

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 21, 2021 at 11:00 a.m. in the Starlite Ballroom, 384 Village Drive, Poinciana, Florida.

Present and constituting a quorum were:

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

Also present were:

| | |
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| Tricia Adams | District Manager |
| Jan Carpenter | District Counsel |
| Kathy Leo | District Engineer |
| Clayton Smith | Field Manager |
| Residents | |

The following is a summary of the discussions and actions taken at the July 21, 2021 Poinciana Community Development District's Board of Supervisors Meeting.

FIRST ORDER OF BUSINESS

Roll Call

Ms. Adams called the meeting to order and called 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

Ms. Adams asked if there were any public comments, both in person and via Zoom, and hearing none, the next item followed.

FOURTH ORDER OF BUSINESS

Approval of Minutes of the May 19, 2021 Meeting

Ms. Epstein presented the minutes of the January 15, 2020 Board Meeting.

On MOTION by Mr. Reed seconded by Mr. Luddy with all in favor the minutes of the May 19, 2020 Board Meeting were approved as amended.

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

- Mr. Reed had a change to Page 3 with the correction of one of the motions appointing him to the “*Polk County Roads Project*”, and he also asked if he could get a recap of what had happened with the treatment of the ponds with the Midge Management Agreement. Ms. Adams responded that it may be best to discuss that subject under Field Manager’s report.
- Mr. Reed also had a correction to the top of page 5 from “*Mr. Reed wanted to monitor engineering*” to “*Mr. Reed monitors engineering*”.
- He also asked for clarification of an action item on page 5 regarding the insurance policy, and Ms. Adams responded that she would be going over that item under her District manager’s report.
- Mr. Reed had a correction to the ninth order of business regarding a proposal to assess the golf course, and Ms. Adams explained that there had been multiple discussions of it at several meetings. She summarized that there had been golf course properties that were identified as amenity properties and that one of those parcels had not been assessed, which was the parcel identified in Resolution 2021-08. She noted that financials would be discussed in the budget meeting and that the resolution had been prepared by legal counsel. Ms. Epstein explained the process of levying of the assessment and asked if there was any public comment on the matter. One resident asked if the developer that owned part of the ponds at the golf course should be paying a higher percentage a month to maintain the ponds, and Ms. Epstein answered that the parcel was already being paid, but that management had found a parcel that was not paying assessments.

A. Consideration of Resolution 2021-08 Equalizing, Approving, and Levying Operations & Maintenance Assessments for the First Time on Golf Course Lands

Ms. Adams opened the public hearing and the Resolution to assess a golf course parcel was presented. Ms. Adams asked if there were any comments or questions, and hearing none, asked for a motion to approve.

On MOTION by Mr. Luddy seconded by Mr. Zimbardi with all in favor Resolution 2021-08 Golf Course O&M Assessments, was approved.

B. Consideration of Resolution 2021-09 Adopting the Fiscal Year 2022 Budget and Relating to the Annual Appropriations

Ms. Adams opened the public hearing and asked if there were any comments or questions, and hearing none, she presented the budget. She noted that the actuals had been updated through May 31st. She also explained increased fees under the proposed budget under “other current charges” were due to an increase in bank fees for fraud protection services.

Mr. Zimbardi asked if the District was covered under the fraud protection services if the bank was hacked and account information was exposed, and Ms. Adams responded that it would protect the District, but did not extend to personal fraud protection. She also noted that Poinciana West was expecting to transition over to an electronic check system as opposed to paper checks.

Ms. Adams presented the Field Expenses section under “Operations and Maintenance.” The narrative on Page 2 had more funding assigned to the contract and less funding assigned to contingency based on the transition with the midge management program. She also noted that the on Page 2, the second table regarding property types had a note that the amount for the golf course had been reduced to 4.54 units. She pointed out to the audience members that there were extra copies of the budget on the table in the conference room.

Mr. Reed had a question on Page 6 regarding the fees for the aquatic midge control about how their expenditure was five times more than Poinciana West’s. Mr. Smith answered that Poinciana had far more ponds included in the contract whereas Poinciana West did not.

Ms. Epstein asked for a motion to approve the budget.

On MOTION by Mr. Reed seconded by Mr. Zimbardi with all in favor, Resolution 2021-09 Adopting Fiscal Year 2022 Budget, was approved.

Ms. Epstein closed the public hearing.

C. Consideration of Resolution 2021-10 Imposing Special Assessments and Certifying an Assessment Roll

Ms. Adams stated that this was a companion resolution to the budget adoption, adding that it allowed for the collection of the assessments on the tax roll using the uniform collection method as well as imposing the assessments on the Operations & Maintenance fees.

On MOTION by Mr. Luddy seconded by Ms. Lambrides with all in favor, Resolution 2021-10 Imposing Assessments and Certifying an Assessment Roll, was approved.

SIXTH ORDER OF BUSINESS

Staff Reports

A. Attorney

There being none, the next item followed.

B. Engineer

Ms. Leo addressed the following:

- Tunnel Inspections: Discussion would occur at the next meeting when more information was collected.
- Annual Pond Inspections: Discussion would occur at the next meeting when more information was collected.

Discussion ensued and the Board addressed the following:

- Ms. Epstein updated the board on notices being sent out through Polk County addressing zoning changes and similar notices. It was also noted that there were individual bond owner receipt variances that would not impact any of the District properties.
- Ms. Lambrides asked if there was an update from representatives regarding the tunnel discussion, and Mr. Zimbardi replied there had not been a response and they were working on finding out why. Ms. Lambrides added that from what she understood from comments from the public was that they were redesigning their plans for Cypress Parkway in order to make in more accessible for Poinciana Residents as well as correcting issues regarding the construction. She also added

that she had heard that Polk County had put their project on hold until CFX made their decision.

- Mr. Luddy asked if there was going to be a different route, and Ms. Epstein responded that they were trying to get it done as cheaply as possible while still accommodating Poinciana. Ms. Carpenter also gave the option of getting a proposal from a condemnation attorney if the Board felt it would affect the community or tunnels as a cautionary measure, and the Board stated they would like to see a proposal. Ms. Lambrides asked if they could also include information in the proposal that was not for the public domain.
- Mr. Luddy asked if the District would be incurring any more expenses regarding the ponds, and Ms. Adams responded that they would look over policies and go through the process to decide how they would maintain them while keeping the current budget in mind.
- Mr. Luddy asked if there was anything in the engineer's report that they would need to address regarding storm water system maintenance, and Ms. Adams stated that there would be some items that would be presented under the field report but that there was no critical or time sensitive pond maintenance items.

C. District Manager

Ms. Adams mentioned that at the last meeting, the subject of how many residents had paid off their debt in total had come up, and she updated the Board that the recent assessment role was 145 residents in Poinciana CDD.

Ms. Lambrides asked if it would be beneficial to the residents to let them know what rate they were paying, and Ms. Adams responded that she would put an article together to go out in an email through the HOA. Ms. Lambrides asked if it would adversely affect the District if residents decided to pay off their debt service, and Ms. Adams responded that it would not.

Ms. Adams also noted that she had an update on the previous discussion of neighborhood captain, stating that she received the name of a neighborhood captain for Poinciana CDD. She added that the person was copied, along with Board members, regarding the agenda, meeting reminder, and agenda packet. She also noted she had received another general neighborhood

email address that she would copy on future emails in order to allow for participation in the meetings.

She also followed up that District staff was working on obtaining information to benefit residents regarding the beneficial plants in the ponds, and that they would receive it after it was reviewed by the District Engineer. She then answered the question of how many registered voters were within the District, which was 4,872 voters. Compared to the prior year that totaled 4,739, the number of registered voters had increased.

Ms. Adams followed up on another question regarding the property schedule for the Poinciana CDD as well as the insurance coverage for the tunnels, answering that it was the property insurance that was on the proposed budget. She added that the North and South tunnel were both on the property schedule as well as that she had the insurance policy for review if any Board members wanted to see it.

i. Action Items List

Ms. Adams reported on the following action items:

1. Pond Turnover from Taylor Morrison: District Counsel would be advising on a turnover requirement checklist at a future meeting.
2. Review Golf Course O&M Assessments: This item was completed and therefore would be taken off the list.
3. Planting of Littoral Shelves: This item was completed and the plants were being monitored. Ms. Adams only noted that a newsletter would be sent out to residents at a future date regarding the benefits of the plants.
4. Stormwater System Maintenance: The annual inspection report for the stormwater system was distributed, and field management staff was reviewing the report. It was also noted that they would be presenting proposals under the Field Manager's Report.

ii. Approval of Check Register

Ms. Adams presented the Check Register from May 12, 2021 through July 13, 2021 in the amount of \$58,208.10.

On MOTION by Mr. Zimbardi seconded by Ms. Lambrides with all in favor the May 12, 2021 through July 13, 2021 Check Register was approved.

iii. Balance Sheet and Income Statement

Ms. Adams presented the Unaudited Financial Statements through May 31, 2021. She noted that they were the same numbers as presented in the budget. She noted that Page 1 had an update of the combined balance sheet and debt service fund information, Page 2 included revenue and administrative and field expenses. She asked if there were any questions.

Mr. Luddy asked if there were any units that were in arrears paying their obligations to the CDD. Ms. Adams responded that because they assessed through the tax roll, the payment would be due to the tax collector, adding that the revenue would still come into the District. She also noted that as far as the direct bill assessments that went to Taylor Morrison, she pointed out the table of Page 5 was broken up into three different billings that had all been received. She stated that going forward, the newly imposed assessment for the golf course would be on the tax bill.

Ms. Lambrides asked where the unplatted and platted amount numbers came from, and Ms. Adams responded that the platted lots came from the county tax records, and the unplatted lot amounts came from the original engineer's reports. Ms. Lambrides asked if it was the responsibility of the builder to notify the Board if the numbers changed, and Ms. Adams answered that if there was ever an adjustment in the amount, the District would then have a true-up payment to satisfy the debt of the property. Ms. Lambrides also asked if they had a date timeframe as to when Taylor Morrison could work on the unplatted lots, and Ms. Adams responded that staff was following up and the Board would be updated when new information became available. She asked if there were any other questions, and hearing none, the next item followed.

iv. Presentation of Arbitrage Rebate Calculation Report

Ms. Adams stated the report was included in the agenda, noting that it showed there were no arbitrage issues shown. She also noted that the reason for the report was to be in compliance with the internal revenue code, and that the IRS required the calculation every 5 years but they do it every year because it is the same cost. Mr. Reed asked if the reports every year went all the

way back to the beginning, and Ms. Adams responded that it was typically associated with each bond issuance. She asked for a motion to approve.

On MOTION by Mr. Reed seconded by Mr. Luddy with all in favor, the Arbitrage Rebate Calculation Report, was approved.

Mr. Reed interjected a statement that he had forgotten to request earlier, asking if he could obtain the policy for pond maintenance, as well as any requirements to maintain the wetlands. Ms. Epstein answered that it could be provided.

v. Approval of Fiscal Year 2022 Meeting Schedule

Ms. Adams presented the proposed meeting schedule in the agenda, noting that the Board had historically had meetings once a month, but meetings could be cancelled at the discretion of the Chair if there weren't any agenda items. She asked for a motion to approve.

On MOTION by Ms. Lambrides seconded by Mr. Reed with all in favor, the Fiscal Year 2022 Meeting Schedule, 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. The planting at the ponds had been completed, adding that the maintenance and replanting any plants would occur throughout the year every 30 days, and then moving to every 60 days. As far as in progress items, the only item that he noted he would have to get back to the Board on was the Golf Course. He also noted that they were continuing more hydrilla treatments, as well pond conveyance.

Mr. Smith then moved on to a GMS drainage proposal, starting with Ponds A-5, E-11, E-1, A-11, and A-9. Ms. Adams noted that the Board had the option to take action on the proposal at the current meeting or they could take the proposal under advisement and take action at a future meeting. Ms. Adams noted that the total for the proposals was \$2,831. She noted that the Board would have to take public comment. Ms. Epstein asked if there were any members of the public who would like to comment, and hearing none, she asked if any Board members had any comments. Mr. Luddy commented that he thought that he should go over the idea with Ms. Leo

before making any final decision on A5, therefore he requested it be left open until next month. He then corrected himself after realizing he was looking at the wrong pond.

On MOTION by Mr. Zimbardi seconded by Mr. Luddy with all in favor, the GMS proposal, was approved.

Mr. Smith presented another drainage proposal for Ponds E-3 and E-1 for the installation of dredgesox that would be covered in sod and dirt to fix the erosion issue, adding that it was within their ownership area. Ms. Adams stated the Board could approve both at the same time, with the first proposal being for \$3,000 and the second being in the amount of \$13,250. She noted that there was adequate funding and within the budget.

On MOTION by Mr. Luddy seconded by Mr. Reed with all in favor, the Lake and Wetlands Proposals, were approved.

ii. Customer Complaint Log

Mr. Smith stated the only complaint he received was about the grass around the ponds, explaining that the reason it was left longer is because they would come back to trim it at a later time due to it helping with erosion and preserving the bank of the ponds. He noted that there had also been some algae complaints in the ponds, but that it had mostly subsided.

SEVENTH ORDER OF BUSINESS

Supervisor’s Requests

There being none, the next item followed.

EIGHTH ORDER OF BUSINESS

Other Business

There being none, the next item followed.

NINTH ORDER OF BUSINESS

General Audience Comments

There being none, the next item followed.

TENTH ORDER OF BUSINESS

Next Meeting Date – August 18, 2021

The next meeting was scheduled for August 18, 2021 at 11:00 a.m.

ELEVENTH ORDER OF BUSINESS

Adjournment

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



Secretary/Assistant Secretary



Chairman/Vice Chairman