

**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, **June 15, 2022** at 11:00 a.m. via Zoom Communication Media Technology and in the Starlite Ballroom, 384 Village Drive, Poinciana, Florida.

Present and constituting a quorum were:

Lita Epstein	Chair
Tony Reed	Vice Chair
Robert Zimbardi	Assistant Secretary
Anita Nelson	Assistant Secretary

Also present were:

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

The following is a summary of the discussions and actions taken at the June 15, 2022 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 at 11:01 a.m. All Supervisors were present with the exception of Ms. Lambrides.

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 May 18, 2022 Meeting

Mr. Reed and Ms. Nelson submitted corrections to the May 18, 2022 minutes, which were incorporated.

On MOTION by Mr. Reed seconded by Mr. Zimbardi with all in favor the Minutes of the May 18, 2022 Meeting were approved as amended.

FIFTH ORDER OF BUSINESS

Discussion of Ownership and Operation of Reclaimed Water System

Ms. Adams stated that the reclaimed water system at Solivita was constructed using bond funds and was currently maintained and operated by the HOA, at their expense per the terms of an agreement. Mr. Reed noted that he requested this item on the agenda and addressed the following:

- Page 1 noted that reclaimed pipes in excess of 6 inches of diameter were identified in Exhibit A, which was attached to the agreement, but this exhibit was not attached to the agreement. Ms. Adams would search for the exhibit.
- What pipes were underground and whether the District was meeting the intent of the District. At The Villages, a broken pipe washed out the road resulting in a lawsuit.
- Whether the HOA conducted regular inspections of the infrastructure and reported any irregularities to the District Manager as defined on Page 2 of the agreement. At an HOA meeting, a resident addressed an issue with the reclaimed water system. Ms. Adams did not receive any reports of irregularities. Ms. Leo explained that irrigation and pipe breaks were common and were routinely repaired. In her opinion, what the HOA was doing was working. The HOA was required to perform inspections under the agreement.
- Whether there were any pressure issues with the pipes. Ms. Leo confirmed no pressure problems in the District.
- Who was responsible in the HOA for maintaining the infrastructure since the HOA did not have any employees. Mr. Reed would verify.

- Whether the District had liability coverage in the event that there were any claims. Ms. Carpenter explained if there was a claim, it would be against the HOA and the CDD and the District should retain the HOA’s insurance certificate on file. The District had sovereign immunity as a government entity for certain claims.
- The contact information in the agreement was for Hopping, Green instead of Latham Luna. Ms. Adams would provide written notice to the HOA advising the change.

SIXTH ORDER OF BUSINESS

Staff Reports

A. Attorney

There being none, the next item followed.

B. Engineer

There being none, the next item followed.

C. District Manager

i. Action Items List

Ms. Adams presented the Action Items List, which was included in the agenda package. Two items were completed and would be removed from next month’s Action Items List. Regarding the Poinciana Parkway Project, Ms. Epstein received an email from the Public Information Officer. CFX would present an update at an upcoming Board meeting.

ii. Approval of Check Register

Ms. Adams presented the Check Register from May 11, 2022 through June 7, 2022 in the amount of \$43,633.25.

On MOTION by Mr. Reed seconded by Ms. Nelson with all in favor the February 9, 2022 through May 10, 2022 Check Register in the amount of \$614,871.50 was approved.

iii. Balance Sheet and Income Statement

Ms. Adams presented the Unaudited Financial Statements through May 31, 2022, which were included in the agenda package. The District was in a good cash position with an Unassigned General Fund Balance of \$857,689, total prorated expenditures of \$463,538 and

actual expenses of \$415,016. In response to Ms. Epstein's question, Ms. Adams stated that the District was fully collected on the direct bill assessment and the true-up payment of \$345,834.18 was settled.

On MOTION by Mr. Zimbardi seconded by Mr. Reed with all in favor the Unaudited Financial Statements through May 31, 2022 were accepted.

iv. Presentation of Arbitrage Rebate Calculation Reports

Ms. Adams presented two Arbitrage Rebate Calculation Reports that AMTEC prepared for the Series 2012A-1 Senior and 2012A-2 Subordinate Bonds as required under the Trust Indenture and per Internal Revenue Service (IRS) regulations. The District was required to report every five years to the IRS, but reports were run annually to ensure that there was no arbitrage rebate issues. Based upon their computations, no arbitrage rebate liability existed and the District was in compliance with the IRS regulations. Because the District refunded the bonds, an additional report was required through May 1st in order to close out the account. One report was for activity through April 18, 2022 and the other was through May 1, 2022. Ms. Nelson questioned what the Sinking Fund was used for since there were Reserve Funds. Ms. Carpenter explained that the Trustee holds funds for the bonds under the bond documents in a Sinking Fund to reduce the debt on the bonds.

On MOTION by Mr. Zimbardi seconded by Mr. Reed with all in favor the Arbitrage Rebate Calculation Reports as prepared by AMTEC was approved.

v. Reminder to Board to File Form 1's with the Supervisor of Elections in the County that They Reside by the July 1, 2022 Deadline (mail, e-mail or in person as applicable)

Ms. Adams reminded the Board Members to file their Form 1, Statement of Financial Interests with the Supervisor of Elections by July 1st.

Mr. John Cameron introduced himself to the Board, as he was running for a seat in November. He has been a resident of Solivita for two-and-a-half years and retired in 2017 after serving 42 years in government service as a City Manager and Regional Director for a US Senator.

D. Field Manager**i. Field Manager's Report**

Mr. Smith presented the Field Manager Report, which was included in the agenda package. It has been a year since Ponds C-20 and A-12 were planted, due to prevalent algae issues. In his opinion, the plantings were beautiful and helped to stabilize the pond bank and prevent wind erosion. There was Spikerush and Pickerelweed. The plantings were successful, but there were complaints about C-20.

Ms. Epstein requested that an email with this information about the two ponds be sent to residents. Ms. Adams will send an e mail based on the education information from the University of Florida Institute of Food and Agricultural Services (UF/IFAS), regarding the benefits of the pond plantings or littoral shelves. Mr. Reed recommended obtaining feedback first from residents living on the ponds. Ms. Epstein preferred educating the residents before obtaining feedback and suggested having a public meeting. Ms. Carpenter recommended having it after the public hearing on the budget. Mr. Smith suggested inviting Clarke to make a presentation. Mr. Zimbardi asked if there was a monthly cost for the plantings. Mr. Smith stated that there was a monthly maintenance cost for the first year, guaranteeing a certain percentage of replacement of the plants. Discussion ensued and there was Board consensus for Ms. Adams to schedule an educational presentation on the pond plantings in August.

Mr. Smith reported that a resident requested the removal of a Cypress tree, but the CDD policy was not to remove healthy trees. An arborist would review the tree to determine its health and some roots would be trimmed. Mr. Smith asked whether the Board wanted to continue the CDD policy to not remove healthy trees on CDD pond banks. Ms. Epstein was in favor of removing a dead or sick tree, but not a healthy tree. Mr. Zimbardi asked if the lower branches could be trimmed higher. Mr. Smith had not instructed this in the past but could request it. Pond C-11 had a minor fish kill. The pond likely flipped and killed some Blue Gill. It has now stabilized. Mr. Zimbardi questioned how the pond flipped. Mr. Smith explained that the low oxygenated water at the bottom rises to the top from wind or excessive rain, suffocating the fish. They were looking into some issues on Pond B-15. The water level suddenly dropped but was now back to normal. He wanted to have storm drains in the vicinity scoped or cleared. The stocking of the ponds with Gambusia was completed in May. The fish seem to be thriving, especially on Ponds A-12 and C-20. He was continuing to monitor it. The Pond Treatment and Midge Maintenance Reports were provided to the Board.

ii. Customer Complaint Log

Mr. Smith presented the complaint log for May 16, 2022 through June 3, 2022, which was included in the agenda package. There were complaints about the grasses on Pond C-20. It was explained to residents that they were planted as part of a program. Mr. Reed emphasized that communication with residents that lived on the pond was important so they were not surprised. Ms. Epstein felt that they needed to do what was best for the CDD and the pond rather than what an individual might prefer. When residents learned the benefits and the purpose, there would not be much objection from residents.

iii. Consideration of Estimate for Drainage Improvements and Bank Repairs

Mr. Smith recalled discussion at the last meeting about repairing drains that terminated in the middle of the pond slope behind the Shorehaven pool on Pond D-9. Ms. Leo researched the Department of Health codes and spoke to Polk County who confirmed that pool discharge could be drained into a pond. Mr. Smith spoke to the pool vendor who has seen many pools drain into stormwater ponds and suggested adding a de-chlorinator to the line. Mr. Reed assumed from washout on the pond bank that the pipe has been in place for a long time. Ms. Adams noted an estimate from GMS in the amount of \$540.30 for labor, mobilization, equipment and materials, which was included in the agenda package. Mr. Smith explained that the proposed approach was to extend the pool drainpipe that terminates at the edge of the pond bank out into the pond area and run a corrugated pipe into the pond. Mr. Reed agreed as the current placement of the pipe was not correct.

On MOTION by Mr. Reed seconded by Mr. Zimbardi with all in favor the proposal from GMS for drainage improvements and pond bank repairs on Pond D-9 in the amount of \$540.30 was approved.

SEVENTH ORDER OF BUSINESS

Supervisor's Requests

Mr. Reed noted that this was the time of year when there was algae and noticed that Taylor Morrison was not keeping up with it. Mr. Smith stated that a contractor was onsite five days a week, but they could only treat every 14 days. Mr. Reed voiced concern about excess groundwater on west end of Solivita entering the pond by the entrance from the impending road

construction and development, which flowed into the wetlands. Ms. Leo advised that if there was groundwater flow to CDD property from any construction occurring off-site, the pre-development and post-development conditions must match according to the permitting process and they could not flow more water to the District under the permit. Mr. Reed asked if they would direct the water around Solivita. Ms. Leo stated that they must hold the water until it gets to a point where the volume was met and they must discharge that volume.

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

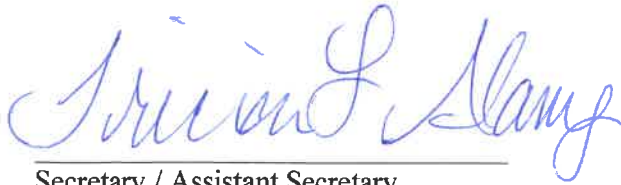
Next Meeting Date – July 20th, 2022

Ms. Adams announced that the next meeting was scheduled for July 20, 2022 at 11:00 a.m., which were the public hearings on the budget, the license application for drainage improvements on residential property and to amend and restate the tunnel rules. Ms. Epstein requested special notices on the public hearings. Ms. Adams would provide more detail in the notices. Per the Statute, they were required to notice the meeting in a newspaper of general circulation and the District met those requirements.

ELEVENTH ORDER OF BUSINESS

Adjournment

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



Secretary / Assistant Secretary



Chair/Vice Chairman