

**MINUTES OF MEETING
WINDWARD PRESERVE
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Windward Preserve Community Development District held Public Hearings and a Regular Meeting on June 21, 2024 at 11:00 a.m., at the Brevard County Government Center (Atlantic Room), 2725 Judge Fran Jamieson Way, Viera, Florida 32940.

Present were:

Susan Kane
Nora Schuster
Kevin LaRue

Chair
Vice Chair
Assistant Secretary

Also present:

Cindy Cerbone (phone)
Andrew Kantarzhi
Jere Earlywine (via telephone)
David Stokes (via telephone)
Ashwa Luthra

District Manager
Wrathell, Hunt and Associates, LLC
District Counsel
Interim District Engineer
Beachline Partners

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Kantarzhi called the meeting to order at 11:15 a.m. Supervisors Kane, Schuster and LaRue were present. Supervisors Harding and Nesov were absent.

SECOND ORDER OF BUSINESS

Public Comments

No members of the public spoke.

THIRD ORDER OF BUSINESS

Public Hearing Confirming the Intent of the District to Use the Uniform Method of Levy, Collection and Enforcement of Non-Ad Valorem Assessments as Authorized and Permitted by Section 197.3632, Florida Statutes; Expressing the Need for the Levy of Non-Ad Valorem Assessments and Setting Forth the Legal Description of the Real Property Within the District's Jurisdictional Boundaries that May or Shall Be Subject to the Levy of District Non-Ad

Valorem Assessments; Providing for Severability; Providing for Conflict and Providing for an Effective Date

A. Affidavit/Proof of Publication

This item was included for informational purposes.

B. Consideration of Resolution 2024-28, Expressing its Intent to Utilize the Uniform Method of Levying, Collecting, and Enforcing Non-Ad Valorem Assessments Which May Be Levied by the Windward Preserve Community Development District in Accordance with Section 197.3632, Florida Statutes; Providing a Severability Clause; and Providing an Effective Date

On MOTION by Ms. Kane and seconded by Ms. Schuster, with all in favor, the Public Hearing was opened.

No affected property owners or members of the public spoke.

On MOTION by Mr. LaRue and seconded by Ms. Schuster, with all in favor, the Public Hearing was closed.

Mr. Kantarzhi presented Resolution 2024-28 and read the title.

On MOTION by Ms. Kane and seconded by Ms. Schuster, with all in favor, Resolution 2024-28, Expressing its Intent to Utilize the Uniform Method of Levying, Collecting, and Enforcing Non-Ad Valorem Assessments Which May Be Levied by the Windward Preserve Community Development District in Accordance with Section 197.3632, Florida Statutes; Providing a Severability Clause; and Providing an Effective Date, was adopted.

FOURTH ORDER OF BUSINESS

Public Hearing to Consider the Adoption of an Assessment Roll and the Imposition of Special Assessments Relating to the Financing and Securing of Certain Public Improvements

A. Affidavit/Proof of Publication

B. Mailed Notice to Property Owner(s)

These items were included for informational purposes.

C. Engineer's Report (for informational purposes)

Mr. Kantarzhi stated that this is the same Report as the one presented at the Organizational Meeting.

D. Master Special Assessment Methodology Report (for informational purposes)

Mr. Kantarzhi stated that this is the same Report as the one presented at the Organizational Meeting.

E. Consideration of Resolution 2024-29, Making Certain Findings; Authorizing a Capital Improvement Plan; Adopting an Engineer's Report; Providing an Estimated Cost of Improvements; Adopting an Assessment Report; Equalizing, Approving, Confirming and Levying Debt Assessments; Addressing the Finalization of Special Assessments; Addressing the Payment of Debt Assessments and the Method of Collection; Providing for the Allocation of Debt Assessments and True-Up Payments; Addressing Government Property, and Transfers of Property to Units of Local, State and Federal Government; Authorizing an Assessment Notice; and Providing for Severability, Conflicts and an Effective Date

On MOTION by Ms. Kane and seconded by Mr. LaRue, with all in favor, the Public Hearing was opened.
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- **Hear testimony from the affected property owners as to the propriety and advisability of making the improvements and funding them with special assessments on the property.**

No affected property owners or members of the public spoke.

- **Thereafter, the governing authority shall meet as an equalizing board to hear any and all complaints as to the special assessments on a basis of justice and right.**

The Board, sitting as the Equalizing Board, made no changes to the assessment levels.

Mr. Earlywine stated that all the findings that the Board needs to make in connection with the assessment hearing are set forth in the Engineer's and Methodology Reports, such that there is sufficient benefit to justify the assessment in the Engineer's Report and that the assessments are fairly and reasonably allocated as set forth in the Assessment Methodology Report.

On MOTION by Ms. Kane and seconded by Ms. Schuster, with all in favor, the Public Hearing was closed.

Mr. Kantarzhi presented Resolution 2024-29 and read the title.

On MOTION by Ms. Schuster and seconded by Ms. Kane, with all in favor, Resolution 2024-29, Making Certain Findings; Authorizing a Capital Improvement Plan; Adopting an Engineer's Report; Providing an Estimated Cost of Improvements; Adopting an Assessment Report; Equalizing, Approving, Confirming and Levying Debt Assessments; Addressing the Finalization of Special Assessments; Addressing the Payment of Debt Assessments and the Method of Collection; Providing for the Allocation of Debt Assessments and True-Up Payments; Addressing Government Property, and Transfers of Property to Units of Local, State and Federal Government; Authorizing an Assessment Notice; and Providing for Severability, Conflicts and an Effective Date, was adopted.

FIFTH ORDER OF BUSINESS

Public Hearing to Hear Public Comments and Objections to the Adoption of the Rules of Procedure, Pursuant to Sections 120.54 and 190.035, Florida Statutes

A. Affidavits of Publication

These items were included for informational purposes.

B. Consideration of Resolution 2024-30, Adopting Rules of Procedure; Providing a Severability Clause; and Providing an Effective Date

Mr. Kantarzhi presented Resolution 2024-30.

On MOTION by Ms. Kane and seconded by Ms. Schuster, with all in favor, the Public Hearing was opened.

No affected property owners or members of the public spoke.

On MOTION by Ms. Kane and seconded by Ms. Schuster, with all in favor, the Public Hearing was closed.

On MOTION by Ms. Kane and seconded by Ms. Schuster, with all in favor, Resolution 2024-30, Adopting Rules of Procedure; Providing a Severability Clause; and Providing an Effective Date, was adopted.

SIXTH ORDER OF BUSINESS

**Public Hearing on Adoption of Fiscal Year
2023/2024 Budget**

A. Affidavit of Publication

This item was included for informational purposes.

B. Consideration of Resolution 2024-31, Relating to the Annual Appropriations and Adopting the Budgets for the Fiscal Year Beginning October 1, 2023, and Ending September 30, 2024; Authorizing Budget Amendments; and Providing an Effective Date

Mr. Kantarzhi presented Resolution 2024-31 and the proposed Fiscal Year 2024 budget.

On MOTION by Ms. Schuster and seconded by Ms. Kane, with all in favor, the Public Hearing was opened.

No affected property owners or members of the public spoke.

On MOTION by Mr. LaRue and seconded by Ms. Schuster, with all in favor, the Public Hearing was closed.

On MOTION by Ms. Kane and seconded by Mr. LaRue, with all in favor, Resolution 2024-31, Relating to the Annual Appropriations and Adopting the Budgets 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 on Adoption of Fiscal Year
2024/2025 Budget**

A. Affidavit of Publication

This item was included for informational purposes.

B. Consideration of Resolution 2024-32, Relating to the Annual Appropriations and Adopting the Budgets for the Fiscal Year Beginning October 1, 2024, and Ending

September 30, 2025; Authorizing Budget Amendments; and Providing an Effective Date

Mr. Kantarzhi presented Resolution 2024-32 and the proposed Fiscal Year 2025 budget.

On MOTION by Ms. Kane and seconded by Ms. Schuster, with all in favor, the Public Hearing was opened.

No affected property owners or members of the public spoke.

On MOTION by Mr. LaRue and seconded by Ms. Schuster, with all in favor, the Public Hearing was closed.

On MOTION by Ms. Kane and seconded by Mr. LaRue, with all in favor, Resolution 2024-32, Relating to the Annual Appropriations and Adopting the Budgets for the Fiscal Year Beginning October 1, 2024, and Ending September 30, 2025; Authorizing Budget Amendments; and Providing an Effective Date, was adopted.

EIGHTH ORDER OF BUSINESS

Consideration of Resolution 2024-20, Designating the Location of the Local District Records Office and Providing an Effective Date

This item was deferred.

NINTH ORDER OF BUSINESS

Consideration of Resolution 2024-22, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2023/2024 and Providing for an Effective Date

This item was deferred.

TENTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of April 30, 2024

On MOTION by Ms. Kane and seconded by Ms. Schuster, with all in favor, the Unaudited Financial Statements as of April 30, 2024, were accepted.

ELEVENTH ORDER OF BUSINESS**Approval of Minutes**

- A. April 16, 2024 Landowners' Meeting
- B. April 16, 2024 Organizational Meeting

On MOTION by Ms. Kane and seconded by Mr. LaRue, with all in favor, the April 16, 2024 Landowners' Meeting and the April 16, 2024 Organizational Meeting Minutes, as presented, were approved.

TWELFTH ORDER OF BUSINESS**Staff Reports**

- A. District Counsel: Kutak Rock LLP

Mr. Earlywine stated that the bond validation hearing will be on August 13, 2024.

- B. District Engineer (Interim): Madden, Moorhead & Stokes, LLC

There was no report.

- C. District Manager: Wrathell, Hunt and Associates, LLC

- NEXT MEETING DATE: TBD [Adoption of Delegation Resolution]
 - QUORUM CHECK

Mr. Kantarzhi stated the next meeting will be on or around September 19 or 20, 2024.

Mr. Kantarzhi reminded the Board Members to file Form 1 electronically by July 1, 2024.

THIRTEENTH ORDER OF BUSINESS**Board Members' Comments/Requests**

There were no Board Members' comments or requests.

FOURTEENTH ORDER OF BUSINESS**Public Comments**

No members of the public spoke.

FIFTEENTH ORDER OF BUSINESS**Adjournment**

On MOTION by Ms. Kane and seconded by Ms. Schuster, with all in favor, the meeting adjourned at 11:29 a.m.



Secretary/Assistant Secretary



Chair/Vice Chair