budgets, we lay out each account line and we try to be as transparent as possible.

Ms. Trucco stated this is a government entity opposed to the HOA or other private management companies and everyone is subject to the sunshine law, public records law, the board of supervisors as well as the district itself. Anyone can submit a public records request and get any document you want.

A resident stated I think the whole concept is dishonest in terms of the assessment, we were told the assessment was only this to find out it is operations and maintenance that goes up by 50% a year; that is a big chunk of money and not even close to what we were told.

Ms. Trucco stated after six years and 250 qualified electors residing in this community two seats on the board will transition to residents, in another two years two more seats will transition to residents and in another two years the last seat will transition. Residents will control the level of maintenance and all the costs and assessments budgeted by the CDD. Right now, assessments are being collected to maintain a certain level of service being provided but when the board is run by residents, the residents will control the level of services and the amount of assessments.

A resident stated I came here thinking the assessment was \$1,200 and now it is \$2,200. Are you telling customers that?

Ms. Akellino stated there is a disclosure signed at the time of contract called the CDD disclosure and if you research it, you all have it in your contract. It says that this is the projected budget, it is subject to change. It was disclosed.

Mr. Showe stated there is statutory requirements that are required to be in your closing documents acknowledging that these fees can change and that you are purchasing within a CDD.

**EIGHTH ORDER OF BUSINESS**

**Other Business**

There being none, the next item followed.

**NINTH ORDER OF BUSINESS**

**Supervisor's Requests**

**TENTH ORDER OF BUSINESS**

**Adjournment**

On MOTION by Mr. Clark seconded by Ms. Akellino with all in favor the meeting adjourned at 2:45 p.m.



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Secretary/Assistant Secretary



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Chairman/Vice Chairman