

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, December 13, 2022 at 10:00 a.m. at the Offices of GMS-CF, LLC, 219 E. Livingston Street, Orlando, Florida.

Present and constituting a quorum were:

Duane Owen	Vice Chairman
Thomas Franklin	Assistant Secretary
Andrew Gorrill	Assistant Secretary
Nathan Alexander	Assistant Secretary

Also present were:

George Flint	District Manager
Mike Eckert <i>by phone</i>	District Counsel

FIRST ORDER OF BUSINESS

Roll Call

Mr. Flint called the roll. Four Board members were present at the meeting.

SECOND ORDER OF BUSINESS

Public Comment Period

There being none, the next item followed.

THIRD ORDER OF BUSINESS

Organizational Matters

A. Administration of Oath of Office to Newly Elected Board Members

Mr. Flint: We did have a Landowner election last month and Andrew, Thomas, and Nathan were elected. I have provided the oath of office forms to those individuals. As citizens of the State of Florida and of the United States of American, and as officers of the Westwood/OCC Community Development District, and as a recipient of public funds as such officer, do you hereby solemnly swear or affirm that you will support the Constitution of the United States and of the State of Florida?

Mr. Franklin: I do.

Mr. Gorrill: I do.

Mr. Alexander: I do.

Mr. Flint: Great, if you could print your name at the top and sign where it says Board Supervisor, I can notarize those for you. Nathan, are you on any other public Boards that are subject to the Sunshine Law?

Mr. Alexander: No.

Mr. Flint: Mike, do you want to give a short overview for Mr. Alexander?

Mr. Eckert: Sure, I would be happy to. For the record, this is Mike Eckert with Kutak Rock, District counsel. For any new Board member, you are now a public official in the eyes of the State of Florida, which means that you are subject to a lot of the same laws that a County Commissioner or a City Council person is. There are two main laws that we should probably talk about briefly today. One is the Sunshine Law, and that law provides that you cannot talk to another Board member about matters that may come before the Board for action outside of a publicly noticed meeting. So, if you were to see another Board member in the grocery store, you could talk about family, you could talk about sports or hunting, but you could not talk about things such as, getting rid of District counsel, etc. You couldn't talk about that in private, you would have to do that in a public meeting. The Sunshine Law applies to all forms of communication including email, text messages, verbal conversations, and social media posts. If you want to talk to another Board member about a matter that may come before the Board for action, you should contact your District manager first and he will arrange for the agenda to be structured in such a way so that conversation can happen at a Board meeting. The other law that you need to be aware of is the Public Records Law and that basically provides that any document that you create or receive in connection with your services as a CDD Supervisor is a public record that is required to be kept and maintained. I recommend that you have either a separate email address for your CDD business or at least have a separate mailbox, if you use your personal email address so that you can drag anything over into that mailbox that relates to the CDD because you do have to maintain public records that are related to CDD business and that includes text messages, emails, etc. Because text messaging is difficult to produce and retain, we recommend that you only use email and not text messaging for District business. I would be happy to answer any questions that you have. Welcome to the Board and if you have any other questions, George can provide my contact information to you, and I would be

happy to have a side conversation with you. That is all I have, George, unless you want to add something.

Mr. Flint: The only other thing, did you mention the financial disclosure form?

Mr. Eckert: I did not.

Mr. Flint: The other thing I provided you is the Form 1 Statement of Financial Interest. That's a state requirement that public officials file annually. The first time it needs to be filed within 30 days of taking office with the Supervisors of Elections in the county you live in. You need to file it with a Lake County Supervisor of Elections. They will accept it electronically, a PDF of it, and they will send you back a confirming email. That is probably the easiest way to do it; otherwise, I would suggest sending it in some way that you have proof that you filed it. Each year in the first week of June, they will mail you an update to file and you have until July 1st to file that update. It is not asking for dollar amounts; it is just looking at sources and the intent is whether there are conflicts of interest. As a Board member, you are entitled to be compensated for Board attendance for \$200 a meeting and that is statutory. You have the W-4 and the I9 forms there and those will come to my office. Make sure you include the backup with the I9; we need a picture of your passport or driver's licenses and social security card. There is a little table attached to it that shows what we need. I think that was mostly all we needed to cover under that. Again, if you have questions, please feel free to contact me or Mike.

B. Consideration of Resolution 2023-01 Canvassing and Certifying the Results of the Landowners' Election

Mr. Flint: Next is Resolution 2023-01, this is a resolution canvassing and certifying the results of the Landowner election. You had a Landowner election on November 1, 2022. The owner and proxy holder representing all the lands within the District attended. He cast two votes for Mr. Gorrill, two votes for Mr. Alexander, and one vote for Mr. Franklin. Therefore, Mr. Gorrill and Mr. Alexander will serve 4-year terms and Mr. Franklin will a serve 2-year term. Any questions on the resolution? Hearing none,

On MOTION by Mr. Owen, seconded by Mr. Gorrill, with all in favor, Resolution 2023-01 Canvassing and Certifying the Results of the Landowners' Election, was approved.

C. Consideration of Resolution 2023-02 Electing Officers

Mr. Flint: The statutes require that after each election, the Board must consider officers. We have provided Resolution 2023-02, which provides for election of a Chair, Vice Chair, Secretary, Assistant Secretaries, Treasurer, and Assistant Treasurer. Randall Greene was the Chair, Duane Owen was the Vice Chair, Andrew Gorrill and Thomas Franklin were Assistant Secretaries, I am Secretary, Jill Burns is Treasurer, and Katie Costa is Assistant Treasurer. We can handle each office individually and take nominations and votes. If a Board member wants to make a motion to elect a slate of officers, we could handle it in one motion.

Mr. Owen: I will move to approve the current Board to be renominated.

Mr. Flint: And add Mr. Alexander as an Assistant Secretary?

Mr. Owen: Correct.

On MOTION by Mr. Owen, seconded by Mr. Franklin, with all in favor, Resolution 2023-02 Electing Officers as slated above and adding Mr. Nathan Alexander as an Assistant Secretary, was approved.

FOURTH ORDER OF BUSINESS

Approval of Minutes of the July 12, 2022 Board of Supervisors Meeting and Acceptance of the November 1, 2022 Landowners' Meeting

Mr. Flint: Item four is approval of the minutes from your July 12, 2022 Board meeting and acceptance of the November 1, 2022 Landowner meeting minutes. Let's do separate motions on each. Any comments or corrections to either sets of minutes?

Mr. Owen: I had no changes. I will move to approve.

On MOTION by Mr. Owen, seconded by Mr. Franklin, with all in favor, the Minutes of the July 12, 2022 Board of Supervisors Meeting, were approved.

Mr. Flint: Then you have the acceptance of the Landowner minutes. Any comments or questions on those?

Mr. Owen: I will move to approve.

On MOTION by Mr. Owen, seconded by Mr. Gorrill, with all in favor, Accepting the Minutes of the November 1, 2022 Landowners' Meeting, were accepted.

FIFTH ORDER OF BUSINESS

**Ratification of Audit Engagement Letter from
Grau & Associates**

Mr. Flint: The CDD as a government entity is required to have an annual independent audit performed. You went through an RFP process and selected Grau & Associates as your independent auditor. You enter into annual engagement letters with Grau & Associates for the audit. Since you had not met since July, we wanted to get the audit started because we have a statutory deadline to get it completed. I signed the engagement letter and the fee is consistent with their proposal. It is not to exceed of \$3,000 for Fiscal Year 2022. I am asking the Board to ratify my action in signing that letter.

On MOTION by Mr. Franklin, seconded by Mr. Owen, with all in favor, the Audit Engagement Letter from Grau & Associates, was ratified.

SIXTH ORDER OF BUSINESS

**Consideration of Memo Regarding Proper
Use of Surplus Property Resolutions**

Mr. Eckert: One of the things that you as a local government have to pay attention to, and this is pretty mature for us to be handling any surplus property because we do not own any property at this point in time, but we have to update these resolutions for all our Districts so that you know how to dispose of surplus property when you have it. Surplus property was any property that either needs to be thrown away or is no longer useful. Item six, the memo is just informational in nature and there is no action that needs to be taken by the Board at this time. Unless there are any questions on the surplus property resolutions, I will move on to item seven.

SEVENTH ORDER OF BUSINESS

**Consideration of Memo Regarding Record
Retention Policy**

Mr. Eckert: This Board previously adopted a Records Retention Policy that basically said that you were going to keep all documents related to public records, but we are suggesting an amendment to that Records Retention Policy that would allow you to dispose of transitory records,

which are records that don't have any useful value anymore such as emails, text messages, etc. I want to make it clear that you don't have to keep those kinds of records.

EIGHTH ORDER OF BUSINESS

**Consideration of Resolution 2023-03
Amending the District's Record Retention
Policy**

Mr. Eckert: The second part of that resolution is it designates the electronic record as the official record of the District. What that allows us to do is to move more towards an electronic based record keeping system. It allows us to get rid of paper records that aren't needed because they are already stored electronically. We would suggest the Board adopt that resolution. If anybody has any questions, I would be happy to answer them.

Mr. Flint: Any questions on Resolution 2023-03?

Mr. Franklin: I will make a motion to approve Resolution 2023-03.

On MOTION by Mr. Franklin, seconded by Mr. Gorrill, with all in favor, Resolution 2023-03 Amending the District's Record Retention Policy, was approved.

NINTH ORDER OF BUSINESS

Staff Reports

A. Attorney

Mr. Flint: Anything else, Mike?

Mr. Eckert: I do not have anything else, thank you everyone.

B. Engineer

There being none, the next item followed.

C. District Manager's Report

i. Balance Sheet and Income Statement

Mr. Flint: You have the unaudited financials through October 31st. This represents the first month of Fiscal Year 2023. You have the balance sheet and statement of revenue and expenditures for the general fund. If there are any questions, we can discuss those. Otherwise, there is no action required on the financials.

ii. Ratification of Funding Request #36

Mr. Flint: You have ratification of Funding Request #36. This is for \$8,066.63 and is a combination of some Fiscal Year 2022 expenses and then the insurance policy for Fiscal Year 2023. It was transmitted to the developer under the Developer Funding Agreement.

Mr. Franklin: I will make a motion of approval.

On MOTION by Mr. Franklin, seconded by Mr. Owen, with all in favor, Funding Requests #36, was ratified.

iii. Ratification of Funding Request #37

Mr. Flint: We also have Funding Request #37. This is for \$4,854.08 and is a combination of some Fiscal Year 2022 and Fiscal Year 2023 expenses. Any questions on that funding request?

Mr. Franklin: I will make a motion of approval.

On MOTION by Mr. Franklin, seconded by Mr. Owen, with all in favor, Funding Requests #37, was ratified.

TENTH ORDER OF BUSINESS

Supervisors' Requests

Mr. Flint: That was all we had on the agenda. Was there anything else that the Board wanted to discuss that was not on the agenda?

Mr. Owen: When will our next meeting date be?

Mr. Flint: January 10th is the next scheduled meeting date. I don't anticipate that we are going to need to meet on January 10th, but we do have a meeting advertised for 10:00 a.m. in this location on January 10th.

ELEVENTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Owen, seconded by Mr. Franklin, with all in favor, the meeting was adjourned.



Secretary/Assistant Secretary



Chairman/Vice Chairman