

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, July 18, 2018 at 11:00 a.m. in the Starlight Ballroom, 384 Village Drive, Poinciana, Florida.

Present and constituting a quorum were:

| | |
|-----------------------|---------------------|
| Robert Zimbardi | Chairman by phone |
| LeRue "Skip" Stellfox | Vice Chairman |
| David Lane | Assistant Secretary |
| William Land | Assistant Secretary |

Also present were:

| | |
|--------------------|-----------------------|
| George Flint | District Manager |
| Michael Eckert | District Counsel |
| Alan Scheerer | Field Manager |
| Pete Deglomine | Clarke Environmental |
| Kevin Plenzler | Fishkind & Associates |
| William Viasalyers | GMS |
| Residents | |

The following is a summary of the discussions and actions taken at the July 18, 2018 Poinciana Community Development District's Board of Supervisors Meeting.

FIRST ORDER OF BUSINESS

Roll Call

Mr. Stellfox called the meeting to order and called the roll.

SECOND ORDER OF BUSINESS

Pledge of Allegiance

The Pledge of Allegiance was recited.

THIRD ORDER OF BUSINESS

Public Comment Period on Agenda Items

Mr. Flint informed the residents attending the meeting that staff was not able to set up microphones for the meeting. He advised the residents to move closer if they had problems hearing the discussion of the meeting. Mr. Stellfox notified the residents that at this time they

may speak to the Board. A resident asked the Board when the fence on the pathway would be fixed, and he noted that it has been almost four weeks since it was taken down. The resident stated that he saw someone trying to enter the community through the fence but told them to leave. Mr. Stellfox informed the resident that it is an HOA issue and that he would discuss the issue with the HOA. Mr. Stellfox closed the public comment period.

FOURTH ORDER OF BUSINESS

Approval of Minutes of the June 20, 2018 Meeting

Mr. Stellfox presented the minutes of the May 16, 2018 meeting. Mr. Lane and Mr. Land stated that after reviewing the minutes there were no corrections needed.

On MOTION by Mr. Land, seconded by Mr. Lane, with all in favor, the Minutes of the June 20, 2018 Meeting were approved, as presented.

FIFTH ORDER OF BUSINESS

Review and Acceptance of Fiscal Year 2017 Audit Report

Mr. Stellfox noted that it was a clean audit and asked for comments on the audit report. Mr. Flint informed the Board that the audit was completed prior to June 30th and transmitted to the State of Florida by the deadline.

On MOTION by Mr. Lane, seconded by Mr. Land, with all in favor, the Fiscal Year 2017 Audit Report was accepted and transmittal to the State of Florida was ratified.

SIXTH ORDER OF BUSINESS

Ratification of Engagement Letter from Rumberger, Kirk & Caldwell, P.A. to Provide Special Counsel Services

Mr. Flint stated that he was directed by the Board to search for an independent Counsel to review the conflict and disclosure letter that District Counsel had prepared.

On MOTION by Mr. Lane, seconded by Mr. Land, with all in favor, the Engagement Letter from Rumberger, Kirk & Caldwell, P.A. to Provide Special Counsel Services was ratified.

SEVENTH ORDER OF BUSINESS

Consideration of Second Amended and Restated Disclosure of Public Financing Report

Mr. Stellfox informed the Board that they had a copy of the report in their agenda. Mr. Eckert stated that under Chapter 190 of the Florida Statutes the Board is required to periodically disclose the District’s financing mechanisms as well as the infrastructure that the District maintains. He noted that this report updates the last report that the Board had recorded to include the lower bond assessment amounts that they accomplished through the refinancing of the bonds.

On MOTION by Mr. Land, seconded by Mr. Lane, with all in favor, the Second Amended and Restated Disclosure of Public Financing Report was approved.

EIGHTH ORDER OF BUSINESS

Special Assessment Matters

A. Review of First Amendment to Master Methodology Regarding Undeveloped Land in Poinciana CDD

Mr. Stellfox noted that a copy of the report was enclosed in the agenda package for the Board’s review. Mr. Eckert introduced Kevin Plenzler from Fishkind. Mr. Eckert reminded the Board that the discussions today will only affect the assessments on undeveloped land, and there is no impact on assessments for platted lots in Poinciana West or previously identified platted lots in Poinciana. Mr. Plenzler presented information regarding two parcel IDs that were identified by the developer that were not to be included within the assessment roll previously provided. Mr. Plenzler stated that this does happen occasionally, especially when there are such a significant number of parcels. Mr. Land inquired about Phase 1G. Mr. Plenzler replied that he believed they were 32 townhomes, as well as some commercial developed properties. Mr. Plenzler stated that he would need to refer to a map to be sure. Mr. Eckert reminded the Board that the CDD has no control over development approvals, it is all done through the County. Mr. Zimbardi asked what the change in the assessments, based on the newly platted area, was. Mr. Plenzler answered that there were no changes in assessments to the developed lots in Poinciana and Poinciana West. Mr. Land asked a question referring to page 3.1 about the District Amenity Facilities. Mr. Land inquired about the cost of proposed improvements being \$14,316,000, from an earlier total of \$11,100,000. Mr. Eckert stated that when the resolution was prepared the

Board wanted flexibility in spending the proceeds that were generated. Mr. Eckert explained that the Board will be able to choose what they want to do. He gave an example of the performing arts building price going up because the number of seats went up.

B. Consideration of Resolution 2018-11 Declaring and Adjusting Assessments Under the First Amendment to the Master Methodology Regarding Undeveloped Land in Poinciana CDD

On MOTION by Mr. Land, seconded by Mr. Lane, with all in favor, Resolution 2018-11 Declaring and Adjusting Assessments Under the First Amendment to the Master Methodology Regarding Undeveloped Land in Poinciana CDD was approved.

C. Consideration of Resolution 2018-12 Setting a Public Hearing on First Amendment to Master Methodology Regarding Undeveloped Land in Poinciana CDD

Mr. Stellfox suggested to the Board that the meeting be set for September 5, 2018 and cancel the regular meeting in September. Mr. Flint noted that there is a 30-day notice required for the meeting and they would not be able to meet that requirement for the August meeting date. The budget adoption is on the August meeting. Mr. Flint stated that the meeting room is available for September 5th. The Board members discussed their availability on the proposed meeting date. Mr. Eckert noted that the meeting would likely be a joint meeting with both Poinciana and Poinciana West in attendance. Mr. Eckert suggested 11:00 a.m. as the meeting time. All the Board members stated that they were available on September 5th to meet. The Board also agreed that the regular meeting scheduled for September 19, 2018 will be canceled.

On MOTION by Mr. Land, seconded by Mr. Lane, with all in favor, Resolution 2018-12 Setting a Public Hearing on First Amendment to Master Methodology Regarding Undeveloped Land in Poinciana CDD for September 5, 2018 at 11:00 a.m. at the Starlite Ballroom was approved.

NINTH ORDER OF BUSINESS

Staff Reports

A. Attorney

i. Litigation Update

Mr. Eckert reported that they are in the process of getting together materials needed to re-engage in the bond validation case. Mr. Eckert stated that they expect significant movement in the next 30-45 days, and that he would provide an update on that at the August meeting.

B. Engineer

Ms. Leo noted that it is the rainy season and they tend to get a lot of questions regarding that. She also stated that they provided the updated maps in PDF form for the Board to review. Ms. Leo stated that she could provide full size prints.

C. District Manager

i. Approval of Check Register

Mr. Flint presented the Check Register for the General Fund and Payroll for the month of June 2018 in the amount of \$151,665.87. Mr. Zimbardi asked Mr. Flint if all the back payments from Avatar were collected. Mr. Flint answered that they have paid all their February and May direct bill payments of over \$200,000 and also funded all the funding requests under the funding agreement with the exception of the most recent one. The detail was behind the Check Register.

On MOTION by Mr. Stellfox, seconded by Mr. Zimbardi, with all in favor, the Check Register for June 1, 2018 through June 30, 2018 was approved.

ii. Balance Sheet and Income Statement

Mr. Flint stated that there was no action required by the Board but could answer any questions.

D. Field Manager

i. Field Manager's Report

Mr. Flint noted that he emailed out a Field Manager's Report the prior day, and stated that there were status reports on some of the storm water repairs that were ongoing. Mr. Flint introduced Alan Scheerer and William Viasalyers who recently joined GMS. Mr. Flint directed the Board to look at page 4. He stated that there were some concerns at 503 Barcelona Drive after a storm a couple weeks ago. Mr. Flint discussed issues concerning the elevation of two

manholes. Mr. Flint discussed the pond at the driving range, he noted that the developer had to dewater as part of the new site development next to it. Mr. Flint stated that because of that there was significant bank erosion around that pond, but the developer has agreed to regrade that pond. Mr. Zimbardi asked about reimbursement from AV Homes for the work and hours the CDD has incurred in respect to the pond because of their dewatering. Mr. Flint stated that he did not believe there was enough hours to reimburse. Mr. Zimbardi requested that Mr. Flint collect all the hours worked pertaining to the dewatering issue, and Mr. Flint responded that he would. Mr. Flint read over page 5 and discussed installing additional aerators in pond E3, and explained that the shape is the reason for the need. Mr. Deglomine of Clarke discussed waiting to put the fish in until the fall because the temperatures are too high.

ii. Customer Complaint Log

Mr. Flint presented the Customer Complaint Log.

TENTH ORDER OF BUSINESS

Supervisor's Requests

Mr. Stellfox asked the Board if anyone had any requests. The Board did not have any requests at this time.

ELEVENTH ORDER OF BUSINESS

General Audience Comments

A resident asked if anyone had taken a look at the canal behind her property. She stated that it was all green. Mr. Eckert encouraged the resident to speak with Alan Scheerer and give him the address to identify if the District owns the canal.

TWELTH ORDER OF BUSINESS

Other Business

Mr. Stellfox asked the Board if there was any other business that needed to be discussed, but there was nothing brought up.

THIRTEENTH ORDER OF BUSINESS

Next Meeting Date – August 15, 2018 @ 11:00 A.M.

Mr. Stellfox announced that the next meeting was on August 15, 2018 at 11:00 a.m.

FOURTEENTH ORDER OF BUSINESS

Adjournment

The meeting was adjourned at 11:49 a.m.

On MOTION by Mr. Land, seconded by Mr. Lane, with all in favor, the meeting was adjourned.



Secretary / Assistant Secretary



Chairman / Vice Chairman