

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

The Board of Supervisors of the Harmony West Community Development District held a Regular Meeting on April 21, 2022 at 1:30 p.m., at Johnston’s Surveying, Inc., 900 Cross Prairie Parkway, Kissimmee, Florida 34744.

**Present were:**

Chris Tyree	Chair
Bill Fife	Vice Chair
Robyn Bronson	Assistant Secretary
Roger Van Auker	Assistant Secretary
John Wiggins	Assistant Secretary

**Also present were:**

Cindy Cerbone	District Manager
Daniel Rom	Wrathell, Hunt and Associates, LLC
Jere Earlywine (via telephone)	District Counsel
Meredith Hammock (via telephone)	KE Law Group, PLLC
Mark Stehli (via telephone)	District Engineer
Mark Hills	Field Operations Manager
Kat Holiday	Forestar
Cynthia Wilhelm	Bond Counsel

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Mr. Rom called the meeting to order at 1:37 p.m. All Supervisors were present.

**SECOND ORDER OF BUSINESS**

**Public Comments**

There were no public comments.

**THIRD ORDER OF BUSINESS**

**Buck Lake Related Items**

**A. Approval of Buck Lake Committee Meeting Minutes: October 21, 2021**

Mr. Rom presented the October 21, 2021 Buck Lake Committee Meeting Minutes.

**On MOTION by Mr. Tyree and seconded by Ms. Bronson, with all in favor, the October 21, 2021 Buck Lake Committee Meeting Minutes, as presented, were approved.**

**B. Ratification of Restated Agreement for Environmental Management Services (General Project Coordination)**

Ms. Cerbone recalled that, at the Buck Lake Committee meeting, the Harmony West CDD (HWCDD) and Harmony CDD (HCDD) Committee Members agreed to HWCDD renewing a Bio-Tech Agreement for general coordination but HCDD did not approve it. HCDD will approve a Maintenance Agreement in the coming year but will not approve general coordination. If general project coordination is needed, Ms. Cerbone recommended that the HWCDD and HCDD Boards allow Mr. Tyree, on behalf of HWCDD, and Ms. Teresa Kramer, on behalf of HCDD, approve Bio-Tech services outside of a regular meeting, with a not-to-exceed amount at the hourly rate and for a limited number of hours. The Board directed Ms. Cerbone to work with HCDD on an agreement for cost sharing in the event general coordination costs are incurred.

**On MOTION by Mr. Tyree and seconded by Mr. Van Auker, with all in favor, the Restated Agreement for Environmental Management Services, for General Project Coordination, was ratified.**

**FOURTH ORDER OF BUSINESS**

**Update: Results of Bio-Tech Consulting, Inc., January, 2022 Mitigation Monitoring**

Mr. Rom stated the Report was completed but not in time for inclusion in the agenda. This item would be presented at the next meeting.

**FIFTH ORDER OF BUSINESS**

**Consideration of Resolution 2022-06, Authorizing the Disbursement of Funds for Payment of Certain Continuing Expenses Without Prior Approval of the Board of Supervisors; Authorizing the Disbursement of Funds for Payment of Certain Non-Continuing Expenses Without Prior Approval of the Board of Supervisors; Providing for a Monetary Threshold; and Providing for an Effective Date**

Mr. Rom presented Resolution 2022-06.

**On MOTION by Mr. Van Auker and seconded by Mr. Wiggins, with all in favor, Resolution 2022-06, Authorizing the Disbursement of Funds for Payment of Certain Continuing Expenses Without Prior Approval of the Board of Supervisors; Authorizing the Disbursement of Funds for Payment of Certain Non-Continuing Expenses Without Prior Approval of the Board of Supervisors; Providing for a Monetary Threshold; and Providing for an Effective Date, was adopted.**

**SIXTH ORDER OF BUSINESS**

**Consideration of Resolution 2022-08, Designating a Date, Time, and Location for Landowners’ Meeting; Providing for Publication, Providing for an Effective Date**

Mr. Rom presented Resolution 2022-08. Seats 1, 2 and 4, currently held by Supervisors Bronson, Tyree and Wiggins, respectively, would be up for election.

**On MOTION by Ms. Bronson and seconded by Mr. Tyree, with all in favor, Resolution 2022-08, Designating a Date, Time, and Location of November 17, 2022 at 1:30 p.m., at Johnston’s Surveying, Inc., 900 Cross Prairie Parkway, Kissimmee, Florida 34744 for a Landowners’ Meeting; Providing for Publication, Providing for an Effective Date, was adopted.**

**SEVENTH ORDER OF BUSINESS**

**Consideration of Resolution 2022-09, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2022/2023 and Providing for an Effective Date**

Mr. Rom presented Resolution 2022-09. The following changes were made to the Fiscal Year 2023 Meeting Schedule:

LOCATION: Harmony West Clubhouse, 6830 Botanic Boulevard, Saint Cloud, Florida, 34773, for all meetings except November 17, 2022, which would be held at Johnston’s Surveying, Inc.

Additional Meeting: Add Landowners’ Meeting on November 17, 2022 at 1:30 PM, commencing immediately before the Regular Meeting.

**On MOTION by Mr. Tyree and seconded by Ms. Bronson, with all in favor, Resolution 2022-09, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2022/2023, as amended, and Providing for an Effective Date, was adopted.**

**EIGHTH ORDER OF BUSINESS**

**Consideration of Bond Financing Matters**

**A. Bond Financing Team Funding Agreement**

Ms. Hammock presented the Bond Financing Team Funding Agreement.

**On MOTION by Mr. Tyree and seconded by Mr. Van Auker, with all in favor, the Bond Financing Team Funding Agreement, was approved.**

**B. Presentation of Revised Master Engineer’s Report for Capital Improvements**

Mr. Stehli presented the Revised Master Engineer’s Report for Capital Improvements dated April 21, 2022. He noted the following:

- The Revised Master Engineer’s Report was created to add the Phase II area, which adds approximately 1,151 lots and to associate the public roadways, utilities and other supporting infrastructure to the project.
- All associated Tables, Maps and Cost Estimates were updated.

**On MOTION by Ms. Bronson and seconded by Mr. Tyree, with all in favor, the Revised Master Engineer’s Report for Capital Improvements dated April 21, 2022, in substantial form, was approved.**

**C. Presentation of Revised Master Special Assessment Methodology Report**

Mr. Rom presented the Revised Master Special Assessment Methodology Report dated April 22, 2022 and noted the pertinent data in each Section. He discussed the maximum par amount of bonds, Capital Improvement Plan (CIP), project costs, Assessment Methodology, True-Up Mechanism and the Appendix Tables. He noted the following:

- The current Developer oversaw the development for the first 620 single-family residential units, referred to as Phase 1, subject to the “Series 2018 Bonds.”

- Based on the most recent Engineer’s Report, dated April 17, 2022, the revised development plan includes a total of 1,771 single-family residential units. The first 620 single-family residential units comprise Phase 1, while the remaining 1,151 comprise Phase 2.
- The Revised CIP is estimated to total \$87,137,750, with the Phase 1 units currently estimated to total \$29,100,599 and the Phase 2 units to total \$58,037,151.
- In order to fully fund the costs of the Revised CIP, the CDD would have to issue a par amount of approximately \$116,610,000 in Special Assessment Revenue Bonds.

**On MOTION by Mr. Tyree and seconded by Mr. Fife, with all in favor, the Revised Master Special Assessment Methodology Report, in substantial form, was approved.**

**D. Resolution 2022-10, Declaring Special Assessments; Designating the Nature and Location of the Proposed Improvements; Declaring the Total Estimated Cost of the Improvements, the Portion to be Paid by Assessments, and the Manner and Timing in Which the Assessments are to be Paid; Designating the Lands Upon Which the Assessments Shall be Levied; Providing for an Assessment Plat and a Preliminary Assessment Roll; Addressing the Setting of Public Hearings; Providing for Publication of this Resolution; and Addressing Conflicts, Severability and an Effective Date**

Mr. Rom presented Resolution 2022-10, which acknowledges the CIP project, as described in the Revised Engineer’s Report, adopts the assessment roll and begins the assessment process.

**On MOTION by Mr. Tyree and seconded by Mr. Van Auker, with all in favor, Resolution 2022-10, Declaring Special Assessments; Designating the Nature and Location of the Proposed Improvements; Declaring the Total Estimated Cost of the Improvements, the Portion to be Paid by Assessments, and the Manner and Timing in Which the Assessments are to be Paid; Designating the Lands Upon Which the Assessments Shall be Levied; Providing for an Assessment Plat and a Preliminary Assessment Roll; Addressing the Setting of Public Hearings for June 16, 2022 at 1:30 p.m., at Johnston’s Surveying, Inc., 900 Cross Prairie Parkway, Kissimmee, Florida 34744; Providing for Publication of this Resolution; and Addressing Conflicts, Severability and an Effective Date, in substantial form, was adopted.**

- E. **Resolution 2022-11, Authorizing the Issuance of Not to Exceed \$116,610,000 Aggregate Principal Amount of Harmony West Community Development District Special Assessment Revenue Bonds, Series 2022, to Pay All or a Portion of the Costs of the Series 2022 Project (Hereinafter Defined) Pursuant to Chapter 190, Florida Statutes; Providing for the Judicial Validation of Such Bonds, the Series 2022 Project and the Imposition, Levy and Collection of Non-Ad Valorem Assessments for the Repayment of Such Bonds; Providing an Effective Date and Providing for Other Related Matters**

Ms. Hammock presented Resolution 2022-10, which accomplishes the following:

- Authorizes issuance of a not-to-exceed \$116,610,000 aggregate principal amount of bonds.
- Authorizes and directs District Counsel and Bond Counsel to proceed with filing the bond validation documentation.

**On MOTION by Mr. Tyree and seconded by Mr. Fife, with all in favor, Resolution 2022-11, Authorizing the Issuance of Not to Exceed \$116,610,000 Aggregate Principal Amount of Harmony West Community Development District Special Assessment Revenue Bonds, Series 2022, to Pay All or a Portion of the Costs of the Series 2022 Project (Hereinafter Defined) Pursuant to Chapter 190, Florida Statutes; Providing for the Judicial Validation of Such Bonds, the Series 2022 Project and the Imposition, Levy and Collection of Non-Ad Valorem Assessments for the Repayment of Such Bonds; Providing an Effective Date and Providing for Other Related Matters, was adopted.**

- F. **Resolution 2022-12, Designating a Date, Time and Location of a Public Hearing Regarding The District’s Intent to Use the Uniform Method for the Levy, Collection, and Enforcement of Non-Ad Valorem Special Assessments as Authorized by Section 197.3632, Florida Statutes; Authorizing the Publication of the Notice of Such Hearing; and Providing an Effective Date**

Mr. Rom presented Resolution 2022-12. This Resolution enables placement of the assessments on the tax bill utilizing the Property Appraiser and Tax Collector.

**On MOTION by Mr. Tyree and seconded by Ms. Bronson, with all in favor, Resolution 2022-12, Designating a Date, Time and Location of June 16, 2022 at 1:30 p.m., at Johnston’s Surveying, Inc., 900 Cross Prairie Parkway, Kissimmee,**

**Florida 34744 for a Public Hearing Regarding The District’s Intent to Use the Uniform Method for the Levy, Collection, and Enforcement of Non-Ad Valorem Special Assessments as Authorized by Section 197.3632, Florida Statutes; Authorizing the Publication of the Notice of Such Hearing; and Providing an Effective Date, was adopted.**

**NINTH ORDER OF BUSINESS**

**Consideration of Townhome Parcel Boundary Amendment Matters**

**A. Request for Boundary Amendment (Townhome Parcel)**

Ms. Hammock discussed the request for a boundary amendment to include the proposed addition of the Townhome Parcel, which would add approximately 21.41 acres of property to the CDD’s existing boundaries.

Ms. Cerbone stated the request came via email following a conference call with the Board Chair and District Counsel.

**On MOTION by Mr. Tyree and seconded by Mr. Wiggins, with all in favor, the request for a Boundary Amendment to include the Townhome Parcel, was approved.**

**B. Boundary Amendment Funding Agreement**

Ms. Hammock presented the Boundary Amendment Funding Agreement.

**On MOTION by Mr. Tyree and seconded by Ms. Bronson, with all in favor, the Boundary Amendment Funding Agreement, was approved.**

**C. Resolution 2022-13, Directing the Chairman and District Staff to Request the Passage of an Ordinance by the County Commissioners of Osceola County, Florida, Amending the District’s Boundaries, and Authorizing Such Other Actions as are Necessary in Furtherance of that Process; and Providing an Effective Date**

Mr. Rom presented Resolution 2022-13.

**On MOTION by Mr. Fife and seconded by Mr. Tyree, with all in favor, Resolution 2022-13, Directing the Chairman and District Staff to Request the Passage of an Ordinance by the County Commissioners of Osceola County, Florida, Amending the District’s Boundaries, and Authorizing Such Other**

**Actions as are Necessary in Furtherance of that Process; and Providing an Effective Date, was adopted.**

Discussion ensued about budget planning and segregating and allocating expenses related to the townhome infrastructure. Ms. Cerbone would work with the Chair to determine how to distribute professional and administrative expenses among the assessable units.

Mr. Tyree stated an Access Agreement would be needed to address the access point from the townhome parcel into the main part of the community and a construction easement would be needed where HOA or CDD property is crossed. Ms. Cerbone would work with the Chair to determine whether some field operation costs would be allocated to the townhome parcel for existing assets utilized.

**Mr. Earlywine joined the meeting at 2:04 p.m.**

Discussion ensued regarding the Boundary Amendment Agreement and CDD improvements to be conveyed to the City or the County. Mr. Earlywine stated the Boundary Amendment parcel townhomes CDD would only finance utilities and off-site improvements that would be turned over to the County. Ms. Cerbone stated there might be minor operation and maintenance (O&M) specific to the Townhome parcel, minor Field Operations O&M currently in existence for which a portion might be allocated on a percentage basis to the Townhome parcel and Professional & Administrative expenses for which a determination must be made how to incorporate the Townhomes for the General Fund assessment. Ms. Cerbone would work with the Chair and Staff to address the accounting issues.

**TENTH ORDER OF BUSINESS**

**Acceptance of Unaudited Financial Statements as of February 28, 2022**

Mr. Rom presented the Unaudited Financial Statements as of February 28, 2022. He noted that some "Electric" invoices were being transferred to the CDD.

**On MOTION by Mr. Tyree and seconded by Mr. Wiggins, with all in favor, the Unaudited Financial Statements as of February 28, 2022, were accepted.**

**ELEVENTH ORDER OF BUSINESS**

**Approval of January 20, 2022 Regular Meeting Minutes**

Mr. Rom presented the January 20, 2022 Regular Meeting Minutes.



**On MOTION by Mr. Tyree and seconded by Ms. Bronson, with all in favor, the January 20, 2022 Regular Meeting Minutes, as presented, were approved.**

**TWELFTH ORDER OF BUSINESS**

**Staff Reports**

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

Ms. Hammock asked for the timing of the Phase 2 utility turnover. Mr. Tyree stated Phase 2 is projected to be paved and accepted in September or October 2022.

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

There was no report.

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

Mr. Hills stated slight improvement of landscape maintenance was noted. The consensus was that it would be necessary go through the Request for Proposals process, if service does not improve quickly. This item would be included on the next agenda.

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

**I. 373 Registered Voters in District as of April 15, 2022**

**II. NEXT MEETING DATE: May 19, 2022 at 1:30 P.M.**

**o QUORUM CHECK**

Supervisors Bronson, Wiggins and Van Auker would attend the May 19, 2022 meeting.

**THIRTEENTH ORDER OF BUSINESS**

**Board Members' Comments/Requests**

There were no Board Members' comments or requests.

**FOURTEENTH ORDER OF BUSINESS**

**Public Comments**

There were no public comments.

**FIFTEENTH ORDER OF BUSINESS**

**Adjournment**

**On MOTION by Mr. Tyree and seconded by Mr. Wiggins with all in favor, the meeting adjourned at 2:15 p.m.**



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Secretary/Assistant Secretary



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Chair/Vice Chair