

**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, **February 21, 2024** 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
Jon Cameron (<i>via Zoom</i>)	Assistant Secretary

Also present were:

Tricia Adams	District Manager
Jan Carpenter	District Counsel
Kathy Leo	District Engineer
Joel Blanco	Field Services
Cherrief Jackson	Clarke Midge Control
Residents	

The following is a summary of the discussions and actions taken at the February 21, 2024 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 11:00 a.m. All Supervisors were present with the exception of Mr. Zimbardi.

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.

February 21, 2024

Poinciana CDD

- **Acceptance of Resignation of Lita Epstein and Declaring Seat #4 Vacant (Added)**

Ms. Epstein submitted a resignation letter, which was effective the end of this meeting, as she was elected to the HOA Board. Ms. Adams requested a motion to declare Seat #4 vacant, effective February 22, 2024, as Ms. Epstein would be participating in this meeting.

On MOTION by Ms. Nelson seconded by Mr. Reed with all in favor declaring Seat #4 vacant effective February 22, 2024 was approved.

Ms. Adams would discuss the procedure for fulfilling the vacancy and election of officers under Other Business.

FOURTH ORDER OF BUSINESS

Approval of Minutes of the January 17, 2024 Meeting

Ms. Adams presented the minutes from the January 17, 2024 meeting, which were reviewed by District Counsel and management staff. Corrections were received by Ms. Nelson, prior to publication of the agenda package, due to incorrect word choices and name corrections. The corrected version of the minutes was included in the electronic agenda packet. Ms. Adams noted that the District Engineer's last name was incorrect, which would be corrected. Mr. Reed questioned the date of Floralawn's contract. Ms. Epstein recalled that Floralawn's contract ended in October. Ms. Adams explained that due to the amount of the contract, there would be a public bid process. The District had a five-year agreement with Floralawn and the Board would need to consider a landscape maintenance agreement starting October 1, 2024. Mr. Reed recalled the minutes stating that the contract expired on September 30, 2024, which had not yet occurred. Ms. Adams would change it to say that the contract expires on September 30, 2024. Ms. Epstein pointed out that the HOA would consider the final contract on February 26th for the new landscape company, which was selected by the Board and they would start at the end of March.

Mr. Zimbardi joined the meeting.

Ms. Carpenter stated on Page 5, the statement "*two or more Board Members could not sit together outside of a meeting*" should be, "*two or more Board Members should not sit together outside of a meeting, if there is going to be a discussion of actions that could come before the Board.*"

February 21, 2024

Poinciana CDD

On MOTION by Mr. Reed seconded by Ms. Nelson with all in favor the Minutes of the January 17, 2024 Meeting were approved as amended.

FIFTH ORDER OF BUSINESS

Consideration of Non-Ad Valorem Agreement with Polk County

Ms. Adams presented a Non-Ad Valorem Agreement with Polk County, which was included in the agenda package. It was an annual agreement that allowed the CDD to put the non-ad valorem assessment, the CDD fee, on the property tax bill. GMS' Assessment Administration team reviewed the agreement and was aware of the dates in the agreement, to place the assessment on the tax bill. Staff recommended approval. Mr. Reed asked if there were any changes from last year. Ms. Adams noted no substantive changes.

On MOTION by Mr. Reed seconded by Ms. Nelson with all in favor the Non-Ad Valorem Agreement with Polk County was approved.

SIXTH ORDER OF BUSINESS

Consideration of Revised FY2024 Meeting Schedule

Ms. Epstein stated there was a request to change the Fiscal Year 2024 meeting schedule, due to the time of the meeting changing from 11:00 a.m. to 12:00 p.m., as the Poinciana West CDD meetings were running late, which would change after this meeting. Ms. Adams confirmed that the ballroom was available; however, there was another activity, requiring staff to set up the room as early as 2:30 p.m. Therefore, this meeting would need to end by 2:15 p.m., in order to sign documents and clean the room prior to 2:30 p.m.

On MOTION by Ms. Nelson seconded by Mr. Reed with all in favor the Fiscal Year 2024 revised meeting schedule as presented was approved.

SEVENTH ORDER OF BUSINESS

Presentation of Proposal for Tunnel Repairs

Ms. Adams recalled at the last meeting, the Board was informed that there were issues with both tunnels that required maintenance. Since that time, the field management team had been working with the District Engineer regarding the appropriate scope and obtained a proposal for maintenance, which was included in the agenda package. Ms. Leo consulted with their

February 21, 2024

Poinciana CDD

structural engineering team on a proposed solution for the repair and they referred to Department of Transportation (DOT) specifications on the concrete strength and how to proceed. Mr. Blanco reported that he and Mr. Smith looked at the tunnels and consulted with a Structural Engineer. There were cracks inside of the Venezia tunnel, in the road portion and proposed saw cutting a 6 x 3-foot rectangle around where it was lifting and reinforcing it with high strength concrete. There were two portions within that tunnel where it was lifting. In addition, they proposed adding thermoplastic lines to replace the lines that divide both roads, which were worn on the outside and to replace two defective light bulbs in the tunnels and an overhanging entrance sign, which was off at the time of the review. The total cost of all items was \$4,208.16, for four workers at eight hours a day for two days. Unfortunately, due to the location of the cracks, they must close the tunnel for two days. If this was approved, the plan moving forward, was to reach out to the HOA and have them send an email blast one week in advance, to inform residents that the tunnel was going to be closed for at least two days, to undergo maintenance repairs. There would also be signage. After the repairs were made, Mr. Blanco would review them, remove the signs and have the HOA send an email that the tunnel was in full use.

Ms. Epstein recommended that the email be sent by the neighborhood captains, as they had a better list and could send it to Venezia residents. Ms. Adams pointed out that along with the HOA, agendas were distributed to the neighborhood captains and suggested that they use the same distribution list. Ms. Epstein agreed. Ms. Nelson recommended posting signs and felt this would solve the problem, as she went through the tunnel the other day and the concrete almost hit her cart. Mr. Blanco confirmed that sawing it around the area and reinforcing it with high strength concrete, would evenly flow with what was already there and the District Engineer agreed that this was the proper solution. Ms. Leo explained that the type of concrete being used, was a rapid cure one, which required a 24-hour cure. Mr. Zimbardi voiced concern that they would get pushback from residents by closing the tunnel for two days. Ms. Epstein pointed out that the majority of Venezia residents wanted the tunnel to be fixed. Mr. Blanco explained that unfortunately, the cracks were in the middle and it was not feasible to leave one lane open for use.

On MOTION by Ms. Nelson seconded by Mr. Reed with all in favor the proposal with GMS for tunnel repairs in the amount of \$4,028.16 was approved.

February 21, 2024

Poinciana CDD

EIGHTH ORDER OF BUSINESS**Review of Communication with HOA
Regarding Compliance with MOU**

Ms. Carpenter reported that GMS sent correspondence to the HOA, requesting that they include language in their landscaping contract to avoid debris going into the storm drains, which had been an ongoing problem. In response to the request, Mr. Larry Anson, of the Solivita HOA, stated that the landscape Request for Proposal (RFP), addressed the future clearing of streets and gutters under their current contract and did not agree to the additional language to expand the sweeping, which was required under the Memorandum of Understanding (MOU). As a result, there was an ongoing issue about street sweeping and how to deal with the HOA on that issue. Hopefully, the HOA would work with the CDD in the future, so these issues could be resolved without having to send letters back and forth. Mr. Reed agreed that it should not get to this point, as the need for mechanical street sweeping was minimal; however, his concern that the MOU was a legal document that was not being followed and felt that both parties should be held accountable. Ms. Leo pointed out that they generally see, once or twice per year, street sweeping through a county or CDD, but it was an engineering issue to maintain the stormwater ponds. As the District Engineer for several Districts, street sweeping was more for aesthetics, but there were nutrients on the street and poor practices by the landscapers.

Ms. Nelson noted it was a training issue, as some neighborhoods were getting the correct information on what to do, but in her neighborhood they were instructed to blow everything out into the street with a big blower and suggested that this be communicated to Floralawn. Ms. Epstein suggested having a meeting with the Project Manager for the new landscaping company, to discuss what had been done in the past and what they would like to see in the future. Ms. Adams pointed out that the agreement for landscape services in the right of way was between the HOA and landscape service provider and the CDD should contact the HOA if there was a concern rather than work directly with the HOA's landscape service provider. Ms. Epstein felt it was important for the CDD to have an introductory meeting with the new landscaping company and would likely be one of the liaisons to the CDD from the HOA. Mr. Cameron was disappointed that the HOA did not agree to the additional language and felt that Mr. Anson did not read the entire document, as the CDD's alternative would have eliminated the street sweeping. Ms. Epstein suggested a letter from the CDD stating that the CDD was amenable to not having street sweeping, but wanted their permission to meet with the new landscaping

February 21, 2024

Poinciana CDD

company. Mr. Cameron suggested informing the HOA, if there was language in their contract that was consistent with the CDD's suggestion and also eliminated the need for mechanical sweeping, as there was no such language in the current contract. Ms. Epstein recommended that Mr. Cameron serve as the Board liaison to meet with the new landscaping company and report back to the Board. *There was Board consensus for staff to communicate with the HOA Board, to inform them that their most recent communication satisfied the requirements of the MOU, at this time, keeping debris out of the stormwater system and to meet with the new landscape service provider.*

NINTH ORDER OF BUSINESS**Staff Reports****A. Attorney****i. Review of Correspondence with HOA on Landscaping Issues**

Ms. Carpenter reported that the HOA sent a letter requesting that the CDD maintain various improvements in parks and lands, which the HOA traditionally HOA handled. GMS field staff was looking at several locations and once the locations were in place, staff would come back to the Board. Mr. Reed pointed out that they still needed to follow up on it, but the area in question was the Shorehaven Pond and recommended that there be education on the storm drains and catch basins, in case someone challenged the CDD over the maintenance, what they were dealing with, what was important and how it was supposed to work.

B. Engineer

Ms. Leo performed a review of the one pond remaining to turnover and determined that it was not ready to be turned over, as there was an issue with a reclaimed water system, that was draining and causing erosion into the pond. She looked at it a couple of times and it needed to be repaired. Regarding the Marigold Avenue improvements, the county completed 90% of the plans and were working on utility coordination with Duke Energy, which takes time. Then they would complete some right-of-way (ROW) acquisition, before bidding the construction. Ms. Epstein asked if there was engineering for the tunnels. Ms. Leo reviewed the plans and indicated that there was no impact to the tunnels. Ms. Epstein asked if there would be any additional pressure on the tunnels with the additional traffic and lanes. Ms. Leo confirmed that there would be no modification to the tunnels themselves, but there were modifications around it and were building on top of it. There would be some coordination on the construction side and would

February 21, 2024

Poinciana CDD

contact the county and schedule a meeting to discuss the need for construction easements. Ms. Carpenter recommended discussing any costs that would be incurred by the District, in strengthening the tunnels and if necessary, bring in an Eminent Domain Specialist. Ms. Epstein recommended that staff stay on top of this, as the work was imminent. Mr. Reed agreed and wanted to attend the meeting, which Ms. Leo would schedule.

Ms. Leo updated the pond maps and would provide a PDF to Ms. Adams. The only pond left to turn over was P8, at the north end of the plan. Based upon Property Appraiser data as of last week, Ms. Leo updated some of the wetland ownership, which the Board could consider at some point in the future. The intent of the map was for the pond and maintenance teams. Mr. Reed questioned why a pond behind 710 Portofino Drive in Flora Vista South that was owned by Taylor Morrison (TM), was not transferred. Ms. Leo was under the assumption that every pond was turned over, with the exception of Pond P8. Mr. Carpenter was asked to look into this pond, due to the amount of weeds. According to ownership maps, it was still owned by TM. Ms. Leo would look into it. Regarding the tunnels and the widening of Marigold Avenue, Mr. Zimbardi questioned how much closer to the edge of the tunnels they were going to get and when the tunnels and the traffic lanes were widened. Ms. Leo would verify, but the tunnels could handle the lane expansion, as the pavement was built for it. Mr. Reed pointed out that the CDD had a responsibility, which was to obtain an as-built assessment of present condition before and after, as Jay Jarvis indicated that they would take full responsibility for any damages. Mr. Zimbardi asked if they had this in writing. Mr. Reed indicated that it was not in writing at this time. Ms. Leo would confirm that all of the legal documents were in place.

C. District Manager

Ms. Adams recalled that previously, the Board appointed Ms. Nelson as liaison to the Wildlife Committee and the committee approached the CDD and requested some presentation time. The presentation was scheduled for the January meeting; however, because of time constraints, it was deferred. She reached out to Mr. Bob Monica, the Chair of the Solivita Conservation and Wildlife Committee, who planned to present to the CDD Board regarding feral hogs; however, he was not available today. A 10-minute executive summary of the situation was requested, but Mr. Monica indicated that he would need a minimum of 30 minutes and questioned whether the Board was amenable to allocating time for a 30 minutes presentation at an upcoming Board meeting. Ms. Nelson had not seen the presentation, but was present when it

February 21, 2024

Poinciana CDD

was being developed. She asserted the feral hog control could have a big impact on the entire community, but no one knew for sure yet. One of the reasons that the Board wanted Mr. Monica to present to the Board, was due to a short presentation that Ms. Nelson made in October, after the committee met with the State Department and University of Florida on resolving the pig problem. The HOA has since been working with the State and made some recommendations. They were currently gathering facts and figures, on how to get rid of the pigs, as the expense could have a big impact on Solivita and the CDD, as the HOA had to pay their landscaping company to replace sod and bushes, due to the pigs destroying it. Mr. Monica was going to make the same presentation at the March HOA meeting. They allotted him 30 minutes and invited any CDD Board Members who wanted to attend.

Ms. Adams understood that the HOA had not allocated any funds for feral hog abatement this calendar year and suggested that the Board schedule a Zoom workshop for Mr. Monica to provide his presentation to the Board. At a workshop, the Board could not take any formal action or provide direction to staff, but could receive information and interact with the public. Board Members were eligible to be paid for attendance. Ms. Epstein felt that having an official workshop made sense, in order to devote time to the issue and have the presentation and a question-and-answer session. Mr. Reed asked if he could attend an HOA meeting. Ms. Carpenter stated it was difficult, because if there were issues that were discussed by the HOA Board that impacted the CDD, if there were two CDD Board Members, there could be a Sunshine Law violation. However, if Mr. Reed wished to attend, she suggested that he sit in the back and not answer any questions, but if a CDD issue was discussed, he needed to leave. *There was Board consensus for Ms. Adams to communicate with Mr. Monica and bring back potential dates to the Board at the next meeting for a Zoom workshop.* Mr. Reed liked the idea of a workshop, as the hogs were an issue that needed to be resolved. Ms. Adams indicated that once the Board selected a date, the same form of notice as the tunnel maintenance, would be sent through electronic mail for distribution through the HOA and neighborhood captains and posted on the CDD website.

i. Action Items List

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

February 21, 2024

Poinciana CDD

1. Parcel Conveyance from Taylor Morrison to CDD: In Process. All ponds on the application were conveyed except for Pond P8.
2. Monitor Central Florida Expressway – Poinciana Parkway Projects: Parkway Connector: In process. The CDD Board previously appointed the Ms. Epstein to monitor.

Ms. Epstein reported that they were waiting for a Title 6 Investigative Report and would report to the CDD once it was received; however, there was no timeline on when it would be received.

3. Erosion Repairs: In process. Staff identified need repairs, developed a scope and gathered a proposal. Due to excessive repair costs, a different approach to vegetation maintenance was being tested to alleviate erosion.

Ms. Adams reported that field staff monitored for erosion around the stormwater ponds and the District Engineer performed annual inspections. According to the District Engineer, a the area around the pond is vulnerable to erosion and worked with field staff, to direct the landscape maintenance team to place a vegetation ring around the perimeter of the pond that would help to stabilize the pond bank as well as filter nutrients and create a healthier environment. Since they were not planning to present proposals for erosion repair imminently, Ms. Adams would remove this item from the Action Items List, as there was an interim maintenance plan to address this matter. Mr. Reed noted several places in the minutes, where items were supposed to be investigated further and requested that those items be added to the Action Items List. Ms. Adams recalled that these items were addressed under the District Engineer's Report, such as the meeting with Polk County regarding the roadway improvements and the tunnels.

ii. Approval of Check Register

Ms. Adams presented the Check Register from January 8, 2024 to February 9, 2024 in the amount of \$1,298,824.56 and a detailed run summary. The majority of expenses were the transmittals from the General Fund to the Trustee. There was a \$1.1 million transfer to the Trustee to pay back the bond.

On MOTION by Mr. Reed seconded by Ms. Nelson with all in favor the January 8, 2024 to February 9, 2024 Check Register in the amount of \$1,298,824.56 was approved.

February 21, 2024

Poinciana CDD

iii. Balance Sheet and Income Statement

Ms. Adams presented the Unaudited Financial Statements through December 31, 2023. The TM reimbursement for professional services such as attorney's fees and engineer's fees, was included in the miscellaneous category. Assessments were 90% collected for Fiscal Year 2024 as of the end of December. The District was under budget, according to the prorated expenses for administration of the District and for field expenses. As of the end of December, no transfers were made to the capital reserve, but this would occur, as well as the transfer of any surplus funds to the money market account. No Board action was required.

Mr. Zimbardi moved to approve the financials through December 31, 2023 and Mr. Reed seconded the motion.

Mr. Reed was not comfortable that there were two accounts for engineering and asked if they could be separated. Ms. Adams explained that the engineering invoices were itemized by project, in order to track the conveyance fees or other projects. The projects were itemized in the statement from the engineer, but did not create a new line in the budget for every project. If the Board wanted to have different line items, that could be considered for future Proposed or Adopted Budgets. Mr. Reed wanted to see the difference, as there were charges against TM and charges against the CDD, which were separate, but they were all included in the engineering line item. Ms. Adams did not recommend having individual line items for every engineering project, but could provide the detail on financial records comprising the line item if requested. In addition, GMS tracked the conveyance fees, which were reimbursed before acceptance.

On VOICE VOTE with all in favor the financials through December 31, 2023 were approved.

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

Mr. Blanco presented the Field Manager Report, which was included in the agenda package. The inlet repair at 170 Largo was completed. There was a depression at the lawn that was caused by holes at the inside of a manhole and outside of the lip. Maintenance staff dug around where the depression occurred, filled it in with high strength concrete and patched the hole, by filling in dirt that already outside of the drain, included additional fill dirt and sodded

February 21, 2024

Poinciana CDD

the area. GMS staff reviewed the area several times after the repairs were completed, for areas of regression and thus far, the area was holding up well. Earlier this morning Mr. Blanco was onsite and spoke to a resident who lived in front of the storm drain. It was perfect and no depressions were found. Mr. Blanco requested that the resident call or text him after it rains, to see if it settled, as currently there were no issues and would continue to monitor it, as they get into the rainy season. The tunnel repairs were discussed. They continued to review the CDD easements and landscaping areas that the CDD owned. The quality remained satisfactory and up to standard and the easements were nice and tidy. They were allowing the edges of the ponds to grow slightly higher than usual, to help with erosion and they were holding up well. However, when it did get high on the side, they asked Floralawn to trim the edges, so it did not look overgrown. Mr. Zimbardi asked if Floralawn was mulching around the tree rings, as he heard that the tree rings were not mulched. Ms. Adams pointed out that they had not expended any funds on mulch this fiscal year. Mr. Zimbardi asked if it was part of the landscape contract to mulch the tree rings. Ms. Adams confirmed that there was a labor and material rate that was part of the contract, if they were directed to do so then the landscape service provider could provide a proposal for mulch. Mr. Zimbardi requested that Mr. Blanco look at the tree rings, the next time that he was out there.

Mr. Blanco indicated that they were continuing to review the ponds throughout the District and they remain in good condition. The maintenance remains satisfactory. The aquatics vendor continued to treat algae blooms when reported or present. When they received a call, they reach out to the aquatics vendor to request that a pond be treated. After the pond was treated, Mr. Blanco reviewed the pond a second time and if it needed a second treatment, he reached out to the vendor. He was also educating residents on the color differential from when it was treated to when it was not treated. They were also continuing to review the recently conveyed ponds, which continue to appear in healthy, maintainable states. Water levels were receding lightly due to the dry season, but as they enter the rainy season, the expectation was that water levels would go back to its normal level, unless there was a heavy rain, such as a tropical storm or a hurricane, when the water level was going to be higher than usual. Pond plantings remain in healthy condition, even with the lower water levels, which Mr. Blanco was monitoring. There were no major issues to report thus far, but they were going to continue to monitor for any occurrences.

February 21, 2024

Poinciana CDD

- ii. **Pond Maintenance Report**
- iii. **Midge Management Report**
- iv. **Customer Complaint Log**

Ms. Adams presented the Pond Maintenance and Midge Management Report, as well as the Customer Complaint Log, which were included in the agenda package. Ms. Cherrief Jackson of Clarke Midge Control was present to answer any questions. Ms. Jackson was in regular communication with Mr. Blanco and Mr. Smith.

TENTH ORDER OF BUSINESS

Supervisor's Requests

Ms. Nelson was contacted by some residents regarding the tunnel going under Solivita Boulevard, between the 10th and 11th holes, which had been closed for over two years and asked Ms. Adams to look into the ownership. Ms. Adams confirmed that it was not a CDD asset and the only tunnels that the District owned were the Venezia and Bella Vianna tunnels. Ms. Nelson requested that the minutes reflect that the Solivita Boulevard tunnel was not owned or maintained by the CDD and was privately owned by the golf course, which was owned by TM.

Mr. Reed stated that the reclaimed water system at 212 Torino Lane, sprung a leak the other day. Originally, residents thought it was due to the rain, but due to the amount of water coming out, it was leaking. However, it took him four hours to get anyone to respond, as it was a holiday, but there was an irrigation emergency phone number. It was repaired, which Mr. Reed inspected. They did a fairly adequate repair and were in the process of burying the pipe. However, even though the main pipes were owned by the CDD, the irrigation system was maintained by the HOA. Their agreement with the HOA states that the HOA would forward a letter to the CDD about major issues with the reclaimed water system, but no one at the HOA understood that this agreement exists and they should be held accountable to the document. Therefore, Mr. Reed wanted Ms. Epstein to address the HOA Board or there should not be any such agreement with the HOA, if they were not going to follow it. Ms. Carpenter recalled that the agreement was entered into in 2012, when they refunded the bonds, in order to have something in writing that it was public property. However, because the reclaimed water connected to all the private hookups, it made sense for the HOA to maintain it. Getting a letter was not a problem and was good to have, in order to know what CDD assets had repairs. Mr.

February 21, 2024

Poinciana CDD

Reed agreed, as in the past there was a significant issue, which was never brought to the Board's attention and was in violation of their agreement.

As a result of the reclaimed water issues, Mr. Reed requested a presentation about reclaimed water, as in his estimation, the system was leaking for six hours, through a two-inch PVC pipe under full system pressure, the cost of which was being monitored by a meter, which must be borne by Solivita, unless the HOA admitted that it was their problem. However, there were other issues with the irrigation system, that the CDD was going to face in the future and they must understand the usage and the cost that would be paid by residents. There were alternatives that could be discussed, such as finding an alternate source of reclaimed water, through the establishment of wells that could be owned by residents, that feed the irrigation system, allowing for a constant, steady source of water. However, it would take 10 to 20 years to get it approved, built and operating. Ms. Leo appreciated that Mr. Reed was looking into alternate sources, but reclaimed water was an alternate source and the State was not looking for new wells for irrigation. Some CDDs had temporary wells, but there were strict guidelines to follow and reuse water was one of the best irrigation options. To find out more about reclaimed water, Toho Water Authority had informational packets. Mr. Reed would investigate this further. Mr. Reed also wanted to investigate a training session for storm drains and catch basins, as many people, who did not have an engineering background, had no clue about what takes place underground. In a catch basin, at the cavity at the base, all of the accumulated material settled, except for leaves, which decay and could be flushed out as a self-flushing feature of the catch basin. However, broken concrete sticks, water bottles and things that fall off golf carts, sits at the bottom of the catch basin and accumulated over time, especially decayed materials that did not get flushed out through an outlet pipe. Therefore, he recommended having a short presentation to learn and ask questions, so that there was an understanding of how systems work that the CDD owned.

Ms. Adams recalled that there was a request from a Supervisor for a Stormwater 101 presentation, which was provided by the District Engineer with PowerPoint slides and an audio and video copy of this presentation, was available for any HOA Board Members, CDD Board Members and any members of the public. Ms. Nelson thought the presentation was excellent and learned a great deal and requested that it be sent out to the public. Mr. Reed indicated that the presentation was on the South Florida Water Management District (SFWMD) website. Mr.

February 21, 2024

Poinciana CDD

Reed pointed out that there were wetlands that the HOA owned that was supposed to be transferred to the CDD by the builder. Ms. Carpenter confirmed that there were some wetlands that the HOA owned and the CDD owned and the District Engineer was evaluating where they should end. Mr. Reed pointed out that the issue was that the builder was leaving and the expectation that they would either come before the CDDs or the HOA. However, if the CDD was responsible for the stormwater system, the wetlands were an extension of that system and the CDD could either accept responsibility for the wetlands or deny them, but every one was permitted by the Army Corps of Engineers and the SFWMD. The builder could turn over whatever they wanted to the county, but not with permits. Ms. Carpenter advised that a valid deed required acceptance and the CDD had a legal basis to say that it was not valid. The permits that they would generally accept, would be ones on a transfer form that the District Engineer would review; however, this would be after the typical turnover requirements were met and accepted by the Board. Ms. Leo recalled discussion years ago about the CDD accepting the ponds and wetlands and because it was taking so long, a decision was made to take the ponds first, as they required active maintenance and the CDD wanted to have that control.

Ms. Leo would evaluate through historical engineering reports to see what was intended and what they needed to do with the wetlands and come back to the Board at the next meeting with a recommendation. Mr. Reed pointed out that the purpose of this discussion was to resolve issues prior to the builder leaving. Mr. Reed questioned the legal definition of liaisons and their responsibility and authority. Ms. Carpenter explained that a CDD liaison would go to a committee meeting and bring back facts for the Board to discuss and take action on. They were not supposed to do in depth research and formulate plans, as it was more of a fact finding to update the Board. *Mr. Cameron left the meeting.*

ELEVENTH ORDER OF BUSINESS**Other Business**

Ms. Adams recalled that earlier in the meeting, the Board declared Seat #4 vacant, effective February 22, 2024 and when there was a vacancy on the Board, the Florida Statutes allowed for the seated Board to appoint a qualified elector to the vacant seat, which must be someone 18 years or older, a citizen of the United States and the State of Florida, living within the boundaries of the District and a registered voter. Seat #4 expired November of 2024 and

February 21, 2024

Poinciana CDD

Board Members could make an appointment to that seat or leave the seat vacant until after the general election. However, if the Board wanted to make an appointment at this time, they may want to consider the process they have used in the past. For proper vacancies, the Board directed District Management to announce the vacancy and requested resumes or Letters of Interest, which would then be reviewed by the Board. Ms. Nelson agreed with this process, as there were many residents in the community, who could contribute to the Board and preferred to send out a notice to the community to see what response they would receive and have them attend a meeting for the Board to answer questions. Ms. Adams inquired if the Board wanted to set the resume deadline for the March 20th meeting. Mr. Reed preferred to have more time. *There was Board consensus for District Management to announce the vacancy and request resumes or Statements of Interest a week before the April 17th meeting.*

Ms. Adams explained that after an election or an appointment to the Board, the Florida Statutes require that Board Members reorganize its officers. Currently, Ms. Epstein served as Chair, Mr. Reed served as Vice Chair and the remaining Board Members served as Assistant Secretaries. Mr. Reed as Vice Chair, would become the presiding officer at meetings and make decisions regarding meeting status. If there was an urgent issue in between meetings, staff normally reached out to the Chair but that could temporarily be the Vice Chair. Any action taken outside of a Board meeting, was brought back to the next meeting for the Board Members to ratify. Ms. Carpenter confirmed that this was an interim action that would be in effect for two months and asked if the Board wanted to appoint a new Chair and Vice Chair or keep it as-is. Ms. Nelson preferred to keep the seats as-is. Mr. Reed agreed. Ms. Carpenter requested that Mr. Reed must be available for the next two months to sign documents and answer questions. *There was Board consensus to retain the current officers and in the interim, for Mr. Reed to serve as the presiding officer at meetings and fulfill the role of the Chair until the Board re-elected their officers.*

TWELFTH ORDER OF BUSINESS**General Audience Comments**

Ms. Brenda Taylor of 213 Davinci Pass, recalled when she was on the HOA Board and they repainted the roads, they installed a permanent block and a sign in the tunnels, due to residents driving through, cutting the ribbons and spreading tar all over the place. Going up River Run, there were big piles of leaves next to the drains. Taylor Morrison owned the golf

February 21, 2024

Poinciana CDD

course tunnel and were responsible to repair it; however, Taylor Morrison was trying to push on the responsibility to Hampton Golf. Ms. Nelson pointed out that Hampton Golf was the management company. Ms. Taylor recommended that staff review the Master Declarations, to determine what the HOA was responsible for and complying with the Poinciana CDD. She met with Toho in 2022 and reviewed all of the contracts, especially for the reclaimed water. The community was number one on the list and Toho could not cut off the water. Ms. Carpenter cautioned the Board about discussing elections and new Supervisors with others, due to the Sunshine Law. Mr. Charles Borchini of 345 Sorrento Road was impressed with the staff and volunteers and noted that the Bella Vianna tunnel was always wet, as water was always draining into it. Someone almost hit him from behind yesterday, when he was riding in a golf cart, when the surface was wet. The pond behind his house was covered with green slime and requested that someone look at it. Ms. Adams directed Mr. Borchini to the Field Manager, to help determine who was responsible for maintaining the pond.

THIRTEENTH ORDER OF BUSINESS

**Next Meeting Date – March 20, 2024
12:00 P.M.**

Ms. Adams stated the next meeting was scheduled for March 20, 2024 at 12:00 p.m., which was the new meeting time.

FOURTEENTH ORDER OF BUSINESS

Adjournment

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

DocuSigned by:
Tricia Adams
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Secretary / Assistant Secretary

DocuSigned by:
Charles Borchini
85E054D91F5D47B...

Chair/Vice Chairman