

**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, **September 21, 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
Elizabeth Lambrides	Assistant Secretary

Also present were:

Jeremy LeBrun	District Manager
Jan Carpenter	District Counsel
Kathy Leo	District Engineer
Clayton Smith	Field Manager
Ralph Bove	Volkeri, Inc.
Brian Hutchins	CFX – Government Affairs Coordinator
Jonathan Williamson	CFX – General Engineering
Nicole Goff	CFX – General Engineering
Residents	

The following is a summary of the discussions and actions taken at the September 21, 2022 Poinciana Community Development District's Board of Supervisors Meeting.

FIRST ORDER OF BUSINESS

Roll Call

Mr. LeBrun called the meeting to order and called the roll at 11:00 a.m. 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. Epstein opened the public comment period. Residents were asked to state their name and limit their comments to three minutes.

- Resident Don Rimdzius (San Raphael Street) represented SCAR of Poinciana, an organization of concerned residents of Poinciana who were against dividing Cypress Parkway with an elevated roadway through the center of downtown Poinciana. He requested that the Central Florida Expressway Authority (CFX) meet with SCAR to discuss their alternative of widening Cypress Parkway from four to six lanes and routing the Southport Connector Expressway down Poinciana Boulevard, so Poinciana residents would not be burdened with paying tolls to drive through downtown Poinciana.
- Resident Rick Lawson (Davinci Pass) questioned if CFX would not build the Southport Connector Expressway if residents continued to push for alternatives and if the Board could get Commissioner Arrington to meet with the study group to discuss their plan. Meetings with the Florida Department of Transportation (FDOT) were scheduled on October 12th at the Civic Center and on October 13th at the Poinciana Community Center from 5:30 p.m. to 7:30 p.m. to discuss the flyover over John Young Parkway. CFX was waiting to hear from the Army Corps of Engineers to see if the north plan was a possibility. Mr. Lawson's would speak later in the meeting.
- Resident Marilyn Taylor recalled that in Houston, Texas, the Federal Department of Transportation (DOT) stopped the construction of a highway because it was severely impacting minority and lower-income communities and requested that CFX take into the account the needs, wishes and wellbeing of the Poinciana community, which was as a low-income community.
- Resident Bill Dalton (Treviso Drive) plead with CFX to consider the future of Poinciana as what was being proposed would split the community, forever impact the livelihoods of all residents and destroy the community.

- Resident Valerie Baker (Del Mar Drive) believed that the CFX presentation should be before residents asked questions and that the questions be based on what CFX presented.
- Resident Robert Chaleff (Indian Wells Avenue) felt that this was not a good thing for the Poinciana community and CFX should get all the facts before making a decision.
- Resident Jonathan Proudfoot (Via Toledo Court) requested that CFX look at three alternatives at a minimum instead of one.

Ms. Epstein requested that any further or questions or comments from residents be sent to the email address provided by CFX. There being no further comments, Mr. LeBrun closed the public comment period.

FOURTH ORDER OF BUSINESS

Central Florida Expressway Update on Poinciana Parkway Extension Project

Mr. Ralph Bove of Volkeri, Inc. introduced his team and CFX staff and provided a presentation on the Poinciana Parkway Extension Project, highlighting the following:

- The Southport Connector Expressway Project Development and Environment (PD&E) Study started at Poinciana Parkway and extended to the Florida Turnpike to Canoe Creek Road, which was 15 miles. A section along Cypress parkway, represented a third of the overall project. The Southport Connector Expressway would address transportation needs in Central Florida and improve connections to existing roadways to handle growth and relieve congestion along Cypress Parkway. The Poinciana Parkway Extension would start at I-4 near State Road (SR) 429 to Cypress Parkway and along Cypress Parkway to Pleasant Hill Road. By 2028, more expansion was planned to accommodate increased growth in the eastern portion of the county.
- The project commenced after Osceola County initiated a Preliminary Engineering Study in 2009 to further evaluate the Southport Connector Expressway east of Pleasant Hill Road, after the Expressway Authority SR 417 Study was completed. The study began at the intersection of Cypress Parkway and Pleasant Hill Road and continued east to Canoe Creek Road.

- In response to Osceola County's vision in transportation needs, the Osceola County Expressway Authority (OCS) was formed in 2010. The OCS Governing Board adopted the OCS Year 2040 Master Plan in August of 2013, which identified Poinciana Parkway, including the segment along Cypress Parkway, Southport Connector Expressway, Northeast Connector Expressway and Osceola Parkway Extension, which represented the outer beltway of the Central Florida Expressway System in Osceola County. After the OCS Master Plan was adopted, OCS began developing studies and design plans for the first leg of Poinciana Parkway, an extension of Ronald Reagan Boulevard and Kinney Harmon Road from US 17-92 South to Cypress Parkway in Poinciana. The first leg of Poinciana Parkway was open to traffic in 2016, which was now being widened to four lanes to accommodate traffic.
- In 2013, FDOT initiated a PD&E Study for expressways in the OCS Master Plan, including the Southport Connector Expressway. The final FDOT Report recommended corridors beginning at the Poinciana Parkway Expressway and Cypress Parkway to Pleasant Hill Road. In 2016, CFX adopted the OCS Year 2040 Master Plan, inheriting all of the studies and projects.
- The first order of business for CFX, was to conduct a Concept Feasibility and Mobility (CFM) Study for the Southport Connector, Expressway which re-evaluated all of the previous studies regarding the use of Cypress Parkway and the Southport Connector Expressway south of Lake Toho. On December 10, 2018, the Osceola County Board of County Commissioners adopted an update to their long-range plan, extending it to 2040.
- Aerial photos from Google Earth, show the progression of Poinciana. In 2004, the Solivita Golf Course was under construction, there was increased development along Pleasant Hill Road and Cypress Parkway was four lanes from Marigold Avenue to Pleasant Hill Road. In 2021, Poinciana Parkway was open to traffic, even while it was under construction and development continues to grow. It was important to note that Cypress Parkway existed long before any development occurred, going back to the 1980s.

- Based on community input, there were many questions about why CFX was using the existing Cypress Parkway corridor. An Evaluation Study dated August 2008, noted that there would be the potential for significant relocation impacts east and west of Lake Toho and utilizing Cypress Parkway through Poinciana may reduce relocation impacts with an elevated expressway.

Discussion ensued and the Board addressed the following:

- Ms. Epstein asked if CFX looked at the social and environmental impacts of having an elevated highway down the center of Poinciana as there was considerable growth in Poinciana in the last 15 years. Poinciana did not exist when most of the studies were performed in 2005/2006. Mr. Bove explained that the current study would document changes in land use that occurred over time; however, it was the growth that contributed to the need for roadway improvements.

Residents raised voices in protest of Mr. Bove's explanation. Mr. LeBrun reminded the audience that this was a productive dialogue between the Board and CFX representatives and they should trust the Board to ask appropriate questions.

Ms. Nelson addressed the following questions that were received by residents:

- What consideration was given to the hard-working residents and businesses that would be disadvantaged by the proposed 30-foot-high concrete walls CFX proposes to erect for the Southport Connector Expressway down the center of downtown Poinciana, effectively dividing the community in half? Mr. Bove stated with the addition of expressway lanes and the relocation of Cypress Parkway, they were looking at concepts and working with Osceola County to maximize the opportunities to increase capacity along Cypress Parkway in the future.
- Why doesn't CFX widen Cypress Parkway from four to six lanes when it was rebuilt for the toll lane? SCAR believed that this was the best solution to increase traffic capacity by 50% and eliminate cars getting stuck at intersections from the one traffic light cycle. Mr. Bove explained that the current concept was for a four-lane expressway and ultimately a six-lane Cypress Parkway in the future.

- What is the toll that CFX plans to charge drivers traveling from Marigold Avenue to fly over two Cypress Parkway intersections for less than a mile overpass? Mr. Bove did not know and would get back to Ms. Lambrides.
- Will an estimated 25,000 vehicles making a right- or left-hand turn at the intersection of Cypress Parkway and Pleasant Hill Road per day cause a significant traffic backup and how does CFX plan to address this? Mr. Bove stated that CFX was looking at the turn lanes at all intersections along this project. The turning movements was not in the daily volume of traffic of 25,000. It was the peak hour of traffic or the amount of traffic that could go through a life cycle. Ms. Nelson noted that the traffic flow on Cypress Parkway would be reduced by 12% with the CFX plan of the Southport Connector Expressway down Cypress Parkway, due to longer red-light timing to clear the dramatically widening intersections. This would slow down traffic driving on Cypress Parkway at every other intersection.
- Ms. Lambrides requested that CFX allow SCAR to present their alternative and questioned how this could be facilitated as residents had the right to be heard? Mr. Bove suggested that the Board contact the CFX Communications Officer and include the contact person from SCAR to go into more detail about the alternatives that were looked at for the Southport Connector Expressway. However, the decision-making was going to be based on the alternatives that best minimize the damage to both human and natural environments. Ms. Lambrides would speak with Mr. Bove after the meeting. Ms. Epstein was on the working group for SCAR and they were told several times that CFX would not meet with them to discuss alternatives. SCAR had two alternatives, of which included Poinciana Boulevard that would cause less damage to downtown Poinciana.

Mr. Glenn Pressimone, Chief of Infrastructure for CFX reported that the alternatives were presented, looked at and shared at a meeting with a Commissioner from Polk County and a State representative and this was the alternative that was the most reasonable. Ms. Epstein pointed out that CFX did not look at the second alternative that incorporated Cypress Parkway rather than going through the town of Poinciana and dividing the community. Cypress Parkway was the only internal street that Poinciana residents had to get through the community. Mr. Pressimone

explained that Osceola County did not support the alternative going through the interior streets and a right-of-way (ROW) on Cypress Parkway was acquired several years ago with the intention of expansion. Mr. Zimbardi believed that CFX had not even looked at the SCAR alternative. Mr. Pressimone did not know who refused to meet with SCAR and would coordinate with Ms. Epstein after the meeting to schedule the meeting.

- Ms. Nelson received a comment from a resident who stated that the SCAR alternative provided for less relocation and community impact and felt that Osceola County did not prioritize the needs of all residents. Mr. Pressimone disagreed because their Cypress Parkway alternative had no relocations. Ms. Epstein pointed out CFX was relocating Cypress Parkway by making room for a divided highway in the middle of the road and widening to allow for a walled highway to be developed on either side of Cypress Parkway, affecting all of the houses and business along the Cypress Parkway corridor. Mr. Pressimone clarified that they were building entirely within Cypress Parkway.
- Mr. Zimbardi stated in the multitude of studies, he could not find any discussion about an option to widen Cypress Parkway. Mr. Pressimone noted alternatives were identified in the SR 417 Concept Development and Evaluation Report from 2006. Mr. Zimbardi asked if the route down Poinciana Boulevard was evaluated. Mr. Pressimone confirmed that the Southport Connector Expressway study area limit started at Poinciana Parkway and extended all the way to Canoe Creek Road. Ms. Nelson did not see any east-west alternatives besides Cypress Parkway. Mr. Pressimone explained that the study area was around Cypress Parkway.
- Mr. Zimbardi asked if there was any consideration for aesthetics and how it would effect businesses on either side. Mr. Pressimone replied that CFX considered aesthetics to minimize visual effects. The existing system had several examples of aesthetic treatments throughout its program. They were looking at a concept that would allow cross and visual activity and not a wall section for the entire way. Alternatives would be shown at a public meeting. Mr. Zimbardi asked if it would increase the cost. Mr. Pressimone stated they were still conducting studies.
- Ms. Nelson requested that CFX consider when they build that road, that there was going to be a huge negative impact to the real estate values of all homes along the

northern edge of Solivita. Mr. Zimbardi asked CFX to consider that 90% of Solivita residents were in the audience and 60,000 residents of Poinciana were not present because they worked two jobs.

- Ms. Lambrides questioned the dates and times of future CFX meetings. Mr. Pressimore stated it depended on the when the alternatives were completed and they knew where they were heading, but he would definitely schedule a meeting with Ms. Epstein and SCAR. Ms. Lambrides questioned whether CFX was a private company. Mr. Pressimore confirmed that CFX was an agency of the State of Florida. Ms. Lambrides questioned what happened if there was agreement to move the Southport Connector Expressway away from Cypress Parkway. Mr. Pressimore explained that State Representatives had input, but their oversight was the CFX Governing Board.

Ms. Epstein thanked Mr. Bove and Mr. Pressimore for their presentation and answering questions and contact information would be posted on the <https://poincianacdd.org> website for residents to send additional comments to CFX, which would be included in the public record.

FIFTH ORDER OF BUSINESS

Approval of Minutes of the August 17, 2022 Meeting

The Board had no comments or corrections to the August 17, 2022 minutes.

On MOTION by Mr. Zimbardi seconded by Ms. Nelson with all in favor the Minutes of the August 17, 2022 Meeting were approved as presented.

SIXTH ORDER OF BUSINESS

Consideration of Drainage Improvement Application and License Agreement for 662 Shorehaven Dr.

Mr. LeBrun presented a Drainage Improvement Installation Application for 662 Shorehaven Drive, which was included in the agenda package. This was the first application that the Board considered under the new rule. The pop-up emitter that the Board discussed to stop erosion in discharge areas, was installed and documentation was provided. Staff reviewed the application and recommended approval.

Ms. Nelson moved to approve the Drainage Improvement Application and License Agreement for 662 Shorehaven Drive and Ms. Lambrides seconded the motion.

Mr. Zimbardi asked if Mr. Smith had any issues. Mr. Smith confirmed that he reviewed it and it did not look like it impacted a CDD pond. Ms. Leo agreed. Ms. Carpenter felt that there was no need for the Board to approve the application. Mr. Zimbardi agreed and requested that the residents receive a refund if they paid an application fee.

The prior motion was withdrawn.

SEVENTH ORDER OF BUSINESS

**Review of HOA Correspondence
Regarding Management of Reclaimed
Water (Irrigation) System**

Ms. Carpenter stated that the District owned the large, reclaimed water lines, which were 8 to 10 inches and entered into a Reclaimed Water Maintenance Agreement with the Solivita HOA in 2012 for the HOA to maintain the reclaimed water system. However, the District received a letter from the HOA electing not to renew the agreement, but their request was denied as there was a 180-day notice of termination provision in the agreement. Copies of the letters were included in the agenda package. Staff wanted to discuss with the HOA what prompted the letter and explain how the reclaimed water system worked because it did not make sense for the residents to have two different entities maintaining the reclaimed water system and paying additional costs. There was no response to staff's letter to the HOA. Ms. Leo asked if any Board Member had any connection to the HOA. Ms. Epstein questioned the cost for the District to maintain the reclaimed water system. Mr. Reed noted that no funds were budgeted. Mr. Reed believed that the HOA made this decision based on liability concerns, was a gut reaction and requested that the HOA and the Poinciana and Poinciana West CDDs meet to review this agreement as well as all other agreements. Discussion ensued.

EIGHTH ORDER OF BUSINESS

Staff Reports

A. Attorney

There being none, the next item followed.

B. Engineer

Ms. Leo was expecting the acquisition documents to be delivered on the transfer of the ponds. Ms. Lambrides recalled that the Poinciana West CDD discussed scheduling workshops to discuss the details. Ms. Carpenter was preparing a spreadsheet of all items and once they were close to approval, a workshop would be scheduled. Ms. Epstein suggested scheduling the workshops at a time that would not conflict with the Poinciana West CDD meeting. There was Board consensus to follow Ms. Carpenter and Epstein's recommendations.

C. District Manager

i. Action Items List

Mr. LeBrun presented the Action Items List, which was included in the agenda package.

ii. Approval of Check Register

Mr. LeBrun presented the Check Register from August 10, 2022 through September 12, 2022 in the amount of \$155,131.53.

Mr. Zimbardi MOVED to approve the August 10, 2022 through September 12, 2022 Check Register in the amount of \$155,131.53 and Mr. Reed seconded the motion.

Ms. Nelson questioned Check #6150 to reimburse Mr. Jonathan and Jean Gonzalez. Mr. LeBrun would verify.

On VOICE VOTE with all in favor the August 10, 2022 through September 12, 2022 Check Register in the amount of \$155,131.53 was approved.

iii. Balance Sheet and Income Statement

Mr. LeBrun presented the Unaudited Financial Statements through August 31, 2022, which were included in the agenda package. No action was required by the Board. Mr. Zimbardi questioned how the District was doing financially. Mr. LeBrun confirmed that the General Fund balance was \$734,473 and the District was within budget.

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

Mr. Smith presented the Field Manager Report, which was included in the agenda package. They were reviewing the overall quality of the landscaping as there was a fairly rainy season this year, more so than last year and were satisfied with the vendor's performance. Some hydrilla treatments were completed in the ponds based off of algae and other blooms of aquatic plants, especially in the lakes that were tough to manage. Otherwise, the landscape vendors kept up with the ponds. Pond E3 was discussed at the last meeting and it was discovered that there was erosion around the pond bank, due to continuous wind erosion. Ms. Leo and Mr. Smith recommended littoral plantings for Pond E3 versus spending money on repairs, which was a waste of money due to the continuous wind erosion. Mr. Smith suggested obtaining a proposal for the top 12 ponds and having the Board choose the ponds.

Mr. Zimbardi suggested polling residents on the pond plantings as many residents paid a premium to live on a pond and did not want anything blocking their view. In addition, fishermen were objecting about plantings along the edge. Ms. Epstein enjoyed Clarke's presentation and suggested educating residents on the purpose of the ponds before polling them. Ms. Carpenter suggested having Mr. Smith obtain a proposal from Clarke and having Clarke attend a meeting so residents could hear the presentation. Ms. Epstein stated if they were going to make provisions for fishing, they needed to designate areas and not have plants in those areas. *After further discussion, there was Board consensus for Mr. Smith to provide a proposal at the next meeting.*

Mr. Smith presented the Aquatic Maintenance Report, which was included in the agenda package. This time of year, having shoreline grasses was not uncommon and was continually being treated. The ponds that had filamentous algae in the last report, no longer had it.

ii. Customer Complaint Log

Mr. Smith presented the complaint log, which was included in the agenda package. The major complaint was in the pond behind Grand Canal Drive, which had pond weed. It was hard to manage, but they were continuing to work on that. All other complaints were dealt with.

Ms. Nelson asked if it was possible to paint the infrastructure a darker color. Mr. Smith noted some communities painted their infrastructure an invisible green like Disney, but it was expensive and must be completed during the dry season. Ms. Carpenter recommended budgeting

as a capital expenditure for next year. Ms. Epstein suggested considering with the plantings and during maintenance. Ms. Nelson requested a list of infrastructure behind people's homes that were easily seen. Mr. Smith stated that Ms. Leo had maps. Mr. Zimbardi asked if all of their ponds were used for stormwater management. Ms. Leo could not hear Mr. Zimbardi and would send him a text.

Ms. Carpenter left the meeting.

NINTH ORDER OF BUSINESS

Supervisor's Requests

There being none, the next item followed.

TENTH ORDER OF BUSINESS

Other Business

There being none, the next item followed.

NINTH ORDER OF BUSINESS

General Audience Comments

Ms. Epstein opened the general comment period. Residents were asked to state their name and limit their comments to three minutes.

- Resident Larry Anson (Santavita Place) thanked the Board and management for the savings on their Tax Bills. Both CDDs had an excess of cash. In 2020, there was an unassigned cash surplus of \$418,503, \$544,577 in 2022 and \$734,000 as of August 31st, and suggested that the Board look at it, as there was a profit margin of 15.9%, which far exceeded corporate America. Ms. Lambrides pointed out that the District was not in the business of making a profit.
- Resident Florence Filak (Shorehaven Drive) reported vandalism in the community with spray painting and missing Alligator signs by the lake. *Mr. Smith ordered additional signs.*
- Resident Martin Travis (Pinehurst Cove) noted that many residents wanted to express their opposition on the Southport Connector Expressway, but not know what was happening. He hoped this could be defeated, felt that the CFX team were arrogant and offered assistance to get the word out to residents. Ms. Epstein understood that most meetings held by CFX were in a room at the library where 50 to 60 people were in attendance. When the report was ready, they would be holding another meeting in Poinciana at Liberty High School and hoped they had

good attendance, as only 15 to 20 people attended last year. Mr. Travis attended last year's meeting and only found out about it a couple of days beforehand and suggested notifying residents sooner. Ms. Epstein suggested that residents provide written comments to the CFX Communications Officer. Ms. Epstein pointed out that a Reporter from the Orlando Sentinel was present and hoped to see an article in the newspaper to get information out to residents. Ms. Nelson suggested including an article in the Poinciana Pioneer that goes out to all villages. Ms. Epstein tried to publish one, but they refused.

- Resident Anita McMullen (Treviso Drive) requested a list of all the representatives who participated in the CFX decision. *Ms. Epstein stated that Polk County did not have a representative on the CFX Board and it was up to the CDD Board to inform the Poinciana Village residents who voted in Osceola County.* Ms. McMullen asked if there was a legal issue as this decision affected the poor and minorities. Ms. Epstein was speaking to the Civil Rights Division at FDOT to discuss this matter.
- Resident Rick Lawson (Davinchi Pass) spoke to Poinciana Village residents as well as the Fire Department, the hospital and McDonalds Corporation over the past several months and they are not in support of the CFX plan. The Fire Department Captain thought it was a joke as it would be difficult for them to handle emergencies and felt that the plan was not clear or thought out. Commissioner Arrington would not speak with him. Ms. Epstein had been trying to speak with Commissioner Arrington for six months and they refused. They offered to arrange a meeting for Mr. Lawson with CFX, but he already scheduled a meeting and met this week with Dr. Lucretia Starnes, a Professor at Valencia College, who wrote the article, "*The Unpleasant Hill Road.*" She wanted to schedule a Town Hall Meeting at Liberty High School.

There being no further comments, Mr. LeBrun closed the general audience comment period. Residents on Zoom were disconnected, but their comments would be sent electronically.

September 21, 2022

Poinciana CDD

TWELFTH ORDER OF BUSINESS

Next Meeting Date – October 19th, 2022

Ms. Epstein stated that the next meeting was scheduled for October 19, 2022 at 11:00 a.m.

THIRTEENTH 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