

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

Present and constituting a quorum were:

Lita Epstein
Michael Luddy
Robert Zimbardi
Tony Reed
Elizabeth Lambrides

Chair
Vice Chairman
Assistant Secretary
Assistant Secretary
Assistant Secretary

Also present were:

Tricia Adams
Jan Carpenter
Kathy Leo
Clayton Smith
Tim Gardner
Cherrief Jackson
Residents

District Manager
District Counsel
District Engineer
Field Manager
Clarke
Clarke

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

FIRST ORDER OF BUSINESS

Roll Call

Ms. Adams called the meeting to order and call the roll. All Supervisors were present.

SECOND ORDER OF BUSINESS

Pledge of Allegiance

The Pledge of Allegiance was recited.

THIRD ORDER OF BUSINESS

Public Comment Period on Agenda Items

There being none, the next item followed.

FOURTH ORDER OF BUSINESS

Approval of Minutes of the February 17, 2021 Meeting

Ms. Epstein presented the minutes of the February 17, 2021 meeting. The following corrections were noted:

- On Page 5, Ms. Carpenter noted, “All metro government workers” should be “All government workers.”
- On the top of Page 4, Mr. Reed requested clarification on, “He would ask the Board to provide any documents or inspection reports for that structure to help them evaluate them in their endeavor.” Ms. Leo stated this referred to the biannual tunnel inspection reports they provide to the county.
- On Page 7, Mr. Reed noted, “Taylor Morrison is not maintaining the ponds on the golf course” should be “Taylor Morrison is maintaining the ponds on the golf course.” Ms. Adams stated the concept of maintaining it through a maintenance contract was a good one.
- On Page 8, Ms. Adams noted under the Field Manager’s report, “Pods.” should be “Ponds.” There was also a comparison for the pressure washing. Ms. Adams would verify.

On MOTION by Mr. Luddy seconded by Ms. Lambrides with all in favor, the Minutes of the February 17, 2021 Meeting, were approved as amended.

FIFTH ORDER OF BUSINESS

Review and Acceptance of Draft Fiscal Year 2020 Audit Report

Ms. Adams recalled that the Board met as an Audit Committee and selected an auditor to comply with the regulatory requirement for the annual audit. The draft audit was provided to the Board, which would be subject to Legal Counsel’s review and staff input. Ms. Carpenter highlighted the following:

- On Page 3, the District did not have a formal policy limiting the investment maturities; however, there was a resolution whereby the District can only put their funds into certain kinds of investments under Chapter 218.415.
- Under Note 7, “*Developer Transactions*,” the date when Taylor Morrison took over, will be added.

- Under Note 11, the settlement on the motion to contest the costs will reflect an explanation to residents within this District and the other District and what it was about. It was a settlement of money for a lawsuit.
- It was a clean audit and the District was not in a state of financial emergency as noted in the Independent Auditor's Report under Section 218.415(1).

Ms. Carpenter recommended accepting the draft audit to file with the state, subject to minor tweaks. In response to a question, Ms. Carpenter indicated this was a draft audit and her comments would be incorporated into the final version.

On MOTION by Mr. Luddy seconded by Ms. Lambrides with all in favor acceptance of the Fiscal Year 2020 Audit Report and authorization to transmit to the State of Florida was approved in draft form, subject to staff finalizing it.

Mr. Zimbardi thanked GMS for providing a clean audit.

SIXTH ORDER OF BUSINESS

Ratification of E-Verify Memorandum of Understanding

Ms. Carpenter requested the Board take action to ratify the Memorandum of Understanding (MOU), which was approved by the Board at the last meeting for the E-Verify System. The MOU was filed. Mr. Luddy asked if the District was required by the state to oversee compliance with the E-Verify System. Ms. Carpenter noted no requirement, but asked the Board to immediately notify her or the District Manager for reporting purposes, if the Board was aware of any non-compliance issues. Mr. Luddy preferred that GMS be responsible to ensure their contractors were following the rules. Ms. Carpenter stated all contracts must now include the E-Verify requirements. District Staff would be trained to notify their Supervisor immediately for non-compliance issues. Ms. Adams noted the MOU included a Certificate of Enrollment, which vendors must agree with to prove enrollment in the E-Verify System.

On MOTION by Ms. Lambrides seconded by Mr. Zimbardi with all in favor the District's enrollment in the E-Verify System was ratified.

SEVENTH ORDER OF BUSINESS

Staff Reports

A. Attorney

There being none, the next item followed.

B. Engineer**i. Presentation of Costs for Fountain Installation**

Ms. Leo provided the following cost comparison:

- Littoral Plants: \$270,000 for five bare root plants per linear foot or \$250 per linear foot of shoreline, from the water's edge to the berm, covering about 70% of the shoreline, plus a contingency for administration costs for the engineer and field staff. The survival of the bare root plans fluctuates with the water level.

Ms. Leo indicated a total of 69 ponds. Five additional ponds would be acquired from Taylor Morrison this year. According to the landscaper, plants were not the ultimate solution. It was to keep fertilizer and nutrients out of the pond.

- Fountains: \$2 Million or \$25,000 per fountain plus electrical, permitting, installation, support and contingency.

The Board addressed the following:

- Mr. Luddy did not want perfection, but to improve pond maintenance. Ms. Carpenter suggested posting on the website about the use of fertilizers and pond maintenance to educate residents. Mr. Luddy wanted Floralaawn to adhere to good practices.
- Ms. Epstein asked how often the pond was maintained. Mr. Gardner of Clarke stated pond maintenance was quarterly per fountain.
- Ms. Lambrides clarified they were talking about focusing on the larger ponds, not all ponds, particularly the two ponds at the front of the community.

Mr. Smith spoke with Clarke about having three aerators in Pond B1 and bubblers in Ponds D1 and A1. Ms. Leo advised there would be an Operations and Maintenance (O&M) cost for the shoreline plantings.

- Ms. Lambrides questioned the 70% covering of the shoreline. Ms. Leo explained 70% was a recommendation from the landscaper and was a good place to start based on the goal of enhancing water quality. The plants that survive would grow and expand. It was subjective based on the synthetic look the Board wanted. There should be a comprehensive ring around the pond. If it was 30%, there would be a question of who would get the plants and where they would be planted.

- Mr. Zimbardi noted the ponds fluctuate and littoral plantings survived for an extended period of time, since water levels were currently low.
- Mr. Zimbardi questioned how to control weeds. If they spray, the littoral plants will die. Mr. Gardner explained they would be more selective with their spraying, such as only spraying the torpedo grass around it. Mr. Zimbardi felt there was a lot to consider.
- Ms. Lambrides never saw anyone spraying the ponds. Mr. Gardner stated they hand pull the weeds. The ponds would look like the HOA ponds. In his opinion, the ideal pond to have a fountain in was Treviso, due to the amount of pickleweed and grasses.

If the Board wanted littoral plantings, Ms. Adams proposed educating residents about the benefit of having native vegetation. Mr. Zimbardi agreed. Mr. Luddy felt the benefits of the plantings far exceed the negatives.

- Mr. Reed believed the people living around the pond should make decisions. Plants should not be required unless the neighborhood wants them.

Mr. Reed proposed GMS provide a plan and estimate for ponds that needed the most maintenance, due to water quality and fish kills in the past. They would budget for one or two ponds per year. Ms. Leo would work with GMS on selecting the ponds. Ms. Epstein requested a proposal with costs and pictures of the ponds. Mr. Reed agreed and suggested learning about all 100 ponds before making a major decision on costs. Ms. Leo and her staff were working with Taylor Morrison on turning over five ponds. Preliminary inspections were performed. Mr. Reed reported working with Floralawn this morning. They discovered three drain lines buried between every house up and down Torino Lane. The District must investigate where all of the drains are and extend them into the pond if they want to continue using them. The necessary repairs should be made before the District accepts the ponds. Ms. Leo speculated sod was removed over time and mowers ran over the drains, burying them. These were not the drains Taylor Morrison were repairing.

C. District Manager

i. Action Items List

Ms. Adams reported on the following action items:

1. CDD Merger: This item was on hold until after the General Election; however, the Poinciana West CDD Board met prior to this meeting and there was no consensus to not put any effort into proceeding with the merger.

Ms. Epstein thought they misstated the savings of \$1 per household when there were actual savings of \$50,000 to \$60,000 per year. Since there is nothing this CDD can do, this item will be removed from the Action Items List.

2. Determine feasibility of standing meetings with CDD, HOA and Taylor Morrison: The District Engineer discussed the pond turnover earlier and was gathering information to aid in budget preparations.
3. Review methodology for golf course assessments and how they are factored into the current budget: The golf course was not currently paying O&M fees, but there was an opportunity. A methodology was developed for the number of equivalent units assessed to the golf course, which will be incorporated into the draft budget and a notification will be sent to the golf course owners.
4. Stock fish as approved at August BOS meeting for midge management: Gambusia were stocked in February.
5. Schedule workshop with Polk County Roads & Drainage: At the last meeting, there was interest in having additional discussion with Polk County Roads & Drainage about the Central Florida Expressway. A workshop was scheduled for March 30th at 10:00 a.m. The Board will receive information to log in as a presenter. Per Board direction, an invitation was extended to the commissioner for this area.

The Board requested drawings of what the roads will look like, the proximity of the south side of the road to the houses in Solivita and a timeline of how long the project will take. Ms. Adams would request an updated timeline.

6. Bring back estimates for fountain installation: Staff was directed to bring back proposals for two ponds that may benefit fountains. The Action Items List will be updated accordingly.

ii. Approval of Check Register

Ms. Adams presented the Check Register from February 1, 2021 through March 9, 2021 in the amount of \$987,560.45.

On MOTION by Mr. Zimbardi seconded by Mr. Luddy with all in favor the February/March Check Register was approved.

iii. Balance Sheet and Income Statement

Ms. Epstein presented the Unaudited Financial Statements through February 28, 2021. Mr. Luddy understood the reserves were for the current bonds. Ms. Adams referred to the General Fund on the Combined Balance Sheet, which the Board had direction over. The Debt Service Fund stated the bond terms and Amortization Schedules under the annual budget adoption, which the Board had no control over. In March, staff will determine how much money was needed in the Operating Account for month-to-month expenses and a balance transfer to the money market account. Mr. Zimbardi questioned an \$11 redemption. Ms. Adams will verify.

On MOTION by Mr. Luddy seconded by Mr. Zimbardi with all in favor the Financial Statements were accepted.

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. The ponds were treated earlier this year than prior years for higher success rates. Different products were being used to treat the ponds. They were using chemicals that kill quicker, but need to be applied more often.

Mr. Zimbardi asked if they were treating the part of hydrilla that breaks the surface of the water. Mr. Gardner explained it grows from the bottom up and treats the entire water surface. A certain area was treated based on the depth of the water. The plants were resistant to systemic products. Mr. Zimbardi asked about raking the pond. Mr. Smith explained the physical removal of plants was not recommended, due to the high cost and regrowth in fragments. There were changes in products for midge treatments. Ms. Cherrief Jackson with Clarke discussed products used for midge treatments, granular and liquid larvicide, and their spraying schedule. She will provide a revised contract as the current contract expires in September, which would have the high level of service the Board expected. It was not a setback, but a change of strategy in how they will handle midges.

Mr. Luddy asked how many ponds were stocked with gambusia. Mr. Smith confirmed no ponds were stocked with gambusia, but were stocked with blue gill, bass and sucker fish. Mr. Zimbardi questioned the status of Pond B1. Mr. Smith noted the gambusia were just placed, but not yet established. Mr. Zimbardi asked if he would know by June, July or August whether it was a success. Mr. Smith hoped so. For Pond 6, the gambusia played a big part in drastically reducing the midges. Ms. Epstein wanted to budget for the next two critical ponds to add fish to next year and budget for it. In response to a question, Mr. Smith noted the total cost to stock the big pond with fish was under \$70,000. The reason why so many fish were placed into the pond was so that they would reproduce. Mr. Zimbardi requested a list of five or ten worst ponds to be addressed sooner than the others. Ms. Epstein noted the expectation was to refill the pond instead of replenishing every three to five years, in the hopes that if the environment supports them, they should be a permanent fixture in the pond. Mr. Smith stated they would not need to restock 100%, but adding to it from time to time would be beneficial. Ms. Epstein suggested if the full amount of maintenance money was not needed, \$2,000 be used to stock more ponds. She asked whether the bass should be removed. Mr. Smith stated the larger bass eat the gambusia. There will be tunnel work such as caulking, painting and pressure washing. The best time to do the work was when there was less traffic. The last item was the aerator maintenance.

ii. Customer Complaint Log

Mr. Smith reported the complaints were minimal. Residents complained about the midges. Mr. Reed noted on Page 3 under pond conveyance, there was a picture of what he was talking about earlier, which was indicative of a broken drain line. It did not end in the pond. It ended on the bank. In the pond was sediment that was a direct result of the leakage. Four or five organizations worked well together. Everyone was professional and supportive. This was a good reason for meetings to continue, so they could work together for the betterment of Solivita. Mr. Reed would work with staff. Taylor Morrison agreed to do additional work on the conveyance, but it would not cover all of the issues. If they stay in communication and modify their contracts, they will not have to do it twice. Only once if they get a full understanding of the work that needs to be done. The Board will not accept this pond unless all of the drain lines were dug up and restored to their original condition. If not, sediment would continue to slide into the pond and it must be dredged in the future, which was expensive. Mr. Smith believed there was a large-scale rain event that washed out everything before the sod could establish. That was why they

were replacing it. Everything Mr. Reed brought up would be brought to their attention. Mr. Reed noted new information that needed to be coordinated to the repair activities. Ms. Carpenter asked to be included in the timing for review and execution of the documents for the transfer.

EIGHTH ORDER OF BUSINESS

Supervisor's Requests

There being none, the next item followed.

NINTH ORDER OF BUSINESS

Other Business

There being none, the next item followed.

TENTH ORDER OF BUSINESS

General Audience Comments

There being none, the next item followed.

ELEVENTH ORDER OF BUSINESS

Next Meeting Date – April 21, 2021

Ms. Epstein stated the next meeting was on April 21, 2021 at 11:00 a.m.

TWELFTH 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