

**MINUTES OF MEETING  
HARMONY WEST  
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Harmony West Community Development District held a Regular Meeting on May 20, 2021 at 1:30 p.m., at Johnston’s Surveying, Inc., 900 Cross Prairie Parkway (formerly 900 Shady Lane), Kissimmee, Florida 34744.

**Present were:**

John “Chris” Tyree (via telephone)	Chair
Alex Madison	Vice Chair
Robyn Bronson	Assistant Secretary
Roger Van Auker	Assistant Secretary

**Also present were:**

Cindy Cerbone	District Manager
Jamie Sanchez	Wrathell, Hunt and Associates, LLC
Daniel Rom (via telephone)	Wrathell, Hunt and Associates, LLC
Jere Earlywine	District Counsel
Marc Stehli (via telephone)	District Engineer
Bill Fife	Forestar

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Ms. Cerbone called the meeting to order at 1:30 p.m. Supervisors Madison, Bronson and Van Auker were present. Supervisor Tyree was attending via telephone. Supervisor Potter was not present.

**SECOND ORDER OF BUSINESS**

**Public Comments**

There were no public comments.

**THIRD ORDER OF BUSINESS**

**Consideration Termination of General  
Counsel Services with Straley Robin  
Vericker**

Ms. Cerbone stated that the change in the Developer was what prompted the change in District Counsel.

**On MOTION by Mr. Madison and seconded by Ms. Bronson, with all in favor, termination of Straley Robin Vericker, was approved.**

**FOURTH ORDER OF BUSINESS**

**Consider Engagement of Hopping Green & Sams, P.A., for General Counsel Services [Jere Earlywine]**

Ms. Cerbone presented the Hopping Green & Sams, P.A., Engagement Letter for District Counsel Services.

**On MOTION by Ms. Bronson and seconded by Mr. Van Auker, with all in favor, engagement of Hopping Green & Sams, P.A., for General District Counsel Services, was approved.**

- **Acceptance of Unaudited Financial Statements as of March 31, 2021**  
**This item, previously the Fourteenth Order of Business, was presented out of order.**  
Ms. Cerbone presented the Unaudited Financial Statements as of March 31, 2021.

**On MOTION by Mr. Madison and seconded by Ms. Bronson, with all in favor, the Unaudited Financial Statements as of March 31, 2021, were accepted.**

- **Approval of February 22, 2021 Regular Meeting Minutes**  
**This item, previously the Fifteenth Order of Business, was presented out of order.**  
Ms. Cerbone presented the February 22, 2021 Regular Meeting Minutes. The following change was made:

Line 19: Change "Straley Robin Vericker" to "Hopping Green & Sams"

**On MOTION by Ms. Bronson and seconded by Mr. Madison, with all in favor, February 22, 2021 Regular Meeting Minutes, as amended, were approved.**

## FIFTH ORDER OF BUSINESS

Discussion/Consideration: Buck Lake  
Related Items**A. Management and Cost Sharing Agreement *(for informational purposes)***

Ms. Cerbone explained that Harmony West CDD (HWCDD) owns Buck Lake and has a Cost-Share Agreement whereby HWCDD and Harmony CDD (HCDD) each pay 50% of the costs, with HWCDD making the full payments and invoicing HCDD for its 50%. She discussed the recent Buck Lake Committee Meeting and stated that a Management Plan and Policies are needed. The Committee recommendation was to engage Bio-Tech Consulting Inc. (Bio-Tech) to develop the Management Plan and Policies for presentation at a future Committee meeting and eventual presentation to the HWCDD and HCDD Boards. The Committee discussed how to proceed with maintaining Buck Lake. As HWCDD is the entity that must incur the maintenance costs, the Committee recommendation was to use a licensed certified professional to perform the work rather than relying on District employees.

Ms. Cerbone stated that, at the Committee meeting, HCDD expressed a desire to be reimbursed for expenses they incurred during Fiscal Years 2020 and 2021; the Agreement is clear that, if either CDD wants to do something, it can do it but, without Committee discussion and approval by both CDDs, it would be at the expense of the CDD that does it. The Committee cannot make decisions; rather, it can only make recommendations to the Boards. She received the HCDD expenses and inspection and service dates.

Mr. Earlywine stated that, in terms of recommendations, the Bio-Tech Consulting, Inc. (Bio-Tech) proposal was the only current "recommendation". With regard to Policies, the Agreement already spelled out and it is known that, in its operation of Buck Lake and boating, HCDD has some additional Policies. The Policies were being worked on by all parties.

**B. April 6, 2021 Buck Lake Committee Meeting Minutes *(for informational purposes)***

Ms. Cerbone stated that some edits were received from the Committee Member representing HCDD but they were unclear. Overall, Ms. Cerbone felt that the minutes presented were representative of what occurred at the Committee Meeting.

**C. Bio-Tech Consulting Inc., Proposal No. 21-714 Aquatic Management and General Project Consulting**

Ms. Cerbone presented Bio-Tech Proposal No. 21-714 for Aquatic Management and General Project Consulting. She explained that this proposal is not for any maintenance

services, it is related to consulting services. She was advised by the Committee Member representing HCDD that the HCDD Board agreed to pay 50% of the cost.

**On MOTION by Mr. Madison and seconded by Mr. Van Auken with all in favor, Bio-Tech Consulting Inc., Proposal No. 21-714, for Aquatic Management and General Project Consulting, in a total not-to-exceed amount of \$4,350, with Harmony CDD paying 50% of the total cost, was approved.**

**D. Buck Lake Maintenance Cost Information from Harmony CDD**

- **Cost Details**
- **Inspection/Treatment Dates**

Ms. Cerbone stated that these documents outline HCDD’s costs and inspection and treatment dates since January 2020, for which HCDD is requesting a credit reimbursement of 50% of the costs.

A decision on this matter was deferred.

Ms. Cerbone noted that the Bio-Tech Management Plan would have a not-to-exceed \$2,900 annual cost after the Plan is in place that would need to be factored into future budgets.

**E. Bio-Tech Consulting Inc., Proposal No. 21-1034 for Environmental Services**

Ms. Cerbone presented the Bio-Tech Consulting Inc., Proposal No. 21-1034 for Environmental Services. Mr. Earlywine recommended having an Agreement with Bio-Tech for services and a Cost-Share Agreement with HCDD for shared costs related to Buck Lake.

**On MOTION by Mr. Madison and seconded by Ms. Bronson with all in favor, Bio-Tech Consulting Inc., Proposal No. 21-1034 for Environmental Services, in substantial form, in a not-to-exceed amount of \$3,500, authorizing Staff to prepare a Services Agreement with Bio-Tech and a Cost-Share Agreement with Harmony CDD for Harmony CDD to pay 50%, and authorizing the Chair to execute, was approved.**

**SIXTH ORDER OF BUSINESS**

**Consideration of Resolution 2021-05, Relative to the Acceptance of Responsibility for the Perpetual Operation, Maintenance, and Funding of the Stormwater Management System**

Ms. Cerbone presented Resolution 2021-05.

Mr. Earlywine stated that this Resolution is standard in form and required by the South Florida Water Management District (SFWMD) when issuing permits. It confirms the CDD’s commitment to take responsibility, in the future, for the stormwater system once it is turned over for operation and maintenance (O&M).

**On MOTION by Mr. Madison and seconded by Mr. Van Auker, with all in favor, Resolution 2021-05, Relative to the Acceptance of Responsibility for the Perpetual Operation, Maintenance, and Funding of the Stormwater Management System, in substantial form, and authorizing the Chair to execute, was adopted.**

**SEVENTH ORDER OF BUSINESS**

**Consider Authorization of District Staff to Draft and Publish Request for Proposals (RFP) for Landscape & Irrigation Maintenance Services**

Ms. Cerbone stated that, based on the anticipated cost of the CDD’s landscape and irrigation needs, advertising an RFP for Landscape & Irrigation Maintenance Services was recommended. She noted that the RFP would clearly state that the contract would not be solely price based.

**On MOTION by Mr. Madison and seconded by Ms. Bronson, with all in favor, authorizing District Staff to draft and publish a Request for Proposals (RFP) for Landscape & Irrigation Maintenance Services, was approved.**

**EIGHTH ORDER OF BUSINESS**

**Consideration of Resolution 2021-06, Approving Proposed Budget(s) for Fiscal Year 2021/2022 and Setting a Public Hearing Thereon Pursuant to Florida Law; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing an Effective Date**

Ms. Cerbone presented Resolution 2021-06 and read the title. She distributed and reviewed an updated version of the proposed Fiscal Year 2022 budget, highlighting any line

item increases, decreases, new line items and adjustments, compared to the Fiscal Year 2021 budget, and explained the reasons for any adjustments. She noted note that the on and off-roll numbers could change.

The following changes were made to the proposed Fiscal Year 2022 budget:

Page 4: Descriptions would be enhanced for some items for better clarity.

Ms. Cerbone referred to the “Off-Roll Assessments – Future Bond Area” Table, on Page 8 and noted that the \$49.85 O&M assessment amount was lower than for the other on and off-roll assessments because the Future Bond Area is only paying the administrative portion of the O&M assessment because it is not yet receiving other O&M services.

**On MOTION by Mr. Van Auker and seconded by Mr. Madison, with all in favor, Resolution 2021-06, Approving Proposed Budget(s) for Fiscal Year 2021/2022, as amended, and Setting a Public Hearing Thereon Pursuant to Florida Law for August 19, 2021 at 1:30 p.m., at Johnston’s Surveying, Inc., 900 Cross Prairie Parkway (formerly 900 Shady Lane), Kissimmee, Florida 34744; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing an Effective Date, was adopted.**

**NINTH ORDER OF BUSINESS**

**Consideration of Resolution 2021-07, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2021/2022 and Providing for an Effective Date**

Ms. Cerbone presented Resolution 2021-07. The following changes were made to the Fiscal Year 2022 Meeting Schedule:

DATES: Third Thursday of each month

DATES: Add “December 16, 2021”

TIMES: Change all times from “10:00 AM” to “1:30 PM”

**On MOTION by Mr. Madison and seconded by Mr. Van Auker, with all in favor, Resolution 2021-07, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2021/2022, as amended, and Providing for an Effective Date, was adopted.**

**TENTH ORDER OF BUSINESS**

**Consideration of FY 2021 Deficit Funding Agreement**

Ms. Cerbone presented the Fiscal Year 2021 Deficit Funding Agreement.

Mr. Earlywine stated that the Deficit Funding Agreement is for the Developer to cover any revenue shortfall during the fiscal year. He noted that any shortfall paid by the Developer would be factored into the subsequent year budget. Ms. Cerbone stated that a shortfall of approximately \$30,000 was expected for Fiscal Year 2021.

The proposed Fiscal Year 2022 budget would be attached as an exhibit to the Deficit Funding Agreement, as the "Projected Through 09/30/2021" column of the proposed Fiscal Year 2022 budget reflects the amended Fiscal Year 2021 budget figures.

**On MOTION by Mr. Madison and seconded by Mr. Van Auker, with all in favor, the Deficit Funding Agreement, as amended to include the proposed Fiscal Year 2022 budget as an exhibit to the Deficit Funding Agreement, as the "Projected Through 09/30/2021" column of the proposed Fiscal Year 2022 budget reflects the amended Fiscal Year 2021 budget figures, was approved.**

**ELEVENTH ORDER OF BUSINESS**

**Consideration of Bio-Tech Consulting Inc., Proposal/Invoice**

Ms. Cerbone presented the following related to wetland monitoring and maintenance and noted that there were outstanding invoices:

- A. Proposal No. 20-580 for Environmental Services Monitoring & Maintenance**
- B. Invoice #154041 Phase 1 M&M**

**On MOTION by Mr. Madison and seconded by Ms. Bronson, with all in favor, Bio-Tech Consulting Inc., Proposal No. 20-580 for Environmental Services Monitoring & Maintenance, Invoice #154041 Phase 1 M&M, authorizing District Counsel to draft an Agreement and authorizing the Chair to execute, were approved.**

**TWELFTH ORDER OF BUSINESS**

**Discussion: Memorandum of Understanding, Section 448.095, Florida Statutes/E-Verify Requirements**

Ms. Cerbone presented the Memorandum of Understanding related to the E-Verify Requirements. The CDD is required to register with E-Verify, which was already done, and the CDD will require all contractors to use the E-Verify system.

**On MOTION by Ms. Bronson and seconded by Mr. Madison, with all in favor, the Memorandum of Understanding related to the E-Verify Requirements and implementing use of the E-Verify process, was approved.**

**THIRTEENTH ORDER OF BUSINESS**

**Discussion: Maintenance of Billy’s Trail**

Mr. Tyree stated that this is related to some HCDD homeowners who want Billy’s Trail maintained. Mr. Madison thought that this involved sharing the cost to maintain the Trail. Discussion ensued regarding the Trail location and whether the Trail crosses CDD property lines, etc. Mr. Rom stated that the HCDD HOA Animal and Wildlife Committee budgets to bush hog the Trail every few months. Mr. Madison would follow up with the HCDD. This item would be included on the next agenda.

**FOURTEENTH ORDER OF BUSINESS**

**Acceptance of Unaudited Financial Statements as of March 31, 2021**

This item was presented following the Fourth Order of Business.

**FIFTEENTH ORDER OF BUSINESS**

**Approval of February 22, 2021 Regular Meeting Minutes**

This item was presented following the Fourth Order of Business.

**SIXTEENTH ORDER OF BUSINESS**

**Staff Reports**

**A. District Counsel:**

There being no report, the next item followed.

**B. District Engineer: *Poulos & Bennett, LLC***

There being no report, the next item followed.

**C. Field Operations Manager: *Association Solutions of Central Florida Inc.***

There being no report, the next item followed.



**D. District Manager: *Wrathell, Hunt and Associates, LLC***

**I. 105 Registered Voters in District as of April 15, 2021**

There were 105 registered voters residing within the District as of April 15, 2021.

**II. NEXT MEETING DATE: June 17, 2021 at 1:30 P.M.**

**○ QUORUM CHECK**

The next meeting will be held on June 17, 2021 at 1:30 p.m., unless cancelled.

**SEVENTEENTH ORDER OF BUSINESS**

**Board Members' Comments/Requests**

There being no Board Members' comments or requests, the next item followed.

**EIGHTEENTH ORDER OF BUSINESS**

**Public Comments**

There being no public comments, the next item followed.

**NINETEENTH ORDER OF BUSINESS**

**Adjournment**

There being nothing further to discuss, the meeting adjourned.

**On MOTION by Mr. Madison and seconded by Ms. Bronson with all in favor,  
the meeting adjourned at 2:33 p.m.**

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

  
Secretary/Assistant Secretary

  
Chair/Vice Chair