

**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, **May 15 2024** at 12:00 p.m. via Zoom Communication Media Technology and in the Starlite Ballroom, 384 Village Drive, Poinciana, Florida.

Present and constituting a quorum were:

Tony Reed	Chairman
Robert Zimbardi	Vice Chairman
Jon Cameron	Assistant Secretary
Anita Nelson <i>via Zoom</i>	Assistant Secretary

Also present were:

Tricia Adams	District Manager
Monica Virgen	District Manager
Jan Carpenter	District Counsel
Kathy Leo	District Engineer
Joel Blanco	Field Services
Stephen Amrhein	Solitude Lake Management
Jennifer Fitz	Solitude Lake Management
Residents	

The following is a summary of the discussions and actions taken at the May 15, 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 12:00 p.m. All Supervisors were present.

SECOND ORDER OF BUSINESS

Pledge of Allegiance

The Pledge of Allegiance was recited.

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THIRD ORDER OF BUSINESS**Public Comment Period on Agenda Items**

Ms. Adams opened the public comment period. There were no comments, so Ms. Adams closed the public comment period.

FOURTH ORDER OF BUSINESS**Approval of Minutes of the April 17, 2024 Meeting**

Ms. Adams presented the minutes of the March 20, 2024 Board of Supervisors meeting. Mr. Zimbardi did not understand the context of the statement, "*Mr. Zimbardi believed that this was the worst pond that the CDD,*" which was on Page 7. Ms. Adams would delete this statement. Mr. Reed noted on Page 11, Mr. Reed and Mr. Zimbardi were transposed. On Page 13, in the last sentence, "*Mr. Reed appreciated that, especially if the CDD was going to modify the ditch system,*" it should be the county. On Page 9, Mr. Reed pointed out that they did not approve the financials, they accepted them.

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

FIFTH ORDER OF BUSINESS**Organizational Matters**

- i. Review of Resumes/Letters(s) of Interest to Fulfill the Board Vacancy in Seat #4**
- ii. Appointment of Individual to Fulfill the Board Vacancy with a Term Ending November 2024**

Ms. Adams recalled that there was a Board vacancy for Seat #4 and at the time that the Board recognized the vacancy, there was direction to staff to solicit for Resumes and Letters of Interest, to be considered at the April meeting. Resumes and Letters of Interest were received from Ms. Brenda Taylor and Mr. Rick McKelvey, which were included the April agenda package, in accordance with direction from the Board. However, there was another qualified elector, Mr. Skip Stellfox, who provided a Letter of Interest, which was forwarded to the Board, but it received after the deadline. Mr. Reed felt that even though Mr. Stellfox had excellent qualifications, he did not meet the deadline and should not be added to the list. Mr. Zimbardi concurred. Ms. Adams pointed out that Ms. Brenda Taylor and Mr. Rick McKelvey were informed that the organizational matter had been rescheduled for today's meeting and were in attendance. There was Board consensus for each candidate to introduce themselves to the Board.

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Ms. Brenda Taylor introduced herself and thanked the Board for the opportunity. Ms. Nelson questioned why Ms. Taylor was interested in serving on the Board. Ms. Taylor noted that she was no longer serving on the HOA Board and felt that she had the skill set to benefit the CDD. Ms. Nelson asked if there was anyone she could not work with, either on the CDD Board, HOA Board or anyone in the community. Ms. Taylor had an issue with one person; however, she attended a mediation with them, which went well and felt that everything was going to be fine. Ms. Nelson questioned how Ms. Taylor would feel if the Poinciana and Poinciana West CDD Boards were merged into one CDD. Ms. Taylor would support it 110%. Mr. Rick McKelvey introduced himself, noting that he lived in the community for nine years and felt that Solivita was the beauty of the community, including in large part, to the ponds and wilderness areas that were unique to the community. In addition, he felt that what the Board did, was very important to maintain the community. Ms. Nelson asked if there was anyone he could not work with, either on the CDD Board, HOA Board or anyone in the community. Mr. McKelvey pointed out that he worked with the HOA, was involved with the Wildlife Committee and on the committee for the Club. Ms. Nelson questioned how Mr. McKelvey would feel if the Poinciana and Poinciana West CDD Boards were merged into one CDD. Mr. McKelvey was in favor of it, as residents of Solivita were confused about who controlled what. Mr. Cameron felt that Ms. Brenda Taylor could do the job. Mr. Reed felt that they were lucky to have qualified people who volunteered to be on the Board and appreciated it.

<p>On MOTION by Mr. Cameron seconded by Mr. Zimbardi with Mr. Cameron and Mr. Zimbardi in favor and Mr. Reed and Ms. Nelson dissenting, the appointment of Ms. Brenda Taylor to Seat #4 was not approved. (Motion Failed 2-2).</p>
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Mr. Reed was in favor of Mr. Rick McKelvey serving on the Board, due to his wetland and environmental science experience.

<p>On MOTION by Mr. Reed seconded by Ms. Nelson with Mr. Reed and Ms. Nelson in favor and Mr. Zimbardi and Mr. Cameron dissenting, the appointment of Mr. Rick McKelvey to Seat #4 was not approved. (Motion Failed 2-2).</p>

Ms. Adams stated since there was no appointment to the Board, this item would be tabled and placed on each agenda, either the vacancy was filled or until after the General Election,

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when a qualified elector was elected. Mr. Reed did not want to table this matter, as they needed another Board Member, due to quorum issues. Mr. Cameron agreed. Ms. Carpenter noted that the Board could ask for any other applications to be submitted at any time or rely on the ones that were submitted.

iii. Administration of Oath of Office to Newly Appointed Board Member

These items were deferred.

iv. Consideration of Resolution 2024-02 Election of Officers

Ms. Adams presented Resolution 2024-02, for the Election of Officers, as any time after a General Election or appointment, the Board was required to elect officers. Currently, Mr. Reed served as Vice Chairman and the remaining Board Members served as Assistant Secretaries; however, there was a need for the Board to appoint a Chairman, as Ms. Epstein was Chair and she resigned. The Board could either elect a slate of officers or take these positions one by one. Several members of the District management team served as Secretary, Assistant Secretary, Treasurer and Assistant Treasurer, for the purposes of attesting the Chairman's signature, as well as processing District financial records and requested that these officers remain the same.

On MOTION by Mr. Zimbardi seconded by Mr. Cameron with Mr. Zimbardi and Mr. Cameron in favor and Ms. Nelson and Mr. Reed dissenting, the appointment of Mr. Cameron as Chairman was not approved. (Motion Failed 2-2)

On MOTION by Ms. Nelson seconded by Mr. Zimbardi with all in favor the appointment of Mr. Reed as Chairman was approved.

On MOTION by Mr. Reed seconded by Ms. Nelson with all in favor the appointment of Mr. Zimbardi as Vice Chairman was approved.

SIXTH ORDER OF BUSINESS

**Consideration of Resolution 2024-03
Relating to General Election and Notice
of Qualifying Procedure**

Ms. Adams introduced Ms. Monica Virgen of GMS, who presented Resolution 2024-03, memorializing that Seat 4, currently vacant and Seat 5, currently held by Mr. Robert Zimbardi were scheduled for the General Election in November of 2024. The CDD was required by Statute to announce on the record, the qualifying period, which was from Noon on June 10, 2024

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through Noon on June 14, 2024. The election was administered by the Polk County Supervisor of Elections office. A qualified elector must be 18 years of age, a US and State of Florida citizen that was registered to vote and resided within the District boundaries.

On MOTION by Mr. Reed seconded by Ms. Nelson with all in favor Resolution 2024-03 Relating to the General Election and Qualifying Procedure was approved.

SEVENTH ORDER OF BUSINESS

Consideration of Review of Improvements on CDD Tracts

Ms. Carpenter reported that she had been working for several months to lay out which CDD parcels had HOA improvements. The deeds from Taylor Morrison specifically excluded those improvements. She reviewed the list that Mr. Blanco and Mr. Smith worked on, with the assistance of Mr. Cameron. They had a parcel IDs on most of them. There were 22 different pieces of property that have improvements and the Board needed to decide whether to convey them to the CDD for maintenance or go back to the HOA and have the HOA maintain them. Mr. Cameron indicated that he reviewed the most recent list and stated in the past, when there were transfers to the CDD some had exclusions, but many did not. In the ensuing years, the developer and HOA installed landscaping and other items on CDD property. Residents were paying for the maintenance and there needed to be an understanding of who owned what, as there was confusion and felt that the list would help eliminate the confusion. Ms. Carpenter felt that it made sense on the one parcel that had retaining walls, as those were generally maintained by the HOA. Mr. Cameron understood that the retaining walls were built by the developer. Ms. Carpenter confirmed that in most cases, the developer built the retaining walls for new development and it made sense if the Board wanted to review the list again, to see if there was anything else to add.

Mr. Reed preferred to defer this matter for a month, until the Board had time to review the information. He also wanted the HOA to rethink and reevaluate the requested changes made and try to come up with something to remain status quo until sometime in the future. Ms. Carpenter suggested engaging in a License Agreement. Mr. Zimbardi questioned who was the maintaining entity at this time. Mr. Cameron did not want the Board to make a decision until they were sure that the HOA was maintaining those parcels. Mr. Reed agreed and wanted to find out who created the improvement. Ms. Carpenter confirmed that it was not created with CDD

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funds. Ms. Carpenter noted in most cases, it was probably the developer. Mr. Cameron believed that everything was done by the developer/HOA, the sidewalks, grass and buildings, through a handshake agreement, since they could not find anything in writing. Mr. Reed questioned why the retaining walls were on the improvement list. Ms. Carpenter explained that retaining walls were private walls that benefitted the lots. Mr. Reed pointed out that the County documents indicated that the HOA was responsible for maintenance of the retaining walls and not the CDD. Ms. Carpenter confirmed that the CDD had not accepted the retaining walls, but it was affixed to the property and would technically run with the land. Mr. Reed felt that more work needed to be done to the list, as there was more than just the ponds and walls. There was acreage associated with some of the ponds that the CDD inherited through this turnover process. Mr. Zimbardi felt that they needed references, as many of these improvements were over 15 to 20 years old. Ms. Carpenter pointed out in order to exchange property, they were required in 99.9% of cases, to convey them by plat. Mr. Reed felt that it was important that each member of the CDD and even in Poinciana West, understand exactly what they were taking, when they take it and what the potential impacts were and what they responsible for; however, they only had one pond left, but there were 100 or more sections of wetlands and conservation lands.

Ms. Carpenter confirmed that they were working on the wetlands and conservation lands. The wetlands were surveyed different ways and staff would ensure that pictures were with the plat. Mr. Reed voiced concern that it would be a big issue coming up in the future. In addition, the mowing contract, was not for moving around the pond and questioned how the contractor knew that they had to mow all of the additional that the CDD owned, because the only way for them to bid the contract, was to measure the footage to be mowed, in order to estimate the cost. However, a new contract was going out for bid and Mr. Reed planned to measure certain ponds himself, to see whether it was accurate or not, but all of this additional land might need to be mowed, which would create the potential for confusion. Ms. Carpenter pointed out that GMS had a landscaping map. Ms. Leo believed that the contractors were reviewing maps and aerials, to get the acreage, but not physically going out into the field. In order of magnitude, the ponds on the majority of the tracks, were upland parcels. Mr. Reed recommended waiting another month, in order for the Board to review the rest of the items. *There was Board consensus to defer this item to the next meeting.*

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EIGHTH ORDER OF BUSINESS**Consideration of Resolution 2024-04
Approving the Proposed Fiscal Year 2025
Budget and Setting a Public Hearing**

Ms. Adams presented Resolution 2024-04, approving the Proposed Budget for Fiscal Year (FY) 2025 and setting the public hearing for July 17, 2024 at 12:00 p.m. at Solivita. Each calendar year, the CDD was required to approve a Proposed Budget no later than June 15th. The approval of the resolution, also allowed statutory compliance requirements such as transmitting the budget to the local government, posting the Proposed Budget on the website and noticing the public hearing. An assessment increase was proposed for the operation and maintenance (O&M) fees, which required a mailed notice. The Proposed Budget, which was attached as an exhibit to the resolution, started on October 1, 2024 and ended on September 30, 2025 and could be modified at any duly noticed Board meeting up through the budget adoption. Ms. Adams highlighted the following:

- There was an assessment increase as the Proposed Amount for FY 2025 increased from \$667,127 to \$886,925, which was collected on the Polk County Tax Roll.
- *Interest* increased from \$500 to \$2,373, based on Surplus Funds earning interest.
- This was a balanced budget, with *Revenues* of \$889,298 and *Expenses* of \$889,298.
- For *Administrative Expenditures*, the amount adopted for FY 2024 was \$148,177 and \$150,564 was proposed for FY 2025.
- Fees associated with GMS for *Management Fees, Information Technology, Website Maintenance* and *Assessment Administration* increased by 5%.
- *Annual Audit* increased slightly from \$3,600 to \$3,700, based on the Annual Audit Agreement.
- *Insurance* increased from \$7,711 to \$7,981, based on early estimates for the public official's and liability insurance for the District.

Mr. Reed questioned why there was a 5% increase in the administrative fee. Ms. Adams explained that it was not just an administrative fee and would include assessment administration, management fees, information technology and website maintenance. Mr. Reed felt that 5% was too high and did not understand the basis for it. Ms. Adams explained that website maintenance was currently \$825 and the proposed amount was \$867 and for the information technology, the current amount was \$1,238 and the proposed amount was \$1,300. GMS spent time looking at

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these fees carefully; however, there were significant increases in labor costs that were impactful to the recruitment and retention of staff. Mr. Reed felt that a \$62 increase was not significant, but was concerned that there was an assessment increase to residents. Ms. Adams pointed out that the 5% increase in the administrative fee was not driving the increase. For O&M Expenses, Ms. Adams highlighted the following:

- There was a 5% proposed increase for *Field Services, Landscape Maintenance, Aquatic Midge Management* and *Aquatic Control Maintenance*, at the request of residents.

Mr. Reed questioned why there was an overall 1.35% increase this year versus the last three years. Ms. Adams explained that there was a proposed increase for *Landscape Maintenance*, from \$203,955 to \$220,554 however, this item was going out for bids and a new service provider was anticipated to be selected by the Board, prior to adopting the budget.

- *Landscape Improvement Areas Contingency* was added, in the amount of amount of \$18,500 to potentially maintain the private improvements on CDD parcels.
- *Aquatic Control Maintenance* increased from \$147,569 to \$159,828, to control invasive plants in the pond and treat algae.
- *Aquatic Midge Management* decreased from \$215,454 to \$194,062, due to a reduction in midge management, from the introduction of *Gambusia* and other methods, to help to get the midge population under control.

Ms. Adams pointed out that Mr. Joel Blanco, Field Manager, worked closely with Mr. Clayton Smith, to go through the Field Budget line by line and the biggest unknown was the contingency that was added for the landscape improvement areas. Ms. Nelson agreed, as the Board did not understand fully what they were dealing with. Ms. Carpenter reminded the Board that a mailed notice must be sent to residents, with the maximum amount the assessments could be increased. However, if the actual bid amount comes in lower, the assessment could be lowered, but if it was higher, the budget would not be increased over the mailed notice amount.

- *Transfer Out - Capital Reserve* was \$50,000 for FY 2024 and the same amount for FY 2025. This was at the direction of the Board for the replacement of any infrastructure or to handle any extraordinary repairs for the tunnels or District Stormwater System.

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- The first table on the bottom of Page 2 of the budget, showed the type and number of platted lots which was 3,820. There were also O&M fees that were paid for by the Town Center commercial, as well as golf course lots. The total amount of net assessments for these properties was \$886,925.
- The second table on the bottom of Page 2, showed the proposed assessment amount of \$244.74, which would be on the property Tax Bill. The current amount was \$184.04, and the proposed budget showed an increase of \$60.70.
- Included in the field expenses, were parcels recently conveyed to the District, that were included in the Landscape Maintenance Agreement. Pond P8 would likely be conveyed in FY 2025 and the budget accounted for 12 months of maintenance.

Ms. Adams recalled when staff reviewed the Proposed Budget for the current year, there was a large amount of *Carry Forward Surplus* and as a result, staff recommended not increasing assessments last year, but waiting until the bulk of the properties that were scheduled to be conveyed from Taylor Morrison, to be conveyed and staff had a better handle on the maintenance costs. Mr. Cameron questioned the difference between the gross and net assessment amounts. Ms. Adams explained that the difference between the gross and net was 7% and the net amount would be paid to the District, but the gross amount would be placed on the Tax Bill, with the assumption that residents would pay their Tax Bill at the earliest possible time and receive a 4% discount and the fees that go to the county would be accounted for. Mr. Reed requested that Ms. Adams review the Capital Reserve Fund. Ms. Adams confirmed for the current fiscal year, a \$50,000 transfer-in was budgeted and another \$50,000 transfer-in was recommended for FY 2025, which could be used for future infrastructure replacement, such as repairs for the stormwater system or tunnels. Mr. Reed asked if they ever used the capital reserve to cover any excessive expenses. Ms. Adams confirmed that it was established in FY 2023 or 2024 and there were no expenditures to date. Ms. Carpenter explained that most CDDs set up a capital reserve, based on a Reserve Study and recommended that the Board authorize a Reserve Study. Ms. Adams pointed out that the actuals for the Reserve Fund in interest was \$2,736, there was \$100,440 in carry forward and a transfer- in of \$50,000 for this year. Staff reviewed the balance, when presented the unaudited financials each month. Ms. Adams presented the Debt Service Fund budget, which the Board did not have any control over, as there were debt assessments at the time that the debt was issued and the Board authorized collection each year. On the bottom of

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Page 7, there was a table showing the net and gross assessment per unit for the debt and the cost to construct the infrastructure of the community. For the Series 2022 refunded bond, there were interest payments due in November and interest and principal payments due in May, which was based on an amortization schedule.

Mr. Reed wanted to justify the increase in assessments, by confirming that there were actual expenses, as the HOA was increasing their fees by \$20 per month and noted that the 3% increase for midge control and aquatic maintenance, was the purpose of the increase assessments, even though they were building more reserve funds and questioned last year's spending. Ms. Adams confirmed that the spending was not over for the current year and the actual spending was through March 31, 2024 with projections through the end of the FY. At this time, Ms. Adams requested a motion to approve Resolution 2024-04, Approving the Proposed Budget, noticing the O&M fee at \$244.74 and setting the public hearing for the July meeting, which they needed to have a quorum for. Mr. Reed did not know whether or not there would be a quorum, as Ms. Nelson was not well and Mr. Cameron was not attending the July meeting. Ms. Nelson confirmed that she should be fine by the July meeting. Ms. Adams pointed out that there was a quorum for the July meeting with Mr. Reed, Mr. Zimbardi and Ms. Nelson attending. Mr. Zimbardi asked if the 3% increase in aquatic maintenance and midge control was in their contract. Ms. Adams indicated it was based on discussion with the service provider. The current agreement runs through the end of the FY. Mr. Cameron questioned why the number of lots on Page 7 was different than what was on Page 2. Ms. Adams indicated that the difference was the number of property owners who paid their debt in lump sum, versus having it collected on the Tax Bill each year. Property owners could either pay their debt service fees on the property Tax Bill or in a lump sum. If debt was paid in lump sum, it was not reflected as being collected for FY25.

On MOTION by Mr. Reed seconded by Mr. Zimbardi with all in favor Resolution 2024-04 Approving the Proposed Fiscal Year 2025 Budget, noticing the O&M fee at \$244.74 and Setting the Public Hearing for July 17, 2024 at 12:00 p.m. at this location was adopted.

NINTH ORDER OF BUSINESS**Consideration of Request for Proposals
for Landscape Services**

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Ms. Adams presented a copy of the Request for Proposals (RFP) for landscape services via electronic mail and in the agenda package. There was a current Service Agreement with Floralawn to provide landscape services, which expired on September 30, 2024. The District met the number of years to renew it and at the end of five years, was required to go out for public bid, because of the amount of the contract, which required a public notice and a sealed bid opening process. The Project Manual was watermarked DRAFT, and was included in the agenda package. It was pending review by District Counsel and input from the Board. There was a Table of Contents and a copy of the legal notice, that would run in a newspaper of general circulation in Polk County, in order to notify prospective bidders of the opportunity. There was also a list of landscape service providers who do business with CDDs in Central Florida, that would receive a copy of the notice and instructions to proposers. Mr. Cameron questioned the reference to licensing in Florida. Ms. Adams explained that this was in the District's rules for solicitation of a public process; however, if any particular licensure was required as part of the landscape services, it could be added. Ms. Nelson questioned the use of pesticides. Ms. Adams confirmed that with improved turf, there was pesticide and fertilization, but most of the District property had unirrigated Bahia. Mr. Blanco and Mr. Smith worked on the Scope of Services. Mr. Cameron noted a typo under "*Protests.*" Ms. Adams would make this change. Ms. Nelson read through the RFP, but could not find where it discussed where debris should not be blown or swept into the stormwater inlet, out into the street or how it should be picked up. Ms. Adams would add language in the RFP, under the scope of work where blowing was addressed.

Ms. Adams recalled that the Board planned to make a decision regarding their service provider, at the July meeting and recommended they use the evaluation criteria that was included in the RFP, to rank the proposals. There were 25 points available for personnel, experience, and understanding of scope of work and 10 points available for financial capability and 15 points for price. She further recommended that the Board discuss whether or not to require proposers to attend the July 17th meeting and provide a five-minute presentation to the Board. Ms. Nelson preferred to interact with the vendors. Mr. Cameron questioned what the Project Manual included. Ms. Adams explained that the Project Manual was the entire document, which included the Scope of Services and property ownership map. Mr. Cameron questioned the location of the pre-bid meeting. Ms. Adams stated that it would be held onsite at either Mosaics or another Solivita meeting location on June 13th. On Page 61, Mr. Cameron questioned how they would

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determine that proposers were found to have lack of honesty, integrity or moral responsibility. Ms. Carpenter explained that this was general language in the case of the owners being convicted of fraud. Mr. Cameron noted an additional question mark in the Evaluation Criteria under Item 3, Understanding of Scope of Work. Ms. Adams would make this correction. Mr. Reed questioned on Page 63, why a 50-inch or larger mower must be used. Ms. Adams indicated in the Scope of Work under mowing it says, *“Mowing of all ponds or wetland buffer area should be done with a 50-inch mower or larger, discharging the clippings away from the water.”* Mr. Blanco explained that the appropriate machinery must be used, because if they used an inadequate one, it would damage the grass. Mr. Reed asked if stand-up mowers were 50-inch mowers. Mr. Blanco believed that the mower specified in the Scope of Work were riding mowers. Mr. Reed asked if a stand-up mower going around a pond, was in violation of the contract. Mr. Reed did not want the District to be in violation, as no one was monitoring them and Ms. Adams agreed to review the language with Mr. Smith.

On Page 66, Mr. Reed questioned whether CDD management would receive a Monthly Service Calendar for the upcoming period and a copy of the preceding month’s Irrigation Maintenance and Lawn and Ornamental Fertilization Reports, as stated on Page 66. Mr. Blanco believed that this was standard language, as they did not have irrigated area and did not fertilize any trees. Mr. Reed felt that it was relevant, as there were trees that needed to be fertilized and questioned whether this scope was used for other CDDs. Ms. Adams confirmed that the scope was provided by the Field Services Manager and was used at other CDD properties. Mr. Reed questioned why there was no penalty clause. Ms. Adams confirmed that language would be included with the landscape service agreement and allowed for the District to terminate the agreement with or without cause. If there were problems with a vendor, it would be brought to the Board's attention. Mr. Reed wanted to ensure that they receive the services that were requested. Mr. Cameron indicated that on Page 66, it stated that the detailing of planted areas would be based on three sections and the contractor would completely detail the entire property once every three weeks, which was no problem, but preferred that they be onsite at least one day per week and provide documentation. On page 71 regarding irrigation, they had irrigation lines, but they were not inspected. Ms. Adams confirmed that it was not part of the scope in the past, but due to the situation with the potential irrigation on CDD tracts, it was included with the current scope. Mr. Reed noted a scope for insect and disease control and recalled that the

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contractor was supposed to handle it, but wanted to see an MSDS sheet with all of the chemicals. Ms. Adams would include this in the scope. Mr. Zimbardi asked if service calls were scheduled at the rates and extra pricing and if they every exercised that option in any of their contracts. Ms. Adams explained from time to time, there would be post hurricane work at some CDDs, but thus far, no hurricane work performed in the community. Ms. Carpenter confirmed that this was typical language in contracts. Ms. Leo suggested on Page 88 having a breakdown of the areas. Ms. Adams explained that Mr. Smith had an Excel spreadsheet on the essential services, but it could be broken out even further, to make it pertinent to the site. Ms. Adams requested that the Board approve this document in substantial form, subject to Board revisions and review by District Counsel.

On MOTION by Mr. Cameron seconded by Mr. Reed with all in favor the RFP for landscape services in substantial form, subject to review by District Counsel was approved.

TENTH ORDER OF BUSINESS

Staff Reports

A. Attorney

Ms. Carpenter reported that their ethics update was supposed to be included in the agenda package, but it was not included and would provide it next month. She reminded the Board that anything they made notes on, needed to be retained in a separate place from other documents, in the event of a public record request and due to the Sunshine Law, two or more Supervisors could not discuss anything that may come before the Board.

B. Engineer

i. Tunnel Inspection Report

Ms. Leo reported at the end of April, the biannual inspection for the CDD was performed. GAI Consultants went out into the field and performed a tunnel inspection and provided a report, which was included in the agenda package. Generally, they found them in good repair and operating as they should, but there were a few items to work on, such as repairing a light fixture and cleaning and sealing a couple of expansion joint, which were minor items. The report was consistent with reports completed in previous years. Mr. Reed asked if there was a detailed schedule for when inspections were to be completed, due to the roadwork to be completed on the tunnels. Ms. Leo confirmed that there was no set schedule and they were slightly behind in getting this inspection completed; however, staff would inspect the tunnels prior to the start of

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construction. Mr. Zimbardi noted that the lateral misalignments on the walls and did not know why it was categorized as no action recommended and questioned what caused it. Ms. Leo did not know and would obtain more information. Mr. Cameron believed that there was a shift or misalignment. Ms. Adams pointed out when staff received the Tunnel Inspection Report, it was provided to field services staff for review of potential action items. Ms. Leo reported that they were informed that Pond P8 was ready for final inspection, but two weeks later, they were informed that the irrigation was still broken. She had not yet heard if it was repaired.

C. District Manager

i. Action Items List

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

1. Parcel Conveyance from Taylor Morrison to CDD: Discussed.
2. Monitor Central Florida Expressway – Poinciana Parkway Project: Parkway Connector: There was no report.
3. Monitor Polk County Road Construction for Impact to PCDD Tunnels: There would be no change until 2025 or thereafter, but would remain on the Action Items List.
4. Review of Wetlands Owned by Developer and HOA: Ongoing.
5. Review of HOA Improvements Installed on CDD Parcels: Discussed.
6. Determine if Golf Course Fertilization is Contributing to Pond Algae: Discussed under the Field Manager's Report.
7. RFP Project Manual for Landscape Services: Discussed.

Ms. Adams asked if the Board wanted to include any additional action items. Mr. Reed questioned an update on the pipe under Cypress Parkway, that was supposed to be added to the Action Items List. Ms. Leo reported that she inspected it. There was a pond that had two pipes connected to Cypress Parkway, but it was hard to tell if the pipes were installed with the original construction and the expansion of the roadway, as there were no drawings on the Water Management District website. However, she believed that the developer created those connections and that the pond to the north, takes the water from the pipe. Mr. Reed voiced concern about potential liabilities, so they did not have contamination from outside sources. Ms. Leo explained when a road was developed, there was a requirement to take runoff from the road

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into a stormwater pond. Mr. Reed voiced concern because anytime that water comes from north to the south and runs through their property, it was allowed, but there was a risk for liability, if the ditch gets contaminated from an accident on Cypress Parkway. He requested that the impact of the Cypress Parkway drainage into the CDD stormwater system, be added to the Action Items List.

ii. Approval of Check Register

Ms. Adams presented the Check Register from April 1, 2024 to April 30, 2024 in the amount of \$141,376.08 and a detailed run summary, which were included in the agenda package.

On MOTION by Mr. Zimbardi seconded by Mr. Cameron with all in favor the April 1, 2024 to April 30, 2024 Check Register in the amount of \$141,376.08 were approved.

iii. Balance Sheet and Income Statement

Ms. Adams presented the Unaudited Financial Statements through March 31, 2024, which were included in the agenda package. MS. Adams pointed out the balance in the Capital Reserve Fund, which was in the third column on the Combined Balance Sheet. Assessments received year to date, as well as the prorated budget and actual expenses, were monitored by staff.

On MOTION by Mr. Reed seconded by Mr. Zimbardi with all in favor the financials March 31, 2024 were accepted.

iv. Presentation of Registered Voters

Ms. Adams stated that the District was required annually to present each year, on the record, the number of registered voters to the Board. A letter was provided by the Polk County Supervisor of Elections office, confirming as of April 15, 2024, there were 5,261 registered voters within the Poinciana CDD. No Board action was required. A workshop was held with the Solivita HOA Conservation and Wildlife Committee, regarding the feral hog presentation that was held at the end of April. Following the presentation, Ms. Adams reached out to the Mr. Bob Monica, Chair of the Solivita Conservation and Wildlife Committee, to request that any specific requests for the CDD from the HOA, be made in writing for Board consideration at a duly noticed public meeting. Mr. Cameron asked if there were minutes from this meeting. Ms. Adams confirmed that there were no minutes, but there was a recording. Mr. Zimbardi asked if there was

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a cost associated with interfacing with the Supervisor of Elections office. Ms. Adams explained that the notice of the qualifying period was required to be published in a newspaper of general circulation, but there was no exchange of fees between the Supervisor of Elections office and the CDD.

D. Field Manager's Report

- i. Consideration of Proposal to Repair Erosion of Pond E3**
- ii. Field Manager's Report**

Mr. Blanco presented the Field Manager Report, which was included in the agenda package along with the Pond Maintenance and Midge Management Reports. The pressure washing of the Bella Viana Tunnel was completed. Staff reviewed both of the tunnels prior to the pressure washing and leaves were found in corners and there were scuff marks and spider nests towards the ceiling of the tunnels. The work was scheduled to be completed in accordance with the closure of the golf course and golf maintenance was informed about the work. A post repair review was conducted and the tunnel was mostly clear of the leaves, spider nests and most of the scuff marks were removed. The walls appear to be in a brighter tone. The Bella Viana striping was scheduled for today, but due to the rain, it was moved and would update the Board. Mr. Cameron asked if the tunnels were closed in June. Mr. Blanco indicated that the tunnels were closed on May 1st, according to the Hampton Golf Course and the pressure washing in the Bella Viana tunnel was completed on May 2nd. and May 3rd. as well as the Venezia Tunnel. Maintenance was supposed to come today to do the restriping, but due to the rain, it had to be re-scheduled. Mr. Cameron pointed out that concrete was breaking on the sidewalk on the exit side of the Bella Viana Tunnel and asked if it was scheduled to be repaired.

Mr. Blanco indicated when he received the Tunnel Inspection Report from the District Engineer, the work was occurring at the same time and they were going to come up with a supplemental plan to get all of those items addressed. A proposal would be provided at the next meeting. Mr. Cameron wanted it to be repaired as soon as possible and questioned the timeline. Mr. Blanco wanted to use an outside vendor that specialized in this type of work, but had confidence in their staff. If the outside vendor provided a higher price, Mr. Blanco would obtain an additional proposal from GMS. Mr. Cameron understood that the HOA contracted with a vendor to do sidewalk repairs and recommended having the HOA contractor repair these sidewalks under one contract. Mr. Cameron asked if there were other areas. Mr. Blanco noticed

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areas around Solivita where they were pulling out slabs. Mr. Cameron would contact the vendor. Ms. Carpenter suggested that the Board give Mr. Cameron the authority to contact the HOA vendor and coordinate this work at a not-to-exceed cost. Mr. Cameron questioned how patrons would be notified about the closure of the Bella Viana Tunnel to replace the concrete sidewalk. Mr. Blanco was told that they were using Facebook, but to be on the safe side and alleviate any calls or emails, they would install signage and send an e-blast out to residents. Ms. Carpenter asked if it needed to be done before the next meeting. Ms. Adams asked if there was an understanding of how long the vendor would be onsite with the HOA sidewalks. Mr. Cameron believed that they would be onsite for the next few weeks. Ms. Adams indicated this would be outside of the timeframe for the next Board meeting. Ms. Carpenter recommended that the Board delegate to Mr. Cameron the authority to negotiate a price with the HOA's sidewalk contractor to repair the sidewalk on the exit side of the Bella Viana Tunnel in a not-to-exceed amount of \$2,500. Once Mr. Cameron negotiated a price with them, they could enter into a contract with the contractor.

On MOTION by Mr. Reed seconded by Mr. Zimbardi with all in favor delegating authority to Supervisor Cameron to negotiate a not-to-exceed amount of \$2,500 to repair the sidewalk on the exit side of the Bella Viana Tunnel was approved.

Mr. Blanco reported that GMS staff continued to review landscaping throughout the community, dealing with the transition from the HOA side from Floralawn to Yardnique. The quality of the CDD side continued to remain to satisfactory standards. There were some feral hog ruts, specifically on Verona Drive, which Floralawn flattened out. As of this time, the hogs have not returned. There were also ruts on the conservation line in some areas that border easements, but not onto the CDD side. Mr. Blanco would continue to monitor it throughout the Summer and would inform the Board of any ruts on the CDD easement. Verbiage regarding edge grasses would be included in the landscaping RFP.

iii. Pond Maintenance Report

iv. Midge Management Report

Mr. Blanco presented the Pond Maintenance and Midge Management Reports, which were included in the agenda package. GMS staff continued to review the ponds throughout the District. There have been excessive amounts of algae through the Spring months, due to the heat,

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lack of rain and high nutrient boost. Along with the Algae bloom treatments throughout the District, the vendor was spraying back some of the edge grasses that were exceeding from the 5 to 6 feet buffer that they were educating the residents with, as well as any pond grass items that were making their way towards the middle of the pond. Along with that, Mr. Blanco reviewed Pond P8 and both washout areas were covered, but there was evidence of an irrigation leak that was the culprit in creating that washout and still has the evidence of moisture. As a result, Mr. Blanco reached out to the District Engineer and she reviewed it. Therefore, it was not ready for conveyance at this time.

Mr. Reed wanted clarification on the work that was done on Pond E3 with the aerators, questioned whether the concrete base and everything else was removed, when they removed the aerator. Mr. Blanco confirmed that everything was removed and at the Vice Chairman's request, an entire section in his report was dedicated to the review of Pond E3. The last two pictures show maintenance staff removing the slab, as well as any other components of the aerator. The remaining aerators left to be removed, were removed and there were no solar powered aerators present in the area. Staff was reviewing that pond weekly and 95% of the duckweed was treated and was no longer present. The Hydrilla treated started, per the vendor. There was a proposal to repair the heavily eroded areas as well as some of the lesser eroded areas in Pond E3, for Board review. Representatives of Solitude were present, the Account Manager as well as a representative specializing in Dredge Sox. GMS was invited by the HOA to present an Earth Day presentation. They decided to educate the residents on how the CDD works, retention ponds and treatment of the ponds. There was also a representative from Clarke that was present to field any questions regarding midges, as well as a question-and-answer period for the residents that attended. Most of the residents who attended, were from Poinciana West and had no experience with retention ponds. Mr. Blanco made himself available throughout the entire event to answer questions and educating residents. Mr. Zimbardi asked if the presentation material could be provided to the Board. Mr. Blanco would forward it to the Board.

Mr. Cameron attended the presentation and noted that there were misunderstandings about where the boundaries and edges were. There were many weeds growing on the west side, that were 6 feet inside of the ponds. Mr. Blanco confirmed that there was a discussion with Poinciana West, which he felt was helpful for this CDD, regarding the location of the edge grasses and the amount of edge grasses that they were allowing. He was initially told 6 to 10 feet.

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Mr. Blanco reviewed the ponds with Mr. Reed and the District Engineer, who recommended scaling it back closer to 3 to 4 feet, which provided an ecosystem for the fish to help with the midges. Therefore, the standard operating procedure moving forward, was going to be a 3 to 4 feet buffer, which many residents would be happy with. And I have the account manager for Solitude here and I'll have a conversation with him about edge grasses and just having the vendor when he's out here to never see that it's exceeding that amount, to just start the process of spraying back the grass. He spoke to Mr. Stephen Amrhein, the Account Manager for of Solitude Lake Management, regarding the edge grasses and informed him to look at the edge grasses and if they exceeded 6 feet, to cut them back. Mr. Reed recalled at the Poinciana West presentation, there was misunderstanding or lack of knowledge about the boundaries. Many times, when they looked at the ponds and saw erosion, they considered that to be the edge of the pond, but they really did not know where the edge of the pond was and felt that was a good place to start, because what was in the pond, was good enough to help stabilize the pond banks. In his opinion, 3 to 4 feet was the maximum and offered to go out with them on tours, to work out the best approach to take for the Poinciana CDD side. Mr. Amrhein introduced, Ms. Jennifer Fitz, Dredge Sox Operations Manager.

Mr. Amrhein provided proposals to the Board to restore the lake bank on Pond E3, which was broken out. However, there was a typo in the linear feet. The correct linear feet was 490 linear feet for one half of the pond and 468 feet for the other half. Ms. Adams asked if the proposed amount was correct or if it needed to be adjusted. Mr. Amrhein confirmed that it was the correct amount. There were four proposals. The first proposal was to repair the erosion around the entire lake, which was in the amount of \$317,000. Mr. Blanco explained that he requested a proposal for everything, so the Board had an idea about the cost, a second proposal to address the less critical areas, which was in the amount of \$205,000, another one for the two halves of the 18-foot section, which was \$156,394, which was what Mr. Amrhein recommended and a fourth proposal for the problem areas. Ms. Adams requested that the proposal for the \$156,394. be provided to Mr. Blanco. Ms. Adams would include it in the next agenda package for Board consideration. It was not budgeted. Mr. Reed preferred to have the Board look at the pond together, to evaluate the situation, so all Board Members were aware of what they were dealing with and discuss any alternatives. Ms. Carpenter recommended that the Board schedule a workshop.

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**Ms. Nelson left the meeting at this time.*

Ms. Adams asked if the Board wanted the District Engineer to attend as well as field staff and Solitude representatives before the June 19th meeting and to set a workshop for June or have a presentation at the June meeting and then set the workshop at a later time. Mr. Reed noted there was no rush, as his main concern was educating residents and have staff present alternatives at the June meeting. Ms. Leo preferred to do further research, obtain a quote from a traditional site contractor and recommended that there be a presentation at the next meeting. Mr. Zimbardi questioned whether this would require heavy equipment. Ms. Fitz indicated that most heavy equipment that they used were small skid steers and an amphibious dredger excavator to drive over the sod without damaging it, to dredge the lake bottom with it. If the sediment was suitable, they could pump it into the sock system. A sock system was installed several years ago. Mr. Amrhein explained that it was on the opposite side of the pond, which was not holding up and was something that they were going to have to fix at their cost, should they get the job. *There was Board consensus to reschedule consideration of the proposal to repair erosion for the June meeting.* Mr. Reed requested that residents who lived on this pond attend the meeting to listen to the presentation.

v. Customer Complaint Log

Mr. Blanco presented the Customer Complaint Log, which was included in the agenda package. Mr. Cameron asked if Mr. Blanco handled the midge issue on Pond D7. Mr. Blanco confirmed that he forwarded the complaint to Clarke.

ELEVENTH ORDER OF BUSINESS

Supervisor's Requests

There being no comments, the next item followed.

TWELFTH ORDER OF BUSINESS

Other Business

There being no comments, the next item followed.

THIRTEENTH ORDER OF BUSINESS

General Audience Comments

Ms. Adams opened the public comment period. There was one Zoom attendee, but there were no comments, so, Ms. Adams closed the public comment period.

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FOURTEENTH ORDER OF BUSINESS

Next Meeting Date – June 19, 2024 @ 12:00 P.M. @ Mosaics, 388 Village Drive

Ms. Adams reported that the next meeting was scheduled for June 19, 2024 at 12:00 p.m.

FIFTEENTH ORDER OF BUSINESS

Adjournment

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

DocuSigned by:
Tricia Adams
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Secretary / Assistant Secretary

DocuSigned by:
Tony Reed
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Chair/Vice Chairman