

MINUTES OF MEETING  
POINCIANA  
COMMUNITY DEVELOPMENT DISTRICT

The Regular meeting of the Board of Supervisors of the Poinciana Community Development District was held on Wednesday, December 18, 2019 at 11:00 a.m. in the Starlight Ballroom, 384 Village Drive, Poinciana, Florida.

Present and constituting a quorum were:

Lita Epstein	Chairman
Michael Luddy	Vice Chairman
Robert Zimbardi	Assistant Secretary by phone
Tony Reed	Assistant Secretary
Elizabeth Lambrides	Assistant Secretary

Also, present were:

George Flint	District Manager
Andrew d'Adesky	District Counsel
Kathy Leo	District Engineer
Clayton Smith	Assistant Field Manager
Tricia Adams	GMS
Residents	

*The following is a summary of the discussions and actions taken at the December 18, 2019 Poinciana Community Development District's Board of Supervisors Meeting.*

**FIRST ORDER OF BUSINESS**

**Roll Call**

Ms. Epstein called the meeting to order and a quorum was established.

**SECOND ORDER OF BUSINESS**

**Pledge of Allegiance**

The Pledge of Allegiance was recited.

**THIRD ORDER OF BUSINESS**

**Public Comment Period on Agenda Items**

Mr. Norm Gundel (419 Fountain Valley Lane) spoke in regard to agenda Item 10. He asked that the Board compromise and settle for a lesser amount on the motion for payment of

\$62,000 in out of pocket expenses. He noted that Ms. Carpenter, their Counsel, told the Board that the District has the power to compromise and settle claims against the District.

**FOURTH ORDER OF BUSINESS****Approval of Minutes of the October 16, 2019 Meeting**

Ms. Epstein presented the minutes of the October 16, 2019 meeting and asked for any changes or corrections. The Board members had no changes to the minutes.

On MOTION by Ms. Lambrides seconded by Mr. Luddy with all in favor, the Minutes of the October 16, 2019 Meeting, were approved.

**FIFTH ORDER OF BUSINESS****Review and Acceptance of Draft Fiscal Year 2019 Audit Report**

Mr. Flint stated that they have until June 30<sup>th</sup> to approve the audit. He noted that the Fiscal Year 2019 Audit is still in draft format, and he would like the Board to defer action until the January meeting. The Board agreed to table this item to the January 15<sup>th</sup> meeting.

**SIXTH ORDER OF BUSINESS****Consideration of Resolution 2020-01 Amending the Fiscal Year 2019 Budget**

Mr. Flint noted that any time the total expenses exceed the total budget for a fund, the District is required to amend the budget to bring the budget in line with the actuals. Mr. Flint noted that this budget recognizes the full amount of the beginning fund balance, which is \$454,729. The budget also recognizes some increases and decreases in specific line items. The primary expense line item that went up in the amended budget is the legal fee line item. Other line items that had been adjusted slightly were legal advertising (due to the assessment process) and IT (related to the ADA issue). On the Operations side, they made reductions to offset the increases.

Mr. d'Adesky stated that trueing up the budget was a common practice with all CDD's and a requirement that the line items match up. Ms. Epstein asked if there were any questions from the Board. The Board had no changes or questions on the amended budget.

On MOTION by Mr. Luddy seconded by Mr. Reed with all in favor, Resolution 2020-01 Amending the Fiscal Year 2019 Budget, was approved.

**SEVENTH ORDER OF BUSINESS****Consideration of Resolution 2020-02  
Authorizing Chair to Execute Joinders  
and Consents for Solivita 5-B and 5E-S  
Plats**

Mr. Leo described the two plats, Solivita 5-B and 5E-S. She noted that Polk County requires that the CDD have a resolution in place that the Board will ultimately sign the plat and accept the terms within the plat. Plat 5-B has three pond tracts that have been identified, and Ms. Leo noted they will put forth for acceptance with other documentation at a later date. This resolution is not the acceptance of the ponds and they are starting maintenance. Ms. Leo noted she reviewed the plat and there are appropriate easements that are reflected to be able to provide access in the future.

Regarding plat 5E-S, Ms. Leo noted it is a simple plat with no ponds. It is essentially a replat of lots to make them 15 feet longer.

Mr. Luddy asked when the Board will receive information on the bond repayments for the community. Mr. Flint noted the payoff amounts are already set. Mr. Luddy asked if the Board could confidently tell residents that what they are paying is what they are supposed to be paying, and Mr. Flint and Mr. d'Adesky both answered that was correct.

Mr. Luddy asked if the piping was already put in for the ponds, and Ms. Leo stated she did not know. Ms. Leo noted that they do not review the design drawings while they are in progress. Mr. d'Adesky stated that they do not have the authority to do that either. The Board, Mr. Flint, and Mr. d'Adesky discussed the issue further.

Ms. Lambrides asked if the Board would be notified once the lots were set in stone, so the Board knows there will be no more configuration of lots. Mr. Flint noted there will be a final plat.

On MOTION by Mr. Reed seconded by Mr. Luddy with all in favor, Resolution 2020-02 Authorizing Chair to Execute Joinders and Consents for Solivita 5-B and 5E-S Plats, was approved.

**EIGHTH ORDER OF BUSINESS****Ratification of Data Sharing and Usage  
Agreement with Polk County Property  
Appraiser**

Mr. Flint explained that there have been legislative changes that emphasize the importance of protected information under the Public Records Law. Mr. Flint noted that the Assessment Roll lists all the properties in the District, who the owner is, etc. Polk County is

asking that the Board enter into an agreement giving assurance that they will not send out any protected information. Mr. Flint noted it is standard and they are asking all government entities and CDD's to enter into this agreement.

On MOTION by Ms. Lambrides seconded by Mr. Luddy with all in favor, the Data Sharing and Usage Agreement with Polk County Property Appraiser, was ratified.

#### **NINTH ORDER OF BUSINESS**

#### **Discussion of Proposed Merger and Joint Meeting with Poinciana West CDD**

Ms. Epstein noted the meeting was scheduled for January 15<sup>th</sup>. The plan is for Poinciana West to meet in the morning, the joint meeting will take place, and the Poinciana meeting will follow. Mr. Flint asked for a motion to set the joint meeting for 11:00 a.m. and the regular meeting at 12:00 p.m.

On MOTION by Mr. Reed seconded by Ms. Lambrides with all in favor, the Joint Poinciana West CDD/Poinciana CDD meeting scheduled for January 15<sup>th</sup> at 11:00 a.m. and the Regular Poinciana CDD meeting time of January 15<sup>th</sup> at 12:00 p.m., was approved.

#### **TENTH ORDER OF BUSINESS**

#### **Staff Reports**

##### **A. Attorney**

Mr. d'Adesky noted that the Board has a revised settlement offer. He explained that the Board could discuss the offer at a closed session meeting on January 15<sup>th</sup> or the Board could discuss the offer at an open meeting. Mr. d'Adesky suggested putting the item on the agenda for the January joint meeting for a brief discussion. Mr. Zimbardi noted he opted for a closed meeting. Mr. Luddy stated his opinion was that the Board should settle and put it behind them. The Board came to a consensus to hold a closed meeting on January 15<sup>th</sup> at 12:00 p.m. immediately before the regular Board meeting.

##### **B. Engineer**

Ms. Leo noted they are working on taking over the ponds and working with Taylor Morrison. Taylor Morrison is going to do work to fix some of the ponds that have had issues. Ms. Leo noted that work has not commenced and due to the holiday, will probably not begin until January. Ms. Leo stated they did their annual inspection, and noted the early information is

that there is nothing critical that they need to address. It's mostly housekeeping items that the onsite management team can address.

**C. District Manager**

**i. Action Items List**

Mr. Flint presented the action items list. The hearing assistance equipment has been ordered and it went on sale, so it's about \$260 less than the price stated in the prior meeting. The equipment will be there by the January meeting. Mr. Flint discussed the ponds on the golf course and noted that Mr. Reed is still working on that. Mr. Reed noted that there are three costs associated with the ponds; landscaping, midgets, and water condition. Mr. Reed asked that due dates be added to the action items list if applicable to the item.

Mr. Reed asked that each supervisor consider item 4, the feasibility of standing meetings, and discuss the item at the next meeting.

**ii. Approval of Check Register**

Mr. Flint presented the Check Register from October 10, 2019 through December 10, 2019 in the amount of \$433,500.45. Ms. Lambrides questioned the individual legal invoices at the top of page 2. Mr. Flint answered yes, and they go back to February. He noted they were being held due to a miscommunication between himself and District Counsel.

On MOTION by Mr. Reed seconded by Ms. Lambrides with all in favor the Check Register, was approved.

**iii. Balance Sheet and Income Statement**

Ms. Epstein presented the balance sheet and income statement. She asked Mr. Flint about page 3 of the Debt Service Fund. She asked why the direct bill assessments had not been paid, Mr. Flint noted he would check the due dates but there were no issues he was aware of.

On MOTION by Mr. Luddy seconded by Mr. Zimbardi with all in favor, the Balance Sheet and Income Statement, were accepted.

**D. Field Manager**

**i. Field Manager's Report**

Mr. Smith reviewed his Field Management Report for the Board. Completed items included the tunnel light replacements and the clearing of B-16 storm grate that had mulch on top of it. Mr. Smith noted there were not many pressings items on the action items list going into the year. Mr. Smith stated he is getting pricing for pressure washing the tunnels, just so the Board can have a number. Ms. Lambrides suggested that Mr. Smith consider getting a licensed and insured Solivita residents who pressure wash.

**ii. Customer Complaint Log**

Mr. Smith presented the complaint log to the Board.

**ELEVENTH ORDER OF BUSINESS**

**Supervisor's Requests**

There being none, the next item followed.

**TWELFTH ORDER OF BUSINESS**

**Other Business**

There being none, the next item followed.

**THIRTEENTH ORDER OF BUSINESS**

**General Audience Comments**

Mr. Norm Gundel stated that the golf course does not pay assessments to the CDD. Mr. Flint noted that the golf course was wrapped in with 72 units for the town center, he would double check to make sure that information was accurate.

**FOURTEENTH ORDER OF BUSINESS**

**Next Meeting Date – January 15, 2020**

The next meeting is scheduled to be held on January 15, 2020.

**FIFTEENTH ORDER OF BUSINESS**

**Adjournment**

On MOTION by Mr. Reed seconded by Mr. Luddy with all in favor the meeting was adjourned.
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Secretary / Assistant Secretary

  
Chairman / Vice Chairman