

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

The Board of Supervisors of the Harmony West Community Development District held a Regular Meeting on January 19, 2023 at 10:30 a.m., at Johnston’s Surveying, Inc., 900 Cross Prairie Parkway, Kissimmee, Florida 34744.

Present were:

Robyn Bronson	Assistant Secretary
John Wiggins	Assistant Secretary
Roger Van Auker	Assistant Secretary

Also present were:

Daniel Rom	District Manager
Cindy Cerbone (via telephone)	Wrathell, Hunt and Associates LLC (WHA)
Jere Earlywine (via telephone)	District Counsel
Cynthia Wilhelm (via telephone)	Bond Counsel
Mark Hills	Field Operations Manager

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Rom called the meeting to order at 10:32 a.m. Supervisors Bronson, Wiggins and Van Auker were present in person. Supervisors Tyree and Fife were not present.

Mr. Rom stated Ms. Robyn Bronson was elected at the recent Landowners’ Meeting and the Oath of Office was administered prior to the start of today’s meeting.

SECOND ORDER OF BUSINESS

Public Comments

No members of the public spoke.

THIRD ORDER OF BUSINESS

Administration of Oath of Office to Supervisor Robyn Bronson [Seat 1] *(the following will be provided in a separate package)*

This item was addressed during the First Order of Business. Ms. Bronson is already familiar with the following:

- A. Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees**
- B. Membership, Obligations and Responsibilities**
- C. Financial Disclosure Forms**
 - I. Form 1: Statement of Financial Interests**
 - II. Form 1X: Amendment to Form 1, Statement of Financial Interests**
 - III. Form 1F: Final Statement of Financial Interests**
- D. Form 8B: Memorandum of Voting Conflict**

FOURTH ORDER OF BUSINESS

Update: Bio-Tech Consulting, Inc., Baseline Mitigation Monitoring Report

This item was presented following Tenth Order of Business.

FIFTH ORDER OF BUSINESS

Presentation of Supplemental Engineer's Report

Mr. Earlywine stated the Supplemental Engineer's Report addresses the 2023 project, which is basically Phases 2A and 2B plus Botanic Boulevard Phase 2. The 2023 assessment area, which is the area being referred to, consists of 225 residential homes with all the anticipated infrastructure as well as the Boulevard, roads, utilities and stormwater ponds. The District Engineer estimated the cost at \$12.8 million and his opinion is the same as in past reports, wherein, he believes, the project is easy to construct and the cost estimate is reasonable and in line with market conditions.

On MOTION by Mr. Wiggins and seconded by Mr. Van Auker, with all in favor, the Supplemental Engineer's Report dated January 2023, in substantial form, was approved.

SIXTH ORDER OF BUSINESS

Presentation of Supplemental Special Assessment Methodology Report

Mr. Rom presented the Supplemental Special Assessment Methodology Report dated January 19, 2023. He highlighted the pertinent data in the Report, including the Capital Improvement Plan (CIP), financing plan, benefit allocation, assigning bond assessments, lienability tests and the Appendix Tables.

Mr. Earlywine recommended approval in substantial form for financing purposes.

On MOTION by Mr. Van Auker and seconded by Ms. Bronson, with all in favor, the Supplemental Special Assessment Methodology Report dated January 2023, in substantial form, was approved.

SEVENTH ORDER OF BUSINESS

Consideration of Resolution 2023-04, Delegating to the Chairman of the Board of Supervisors of Harmony West Community Development District (the "District") the Authority to Approve the Sale, Issuance and Terms of Sale of Harmony West Community Development District Special Assessment Revenue Bonds, Series 2023 (Assessment Area Two), as a Single Series of Bonds Under the Master Trust Indenture (the "Series 2023 Bonds") in Order to Finance The Assessment Area Two Project; Establishing the Parameters for the Principal Amounts, Interest Rates, Maturity Dates, Redemption Provisions and Other Details Thereof; Approving the Form of and Authorizing the Chairman to Accept the Bond Purchase Contract for the Series 2023 Bonds; Approving a Negotiated Sale of the Series 2023 Bonds to the Underwriter; Ratifying the Master Trust Indenture and Approving the Form of Second Supplemental Trust Indenture and Authorizing the Execution and Delivery Thereof by Certain Officers of the District; Appointing a Trustee, Paying Agent and Registrar for the Series 2023 Bonds; Approving the Form of the Series 2023 Bonds; Approving the Form Of and

Authorizing The Use of the Preliminary Limited Offering Memorandum and Limited Offering Memorandum Relating to the Series 2023 Bonds; Approving the Form of the Continuing Disclosure Agreement Relating to the Series 2023 Bonds; Authorizing Certain Officers of the District to Take All Actions Required and to Execute and Deliver All Documents, Instruments and Certificates Necessary in Connection With the Issuance, Sale and Delivery of the Series 2023 Bonds; Authorizing the Vice Chairman and Assistant Secretaries to Act in the Stead of the Chairman or the Secretary, As The Case May Be; Specifying the Application of the Proceeds of the Series 2023 Bonds; Authorizing Certain Officers of the District to Take All Actions and Enter into All Agreements Required in Connection With The Acquisition and Construction of the Assessment Area Two Project; and Providing an Effective Date

Ms. Wilhelm presented Resolution 2023-04, which is the Delegated Award Resolution and accomplishes the following:

- Authorizes the Chair to enter into a Bond Purchase Contract, within the parameters that the Board will approve, which are attached in Schedule I of the Resolution.
- Approves the forms of certain documents needed to market, price and sell the bonds, including the Bond Purchase Contract, Master Trust Indenture, First Supplemental Trust Indenture, Preliminary Limited Offering Memorandum and Continuing Disclosure Agreement.

Ms. Wilhelm reviewed the Schedule I Parameters.

On MOTION by Ms. Bronson and seconded by Mr. Wiggins, with all in favor, Resolution 2023-04, Delegating to the Chairman of the Board of Supervisors of Harmony West Community Development District (the "District") the Authority to Approve the Sale, Issuance and Terms of Sale of Harmony West Community Development District Special Assessment Revenue Bonds, Series 2023 (Assessment Area Two), as a Single Series of Bonds Under the Master Trust Indenture (the "Series 2023 Bonds") in Order to Finance The Assessment Area Two Project; Establishing the Parameters for the Principal Amounts, Interest Rates, Maturity Dates, Redemption Provisions and Other Details Thereof; Approving the Form of and Authorizing the Chairman to Accept the Bond Purchase Contract for the Series 2023 Bonds; Approving a Negotiated Sale of the Series 2023 Bonds to the Underwriter; Ratifying the Master Trust Indenture and Approving the Form of Second Supplemental Trust Indenture and Authorizing the Execution and Delivery Thereof by Certain Officers of the District; Appointing a Trustee, Paying Agent and Registrar for the Series 2023 Bonds; Approving the Form of the Series 2023 Bonds; Approving the Form Of and Authorizing The Use of the Preliminary Limited Offering Memorandum and Limited Offering Memorandum Relating to the Series 2023 Bonds; Approving the Form of the Continuing Disclosure Agreement Relating to the Series 2023 Bonds; Authorizing Certain Officers of the District to Take All Actions Required and to Execute and Deliver All Documents, Instruments and Certificates Necessary in Connection With the Issuance, Sale and Delivery of the Series 2023 Bonds; Authorizing the Vice Chairman and Assistant Secretaries to Act in the Stead of the Chairman or the Secretary, As The Case May Be; Specifying the Application of the Proceeds of the Series 2023 Bonds; Authorizing Certain Officers of the District to Take All Actions and Enter into All Agreements Required in Connection With The Acquisition and Construction of the Assessment Area Two Project; and Providing an Effective Date, was adopted.

EIGHTH ORDER OF BUSINESS

Consideration of Resolution 2023-05, Setting Forth the Specific Terms of the District's Special Assessment Revenue Bonds, Series 2023; Making Certain Additional Findings and Confirming and/or Adopting a Supplemental Engineer's Report and a Supplemental Assessment Report; Delegating Authority to Prepare Final Reports and Update this Resolution; Confirming the Maximum Assessment Lien Securing the Bonds; Addressing the Allocation and Collection of the Assessments Securing the Bonds;

Addressing Prepayments; Addressing True-Up Payments; Providing for the Supplementation of the Improvement Lien Book; and Providing for Conflicts, Severability and an Effective Date

Mr. Earlywine presented Resolution 2023-05, which is the Final Assessment Resolution that will match up with the bond issue.

On MOTION by Mr. Wiggins and seconded by Ms. Bronson, with all in favor, Resolution 2023-05, Setting Forth the Specific Terms of the District’s Special Assessment Revenue Bonds, Series 2023; Making Certain Additional Findings and Confirming and/or Adopting a Supplemental Engineer’s Report and a Supplemental Assessment Report; Delegating Authority to Prepare Final Reports and Update this Resolution; Confirming the Maximum Assessment Lien Securing the Bonds; Addressing the Allocation and Collection of the Assessments Securing the Bonds; Addressing Prepayments; Addressing True-Up Payments; Providing for the Supplementation of the Improvement Lien Book; and Providing for Conflicts, Severability and an Effective Date, authorizing Staff to update the Resolution along with the reports, was adopted.

NINTH ORDER OF BUSINESS

Consideration of Forms of Issuer’s Counsel Documents

Mr. Earlywine presented the following:

- A. Collateral Assignment Agreement**
- B. Completion Agreement**
- C. Declaration of Consent**
- D. Supplemental Disclosure of Public Finance**
- E. Notice of Special Assessments**
- F. True-Up Agreement**

On MOTION by Mr. Wiggins and seconded by Ms. Bronson, with all in favor, the Collateral Assignment Agreement, Completion Agreement, Declaration of Consent, Supplemental Disclosure of Public Finance, Notice of Special Assessments and True-Up Agreement, all in substantial form, were approved.

TENTH ORDER OF BUSINESS

Consideration of FMSbonds, Inc., Rule G-17 Disclosure Letter

Mr. Rom presented the FMSbonds, Inc., Rule G-17 Disclosure Letter.

On MOTION by Ms. Bronson and seconded by Mr. Wiggins, with all in favor, the FMSbonds, Inc., Rule G-17 Disclosure Letter, was approved.

▪ **Update: Bio-Tech Consulting, Inc., Baseline Mitigation Monitoring Report**

This item, previously the Fourth Order of Business, was presented out of order.

Mr. Rom presented the Bio-Tech Consulting, Inc., Baseline Mitigation Monitoring Report. Based on the report, everything is in order and on schedule with maintenance.

ELEVENTH ORDER OF BUSINESS

Ratification of United Land Services, Inc., Contract Addendum [Walking Trails Clean Up]

Mr. Rom presented the United Land Services, Inc., Contract Addendum.

On MOTION by Mr. Van Auken and seconded by Mr. Wiggins, with all in favor, the United Land Services, Inc., Contract Addendum for one-time clean up of three walking trails, in the amount of \$4,130, was ratified.

TWELFTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of November 30, 2022

Mr. Rom presented the Unaudited Financial Statements as of November 30, 2022.

On MOTION by Ms. Bronson and seconded by Mr. Wiggins, with all in favor, the Unaudited Financial Statements as of November 30, 2022, were accepted.

THIRTEENTH ORDER OF BUSINESS

Approval of December 15, 2022 Regular Meeting Minutes

Mr. Rom presented the December 15, 2022 Regular Meeting Minutes.

On MOTION by Mr. Wiggins and seconded by Ms. Bronson, with all in favor, the December 15, 2022 Regular Meeting Minutes, as presented, were approved.

FOURTEENTH ORDER OF BUSINESS

Staff Reports

A. District Counsel: *KE Law Group, PLLC*

Mr. Earlywine requested Board approval of the following action:

On MOTION by Mr. Van Auker and seconded by Mr. Wiggins, with all in favor, authorizing the CDD to acquire and for District Staff to put together the necessary documents of any completed improvements in connection with the approved 2023 Project, was approved.

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

There was no report.

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

Mr. Hills reported the following:

- Since early November, there has been no irrigation on the north side due to a damaged meter.
- The CDD’s as-builts and engineering plans were recently obtained and he met with the landscapers, who will reinstall the meter and re-activate the irrigation.
- Clearing the canals commenced.

A Board Member stated the CDD was recently fined \$300 for meter tampering and Management’s office was able to have the fine waived.

Discussion ensued regarding the damaged meter, the as-builts and the pending pipework.

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

There was no report.

- **NEXT MEETING DATE: February 16, 2023 at 10:30 A.M.**
 - **QUORUM CHECK**

The next meeting will be held on February 16, 2023.

FIFTEENTH ORDER OF BUSINESS

Board Members' Comments/Requests

There were no Board Members' comments or requests.

SIXTEENTH ORDER OF BUSINESS

Public Comments

No members of the public spoke.

SEVENTEENTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Wiggins and seconded by Ms. Bronson, with all in favor, the meeting adjourned at 10:53 a.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]



Secretary/Assistant Secretary



Chair/Vice Chair