

**MINUTES OF MEETING  
WINDWARD AT LAKEWOOD RANCH  
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Windward at Lakewood Ranch Community Development District held a Regular Meeting on May 10, 2023, at 11:30 a.m., at 5800 Lakewood Ranch Blvd, Sarasota, Florida 34240.

**Present were:**

Pete Williams	Chair
Sandy Foster	Vice Chair
John Leinaweaver	Assistant Secretary
John Blakley	Assistant Secretary

**Also present, were:**

Chuck Adams	District Manager
Ed Vogler (via telephone)	District Counsel
Mike Kennedy	District Engineer
Shawn Leins	AM Engineering
Barry Mazzoni	Field Operations Manager
Pam Curran	Neal Communities
Ed Bulliet	MBS Capital Markets, LLC
Kendall Bulliet	MBS Capital Markets, LLC
John Noakes	Resident

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Mr. Adams called the meeting to order at 11:30 a.m.

Supervisors Leinaweaver, Foster, Williams and Blakley were present. Supervisor Weidemiller was not present.

**SECOND ORDER OF BUSINESS**

**Public Comments: Agenda Items (limited to 3 minutes per individual)**

Resident John Noakes asked about the \$1.1 million in prepayments reflected in the budget and how they are accounted for going forward. Mr. Adams stated those would have been provided by the Developer. A Board Member explained that the bonds issued have an A-1

and an A-2 component; the A-2 is generally short-term and not intended to be paid by the end user and, as lots are sold to builders or third parties, prepayments reduce principal debt on those lots. Mr. Vogler stated those funds are held in the account because the retirement of A-2 bonds can only occur in May of each year. When the Developer sells lots and there is CDD bond indebtedness, a portion of that indebtedness is passed on to the buyer and amortized over 30 years; that portion is typically referred to as the A-1 bond. The A-2 bond is retired at the real estate closing, delivered to the CDD District Manager’s accounting office and held until May or November when those payments can be made. It functions in the same manner as a second mortgage that is paid off at closing.

**THIRD ORDER OF BUSINESS**

**Consideration of Resolution 2023-04, Approving Proposed Budget for Fiscal Year 2023/2024 and Setting a Public Hearing Thereon Pursuant to Florida Law; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing an Effective Date**

Mr. Adams presented Resolution 2023-04. He explained the annual budget preparation, deliberation, adoption and public hearing process and presented the proposed Fiscal Year 2024 budget. He worked with Mr. Kennedy to account for anticipated line item adjustments. Additional adjustments can be made prior to the public hearing.

A Board Member expressed support for increasing line items as necessary to adopt the proposed Fiscal Year 2024 budget at the highest realistic maximum level, with the intention of refining the numbers and adjusting it down wherever possible to reduce assessments before the public hearing.

Discussion ensued regarding line item increases, decreases and adjustments and the need to send a Mailed Notice to each property owner if assessments will increase.

The following changes were made to the proposed Fiscal Year 2024 budget:

Page 2, “Irrigation System Maintenance”: Increase \$125,000 to \$200,000

Page 2, “Waterline flushing”: Increase \$20,000 to \$30,000

**On MOTION by Mr. Williams and seconded by Mr. Leinaweaver, with all in favor, Resolution 2023-04, Approving the Proposed Budget for Fiscal Year 2023/2024, as amended, and Setting a Public Hearing Thereon Pursuant to Florida Law for August 9, 2023 at 11:30 a.m., at 5800 Lakewood Ranch Blvd., Sarasota, Florida 34240; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing an Effective Date, was adopted.**

**FOURTH ORDER OF BUSINESS**

**Consideration of Engagement of Oxley, Brannon & Zorilla Consultants, Inc., for Litigation Related Services**

Mr. Vogler supported engagement of the firm, should the Board choose to do so. He noted that the Agreement must be amended as it does not conform in all respects with the requirements of a public body.

**On MOTION by Mr. Williams and seconded by Ms. Foster, with all in favor, engagement of Oxley, Brannon & Zorilla Consultants, Inc., for Litigation Related Services, subject to District Counsel’s review and revisions to the Agreement, and authorizing the Chair to execute, was approved.**

**FIFTH ORDER OF BUSINESS**

**Acceptance of the Unaudited Financial Statements as of March 31, 2023**

**On MOTION by Mr. Williams and seconded by Mr. Blakley, with all in favor, the Unaudited Financial Statements as of March 31, 2023, were accepted.**

**SIXTH ORDER OF BUSINESS**

**Approval of March 8, 2023 Regular Meeting Minutes**

**On MOTION by Mr. Williams and seconded by Mr. Leinaweaver, with all in favor, the March 8, 2023 Regular Meeting Minutes, as presented, were approved.**

**SEVENTH ORDER OF BUSINESS**

**Staff Reports**

**A. District Counsel: Vogler Ashton, PLLC**

Mr. Vogler stated he has not had any direct communication with the consultant regarding the agreement just authorized. He asked that the May 5 review be forwarded to the firm with the suggestion that they redraft their Agreement if they want to proceed. While litigation against Jon M. Hall Company (JMH) is ongoing, he is aware of activities in the case but it is being managed and represented by another firm. He is not aware of any decision at this time.

**B. District Engineer: Stantec**

There was no report.

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

- **182 Registered Voters in District as of April 15, 2023**
- **NEXT MEETING DATE: June 14, 2023 at 11:30 AM**

- **QUORUM CHECK**

Ms. Foster will not attend the June 14, 2023 meeting.

**EIGHTH ORDER OF BUSINESS**

**Board Members' Comments/Requests**

There were no Board Members' comments or requests.

**NINTH ORDER OF BUSINESS**

**Public Comments: Non-Agenda Items  
(limited to 3 minutes per individual)**

No members of the public spoke.

**TENTH ORDER OF BUSINESS**

**Adjournment**

**On MOTION by Ms. Foster and seconded by Mr. Williams, with all in favor, the meeting adjourned at 11:50 a.m.**



Secretary/Assistant Secretary



Chair/Vice Chair