

**MINUTES OF MEETING  
WESTWOOD/OCC  
COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of the Westwood/OCC Community Development District was held Tuesday, **January 11, 2022** at 10:00 a.m. at the Offices of GMS-CF, LLC, 219 E. Livingston Street, Orlando, Florida.

Present and constituting a quorum:

Randall Greene <i>by phone</i>	Chairman
Duane Owen	Vice Chairman
Andrew Gorrill	Assistant Secretary
Thomas Franklin	Assistant Secretary

Also present were:

George Flint	District Manager, GMS
Lindsay Whalen <i>by phone</i>	District Counsel
Rey Malavè <i>by phone</i>	District Engineer

**FIRST ORDER OF BUSINESS**

**Roll Call**

Mr. Flint called the roll. Three Supervisors were present at the meeting, and one attended by phone constituting a quorum.

**SECOND ORDER OF BUSINESS**

**Public Comment Period**

Mr. Flint: There are no members of the public here to provide comments.

**THIRD ORDER OF BUSINESS**

**Approval of Minutes of the July 13, 2021 Meeting**

Mr. Flint: You have approval of the minutes of the July 13, 2021 Board meeting. Did the Board have any comments or corrections? Hearing none, I would ask for a motion to approve.

On MOTION by Mr. Franklin, seconded by Mr. Greene, with all in favor, the Minutes of the July 13, 2021 Board of Supervisors Meeting, were approved.

**FOURTH ORDER OF BUSINESS**

**Ratification of Agreement with Grau & Associates to Provide Auditing Services for the Fiscal Year 2021**

Mr. Flint: This is for the year that just ended on October 30<sup>th</sup>, 2021. It's for a not-to-exceed of \$3,000, which is consistent with their proposal. I executed that when we last met in July, and in an effort to get the audit started timely I went ahead and signed the engagement letter. I am asking the Board to ratify that action.

On MOTION by Mr. Franklin, seconded by Mr. Greene, with all in favor, Agreement with Grau & Associates to Provide Auditing Services for the Fiscal Year 2021, was ratified.

**FIFTH ORDER OF BUSINESS**

**Ratification of Joint Letter from Hopping, Green & Sams and Kutak Rock LLP Regarding District Counsel Representation**

Mr. Flint: Lindsey, do you want to present that?

Ms. Whalen: Sure, I'd be happy to. I am filling in for Mike Eckert who had a time conflict with this meeting today, but I think that most of you are aware our entire practice group transferred from Hopping, Green & Sams to the law firm of Kutak Rock, which is a public finances Special District firm, in November. We were required by Florida law to send you this letter asking you to direct us as your representation to authorize maintenance of your client files. As you can see, that was previously executed directing the representation to be transitioned to Kutak Rock as of November 18<sup>th</sup>. So, the first thing that we will do is take the ratification of that transition letter, and the next thing that we will get into that we will present at the same time is our engagement letter, which is substantially the same exact rate that you were paying at Hopping, Green & Sams. Functionally, what this means to you all and to the District is not really much. We have new firm members and new email addresses, but otherwise the presentation is the same. I'd be happy to answer any questions, otherwise we are just asking for a ratification of the transition letter as well as the approval of the engagement agreement at the same time.

On MOTION by Mr. Greene, seconded by Mr. Franklin, with all in favor, the Joint Letter from Hopping, Green & Sams and Kutak Rock LLP Regarding District Counsel Representation, was ratified.

**SIXTH ORDER OF BUSINESS**

**Ratification of Retention and Fee Agreement with Kutak Rock LLP**

On MOTION by Mr. Greene, seconded by Mr. Franklin, with all in favor, the Retention and Fee Agreement with Kutak Rock LLP, was ratified.

**SEVENTH ORDER OF BUSINESS**

**Consideration of Resolution 2022-01 Adopting Prompt Payment Policies and Procedures**

Mr. Flint: This policy is already in place, but there have been some statutory changes that resulted in the need to amend the policy.

Ms. Whalen: You guys already have a prompt payment policy that you've adopted in compliance with Florida law, but the District is required to maintain the policy, so we adopted a policy that says we will follow the law. There were some changes to that in the last legislative session that were minor in nature, just regarding some provisions as well as the interest rate that is charged to the District for construction invoices. This is a housekeeping item to update existing policies to track those two small changes to make sure that we are operating a policy that is complying with the law.

On MOTION by Mr. Franklin, seconded by Mr. Gorrill, with all in favor, Resolution 2022-01 Adopting Prompt Payment Policies and Procedures, was approved.

**EIGHTH ORDER OF BUSINESS**

**Staff Reports**

**A. Attorney**

**i. Presentation of Memo for Wastewater and Stormwater Needs Analysis**

Mr. Flint: We have a memo from District Counsel regarding some new reporting requirements as a result of the last legislative session. There is a memo in your agenda.

Ms. Whalen: There were some changes to the Florida statutes in the last legislative session which requires a stormwater needs analysis. Once the District has the stormwater system in place,

it will be necessary that the District complete this. It will be almost identical to the public facilities report that the District is already required to complete.

Mr. Greene: At this point, would we submit nothing?

Ms. Whalen: You can submit a report if you'd like to, but the position I was taking was that the requirement to submit a report is only required if you have infrastructure in the ground that is completed and in operation. Until you hit that trigger, no reporting is required.

Mr. Flint: Lindsey's interpretation is a good one economically. Anything else on the report?

Ms. Whalen: No that would be it.

## **B. Engineer**

Mr. Flint: Rey, anything from to report at this point?

Mr. Malavè: No, nothing to report at this time.

## **C. District Manager's Report**

### **i. Balance Sheet and Income Statement**

Mr. Flint: You have the unaudited financial statements in your agenda. Those are through the end of November. There is no action required on these. If you have any questions, we can discuss them. We are operating under a streamlined budget with no significant activity at this point.

### **ii. Ratification of Funding Request #21 – #22**

Mr. Flint: Funding request #21 is for \$4,677.87. Funding request #22 is \$718.75. Are there any questions on the funding request? Hearing none,

On MOTION by Mr. Greene, seconded by Mr. Gorrill, with all in favor, Funding Requests #21-#22, were ratified.
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### **iii. Consideration of Funding Request #27**

Mr. Flint: Funding request #27 is for \$2,264.28. Are there any questions on the funding request? Hearing none,

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On MOTION by Mr. Greene, seconded by Mr. Gorrill, with all in favor, Funding Request #27, was ratified.

**NINTH ORDER OF BUSINESS**

**Supervisors' Requests**

Mr. Flint: Randall do we have an update on the project?

Mr. Greene: We are waiting on the Coronavirus situation to see what happens. I'm hoping in the next 60 days I will have some direction on it.

**TENTH ORDER OF BUSINESS**

**Adjournment**

On MOTION by Mr. Gorrill seconded by Mr. Greene, with all in favor, the meeting was adjourned.

  
Secretary/Assistant Secretary

  
Chairman/Vice Chairman