

**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, **November 16, 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:

Tony Reed	Vice Chair
Robert Zimbardi	Assistant Secretary
Anita Nelson	Assistant Secretary
Elizabeth Lambrides	Assistant Secretary

Also present were:

Tricia Adams	District Manager
Jan Carpenter	District Counsel
Kathy Leo	District Engineer
Clayton Smith	Field Manager
Sheri Wollschlager	Evergreen Lifestyles
Residents	

The following is a summary of the discussions and actions taken at the November 16, 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. Epstein.

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 opened the public comment period. Residents were asked to state their name and limit their comments to three minutes. Resident Mr. Robinson Morales of 113 Amalfi Lane complained about the midges on Pond E3. Five years ago, after he complained, the county, UF and Board Members inspected the pond and decided to place fish, an aerator and spray once a week. Since then, the influx of midges was controlled. In September, he contacted GMS regarding damage caused to solar panels and water not flowing as it should be. Mr. Smith verified that the lights were addressed and the solar panels would be addressed. When he contacted GMS in October, he was told that it was not cost effective to replace the solar panels, which he disagreed with because of the midge problem. There being no further comments, Ms. Adams closed the public comment period.

FOURTH ORDER OF BUSINESS

Approval of Minutes of the September 21, 2022 Meeting

Ms. Adams presented the draft minutes from September 21, 2022 meeting, which were included in the agenda package. Ms. Nelson and Mr. Reed submitted corrections which were incorporated.

On MOTION by Mr. Reed seconded by Ms. Nelson with all in favor the Minutes of the September 21, 2022 Meeting were approved as amended.

FIFTH ORDER OF BUSINESS

Consideration of Fiscal Year 2022 Audit Engagement Letter

Ms. Adams stated that the District was required to undergo an independent annual audit and presented an Audit Engagement Letter from Grau & Associates (Grau) to provide auditing services for Fiscal Year 2022, which was included in the agenda package. Staff preferred to proceed with the audits as early in the year as possible because the District was required to file an audit with the State of Florida by June 30th of each year. The proposed fee was \$3,500, which was consistent with the multi-year audit agreement that the Board approved previously, which runs through 2024.

On MOTION by Mr. Zimbardi seconded by Ms. Nelson with all in favor the Agreement with Grau & Associates to provide auditing services for Fiscal Year 2022 in the amount of \$3,500 was approved.

SIXTH ORDER OF BUSINESS

Overview of Stormwater System Operation

Ms. Leo presented an overview of the District’s stormwater management system, which was prepared by the South Florida Water Management District (SFWMD) and included in the agenda package. The following was highlighted:

- Poinciana was at the northern edge of the SFWMD. Before the area was developed, there was marshy area.
- With Hurricane Ian, some areas received 15 inches of rain. It was considered a 500-year storm, which Poinciana was not designed to handle.
- Poinciana did not have any pump stations but had a system of ponds that discharged to canals. The system of ponds does not require pumping water.

Ms. Nelson asked if the water from Poinciana flowed into the south. Ms. Leo explained that ultimately their system of ponds and canals flowed into the wetland stream and into the Kissimmee River.

- Poinciana was designed with a Master Plan that was approved before any development so that the wetland system did not flood any homes or roads. With the current system, it takes time for water to drain. The District did not have a pump station, but it had ponds and a network of pipes that connected the ponds and discharge.
- In 4 to 6 inches of rain in a 24-hour period, there would be standing water in yards, swales and ditches, but the crowns of the road should remain passable. With 7 to 10 inches of rain in a 72-hour period, roads, swales and ditches flood, but buildings would remain dry. With 10 to 20 inches of rain in a 72-hour period, which was what occurred with Hurricane Ian, there was an expectation of flooding. Areas that had no experience with floods, up and down the St. Johns River and in downtown Orlando, experienced flooding for the first time.
- The District had minor issues over the years with the stormwater system, but in Ms. Leo’s opinion, the system functioned well; however, with Hurricane Nicole,

the community reached the point of saturation, with a high-water table in the ponds. There must be several dry months before the water recedes.

- There was shared responsibility to maintain the facilities between the HOA and the Poinciana and Poinciana West CDDs and everyone did a good job of ensuring that the neighborhoods function well.
- There was an annual inspection to ensure that there were no blockages in the system and year-round maintenance to ensure that areas were mowed and accessible.
- The amount of wind that the District received with both hurricanes, exacerbated the erosion on the side slopes. She spoke with Mr. Smith about management practices, such as mowing and edging around the water's edge and keeping canals clean.

Ms. Nelson questioned what caused the flooding by the parkway gate. Mr. Reed explained that the Parkway was in the upper Kissimmee basin and when the road structure was changed, it increased the flow during these events. The issue on Cypress Parkway needed to be further investigated as it was a violation of the Florida Code for drainage since more water was sent to the District than it was designed for. In Ms. Leo's opinion, it was a temporary situation exacerbated by the extreme amount of rain. Mr. Reed stated that CFX was providing new calculations and requested that Ms. Leo review them. Ms. Leo pointed out that the only work that was occurring was the expansion of Poinciana Parkway from two lanes to four lanes. Mr. Reed stated there would be re-calculations based on what transpired.

SEVENTH ORDER OF BUSINESS

Review of Flooding on Public Roadways Outside of Poinciana CDD

Ms. Adams stated that Mr. Reed requested a review on the flooding on public roadways out of the District. Mr. Reed stated that CFX was reviewing the calculations and would provide a report on the situation. They were not maintaining the ditch system along Cypress Parkway, but they intended to widen the road and restore the ditch system to full functionality. The second hurricane tested the District's storm drain system and it held up exceptionally well, but there were a couple of weak spots. The weakest spot in Solivita was the southern canal running from north to south through Solivita. The road flooding was a result of the wetlands being saturated

due to a large amount of rainfall in a short period of time, but it quickly dissipated over 24 hours and there were no major issues. The Board did not need to take action at this time.

EIGHTH ORDER OF BUSINESS

Consideration of Temporary Access Agreement with Avatar for Pool Drain Maintenance

Ms. Adams reported that the District was contacted by Avatar regarding the installation of a pool drain. Over the years, the drains collapsed and needed to be reinstalled. Avatar would need to access the District property in order for Floralawn to install the pool drain. They were ready to start as soon as there was Board approval and it should take a day or two. District Counsel prepared the Temporary Access Agreement with protections for the District. Ms. Carpenter stated that this was a standard temporary construction instrument and requested that the Board delegate authority to the District Manager on behalf of the District. Ms. Adams was notified by Solivita Club that this type of drain work was occurring in several pools this season and would present future agreements each time that they needed to access property, so it would not impede the installation of the drain. Ms. Lambrides asked if there must be a separate agreement for each property. Ms. Adams stated that the separate agreements will identify the exact parcel. A map was attached to the agreement included in the agenda packet. Each project would be assessed by the Club to determine whether or not they would need to access District property. Ms. Carpenter noted that that her paralegal would prepare the document to keep fees down.

On MOTION by Mr. Reed seconded by Mr. Zimbardi with all in favor the Temporary Access Agreement with Avatar for pool drain maintenance was approved.

Ms. Adams thanked Ms. Sheri Wollschlager for attending this meeting on behalf of the Club to answer questions. Mr. Reed asked if all of neighborhood pools drained into a pond. Ms. Wollschlager replied affirmatively.

NINTH 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

Ms. Adams recognized that today was Ms. Lambrides last day as a Board Member as her seat expired on November 22nd and thanked her for her service. Ms. Lambrides thanked everyone for this opportunity. She enjoyed it and learned so much.

Ms. Adams reported that staff was reviewing the District's finances in terms of opportunities for investing any surplus funds. The District adopted an Investment Policy, allowing for certain investment classification per Florida Statute such as money market accounts and a shared fund administered by the State Board Administration. After the first of the year, staff would be providing a recommendation for the surplus funds. The State Board of Administration option was most likely the best option under the current policy guidelines.

i. Action Items List

Ms. Adams presented the Action Items List, which was included in the agenda packet and reported on the following:

1. Parcel Conveyance from Taylor Morrison to CDD: In July, staff requested documentation to continue the review process, but Taylor Morrison staff was busy with other projects. District Counsel had spreadsheets that were previously used, which were helpful to identify each parcel, provide a working sheet on any field work and any other work that need to be completed before it was ready to be recommended for conveyance.
2. Aerator Removal Experiment: This item had been on the Action Items List since last December. The aerators were not working properly and it was determined that the best course was to continue to operate the aerators to the extent that there were available parts, but not to invest any additional funding in the aerators.

3. Monitor Central Florida Expressway – Poinciana Parkway Projects: Parkway Connector: In Process. CFXWay.com Project #599-233. At the September meeting, there was a presentation from Central Florida Expressway and the Chairman was delegated the authority to work with CFX.
4. Erosion Repairs: As a result of a presentation from Clark regarding the benefits of shoreline plantings, there was discussion about littoral shelf plantings and erosion repairs.

ii. Approval of Check Register

Ms. Adams presented the Check Register from September 13, 2022 through November, 2022 in the amount of \$110,257.98. Ms. Lambrides apologized for the re-issuance of her checks, which was due to the Post Office losing her mail when it was forwarded to West Virginia.

On MOTION by Ms. Lambrides seconded by Mr. Zimbardi with all in favor the September 13, 2022 through November, 2022 Check Register in the amount of \$110,257.98 was approved.
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iii. Balance Sheet and Income Statement

Ms. Adams presented the Unaudited Financial Statements through September 30, 2022, which were included in the agenda package. No action was required by the Board. The Board did a great job controlling expenses. Ms. Nelson questioned where the additional money from people paying their fees upfront go in the budget. Ms. Adams explained that there was a transfer from the General Fund to the trustee account. In the early part of the fiscal year, the trustee's account was with the US Bank, but once that bond was refunded, it was then with Hancock Whitney Bank. Ms. Nelson asked if the money was used to pay down the debt service. Ms. Adams stated that part of the Adopted Budget included the schedule for the bond payments. On Page 4 of the financials, there were scheduled payments for principal and interest each year. Interest payments were due twice a year, on November 1st and May 1st and the principal payment was due on May 1st. An Amortization Schedule was attached to the budget, showing the principal and interest payments. If the District received additional pre-payments on the bonds, from a resident paying off their bonds, the Trustee had an opportunity to do a special call.

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

Mr. Smith presented the Field Manager Report, which was included in the agenda package. One of the major activities was landscape and pond maintenance. There were no major maintenance issues as all algae issues were under control. The storms caused a great deal of water flowing through the District's stormwater system. He and Ms. Leo discussed some opportunity to spray some of the edges. The ponds were at a reasonable level, not necessarily high, but there was saturation everywhere. As soon as the storm hit, staff was out inspecting the property and going through the complaints. The water had gone up in some areas, more on the Poinciana West side, but it receded by Friday. Some areas had high water and other major issues, but with Solivita being essentially a swamp, the community did well. He did not have any concerns from a maintenance perspective. They continued to look at resident concerns and documented them. Most residents were just scared and worried. Staff was reviewing every pond, but it does take time as they were assessing the erosion and plantings. There was some wind erosion. They could not do anything right now because the water was very high. A few skimmers were damaged, having been made entirely of fiberglass. They did not have any metal components other than the anchors going into the concrete. If they get enough wind or water going through there, they tend to collapse. Staff were currently assessing and documenting which ones needed immediate repair, but with some of them, the water was too high to drill on the structures and they had to wait for the water to go down so anchors could be added. When they make repairs, aluminum brackets were typically used. They would be working on them after the holidays when everything was dried out. Mr. Smith reported that two ponds were planted and were looking at 12 ponds to address erosion issues, weighing the cost against the impact to those areas. He hoped to have more information in the future.

Mr. Smith presented the Aquatic Monthly Treatment Report from Clarke, which was included in the agenda package. The vast majority of ponds were clean, but a small percentage were treated for some shoreline grasses and algae. The shoreline grasses were always there, but they had to monitor the algae. A few ponds were treated for algae and only two were treated for hydrilla. A report for the Midge Management Program was also included. Last year, Clarke implemented a different system due to the change in some products. At this time, every pond was covered. The higher priority ones were treated every week. The other ponds were sprayed as needed and anytime that they received a complaint. They could spray a larvicide one time as

needed. This program worked well for the District, but midges were a natural product of the environment and could spawn in any area holding water; however, many areas could not be treated such as the wetland areas. They placed 90 acres of fish into the ponds this year and restocked Pond E3 with specific fish that targeted midge and mosquito larva as the prior fish that were stocked were full grown and did not eat midge larva any more. This year, they had midges in ponds towards the northwest edge of the property and only one pond had aerators. In all of his communities, only 20 to 25 ponds had aerators as they were expensive to maintain and broke down a lot. They used solar to save on the cost of electricity. They had five aerators in the District, which were constantly breaking and staff made the decision to not replace them and would remove them in the next six months. He did not believe that there would be an increase or influx of midges by not having aerators. No matter what they did, they would not have complete control over them. Having Clarke's Midge Management Program in place was the most cost-effective solution.

Mr. Reed requested that Mr. Smith closely monitor Pond E3 based on Mr. Robinson's concern and asked whether the District had the most aggressive midge control program. Mr. Smith confirmed that it was the most aggressive program that he ever worked with. Ms. Nelson read that spraying did not affect the midges, like it affected the mosquitoes. Mr. Smith noted that they used a fogger that released fog into the air, killing the midges and mosquitoes. Ms. Nelson pointed out that it killed the lives ones, but not the larva. Mr. Smith explained that in order to treat the larvae, they applied a barrier spray to try to keep them off of the water. Residents should keep their lights off at night and have their own pest control company come out to treat their house with barrier sprays.

ii. Customer Complaint Log

Mr. Smith presented the complaint log, which was included in the agenda package. Some were forwarded to the HOA. There were some midge complaints. One resident was concerned about the fish going down the drain due to a damaged skimmer. He spoke to the resident and it was dealt with. Mr. Reed recalled an open item two months ago about contacting Polk County regarding mosquito treatments. Ms. Adams recalled that someone asked at a Board Meeting who was responsible for mosquito control. She did not know the answer at that time but did confirm that Polk County was responsible for mosquito control. Ms. Sheri Wollschlager had the schedule.

Mr. Reed assumed if there were issues, they could notify the County and the County would come out to deal with it. Ms. Adams stated that there was mosquito hotline with the County, which any resident of Polk County could call. The County could do certain testing and routine sprays. Mr. Reed felt that it was working well.

TENTH ORDER OF BUSINESS**Supervisor's Requests**

Mr. Reed was working on documents for the reclaimed water. The latest one was the Florida Governmental Utility Authority (FGUA) with Avatar. There were four pages of comments and questions, but he had no one to get answers from. After January, when everybody was in position, he requested a meeting with all of the HOA and CDD elected representatives of Solivita to get to know each other and exchange ideas and information.

ELEVENTH ORDER OF BUSINESS**Other Business**

There being none, the next item followed.

TWELFTH ORDER OF BUSINESS**General Audience Comments**

Ms. Adams opened the general comment period. Residents were asked to state their name and limit their comments to three minutes. Resident Diane Jorio (Tapatio Lane) asked if there was any hope of combining the two Boards. Ms. Carpenter stated that it was discussed and it was up to the Poinciana West CDD to come back to the Board. Ms. Jorio thanked Ms. Lambrides for her years of service and asked if the drainage from the pool into the pond hurt the fish. Ms. Lambrides believed that the runoff was from the deck.

Resident Mr. Robinson Morales of 113 Amalfi Lane asked if the District would repair the aerator on Pond E3. Mr. Clayton explained that the aerator was bumped by a tractor, but it did not affect the operation of it. Since it was not cost effective to repair the aerator, it needed to be removed. Mr. Reed was not in favor of spending money to repair the aerators. Mr. Morales believed that there was an issue with the water in the pond and requested a fountain. Mr. Smith recalled that proposals for fountains were provided to the Board for consideration, but it was between \$35,000 to \$50,000 per pond and recommended that the Board allow them to manage the midges as they had one of the most comprehensive programs in place. Aerators would not contribute to the overall midge management and fish and treatments would do more. Ms.

Lambrides asked when fish were added to Pond E3. Mr. Smith stated that 11,000 gambusia and 5,500 shrimp were placed into the pond in July or August. The shrimp targeted deep water midges and gambusia targeted the edge midges. Mr. Morales questioned the length of the season for midges. Mr. Smith stated that it was usually two or three months. There being no further comments, Ms. Adams closed the general audience comment period.

THIRTEENTH ORDER OF BUSINESS **Next Meeting Date – December 21st, 2022**

Ms. Adams stated that the next meeting was scheduled for December 21, 2022 at 11:00 a.m. Mr. Jon Cameron, Supervisor-Elect, would be sworn in.

FOURTEENTH ORDER OF BUSINESS **Adjournment**

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

 _____ Secretary / Assistant Secretary	 _____ Chair/Vice Chairman
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