

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, February 17, 2021 at 11:00 a.m. at the Starlite Ballroom, 384 Village Drive, Poinciana, Florida.

Present and constituting a quorum were:

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

Also present were:

Tricia Adams	District Manager
Jan Carpenter	District Counsel
Kathy Leo	District Engineer
Clayton Smith	Field Manager
Matt Cuarta	Taylor Morrison
Doug Gable	Polk County
Robert Julius	AECOM

The following is a summary of the discussions and actions taken at the February 17, 2021 Poinciana Community Development District's Board of Supervisors Meeting.

FIRST ORDER OF BUSINESS

Roll Call

Ms. Adams called the meeting to order at 11:05 a.m. All Board members identified themselves and were present constituting a quorum.

SECOND ORDER OF BUSINESS

Pledge of Allegiance

The Board and staff recited the Pledge of Allegiance.

THIRD ORDER OF BUSINESS

Organizational Matters

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

Ms. Adams stated that there had recently been a General Election where Supervisor Epstein and Supervisor Zimbardi were re-elected for four-year terms and sworn in with the oath of office prior to the meeting and stated here for the record.

B. Election of Officers

After a general election there needs to be an election of officers within the Board which followed in the next action item.

C. Consideration of Resolution 2021-01 Electing Officers

Currently the officers sit with Lita Epstein as Chairperson, Michael Luddy serving as Vice Chairman, George Flint from GMS as Secretary, and Tony Reed, Elizabeth Lambrides, and Bob Zimbardi serving as Assistant Secretaries. Additional staff include GMS staff to serve in District Management roles and Treasurer and Assistant Treasurer roles. Ms. Adams asked that George Flint remains as Secretary and herself, Tricia Adams, remains as Assistant Secretary. She added the request that Jill Burns be elected Treasurer and Katie Costa as Assistant Treasurer for purposes of financial records management. This Board decided to elect the slate of officers as stated above.

On MOTION by Ms. Lambrides, seconded by Mr. Reed, with all in favor, Resolution 2021-01 Electing Officers with Ms. Epstein as Chair, Mr. Luddy as Vice Chair, Bob Zimbardi, Mr. Reed, Ms. Lambrides, and Ms. Adams as Assistant Secretaries, Mr. Flint as Secretary, Ms. Burns as Treasurer, and Ms. Costa as Assistant Treasurer, was approved.

FOURTH ORDER OF BUSINESS

Public Comment Period on Agenda Items

There being none, the next item followed.

FIFTH ORDER OF BUSINESS

Approval of Minutes of the October 21, 2020 Meeting

Ms. Adams presented the minutes from the October 21, 2020 meeting and asked for any comments or corrections. Mr. Reed would like the spelling of his name to be corrected on page 3 and stated that he was misquoted under section C “Consideration of Extension to Landscape Maintenance Agreement with Floralawn” and believes it was Supervisor Luddy.

On MOTION by Mr. Luddy, seconded by Mr. Reed, with all in favor, the Minutes from the October 21, 2020 Board of Supervisors Meeting, were approved, as amended.

SIXTH ORDER OF BUSINESS

Presentation of Polk County Regarding Marigold Improvements

Ms. Leo, District Engineer, reported that there are improvements that the County is considering in the preliminary early stage. The County would like to come and present a proposal and process as well as give the Board an opportunity to ask any questions they might have.

The County representative, Doug Gable, along with a consultant, Robert Julius, then presented to the Board about improvements to Marigold Avenue and Cypress Parkway. They are looking at different alternatives to improve the roads and converting them from two-lane roads to four-lane roads. The idea is to minimize impacts on homes, business, and environmental aspects while looking for opportunities to improve the roadways. The presentation included plans for drainage, sidewalks, and bike paths along with impacts to future traffic patterns and other community impacts. The coming steps include receiving input from the communities and boards and then a design phase to have a better handle on the improvements and impacts tying in with utility relocations and roadway construction.

A question was asked about who conducted the traffic study and Mr. Julius answered that it was his group at AECOM and a copy can be provided by the County once it has been published.

A question was asked about sound barriers for the houses along Cypress Parkway and will that be taken into consideration. Mr. Julius reported that houses on the west side of the road may hear some increase, but the traffic won't be moved close enough to the houses to cause a noise problem in their opinion. On Cypress Parkway, the Expressway Authority will come in with an overpass and any excessive traffic noise will be coming from that and he's unsure what they plan to do.

A lengthy conversation continued that consisted of screensharing maps to better explain where the roads will be impacted with specific measurements and locations.

Mr. Cuarta asked if there is any indication a new traffic signal at the secondary entrance along Cypress Parkway and Mr. Julius answered no, he does not believe they are looking at adding any traffic signals along Cypress Parkway.

Ms. Adams noted that because this is a time for Board discussion, they are able to open the floor to audience comments as well and the Board agreed to do so. Resident Amy Labita voiced her concerns about the widening of Marigold right outside her community gate and the integrity of the tunnel that is built over the cart path once the additions are made. Mr. Julius ensured her that they do no plan to impact that path at all and they will likely add a wall that ties into the existing headwalls. He would ask the Board to provide any documents or inspection reports for that structure to help them evaluate them in their endeavor.

The question was asked if this has already been decided and finalized and Mr. Julius said no it is not finalized as of yet, but it is going in that direction. The Board and community members seemed very concerned and would like for the CDD to sponsor an informational meeting for the communities and would like to have the meeting before the design phase for this project is complete. The Chairman will work with District management to arrange date, time, advertisements, and invitations to community officials for a virtual workshop. Mr. Jarvis suggested that they include representatives from the Expressway Authority and stated that they will work with the Board to make a meeting happen as soon as possible.

SEVENTH ORDER OF BUSINESS

Ratification of Agreements with Polk County Property Appraiser

A. Non-Ad Valorem Assessment Administration

Ms. Adams noted that ratification of the agreement with the Property Appraiser is included in the agenda packet. This agreement allows the District to add CDD debt service fees and operations & maintenance fees to the tax bill under the non-ad valorem assessment area. This is presented annually and signed by the Secretary previously, so they are just looking for a motion to ratify.

On MOTION by Mr. Luddy, seconded by Ms. Epstein, with all in favor, Agreement with Polk County Property Appraiser Regarding Non-Ad Valorem Assessment Administration, was ratified.

B. Data Sharing and Usage Agreement

Ms. Adams stated that this agreement with the property appraiser is regarding members of the public qualifying for public records stay private from the public and the District agrees to comply with their requirements. This has already been executed by the Secretary and they would just be seeking a motion to ratify.

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

EIGHTH ORDER OF BUSINESS

Consideration of Resolution 2021-02 Ratifying Enrollment in E-Verify System and Execution of the Memorandum of Understanding

Ms. Carpenter, District Counsel, reported on the resolution and explained the E-Verify system to the Board. This system confirms immigration status of all metro government workers and contractors. Florida Legislature passed the bill last July and now requires all Florida governments to comply with the system. This resolution ratifies the District and staff to sign a memorandum of understanding and register with the system.

Mr. Luddy asked if they will need to get documentation that future contractors are in compliance with the system. Ms. Carpenter answered that all new contractors will be made aware of the new qualification. Existing contracts are fine, but any new contracts moving forward must be in compliance.

On MOTION by Mr. Zimbardi, seconded by Mr. Luddy, with all in favor, Resolution 2021-02 Ratifying Enrollment in E-Verify System and Execution of the Memorandum of Understanding, was Approved.

NINTH ORDER OF BUSINESS

Consideration of Resolution 2021-03 Ratifying Approval of Phase 5H Unit 2 Plat Joinder

Ms. Carpenter noted that in order to avoid any delay in the plat filing this has been reviewed by the District staff, Engineer, and District Counsel. It was signed by the Chairman previously and this would be a ratification. These are replats of prior plats. Mr. Luddy asked if there were any changes in the number of units in the replat and the answer was no.

On MOTION by Mr. Luddy, seconded by Mr. Zimbardi, with all in favor, Resolution 2021-03 Ratifying Approval of Phase 5H Unit 2 Plat Joinder, was approved.

TENTH ORDER OF BUSINESS

Consideration of Resolution 2021-04 Approving Phase 5H Unit 3 Plat Joinder

Ms. Carpenter said this is a similar change to the one above and they are small changes. Mr. Luddy did request that in the future the Board be provided with a better copy as this one was almost unreadable.

On MOTION by Ms. Lambrides, seconded by Mr. Luddy, with all in favor, Resolution 2021-04 Approving Phase 5H Unit 3 Plat Joinder, was approved.

ELEVENTH ORDER OF BUSINESS

Staff Reports

A. Attorney

Ms. Carpenter had nothing further to report to the Board.

B. Engineer

Ms. Leo reported for informational purposes that the annual inspection is approaching, and a date will be scheduled in the next month or so. She also added that she appreciates the Board’s patience with the County’s road issue and wants to ensure that the CDDs priority interest is the tunnels, and she will be on top of it with the County from start to finish.

C. District Manager

i. Action Items List

Ms. Adams reported on the following action items:

1. CDD Merger: This has been a longstanding action item with the Board of Supervisors that has been on hold until after the General Election. Staff is seeking direction from the Board. They would like to continue to hold until further notice.
2. Feasibility of Meetings with CDD, HOA & Taylor Morrison: There has been informal communication with Taylor Morrison with good correspondence, but they would like to formally reach out in starting preparations for the next fiscal year budget. Mr. Cuarta reported that the process will be to make sure that the plats get to the CDD for review prior to moving forward for recording. The remaining phases are in process and they are looking at late March or early April in moving forward.
3. CDD Pond Ownership on Golf Course: Mr. Cuarta stated that they have repaired 4 ponds out of the 6 ponds from the list last year and they are coordinating a walk to ensure the ponds meet the standard before turning them over and anticipate

turning them over this year. There will be 2 ponds to be built in the upcoming phases. Taylor Morrison is not maintaining the ponds on the golf course and is paying for the maintenance through Hampton Golf.

- 4. Methodology for Golf Course Assessments: Moving forward, District management staff will be working with District counsel regarding the process for presenting an operations and maintenance assessment to the golf course which will be based on the original engineer’s report. It would require notice to the landowner and it this will all likely coincide with the budgeting process.
- 5. Stocking Ponds with Fish: This will be updated through the field manager’s report.

ii. Approval of Check Register

Ms. Adams reported that the check register is presented from October 1, 2020 through January 1, 2021. The total amount is \$734,423.28 and the detail for the check run is included in the agenda packet.

On MOTION by Mr. Luddy, seconded by Mr. Zimbardi, with all in favor, the Check Register Through January 1, 2021 Totaling \$734,423.28, was approved.

iii. Balance Sheet and Income Statement

The financials were presented to the Board and Ms. Adams reported that under the general administrative expenses are over budget by \$7,381 and actually the insurance that covers the Board members and the District and the real property insurance were actually both noted. Accounting staff is aware that they filed them both under administrative expenses and they will make the correction for the next financial statement.

On MOTION by Mr. Zimbardi, seconded by Mr. Luddy, with all in favor, the Unaudited Financials, were approved.

iv. Presentation of Arbitrage Rebate Calculation Report

Ms. Adams reported that this is tied to the bonds and recordings and calculations are required to ensure that there is no profit being made and that the tax-exempt purposes is serving as intended. The report does show that there are no arbitrage issues.

On MOTION by Ms. Lambrides seconded by Mr. Zimbardi, with all in favor, the Arbitrage Rebate Calculation Report, was approved.

D. Field Manager

i. Field Manager’s Report

Mr. Smith reviewed the Field Manager’s Report, a copy of which was included in the agenda package. Completed items include clearing the walkway at Bella Vianna tunnel. Upcoming projects include fish stocking which has been delayed due to COVID-19 and unexpected fish shortages. The ponds will be stocked in the coming days. Regular maintenance of the pods will be happening in the coming weeks. He presented a pressure washing proposal from the lowest bidder to previously do the pressure washing and moving forward, GMS also has the ability to offer pressure washing services. GMS cost is \$2,325 and the other bidder was \$25,000.

On MOTION by Mr. Luddy, seconded by Ms. Lambrides, with all in favor, the Proposal from GMS for Pressure Washing for \$2,325, was approved.

TWELTH ORDER OF BUSINESS

Supervisor’s Requests

Mr. Luddy reported he has gotten some correspondence from residents of the oxygen quality of the ponds. He would like to suggest that over the course of time, add aerators to the ponds and add vegetation to help with the health and the aesthetic. He would like to get some quotes for fountain for them to be as healthy as possible. Ms. Lambrides said they would need community input to move forward with such a big, expensive project. First, they should check with the Engineer to be sure putting in a fountain is even possible and what the cost might be before any leg work is done. There was also talk about littoral shelf planting to help with improvements of the pond. Mr. Luddy motioned to look into putting fountains into the ponds and putting the work into what the cost would be. Ms. Leo will bring some numbers and proposals back by the next meeting.

On MOTION by Mr. Luddy, seconded by Ms. Lambrides, with all in favor, Research Installation of Fountains with Ponds, was approved.

THIRTEENTH ORDER OF BUSINESS

Other Business

There being none, the next item followed.

FOURTEENTH ORDER OF BUSINESS

General Audience Comments

There being none, the next item followed.

FIFTEENTH ORDER OF BUSINESS

Next Meeting Date – March 17, 2020

Ms. Adams announced the next meeting will be held March 17, 2020.

SIXTEENTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Luddy seconded by Ms. Lambrides, with all in favor, the meeting was adjourned.


Secretary/Assistant Secretary


Chairman/Vice Chairman