

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

The Board of Supervisors of the Harmony West Community Development District held Public Hearings and a Regular Meeting on August 17, 2023 at 10:30 a.m., at Johnston’s Surveying, Inc., 900 Cross Prairie Parkway, Kissimmee, Florida 34744.

**Present were:**

Chris Tyree (via telephone)	Chair
Bill Fife	Vice Chair
Robyn Bronson	Assistant Secretary
Roger Van Auker	Assistant Secretary

**Also present were:**

Daniel Rom	District Manager
Ashley Ligas (via telephone)	District Counsel
Katie Ibarra (via telephone)	Kutak Rock LLP
Mark Hills	Field Operations Manager

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Mr. Rom called the meeting to order at 10:48 a.m. Supervisors Fife, Bronson and Van Auker were present. Supervisor Tyree attended via telephone. Supervisor Wiggins was not present.

**SECOND ORDER OF BUSINESS**

**Public Comments**

No members of the public spoke.

**THIRD ORDER OF BUSINESS**

**Acceptance of Resignation of Supervisor  
John Wiggins [SEAT 4]**

<p><b>On MOTION by Mr. Fife and seconded by Ms. Bronson, with all in favor, the resignation of Mr. John Wiggins, was accepted.</b></p>
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**FOURTH ORDER OF BUSINESS**

**Consider Appointment to Fill Unexpired  
Term of Seat 4; Term Expires November  
2024**

- **Administration of Oath of Office to Appointed Supervisor (the following to be provided in a separate package)**
  - 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**

These items were deferred.

**FIFTH ORDER OF BUSINESS**

**Consideration of Resolution 2023-14, Designating Certain Officers of the District, and Providing for an Effective Date**

This item was deferred.

**SIXTH ORDER OF BUSINESS**

**Public Hearing to Consider the Adoption of the Fiscal Year 2023/2024 Budget**

- A. **Proof/Affidavit of Publication**
- B. **Consideration of Resolution 2023-11, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2023, and Ending September 30, 2024; Authorizing Budget Amendments; and Providing an Effective Date**

Mr. Rom stated that the proposed Fiscal Year 2024 budget includes the changes to the “signage” line items from the last meeting.

**On MOTION by Ms. Bronson and seconded by Mr. Fife, with all in favor, the Public Hearing was opened.**

No members of the public or affected property owners spoke.

**On MOTION by Ms. Bronson and seconded by Mr. Van Auker, with all in favor, the Public Hearing was closed.**

**On MOTION by Ms. Bronson and seconded by Mr. Van Auker, with all in favor, Resolution 2023-11, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2023, and Ending September 30, 2024; Authorizing Budget Amendments; and Providing an Effective Date, was adopted.**

**SEVENTH ORDER OF BUSINESS**

**Public Hearing to Hear Comments and Objections on the Imposition of Maintenance and Operation Assessments to Fund the Budget for Fiscal Year 2023/2024, Pursuant to Florida Law**

- A. Proof/Affidavit of Publication**
- B. Mailed Notice(s) to Property Owners**
- C. Consideration of Resolution 2023-12, Making a Determination of Benefit and Imposing Special Assessments for Fiscal Year 2023/2024; Providing for the Collection and Enforcement of Special Assessments, Including but Not Limited to Penalties and Interest Thereon; Certifying an Assessment Roll; Providing for Amendments to the Assessment Roll; Providing a Severability Clause; and Providing an Effective Date**

**On MOTION by Ms. Bronson and seconded by Mr. Fife, with all in favor, the Public Hearing was opened.**

No members of the public or affected property owners spoke.

**On MOTION by Mr. Fife and seconded by Mr. Van Auker, with all in favor, the Public Hearing was closed.**

**On MOTION by Ms. Bronson and seconded by Mr. Van Auker, with all in favor, Resolution 2023-12, Making a Determination of Benefit and Imposing Special Assessments for Fiscal Year 2023/2024; Providing for the Collection and Enforcement of Special Assessments, Including but Not Limited to Penalties and Interest Thereon; Certifying an Assessment Roll; Providing for Amendments to the Assessment Roll; Providing a Severability Clause; and Providing an Effective Date, was adopted.**

**EIGHTH ORDER OF BUSINESS**

**Presentation of Audited Financial Report for the Fiscal Year Ended September 30, 2022, Prepared by Berger, Toombs, Elam, Gaines & Frank**

Mr. Rom presented the Audited Financial Statements for the Fiscal Year Ended September 30, 2022. There were no findings, recommendations, deficiencies on internal control or instances of non-compliance; it was a “clean opinion”.

**NINTH ORDER OF BUSINESS**

**Consideration of Resolution 2023-15, Hereby Accepting the Audited Financial Statements for the Fiscal Year Ended September 30, 2022**

**On MOTION by Ms. Bronson and seconded by Mr. Van Auker, with all in favor, Resolution 2023-15, Hereby Accepting the Audited Financial Statements for the Fiscal Year Ended September 30, 2022, was adopted.**

**TENTH ORDER OF BUSINESS**

**Ratification of Tract Conveyances**

Ms. Ligas presented Quit Claim Deeds for Phases 1C-2, 1C-1, 1D and 1B related to the 2018 bonds. They are open space tracts and stormwater ponds from the phase of the CDD that was not previously conveyed to the CDD. Mr. Fife stated that they are areas that were not deeded over from the previous developer.

**On MOTION by Mr. Van Auker and seconded by Ms. Bronson, with all in favor, the Quit Claim Deeds for Phases 1C-2, 1C-1, 1D and 1B, were ratified.**

**ELEVENTH ORDER OF BUSINESS**

**Update: Letter to SFWMD Regarding Application No. 230612-39022, Modifying Permit #49-107702 [Villages at Harmony Phases 2E and 2F Property Review]**

Mr. Rom stated this is the same letter as the one submitted to the South Florida Water Management District (SFWMD) for the initial phases; it is required each time a new phase starts. The SFWMD approved the letter and Resolution 2023-13 of the CDD’s intent to own and operate the stormwater system that is the subject of the application.

**TWELFTH ORDER OF BUSINESS**

**Consideration of Resolution 2023-13, Restating Resolution 2021-05, and Confirming the District’s Intent to Accept Responsibility for the Perpetual Operation, Maintenance, and Funding of the Stormwater Management System; Addressing Conflicts and Providing an Effective Date**

**On MOTION by Ms. Bronson and seconded by Mr. Van Auken, with all in favor, Resolution 2023-13, Restating Resolution 2021-05, and Confirming the District’s Intent to Accept Responsibility for the Perpetual Operation, Maintenance, and Funding of the Stormwater Management System; Addressing Conflicts and Providing an Effective Date, was adopted.**

**THIRTEENTH ORDER OF BUSINESS**

**Consideration of Trail Maintenance Agreement Between Harmony West CDD and the Harmony Residential Homeowners Association**

Mr. Fife stated that the HOA has been maintaining the trails for some time but the HOA realized that the CDD owns them and is requesting this Maintenance Agreement. The Board discussed the Agreement and opined that no one from Harmony West CDD can benefit from the trail since they cannot access it without entering Harmony.

This item was tabled.

**FOURTEENTH ORDER OF BUSINESS**

**Discussion: Fishing in CDD Ponds**

Mr. Rom stated a resident observed people fishing in the CDD stormwater ponds. He asked if the Board wants to implement a fishing policy. Mr. Tyree’s opinion is “to let them fish, as long as there are no boating vessels”. Regarding signage, Mr. Hills stated that wildlife signs are posted at every pond in Phase 1. Phase 2 has not yet been conveyed to the CDD.

**FIFTEENTH ORDER OF BUSINESS**

**Ratification of United Land Services Proposals/Agreements**

- A. Proposal #35222 for Storm Damaged Trees**
- B. Proposal #38160 for Irrigation Repairs**

**C. Amendment to Landscape & Irrigation Services Agreement**

Asked if the projects in Items 15A and 15B were completed, Mr. Rom replied affirmatively. The amounts were within the District Manager’s and Chair’s spending threshold.

**On MOTION by Ms. Bronson and seconded by Mr. Van Auker, with all in favor, United Land Services Proposal #35222 for Storm Damaged Trees, Proposal #38160 for Irrigation Repairs and the Amendment to Landscape & Irrigation Services Agreement, were ratified.**

Mr. Fife suggested increasing the Chair and Staff’s spending threshold to avoid delays.

**On MOTION by Mr. Fife and seconded by Ms. Bronson, with all in favor, amending the existing Resolution to increase the Chair’s spending threshold to \$10,000 for expenditures outside of a CDD meeting, was approved.**

**SIXTEENTH ORDER OF BUSINESS**

**Acceptance of Unaudited Financial Statements as of June 30, 2023**

Mr. Rom stated he is working with Accounting to research the payment from Harmony West to the CDD and recode certain items to the correct budget line item.

**On MOTION by Mr. Fife and seconded by Ms. Bronson, with all in favor, the Unaudited Financial Statements as of June 30, 2023, were accepted.**

**SEVENTEENTH ORDER OF BUSINESS**

**Approval of May 18, 2023 Regular Meeting Minutes**

**On MOTION by Ms. Bronson and seconded by Mr. Van Auker, with all in favor, the May 18, 2023 Regular Meeting Minutes, as presented, were approved.**

**EIGHTEENTH ORDER OF BUSINESS**

**Staff Reports**

**A. District Counsel: Kutak Rock LLP**

Ms. Ligas stated that all Phase 2A utilities were turned over to the Toho Water Authority. Mr. Tyree stated that Ms. Ligas and Mr. Hills should expect a call from Alex to commence transfer of the Phase 2B improvements to the CDD. Mr. Rom noted that the Orlando

Utility Commission (OUC) received the Street Lighting Agreements from Alex to transfer to the CDD; the approval process takes about five months.

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

There was no report.

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

Mr. Hills stated the landscapers are on site today to address the last remaining deficiencies from July’s walkthrough.

Asked when will the mulch be laid at the Americans with Disabilities Act (ADA)-playground, Mr. Hills stated October or November after the rainy season. Mr. Hills was advised to purchase it in Fiscal Year 2023, with the intention of installing it at the end of October.

Mr. Rom stated that a resident asked why water was being pumped from one of the ponds in the new phase, which left the water level very low. Mr. Tyree stated that stormwater repairs in Phases 2A and 2B were being done for Osceola County.

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

- **NEXT MEETING DATE: September 21, 2023 at 10:30 A.M.**
  - **QUORUM CHECK**

The next meeting will be September 21, 2023, unless cancelled.

**NINETEENTH ORDER OF BUSINESS**

**Board Members’ Comments/Requests**

There were no Board Members’ comments or requests.

**TWENTIETH ORDER OF BUSINESS**


**Public Comment**

No members of the public spoke.

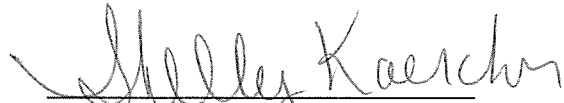
**TWENTY-FIRST ORDER OF BUSINESS**

**Adjournment**

**On MOTION by Mr. Fife and seconded by Ms. Bronson, with all in favor, the meeting adjourned at 11:15 a.m.**



Secretary/Assistant Secretary



Chair/Vice Chair