

**MINUTES OF MEETING  
ORMOND CROSSINGS WEST  
COMMUNITY DEVELOPMENT DISTRICT**

The Ormond Crossings West Community Development District held Public Hearings, a Regular Meeting and Audit Committee Meeting on January 28, 2025 at 11:00 a.m., at the Hampton Inn Daytona/Ormond Beach, 155 Interchange Boulevard, Ormond Beach, Florida 32174.

**Present:**

Clint Smith  
Lee Susewitt  
Bill Livingston  
Greg Ulmer (via telephone)

Chair  
Vice Chair  
Assistant Secretary  
Assistant Secretary

**Also present:**

Cindy Cerbone  
Chris Conti  
Jonathan Johnson (via telephone)  
Jeff Trimble (via telephone)  
Brad Kline (via telephone)  
Bobby Sewell (via telephone)  
JW Howard (via telephone)  
Bob Gang (via telephone)

District Manager/Proxy Holder  
Wrathell, Hunt and Associates (WHA)  
District Counsel  
District Engineer  
Developer  
Developer  
Morgan Stanley  
Bond Counsel

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Ms. Cerbone called the meeting to order at 11:00 a.m. The Oath of Office was administered to Supervisors Lee Susewitt and Bill Livingston before the meeting. Supervisors Livingston, Smith and Susewitt were present. Supervisor Ulmer attended via telephone. Supervisor Green was not present.

**SECOND ORDER OF BUSINESS**

**Public Comments**

No members of the public spoke.

**THIRD ORDER OF BUSINESS**

**Administration of Oath of Office to Elected  
Board of Supervisors Bill Livingston [Seat 4]**

**and Lee Susewitt [Seat 5] (the following  
will be provided in a separate package)**

The Oaths were administered before the meeting. All are familiar with the following:

- A. Updates and Reminders: Ethics Training for Special District Supervisors and Form 1**
- B. Membership, Obligations and Responsibilities**
- C. Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees**
- D. Form 8B: Memorandum of Voting Conflict for County, Municipal and other Local Public Officers**

Ms. Cerbone discussed Form 8B with which each Board Member will disclose a continuing conflict due to their relationship to the Developer. This will eliminate the need to declare a conflict at every vote. Each Form 8B will be kept on file and attached to specific meeting minutes, when necessary, if there is a voting conflict.

Ms. Cerbone read the following from Form 8B, which was executed by both Mr. Susewitt and Mr. Livingston:

“I am a member of the Board of Supervisors of the Ormond Crossings West Community Development District created under Chapter 190, Florida Statutes, and I am a principal, employee and/or business associate, or relative, of a landowner in the District. Decisions potentially affecting the landowner may come before the Board from time to time. Pursuant to Sections 112.3143(3)(b) and 190.007(1), Florida Statutes, I understand that I do not have a conflict of interest when voting on such matters, and that I am not prohibited from voting on such matters. That said, I am filing this disclosure of voting conflict in an abundance of caution, and to follow the procedures required by s. 112.3143, Florida Statutes, and for the duration of my term and any subsequent terms.”

**FOURTH ORDER OF BUSINESS**

**Consideration of Resolution 2025-32,  
Electing and Removing Officers of the  
District, and Providing for an Effective Date**

Ms. Cerbone presented Resolution 2025-32. The following were nominated:

Chair	Clint Smith
Vice Chair	Lee Susewitt
Assistant Secretary	Franklin Green
Assistant Secretary	Greg Ulmer

Assistant Secretary

Bill Livingston

No other nominations were made. The following prior appointments by the Board remain unaffected by this Resolution:

Secretary

Craig Wrathell

Assistant Secretary

Cindy Cerbone

Treasurer

Craig Wrathell

Assistant Treasurer

Jeffrey Pinder

**On MOTION by Mr. Susewitt and seconded by Mr. Livingston, with all in favor, Resolution 2025-32, Electing, as nominated, and Removing Officers of the District, and Providing for an Effective Date, was adopted.**

**FIFTH 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**
- B. Consideration of Resolution 2025-33, Expressing its Intent to Utilize the Uniform Method of Levying, Collecting, and Enforcing Non-Ad Valorem Assessments Which May Be Levied by the Ormond Crossings West Community Development District in Accordance with Section 197.3632, Florida Statutes; Providing a Severability Clause; and Providing an Effective Date**

Ms. Cerbone stated that Resolution 2025-33 enables the CDD to utilize the services of the Tax Collector and Property Appraiser. This covers the lands within the CDD's current boundaries but, once the Boundary Amendment is completed, another Resolution will be adopted to include the expanded boundaries.

**On MOTION by Mr. Susewitt and seconded by Mr. Livingston, with all in favor, the Public Hearing was opened.**

No affected property owners or members of the public spoke.

**On MOTION by Mr. Susewitt and seconded by Mr. Livingston, with all in favor, the Public Hearing was closed.**

Ms. Cerbone presented Resolution 2025-33 and read the title.

**On MOTION by Mr. Susewitt and seconded by Mr. Smith, with all in favor, Resolution 2025-33, Expressing its Intent to Utilize the Uniform Method of Levying, Collecting, and Enforcing Non-Ad Valorem Assessments Which May Be Levied by the Ormond Crossings West Community Development District in Accordance with Section 197.3632, Florida Statutes; Providing a Severability Clause; and Providing an Effective Date, was adopted.**

**SIXTH 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**
- B. Consideration of Resolution 2025-34, Adopting Rules of Procedure; Providing a Severability Clause; and Providing an Effective Date**

Ms. Cerbone presented Resolution 2025-34. She and Mr. Johnson discussed the Rules of Procedure.

**On MOTION by Mr. Susewitt and seconded by Mr. Smith, with all in favor, the Public Hearing was opened.**

No affected property owners or members of the public spoke.

**On MOTION by Mr. Smith and seconded by Mr. Livingston, with all in favor, the Public Hearing was closed.**

**On MOTION by Mr. Susewitt and seconded by Mr. Smith, with all in favor, Resolution 2025-34, Adopting Rules of Procedure; Providing a Severability Clause; 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**
- B. Consideration of Resolution 2025-35, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2024, and Ending September 30, 2025; Authorizing Budget Amendments; and Providing an Effective Date**

Ms. Cerbone reviewed the proposed Fiscal Year 2025 budget, which is a Landowner-funded budget, with expenses funded as they are incurred.

**On MOTION by Mr. Livingston and seconded by Mr. Susewitt, with all in favor, the Public Hearing was opened.**

No affected property owners or members of the public spoke.

**On MOTION by Mr. Susewitt and seconded by Mr. Livingston, with all in favor, the Public Hearing was closed.**

Ms. Cerbone presented Resolution 2025-35 and read the title.

**On MOTION by Mr. Smith and seconded by Mr. Susewitt, with all in favor, Resolution 2025-35, Relating to the Annual Appropriations and Adopting the Budget 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 the Following Bond  
Financing Related Items:**

Ms. Cerbone discussed the upcoming Boundary Amendment and stated most of the bond financing matters will be deferred to a continued meeting, so that the expansion area is included.

**A. Engagement of Bond Financing Professionals**

**I. Bond Counsel: Greenberg Traurig, P.A.**

Mr. Gang presented the Bond Counsel Agreement. This engagement specifies the existing CDD but he does not think changes in acreage and/or number of units impact the terms of engagement.

**On MOTION by Mr. Susewitt and seconded by Mr. Smith, with all in favor, the Agreement with Greenberg Traurig, P.A., for Bond Counsel Services, was approved.**

**II. Trustee, Paying Agent and Registrar: US Bank Trust Company, N.A.**

**B. Morgan Stanley Agreement for Underwriter Services**

**C. Presentation of Master Engineer's Report**

**D. Presentation of Master Special Assessment Methodology Report**

**E. Resolution 2025-29, Declaring Special Assessments; Indicating the Location, Nature and Cost of those Improvements Which Cost is Being Financed and Such Financing is to be Defrayed by the Special Assessments; Providing the Portion of the Cost of the Improvements to be Defrayed by the Special Assessments; Providing the Manner in Which Such Special Assessments Shall be Made; Providing When Such Special Assessments Shall be Paid; Designating Lands Upon Which the Special Assessments Shall be Levied; Providing for an Assessment Plat; Adopting a Preliminary Assessment Roll; Providing for Publication of this Resolution**

**F. Resolution 2025-30, Setting a Public Hearing for the Purpose of Hearing Public Comment on Imposing Special Assessments on Certain Property Within the District Generally Described as the Ormond Crossings West Community Development District in Accordance with Chapters 170, 190 and 197, Florida Statutes**

**G. Resolution 2025-31, Authorizing the Issuance of Not to Exceed \$290,000,000 Aggregate Principal Amount of Ormond Crossings West Community Development District Special Assessment Bonds, in One or More Series to Pay All or a Portion of the**

**Costs of the Planning, Financing, Construction and/or Acquisition of Public Infrastructure Improvements Including, But Not Limited to Water Distribution Systems, Reclaimed Water Systems, Sanitary Sewer Systems, Offsite Utilities (Water, Wastewater and Reuse Systems), Stormwater Management Systems, Roadway Improvements, Sidewalks, Railroad Bridge, Earthwork, Storage Tank and Pump Station, Public Space/Hardscape/Landscape, Environmental Mitigation, Offsite Improvements Including Highway Turn Lanes and Signalization and Other Public Infrastructure, and Associated Professional Fees and Incidental Costs Related Thereto Pursuant to Chapter 190, Florida Statutes, as Amended; Appointing a Trustee; Approving the Form of and Authorizing the Execution and Delivery of a Master Trust Indenture; Providing that Such Bonds Shall Not Constitute a Debt, Liability or Obligation of Ormond Crossings West Community Development District, the City of Ormond Beach, Florida, Volusia County, Florida or the State of Florida or of Any Political Subdivision Thereof, But Shall Be Payable From Special Assessments Assessed and Levied on the Property Within the District Benefited by the Improvements and Subject to Assessment; Providing for the Judicial Validation of Such Bonds; and Providing for Other Related Matters**

Items 8All through 8G were deferred.

**NINTH ORDER OF BUSINESS**

**Recess Regular Meeting/Commencement  
of Audit Selection Committee Meeting**

This item was presented following the Twenty-First Order of Business.

**TENTH ORDER OF BUSINESS**

**Review of Responses to Request for  
Proposals (RFP) for Annual Audit Services**

- A. Affidavit of Publication**
- B. RFP Package**
- C. Respondents**
  - I. Berger, Toombs, Elam, Gaines & Frank**
  - II. DiBartolomeo, McBee, Hartley & Barnes**
  - III. Grau & Associates**
- D. Auditor Evaluation Matrix/Ranking**

This item was presented following the Twenty-First Order of Business.

**ELEVENTH ORDER OF BUSINESS****Termination of Audit Selection Committee Meeting/Reconvene Regular Meeting**

This item was presented following the Twenty-First Order of Business.

**TWELFTH ORDER OF BUSINESS****Consider Recommendation of Audit Selection Committee**

This item was presented following the Twenty-First Order of Business.

**THIRTEENTH ORDER OF BUSINESS****Consideration of Response(s) to Request for Qualifications (RFQ) for Engineering Services****A. Affidavit of Publication****B. RFQ Package**

These items were included for informational purposes.

**C. Respondent: Poulos & Bennett, LLC**

Ms. Cerbone noted that Poulos & Bennett, LLC, the current Interim District Engineer, was the sole respondent to the RFQ for Engineering Services. As such, the Board can deem them the most qualified and highest ranked respondent and proceed with awarding the contract.

**D. Competitive Selection Criteria/Ranking**

The Board decided to forgo the official scoring and ranking process.

**E. Award of Contract**

**On MOTION by Mr. Susewitt and seconded by Mr. Smith, with all in favor, ranking Poulos & Bennett, LLC, the sole respondent to the RFQ for Engineering Services, as the #1 ranked, most responsive and most qualified respondent to the RFP for Engineering Services, and authorizing Staff to negotiate and enter into the contract/Engineering Services Agreement, was approved.**

**FOURTEENTH ORDER OF BUSINESS****Consideration of Resolution 2025-27, Authorizing an Individual Designated by the Board of Supervisors to Act as the**



**District's Purchasing Agent for the Purpose of Procuring, Accepting, and Maintaining Any and All Construction Materials Necessary for the Construction, Installation, Maintenance or Completion of the District's Infrastructure Improvements as Provided in the District's Adopted Improvement Plan; Providing for the Approval of a Work Authorization; Providing for Procedural Requirements for the Purchase of Materials; Approving the Form of a Purchase Requisition Request; Approving the Form of a Purchase Order; Approving the Form of a Certificate of Entitlement; Authorizing the Purchase of Insurance; Providing a Severability Clause; and Providing an Effective Date**

This item was deferred and will be removed from the agenda until it is needed.

**FIFTEENTH ORDER OF BUSINESS**

**Consideration of Resolution 2025-09, Designating the Location of the Local District Records Office and Providing for an Effective Date**

This item was deferred.

**SIXTEENTH ORDER OF BUSINESS**

**Consideration of Resolution 2025-16, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2024/2025 and Providing for an Effective Date**

Ms. Cerbone presented Resolution 2025-16. The following will be inserted into the Fiscal Year 2025 Meeting Schedule:

DATES: February 3, 2025; March 25, 2025; April 22, 2025; May 27, 2025; June 24, 2025; July 22, 2025; August 26, 2025 and September 23, 2025

TIME: 11:00 AM

LOCATION: Hampton Inn Daytona/Ormond Beach, 155 Interchange Boulevard, Ormond Beach, Florida 32174

On MOTION by Mr. Smith and seconded by Mr. Susewitt, with all in favor, Resolution 2025-16, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2024/2025 and Providing for an Effective Date, was adopted.

**SEVENTEENTH ORDER OF BUSINESS**

Consideration of Resolution 2025-36, Directing the Chair and District Staff to Request the Passage of an Ordinance by the City Commission of the City of Ormond Beach, Florida, Amending the District's Boundaries, and Authorizing Such Other Actions as are Necessary in Furtherance of that Process; and Providing an Effective Date

**A. Boundary Amendment Funding Agreement**

Ms. Cerbone presented Resolution 2025-36 and the Boundary Amendment Funding Agreement.

On MOTION by Mr. Susewitt and seconded by Mr. Smith, with all in favor, Resolution 2025-36, Directing the Chair and District Staff to Request the Passage of an Ordinance by the City Commission of the City of Ormond Beach, 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, and the Boundary Amendment Funding Agreement, with costs shared 50%/50% between Kline and Meritage, except for the new lots being 100% funded by Kline, was approved.

**EIGHTEENTH ORDER OF BUSINESS**

Consideration of Resolution 2025-37, 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 [Expansion Parcel]

This item was deferred.

**NINETEENTH ORDER OF BUSINESS**

Update: Revised Landowner Election Roll

**A. Consideration of Resolution 2025-38, Canvassing and Certifying the Results of the Landowners' Election of Supervisors Held Pursuant to Section 190.006(2), Florida Statutes, and Providing for an Effective Date**

Ms. Cerbone presented Resolution 2025-38. She stated that, at the time of the Landowners' Election, the Landowner Roll that she had did not separate out some of the parcels as not being in the CDD. As such, the documents reflected acreage of 2,148.84 acres but the correct number should have been 1,847.32 acres. This Resolution revises the number of votes cast for Seats 1 and 2 to 1,100 votes per seat to correspond with the new information.

**On MOTION by Mr. Smith and seconded by Mr. Susewitt, with all in favor, Resolution 2025-38, Canvassing and Certifying the Results of the Landowners' Election of Supervisors Held Pursuant to Section 190.006(2), Florida Statutes, and Providing for an Effective Date, was adopted.**

**TWENTIETH ORDER OF BUSINESS**

**Acceptance of Unaudited Financial Statements as of December 31, 2024**

**On MOTION by Mr. Susewitt and seconded by Mr. Smith, with all in favor, the Unaudited Financial Statements as of December 31, 2024, were accepted.**

**TWENTY-FIRST ORDER OF BUSINESS**

**Approval of Minutes**

**A. November 12, 2024 Landowners' Meeting**

The following change was made:

Line 19 and throughout: Change "Suswitte" to "Susewitt"

**B. November 12, 2024 Organizational Meeting**

The following change was made:

Line 24 and throughout: Change "Suswitte" to "Susewitt"

**On MOTION by Mr. Smith and seconded by Mr. Susewitt, with all in favor, the November 12, 2024 Landowners' Meeting Minutes and the November 12, 2024 Organizational Meeting Minutes, both as amended, were approved.**

**▪ Recess Regular Meeting/Commencement of Audit Selection Committee Meeting**

**This item, previously the Ninth Order of Business, was presented out of order.**

The Regular Meeting was recessed and the Audit Selection Committee Meeting commenced.

▪ **Review of Responses to Request for Proposals (RFP) for Annual Audit Services**

**This item, previously the Tenth Order of Business, was presented out of order.**

**A. Affidavit of Publication**

**B. RFP Package**

These items were included for informational purposes.

**C. Respondents**

**I. Berger, Toombs, Elam, Gaines & Frank**

Bid \$4,100 for the year ended September 30, 2025. If a bond issuance occurs in the Fiscal Year 2025, the fee for audit services will be \$5,400.

**II. DiBartolomeo, McBee, Hartley & Barnes**

Bid \$2,950 for Fiscal Year 2025, \$3,100 for Fiscal Year 2026, \$3,250 for Fiscal Year 2027, \$3,400 for Fiscal Year 2028 and \$3,600 for Fiscal Year 2029. A fee was not provided for after bond issuance.

**III. Grau & Associates**

Bid \$3,500 for Fiscal Year 2025, \$3,600 for Fiscal Year 2026, \$3,700 for Fiscal Year 2027, \$3,800 for Fiscal Year 2028 and \$3,900 for Fiscal Year 2029. The additional fee upon bond issuance is \$2,000.

**D. Auditor Evaluation Matrix/Ranking**

Ms. Cerbone discussed her scores and ranking of the three respondents.

The Auditor Selection Committee decided to forgo individual or group scoring and ranking and agreed with Ms. Cerbone's scores and rankings, as follows:

#1	DiBartolomeo, McBee, Hartley & Barnes	100 points
#2	Grau & Associates	99 points
#3	Berger, Toombs, Elam, Gaines & Frank	88 points

**On MOTION by Mr. Smith and seconded by Mr. Livingston, with all in favor, accepting Ms. Cerbone's scores, ranking and recommendation as the Auditor Selection Committee's own scores and rankings, ranking DiBartolomeo, McBee, Hartley & Barnes, as the #1 ranked respondent to the RFP for Annual Audit**

Services, with 100 points; followed by Grau & Associates, with 99 points; and Berger, Toombs, Elam, Gaines & Frank, with 88 points, was approved.

▪ **Termination of Audit Selection Committee Meeting/Reconvene Regular Meeting**

**This item, previously the Eleventh Order of Business, was presented out of order.**

The Audit Selection Committee Meeting terminated and the Regular Meeting reconvened.

▪ **Consider Recommendation of Audit Selection Committee**

**This item, previously the Twelfth Order of Business, was presented out of order.**

**On MOTION by Mr. Smith and seconded by Mr. Livingston, with all in favor, accepting the Auditor Selection Committee scores, ranking and recommendation as its own, ranking DiBartolomeo, McBee, Hartley & Barnes as the #1 ranked respondent to the RFP for Annual Audit Services, and authorizing Staff to negotiate a contract, was approved.**

**TWENTY-SECOND ORDER OF BUSINESS**

**Staff Reports**

- A. **District Counsel: Kutak Rock LLP**
- B. **District Engineer (Interim): Poulos & Bennett, LLC**
- C. **District Manager: Wrathell, Hunt and Associates, LLC**

There were no Staff reports.

**TWENTY-THIRD ORDER OF BUSINESS**

**Board Members' Comments/Requests**

There were no Board Members' comments or requests.

**TWENTY-FOURTH ORDER OF BUSINESS**

**Public Comments**


No members of the public spoke.

**TWENTY-FIFTH ORDER OF BUSINESS**

**Adjournment**

**On MOTION by Mr. Livingston and seconded by Mr. Smith, with all in favor, recessing the meeting at 11:47 a.m., and continuing it to February 3, 2025 at 11:30 a.m., at this location, was approved.**

  
Secretary/Assistant Secretary

  
Chair/Vice Chair