## Poinciana Community Development District

Agenda Package

June 19, 2024

## **A**GENDA

### Poinciana

### Community Development District

### Meeting Agenda

Wednesday June 19, 2024 12:00 PM

**Zoom Information for Members of the Public:** 

The Art Gallery 385 Village Drive Poinciana, Florida

Link: https://zoom.us/j/93704992274 Dial-in Number: (646) 876-9923 Meeting ID: 937 0499 2274

- 1. Roll Call
- 2. Pledge of Allegiance
- 3. Public Comment Period on Agenda Items
- 4. Approval of Minutes of the May 15, 2024 Meeting
- 5. Organizational Matters
  - i. Review of Resumes/Letter(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
  - iii. Administration of Oath of Office to Newly Appointed Board Member
  - iv. Consideration of Resolution 2024-06 Election of Officers
- 6. Consideration of Resolution 2024-05 Authorizing the Use of Electronic Documents and Signatures
- 7. Consideration of Floralawn Work Order #11605
- 8. Consideration and Review of Improvements on CDD Tracts
- 9. Discussion of Procedures for Board Members Communicating with District Counsel and Engineer
- 10. Presentation of FY23 Audit Report
- 11. Staff Reports
  - A. Attorney
    - i. Presentation of Updated Ethics Memorandum
    - ii. Presentation of Memorandum Regarding Recently Enacted Legislation
  - B. Engineer
    - i. Presentation of Annual Engineer's Report
  - C. District Manager
    - i. Discussion of Location of Future Meetings
    - ii. Reminder of Form 1 Filing Deadline July 1
    - iii. Action Items List
    - iv. Approval of Check Register
    - v. Balance Sheet and Income Statement
  - D. Field Manager's Report
    - i. Proposal for Aquatic Plantings on Pond E3
    - ii. Discussion of Erosion Repair
    - iii. Field Manager's Report
    - iv. Pond Maintenance Report
    - v. Midge Management Report
    - vi. Customer Complaint Log
- 12. Supervisor's Requests
- 13. Other Business
- 14. General Audience Comments
- 15. Next Meeting Date July 17, 2024 12:00 PM; Starlite Ballroom
- 16. Adjournment

# **MINUTES**

# 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 via Zoom Assistant Secretary

Also present were:

Tricia Adams

Monica Virgen

Jan Carpenter

Kathy Leo

Joel Blanco

District Manager

District Counsel

District Engineer

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 BUSNESS

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. 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.

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).

Mr. Reed was in favor of Mr. Rick McKelvey serving on the Board, due to his wetland and environmental science experience.

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).

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,

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 MemberThese 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*.

#### 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 15<sup>th</sup>. 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

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 \$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.

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

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** 

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 17<sup>th</sup> 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 13<sup>th</sup>. On Page 61, Mr. Cameron questioned how they would

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

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. <u>Parcel Conveyance from Taylor Morrison to CDD</u>: Discussed.
- 2. <u>Monitor Central Florida Expressway Poinciana Parkway Project: Parkway Connector</u>: There was no report.
- 3. <u>Monitor Polk County Road Construction for Impact to PCDD Tunnels</u>: 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. <u>Determine if Golf Course Fertilization is Contributing to Pond Algae</u>: 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

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

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 1<sup>st</sup>, according to the Hampton Golf Course and the pressure washing in the Bella Viana tunnel was completed on May 2<sup>nd</sup> and May 3<sup>rd</sup>, 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 rescheduled. 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

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,

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 the 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.

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.

\*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 19<sup>th</sup> 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.

#### FOURTEENTH ORDER OF BUSINESS

Next Meeting Date – <u>June 19, 2024 @</u> 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.

Secretary / Assistant Secretary Chair/Vice Chairman

# SECTION V

# SECTION 1

### RICK MCKELVEY

RBMCKELVEY@GMAIL.COM EMAIL

> (269)924-7458 TELEPHONE

747 PORTOFINO DR. KISSIMMEE, FL 34759

# POINCIANA COMMUNITY DEVELOPMENT DISTRICT

Dear Board Members,

I am writing this letter to express my interest in being considered to fill the open position of Seat#4 on the board.

I have been interested in the work of the board since moving to Solivita almost 9 years ago. I frequently attend meetings to follow the work the board does to benefit the community as well as addressing the challenges we face, You may remember me from a presentation to the board on the wildlife camera program I head up here in Solivita.

I think my work in the community and my prior experience as a science educator give some skills and connections that would be helpful to the work of the board. I have been encouraged by the increased cooperation between the PCDD board and our HOA. I would like to see this cooperative attitude continue to grow to effectively deal with issues facing the community. As Taylor Morrison leaves the community, the PCDD has an important role in helping the community to move forward.

Unfortunately, I will be travelling on April 17<sup>th</sup> and be unable to attend the meeting. This is a trip that has been several years in the planning and can't be changed. We will be leaving April 1<sup>st</sup> and should return by Aprill 21<sup>st</sup>. I am hoping that if the board is willing to further consider my application that an alternative plan can be initiated.

Sincerely,

Rick McKelvey

### RICK MCKELVEY

747 Portofinoi Dr. <a href="mailto:rbmckelvey@gmail.com">rbmckelvey@gmail.com</a> (269-924-7458

### **Related Solivita Activities**

- Vice Chair of the HOA Conservation and Wildlife Committee
- I created and run the Share the Landscape program in conjunction with the fStop Foundation
- Active in the Solivita Wildlife Advocates
- Currently serve on the Club committee

### **Education**

B.S. Western Michigan University

Major: Earth Science Minor: Environmental Science

M.S. Northern Illinois University

Outdoor education with focus on Environmental Education

### Work Background

High School Science Teacher
Science Department Chair
Dean of Students

Upon retirement I worked in the teacher education program at the University of Michigan, Western Michigan University, and Spring Arbor University

# SECTION 4

#### **RESOLUTION 2024-06**

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE POINCIANA COMMUNITY DEVELOPMENT DISTRICT ELECTING THE OFFICERS OF THE DISTRICT AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Poinciana Community Development District (the "District") is a local unit of special purpose government created and existing pursuant to Chapter 190, Florida Statutes; and

**WHEREAS**, the Board of Supervisors of the District ("Board") desires to elect the Officers of the District.

# NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE POINCIANA COMMUNITY DEVELOPMENT DISTRICT:

Section 1.		_ is elected Chairperson.
Section 2.		_ is elected Vice-Chairperson.
Section 3.	George Flint	_ is elected Secretary.
Section 4.		_is elected Assistant Secretary is elected Assistant Secretary is elected Assistant Secretary.
	Tricia Adams	_ is elected Assistant Secretary.
Section 5.	Jill Burns	_ is elected Treasurer.
Section 6.	Katie Costa	_ is elected Assistant Treasurer.
Section 7.	Darrin Mossing, Sr.	_ is elected Assistant Treasurer.
Section 8.	This Resolution shall becom	e effective immediately upon its adoption.
PASSED A	<b>ND ADOPTED</b> this 19 <sup>th</sup> day o	f June 2024.
ATTEST:		POINCIANA COMMUNITY DEVELOPMENT DISTRICT
Secretary/Assistant	Secretary	Chairperson/Vice-Chairperson
Sociouity, 113515unit Sociouity		- · · · · · · · · · · · · · · · · · · ·

# SECTION VI

#### **RESOLUTION 2024-05**

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE POINCIANA COMMUNITY DEVELOPMENT DISTRICT PROVIDING FOR AND AUTHORIZING THE USE OF ELECTRONIC DOCUMENTS AND SIGNATURES; ADOPTING AND IMPLEMENTING ELECTRONIC DOCUMENT CONTROL PROCESSES AND PROCEDURES; PROVIDING FOR SEVERABILTY AND AN EFFECTIVE DATE.

**WHEREAS,** the Poinciana Community Development District (the "District") is a local unit of special purpose government created and existing pursuant to Chapter 190, *Florida Statutes*; and

**WHEREAS**, Chapter 190, *Florida Statutes*, authorizes the District to construct, install, operate, and/or maintain systems and facilities for certain basic infrastructure; and

**WHEREAS**, Chapter 190, Florida Statutes authorizes the District Board of Supervisors, to enter into various contracts for the purposes set forth therein; and

**WHEREAS**, the District Board of Supervisors finds that it is the interest of the District and its residents to reduce waste, costs, and to enhance services; and

WHEREAS, the District Board of Supervisors recognizes that the Florida Legislature, through the passage of The Electronic Signature Act of 1996, intended to, among other goals, facilitate economic development and efficient delivery of government services by means of reliable electronic messages and foster the development of electronic commerce though the use of electronic signatures to lend authenticity and integrity to writings in any electronic medium; and

**WHEREAS,** the District Board of Supervisors wishes to further these goals through the use of electronic documents and signatures.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE POINCIANA COMMUNITY DEVELOPMENT DISTRICT:

**SECTION 1. INCORPORATION OF RECITALS.** The recitals so stated are true and correct and by this reference are incorporated into and form a material part of this Resolution.

**SECTION 2. FORCE AND EFFECT OF ELECTRONIC DOCUMENTS AND SIGNATURES.** Unless otherwise provided by law, electronic documents and signatures submitted to and on behalf of the District may be used for all purposes and shall have the same force and effect as printed documents and manual signatures.

**SECTION 3. AUTHORIZING UTILIZATION OF ELECTRONIC SIGNATURES AND DOCUMENTS.** All contractors and personnel associated with the District are hereby authorized and encouraged to utilize electronic documents and signatures when reasonably practicable and as permitted by law. The District Manager is authorized and directed to obtain the provision of electronic document services or platforms offered by nationally recognized third party vendors that increase the efficiency of the District's operations.

**SECTION 4. CONTROLS PROCESSES AND PROCEDURES.** The District Board of Supervisors hereby authorizes and directs the District Manager to create control processes and procedures consistent with Florida Law to ensure adequate integrity, security, confidentiality, and auditability of all transactions conducted using electronic commerce.

**SECTION 5. SEVERABILITY.** If any provision of this Resolution is held to be illegal or invalid, the other provisions shall remain in full force and effect.

**SECTION 6. EFFECTIVE DATE.** This Resolution shall take effect upon its passage and shall remain in effect unless rescinded or repealed.

PASSED AND ADOPTED this 19th day of June, 2024.

ATTEST:	POINCIANA COMMUNITY DEVELOPMENT DISTRICT	
Secretary/Assistant Secretary	Chair/Vice Chair	

# **SECTION VII**



### Proposal

Date: 5/23/2024 Work Order #11605

PO#

Customer:

#### **Property:**

Poinciana Community Development District

### **Tree Removal**

Remove dead Pine Tree located on the northside of PCDD Pond B15

Remove (2) dead Maple Trees on the southside of PCDD Pond B15

Remove dead Maple Tree on the southside of PCDD Pond A5

Al debris will be removed and hauled away from the site

#### Breakdown

#### **Bed Prep and Plant Removal and Plant Installation**

Items	Quantity	Unit
Landscape Removal	0.00	Hr
Debris Disposal	0.50	ea

**PROJECT TOTAL:** \$1,702.18

#### **Optional Services**

Initial next to the Optional Services you would like to accept.

\_ Irrigation Repair and Modification

\$0.00

Irrigation work could total +/-20% of total cost of project.

<sup>\*\*</sup> These are all flush cut removals\*\*

#### **Terms & Conditions**

Special Instructions/Remarks: Floralawn, Inc. is not responsible for any damage to driveways or walk that are in poor condition prior to start of work. Floralawn will also not be responsible for any damage to septic tanks or underground utilities that are not previously identified by the Owner or marking service.

We hereby propose to furnish labor and materials, complete in accordance with the above specifications for the sum of: Seventeen hundred two dollars and 18/100 (\$1,702.18), with payments to be made as follows: 50% deposit to begin job with the balance due upon completion.

Material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra cost will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements are contingent upon strikes, accidents, or delays beyond our control. This proposal is subject to acceptance within 30 days and is void thereafter at the option of the undersigned.

Ву		By	
	<b>Brad Thompson</b>		
Date	5/23/2024	Date	
	Floralawn	Poinciana Community Development District	







# **SECTION VIII**

### POINCIANA CDD INVENTORY OF IMPROVEMENTS, LOCATION OF IMPROVEMENTS, AND RESPONSIBLE ENTITY FOR IMPROVEMENTS

- 1. Subdivision monument at the corner of Village Center Rd. and Via Como St., Utilities, Landscaping beds with trees and Retaining Wall within Tract P-6 (Phase 5C) (ID: 28-27-14-933556-001230).
- 2. Decorative fence on north side of pond within Tract P-13/P-15 (Phase 5-B) (ID: 28-27-15-933581-002520).
- 3. Decorative fence connecting to entrance gate within Tract P-11 (Phase 5A) (ID: 28-27-15-933579-001300).
- 4. Sidewalks, Cart Paths, Irrigation, and Landscaping within Tract C-3 (Phase 5E-W) (ID: 28-27-14-933553-000390).
- 5. Perimeter Walls, Gates, Frontage, Sidewalks and Bollard Lights within Tract C-2 (Phase III-A) (ID: 28-27-24-934011-005150).\*
- 6. Walkway/Sidewalks surrounding entire pond and additional sidewalk entrance into Glendora, Irrigation, Bed Spaces, Benches and Pet Waste Stations within Tract P-D9 (Phase II-C) (ID: 28-27-23-933962-006650) (a/k/a Glendora Park).\*
- 7. Retaining walls within Tract P-8 (Phase 5-C) (ID: 28-27-14-933556-001210).\*\*
- 8. Landscaping beds along Solivita Blvd. and east of pond within Tract P-1/A-1 (Phase 1D)(ID: 28-27-13-933512-000710).
- 9. Landscaping beds with trees along Solivita Blvd towards entrance going south within Tract B-1 (Phase 1E) (ID: 28-27-14-933542-000920).\*
- 10. Five portions of golf course green within Tract E-1 (Phase VIA) (ID: 28-27-13-933513-001340).\*
- 11. Bridge crossing pond and walkway leading to bridge within Tract E-18 (Phase VIA) (ID: 28-27-13-933513-001410).\*
- 12. Bridge crossing pond within Tract A-21 (Phase 1D) (ID: 28-27-13-933512-000740).\*
- 13. Two portions of walkway from amenity center to sidewalk on Solivita Blvd. within Tract A-3/A-4 (Phase 1) (ID: 28-27-14-933541-004300).\*

- 14. Portion of sidewalk on the west of pond next to Solivita Blvd. within Tract A-5 (Phase 1) (ID: 28-27-14-933541-004310).\*
- 15. Portion of golf walkway east of pond within Tract A-6 (Phase 1) (ID: 28-27-14-933541-004320).\*
- 16. Three landscaping beds with trees within Tract B-15 (Phase 1) (ID: 28-27-14-933541-004340).\*
- 17. Portion of sidewalk on south of pond and Landscaping beds at southwest corner of pond within Tract B-11 (Phase 1) (ID: 28-27-14-933541-004330).\*
- 18. Portion of sidewalk leading to amenity pool within Tract B-16 (Phase 1) (ID: 28-27-14-933541-004420).\*
- 19. Golf gazebo and portion of golf walkway within Tract C-18 (Phase 1) (ID: 28-27-14-933541-004410).\*
- 20. Portion of walkway within Tract C-14 (Phase 1) (ID: 28-27-14-933541-004390).\*
- 21. Portion of walkway and Bench within Tract C-13 (Phase IIA) (ID: 28-27-23-933960-000830).\*
- 22. Two landscaping beds by Glendora Rd. North within Tract D-10 (Phase IVB) (ID: 28-27-22-933910-001830).\*
- \* Tract was not part of the Taylor Morrison conveyance.
- \*\* Tract has not yet been accepted by the District.

Items 1-22 above are considered private improvements, which benefit private lots within the District, and as such, may not be owned or maintained by the District. A private entity must be responsible for these excluded improvements.

## SECTION X

POINCIANA
COMMUNITY DEVELOPMENT DISTRICT
POLK COUNTY, FLORIDA
FINANCIAL REPORT
FOR THE FISCAL YEAR ENDED
SEPTEMBER 30, 2023

### POINCIANA COMMUNITY DEVELOPMENT DISTRICT POLK COUNTY, FLORIDA

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951 Yamato Road • Suite 280 Boca Raton, Florida 33431 (561) 994-9299 • (800) 299-4728 Fax (561) 994-5823 www.graucpa.com

#### INDEPENDENT AUDITOR'S REPORT

To the Board of Supervisors Poinciana Community Development District Polk County, Florida

#### **Report on the Audit of the Financial Statements**

#### **Opinions**

We have audited the accompanying financial statements of the governmental activities and each major fund of Poinciana Community Development District, Polk County, Florida ("District") as of and for the fiscal year ended September 30, 2023, and the related notes to the financial statements, which collectively comprise the District's basic financial statements as listed in the table of contents.

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities and each major fund of the District as of September 30, 2023, and the respective changes in financial position thereof for the fiscal year then ended in accordance with accounting principles generally accepted in the United States of America.

#### **Basis for Opinions**

We conducted our audit in accordance with auditing standards generally accepted in the United States of America (GAAS) and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of the District and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

#### Responsibilities of Management for the Financial Statements

The District's management is responsible for the preparation and fair presentation of the financial statements in accordance with accounting principles generally accepted in the United States of America; and for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the District's ability to continue as a going concern for twelve months beyond the financial statement date, including any currently known information that may raise substantial doubt shortly thereafter.

#### Auditor's Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinions. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with GAAS, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the financial statements, whether due to
  fraud or error, and design and perform audit procedures responsive to those risks. Such procedures
  include examining, on a test basis, evidence regarding the amounts and disclosures in the financial
  statements.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the District's internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.
- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that
  raise substantial doubt about the District's ability to continue as a going concern for a reasonable
  period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control–related matters that we identified during the audit.

#### Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis and budgetary comparison information be presented to supplement the basic financial statements. Such information is the responsibility of management and, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

#### Other Information Included in the Financial Report

Management is responsible for the other information included in the financial report. The other information comprises the information for compliance with FL Statute 218.39 (3) (c) but does not include the financial statements and our auditor's report thereon. Our opinions on the financial statements do not cover the other information, and we do not express an opinion or any form of assurance thereon. In connection with our audit of the financial statements, our responsibility is to read the other information and consider whether a material inconsistency exists between the other information and the financial statements, or the other information otherwise appears to be materially misstated. If, based on the work performed, we conclude that an uncorrected material misstatement of the other information exists, we are required to describe it in our report.

#### Other Reporting Required by Government Auditing Standards

In accordance with *Government Auditing Standards*, we have also issued our report dated May 22, 2024, on our consideration of the District's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, grant agreements and other matters. The purpose of that report is solely to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the District's internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the District's internal control over financial reporting and compliance.

May 22, 2024

#### MANAGEMENT'S DISCUSSION AND ANALYSIS

Our discussion and analysis of Poinciana Community Development District, Polk County, Florida ("District") provides a narrative overview of the District's financial activities for the fiscal year ended September 30, 2023. Please read it in conjunction with the District's Independent Auditor's Report, basic financial statements, accompanying notes and supplementary information to the basic financial statements.

#### FINANCIAL HIGHLIGHTS

- The assets plus deferred outflows of resources of the District exceeded it liabilities at the close of the most recent fiscal year resulting in a net position balance of \$6,357,363.
- The change in the District's total net position in comparison with the prior fiscal year was \$813,543, an increase. The key components of the District's net position and change in net position are reflected in the table in the government-wide financial analysis section.
- At September 30, 2023, the District's governmental funds reported combined ending fund balances of \$1,357,712, a decrease of (\$334,903) in comparison with the prior fiscal year. The total fund balance is restricted for debt service, non-spendable for prepaid items, assigned for operating reserves, capital reserves and subsequent year's expenditures, and the remainder is unassigned fund balance which is available for spending at the District's discretion.

#### **OVERVIEW OF FINANCIAL STATEMENTS**

This discussion and analysis are intended to serve as the introduction to the District's basic financial statements. The District's basic financial statements are comprised of three components: 1) government-wide financial statements, 2) fund financial statements, and 3) notes to the financial statements. This report also contains other supplementary information in addition to the basic financial statements themselves.

#### Government-Wide Financial Statements

The government-wide financial statements are designed to provide readers with a broad overview of the District's finances, in a manner similar to a private-sector business.

The statement of net position presents information on all the District's assets, deferred outflows of resources, liabilities, and deferred inflows of resources with the residual amount being reported as net position. Over time, increases or decreases in net position may serve as a useful indicator of whether the financial position of the District is improving or deteriorating.

The statement of activities presents information showing how the government's net position changed during the most recent fiscal year. All changes in net position are reported as soon as the underlying event giving rise to the change occurs, regardless of the timing of related cash flows. Thus, revenues and expenses are reported in this statement for some items that will only result in cash flows in future fiscal periods.

The government-wide financial statements include all governmental activities that are principally supported by assessments. The District does not have any business-type activities. The governmental activities of the District include the general government (management) and maintenance functions.

#### **Fund Financial Statements**

A fund is a grouping of related accounts that is used to maintain control over resources that have been segregated for specific activities or objectives. The District, like other state and local governments, uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements. The District has one fund category: governmental funds.

#### OVERVIEW OF FINANCIAL STATEMENTS (Continued)

#### Governmental Funds

Governmental funds are used to account for essentially the same functions reported as governmental activities in the government-wide financial statements. However, unlike the government-wide financial statements, governmental fund financial statements focus on near-term inflows and outflows of spendable resources, as well as on balances of spendable resources available at the end of the fiscal year. Such information may be useful in evaluating a District's near-term financing requirements.

Because the focus of governmental funds is narrower than that of the government-wide financial statements, it is useful to compare the information presented for governmental funds with similar information presented for governmental funds with similar information presented for governmental funds with similar information presented for governmental funds statements. By doing so, readers may better understand the long-term impact of the District's near-term financing decisions. Both the governmental fund balance sheet and the governmental fund statement of revenues, expenditures, and changes in fund balances provide a reconciliation to facilitate this comparison between governmental funds and governmental activities.

The District maintains two governmental funds for external reporting. Information is presented separately in the governmental fund balance sheet and the governmental fund statement of revenues, expenditures, and changes in fund balances for the general fund and debt service fund, both of which are considered major funds.

The District adopts an annual appropriated budget for its general fund. A budgetary comparison schedule has been provided for the general fund to demonstrate compliance with the budget.

#### Notes to the Financial Statements

The notes provide additional information that is essential to a full understanding of the data provided in the government-wide and fund financial statements.

#### **GOVERNMENT-WIDE FINANCIAL ANALYSIS**

As noted earlier, net position may serve over time as a useful indicator of an entity's financial position. In the case of the District, assets plus deferred outflows of resources exceeded liabilities at the close of the fiscal year.

Key components of the District's net position are reflected in the following table:

#### NET POSITION SEPTEMBER 30.

	2023	2022
Current and other assets	\$ 1,362,838	\$ 1,699,529
Capital assets, net of depreciation	14,233,121	14,583,145
Total assets	 15,595,959	16,282,674
Deferred outflows of resources	 168,181	191,378
Current liabilities	94,777	108,232
Long-term liabilities	 9,312,000	10,822,000
Total liabilities	 9,406,777	10,930,232
Net position		
Net investment in capital assets	5,089,302	3,952,523
Restricted	494,372	901,086
Unrestricted	 773,689	690,211
Total net position	\$ 6,357,363	\$ 5,543,820

The District's net position reflects its investment in capital assets (e.g. land, land improvements, and infrastructure) less any related debt used to acquire those assets that is still outstanding. These assets are used to provide services to residents; consequently, these assets are not available for future spending. Although the District's investment in capital assets is reported net of related debt, it should be noted that the resources needed to repay this debt must be provided from other sources, since the capital assets themselves cannot be used to liquidate these liabilities.

#### GOVERNMENT-WIDE FINANCIAL ANALYSIS (Continued)

The restricted portion of the District's net position represents resources that are subject to external restrictions on how they may be used. The remaining balance of unrestricted net position may be used to meet the District's other obligations.

The District's net position increased during the most recent fiscal year. The majority of the increase represents the extent to which ongoing program revenues exceeded the cost of operations and depreciation expense.

Key elements of the change in net position are reflected in the following table:

#### CHANGES IN NET POSITION FOR THE FISCAL YEAR ENDED SEPTEMBER 30.

Revenues:	2023 2022			2022
Program revenues				
Charges for services	\$	1,994,894	\$	2,846,988
Operating grants and contributions		30,951		3,113
General revenues				
Unrestricted investment earnings		1,398		118
Miscellaneous		3,901		7,250
Total revenues		2,031,144		2,857,469
Expenses:				
General government		145,996		170,587
Maintenance and operations		821,943		820,066
Interest		249,662		527,048
Bond issue costs		-		313,788
Total expenses		1,217,601		1,831,489
Change in net position		813,543		1,025,980
Net position - beginning		5,543,820		4,517,840
Net position - ending	\$	6,357,363	\$	5,543,820

As noted above and in the statement of activities, the cost of all governmental activities during the fiscal year ended September 30, 2023 was \$1,217,601. The costs of the District's activities were partially funded by program revenues. Program revenues were comprised primarily of assessments and investment earnings. In total, expenses decreased from the prior year mainly as a result of bond issue costs incurred during the prior year as well as a decrease in interest expense.

#### **GENERAL BUDGETING HIGHLIGHTS**

An operating budget was adopted and maintained by the governing board for the District pursuant to the requirements of Florida Statutes. The budget is adopted using the same basis of accounting that is used in preparation of the fund financial statements. The legal level of budgetary control, the level at which expenditures may not exceed budget, is in the aggregate. Any budget amendments that increase the aggregate budgeted appropriations must be approved by the Board of Supervisors. Actual general fund expenditures did not exceed appropriations for the fiscal year ended September 30, 2023.

#### CAPITAL ASSETS AND DEBT ADMINISTRATION

#### Capital Assets

At September 30, 2023, the District had \$20,835,519 invested in capital assets for its governmental activities. In the government-wide financial statements depreciation of \$6,602,398 has been taken, which resulted in a net book value of \$14,233,121. More detailed information about the District's capital assets is presented in the notes of the financial statements.

#### Capital Debt

At September 30, 2023, the District had \$9,312,000 Bonds outstanding for its governmental activities. More detailed information about the District's capital debt is presented in the notes of the financial statements.

#### ECONOMIC FACTORS AND NEXT YEAR'S BUDGETS AND OTHER EVENTS

The District does not anticipate any major projects or significant changes to its infrastructure maintenance program for the subsequent fiscal year. In addition, it is anticipated that the general operations of the District will remain fairly constant.

#### CONTACTING THE DISTRICT'S FINANCIAL MANAGEMENT

This financial report is designed to provide our citizens, land owners, customers, investors and creditors with a general overview of the District's finances and to demonstrate the District's accountability for the financial resources it manages and the stewardship of the facilities it maintains. If you have questions about this report or need additional financial information, contact the Poinciana Community Development District's Finance Department at 219 E. Livingston Street, Orlando, FL 32801.

# POINCIANA COMMUNITY DEVELOPMENT DISTRICT POLK COUNTY, FLORIDA STATEMENT OF NET POSITION SEPTEMBER 30, 2023

	Governmental Activities		
ASSETS			
Cash	\$ 757,179		
Due from other	264		
Assessments receivable	4,716		
Prepaids and other assets	19,759		
Restricted assets:			
Investments	580,920		
Capital assets:			
Nondepreciable	10,404,277		
Depreciable, net	3,828,844		
Total assets	15,595,959		
DEFERRED OUTFLOWS OF RESOURCES Deferred charge on refunding (debit) Total deferred outflows of resources	168,181 168,181		
LIABILITIES			
Accounts payable	5,126		
Accrued interest payable  Non-current liabilities:	89,651		
Due within one year	1,077,000		
Due in more than one year	8,235,000		
Total liabilities	9,406,777		
NET POSITION			
Net investment in capital assets	5,089,302		
Restricted for debt service	494,372		
Unrestricted	773,689		
Total net position	\$ 6,357,363		

#### POINCIANA COMMUNITY DEVELOPMENT DISTRICT POLK COUNTY, FLORIDA STATEMENT OF ACTIVITIES FOR THE FISCAL YEAR ENDED SEPTEMBER 30, 2023

				Program	Reve	nues	Re	t (Expense) evenue and anges in Net Position
					O	perating		
			Cł	narges for	Gra	ants and	Go	vernmental
Functions/Programs	Е	xpenses	5	Services	Con	tributions	Activities	
Primary government:								_
Governmental activities:								
General government	\$	145,996	\$	145,996	\$	-	\$	-
Maintenance and operations		821,943		536,324		-		(285,619)
Interest on long-term debt		249,662		1,312,574		30,951		1,093,863
Total governmental activities		1,217,601		1,994,894		30,951		808,244
		eral revenu						
	Uı	nrestricted i	nves	tment earnir	ngs			1,398
	М	iscellaneous	3					3,901
		Total genera	al re	enues/				5,299
	Cha	nge in net p	ositi	on				813,543
	Net	position - be	eginr	ning				5,543,820
	Net	position - e	nding	1			\$	6,357,363

# POINCIANA COMMUNITY DEVELOPMENT DISTRICT POLK COUNTY, FLORIDA BALANCE SHEET GOVERNMENTAL FUNDS SEPTEMBER 30, 2023

	Major Funds					Total	
	General			Debt Service		overnmental Funds	
ASSETS							
Cash	\$	757,179	\$	-	\$	757,179	
Investments		-		580,920		580,920	
Due from other		264		-		264	
Assessments receivable		1,613		3,103		4,716	
Prepaid items		19,759		-		19,759	
Total assets	\$	778,815	\$	584,023	\$	1,362,838	
LIABILITIES AND FUND BALANCES							
Liabilities:							
Accounts payable	\$	5,126	\$	-	\$	5,126	
Total liabilities		5,126		-		5,126	
Fund balances:							
Nonspendable:							
Prepaid items		19,759		-		19,759	
Restricted for:		,				ŕ	
Debt service		-		584,023		584,023	
Assigned for:				,		ŕ	
Subsequent year's expenditures		192,797		-		192,797	
Capital reserves		100,440		-		100,440	
Operating reserves		54,072		_		54,072	
Unassigned		406,621		_		406,621	
Total fund balances		773,689		584,023		1,357,712	
Total liabilities and fund balances	\$	778,815	\$	584,023	\$	1,362,838	
Total habilities and fund balances	Ψ	770,013	Ψ	JU7,U2J	Ψ	1,002,000	

# POINCIANA COMMUNITY DEVELOPMENT DISTRICT POLK COUNTY, FLORIDA RECONCILIATION OF THE BALANCE SHEET - GOVERNMENTAL FUNDS TO THE STATEMENT OF NET POSITION SEPTEMBER 30, 2023

Fund balance - governmental funds		\$ 1,357,712
Amounts reported for governmental activities in the statement of net position are different because:		
Capital assets used in governmental activities are not financial resources and, therefore, are not reported as assets in the governmental funds. The statement of net position includes those capital assets in the net position of the government as a whole.		
Cost of capital assets	20,835,519	44.000.404
Accumulated depreciation	(6,602,398)	14,233,121
Deferred charges on refunding of long-term debt are shown as deferred outflows/inflows of resources in the government-wide financial statements; however, this amount is expensed in the		160 101
governmental fund financial statements.		168,181
Liabilities not due and payable from current available resources are not reported as liabilities in the governmental fund statements. All liabilities, both current and long-term, are reported in the government-wide financial statements.		
Accrued interest payable	(89,651)	
Bonds payable	(9,312,000)	(9,401,651)
Net position of governmental activities		\$ 6,357,363

# POINCIANA COMMUNITY DEVELOPMENT DISTRICT POLK COUNTY, FLORIDA STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES GOVERNMENTAL FUNDS FOR THE FISCAL YEAR ENDED SEPTEMBER 30, 2023

	Major Funds				Total	
		Governmental				
	(	General	Debt Service		Funds	
REVENUES						
Assessments	\$	682,320	\$ 1,312,574	\$	1,994,894	
Miscellaneous revenue		3,901	-		3,901	
Interest		1,398	30,951		32,349	
Total revenues		687,619	1,343,525		2,031,144	
EXPENDITURES Current:						
General government		132,222	13,774		145,996	
Maintenance and operations		471,919	-		471,919	
Debt service:						
Principal		-	1,510,000		1,510,000	
Interest		-	238,132		238,132	
Total expenditures		604,141	1,761,906		2,366,047	
Excess (deficiency) of revenues		00.470	(440,004)		(004 000)	
over (under) expenditures		83,478	(418,381)		(334,903)	
Fund balances - beginning		690,211	1,002,404		1,692,615	
Fund balances - ending	\$	773,689	\$ 584,023	\$	1,357,712	

### POINCIANA COMMUNITY DEVELOPMENT DISTRICT POLK COUNTY, FLORIDA

## RECONCILIATION OF THE STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES OF GOVERNMENTAL FUNDS TO THE STATEMENT OF ACTIVITIES FOR THE FISCAL YEAR ENDED SEPTEMBER 30, 2023

Net change in fund balances - total governmental funds  Amounts reported for governmental activities in the statement of activities are different because:	\$	(334,903)
Depreciation on capital assets is not recognized in the governmental fund statement but is reported as an expense in the statement of activities.		(350,024)
The change in accrued interest on long-term liabilities between the current and prior fiscal year is recorded in the statement of activities but not in the fund financial statements.		11,667
Expenses reported in the statement of activities that do not require the use of current financial resources are not reported as expenditures in the funds. The details of the differences are as follows:  Amortization of deferred amount on refunding		(23,197)
Repayment of long-term liabilities are reported as expenditures in the governmental fund statement but such repayments reduce liabilities in the statement of net position and are eliminated in the statement of activities.		1 510 000
Change in net position of governmental activities	•	1,510,000 813,543
Change in het position of governmental activities	Ψ	010,040

#### POINCIANA COMMUNITY DEVELOPMENT DISTRICT POLK COUNTY, FLORIDA NOTES TO FINANCIAL STATEMENTS

#### NOTE 1 - NATURE OF ORGANIZATION AND REPORTING ENTITY

Poinciana Community Development District ("District") was created on November 1, 1999 pursuant to the Uniform Community Development District Act of 1980, otherwise known as Chapter 190, Florida Statutes. Chapter 190 provides among other things, the power to manage basic services for community development, power to borrow money and issue bonds, and to levy and assess non-ad valorem assessments for the financing and delivery of capital infrastructure. Also, Chapter 190 provides that a Community Development District with a size of 1,000 acres or more could be established by rule adopted under Chapter 120 by the Florida Land and Water Adjudicatory Commission. The District was established by the adoption of Rule 42AA-1.

The District was established for the purposes of financing and managing the acquisition, construction, maintenance and operation of a portion of the infrastructure necessary for community development within the District.

The District is governed by the Board of Supervisors ("Board"), which is composed of five members. The Supervisors are elected on an at-large basis by the owners of the property within the District. The Board of Supervisors of the District exercise all powers granted to the District pursuant to Chapter 190, Florida Statutes.

The Board has the responsibility for:

- 1. Allocating and levying assessments.
- 2. Approving budgets.
- 3. Exercising control over facilities and properties.
- 4. Controlling the use of funds generated by the District.
- 5. Approving the hiring and firing of key personnel.
- 6. Financing improvements.

The financial statements were prepared in accordance with Governmental Accounting Standards Board ("GASB") Statements. Under the provisions of those standards, the financial reporting entity consists of the primary government, organizations for which the District Board of Supervisors is considered to be financially accountable, and other organizations for which the nature and significance of their relationship with the District are such that, if excluded, the financial statements of the District would be considered incomplete or misleading. There are no entities considered to be component units of the District; therefore, the financial statements include only the operations of the District.

#### NOTE 2 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

#### **Government-Wide and Fund Financial Statements**

The basic financial statements include both government-wide and fund financial statements.

The government-wide financial statements (i.e., the statement of net position and the statement of activities) report information on all of the non-fiduciary activities of the primary government. For the most part, the effect of interfund activity has been removed from these statements.

The statement of activities demonstrates the degree to which the direct expenses of a given function or segment is offset by program revenues. *Direct expenses* are those that are clearly identifiable with a specific function or segment. *Program revenues* include 1) charges to customers who purchase, use or directly benefit from goods, services or privileges provided by a given function or segment. Operating-type special assessments for maintenance and debt service are treated as charges for services; and 2) grants and contributions that are restricted to meeting the operational or capital requirements of a particular function or segment. Other items not included among program revenues are reported instead as *general revenues*.

#### Measurement Focus, Basis of Accounting and Financial Statement Presentation

The government-wide financial statements are reported using the *economic resources measurement* focus and the *accrual basis of accounting*. Revenues are recorded when earned and expenses are recorded when a liability is incurred, regardless of the timing of related cash flows. Assessments are recognized as revenues in the year for which they are levied. Grants and similar items are to be recognized as revenue as soon as all eligibility requirements imposed by the provider have been met.

Governmental fund financial statements are reported using the *current financial resources measurement focus* and the *modified accrual basis of accounting*. Revenues are recognized as soon as they are both measurable and available. Revenues are considered to be *available* when they are collectible within the current period or soon enough thereafter to pay liabilities of the current period. For this purpose, the government considers revenues to be available if they are collected within 60 days of the end of the current fiscal period. Expenditures are recorded when a liability is incurred, as under accrual accounting. However, debt service expenditures are recorded only when payment is due.

#### Assessments

Assessments are non-ad valorem assessments on benefited property within the District. Operating and maintenance assessments are based upon the adopted budget and levied annually at a public hearing of the District. Debt service assessments are levied when Bonds are issued and assessed and collected on an annual basis. The District may collect assessments directly or utilize the uniform method of collection under Florida Statutes. Direct collected assessments are due as determined by annual assessment resolution adopted by the Board of Supervisors. Assessments collected under the uniform method are mailed by the County Tax Collector on November 1 and due on or before March 31 of each year. Property owners may prepay a portion or all of the debt service assessments on their property subject to various provisions in the Bond documents.

Assessments and interest associated with the current fiscal period are considered to be susceptible to accrual and so have been recognized as revenues of the current fiscal period. The portion of assessments receivable due within the current fiscal period is considered to be susceptible to accrual as revenue of the current period.

The District reports the following major governmental funds:

#### General Fund

The general fund is the general operating fund of the District. It is used to account for all financial resources except those required to be accounted for in another fund.

#### **Debt Service Fund**

The debt service fund is used to account for the accumulation of resources for the annual payment of principal and interest on long-term debt.

As a general rule, the effect of interfund activity has been eliminated from the government-wide financial statements.

When both restricted and unrestricted resources are available for use, it is the government's policy to use restricted resources first for qualifying expenditures, then unrestricted resources as they are needed.

#### Assets, Liabilities and Net Position or Equity

#### Restricted Assets

These assets represent cash and investments set aside pursuant to Bond covenants or other contractual restrictions.

#### Assets, Liabilities and Net Position or Equity (Continued)

#### Deposits and Investments

The District's cash and cash equivalents are considered to be cash on hand and demand deposits (interest and non-interest bearing).

The District has elected to proceed under the Alternative Investment Guidelines as set forth in Section 218.415 (17) Florida Statutes. The District may invest any surplus public funds in the following:

- a) The Local Government Surplus Trust Funds, or any intergovernmental investment pool authorized pursuant to the Florida Interlocal Cooperation Act;
- b) Securities and Exchange Commission registered money market funds with the highest credit quality rating from a nationally recognized rating agency;
- c) Interest bearing time deposits or savings accounts in qualified public depositories;
- d) Direct obligations of the U.S. Treasury.

Securities listed in paragraph c and d shall be invested to provide sufficient liquidity to pay obligations as they come due. In addition, surplus funds may be deposited into certificates of deposit which are insured and any unspent Bond proceeds are required to be held in investments as specified in the Bond Indenture.

The District records all interest revenue related to investment activities in the respective funds. Investments are measured at amortized cost or reported at fair value as required by generally accepted accounting principles.

#### Prepaid Items

Certain payments to vendors reflect costs applicable to future accounting periods and are recorded as prepaid items in both government-wide and fund financial statements.

#### Capital Assets

Capital assets which include property, plant and equipment, and infrastructure assets (e.g., roads, sidewalks and similar items) are reported in the government activities columns in the government-wide financial statements. Capital assets are defined by the government as assets with an initial, individual cost of more than \$5,000 (amount not rounded) and an estimated useful life in excess of two years. Such assets are recorded at historical cost or estimated historical cost if purchased or constructed. Donated capital assets are recorded at acquisition value at the date of donation.

The costs of normal maintenance and repairs that do not add to the value of the asset or materially extend assets lives are not capitalized. Major outlays for capital assets and improvements are capitalized as projects are constructed.

Property, plant and equipment of the District are depreciated using the straight-line method over the following estimated useful lives:

<u>Asset</u>	<u>Life</u>
Infrastructure	30
Improvements other than buildings	10

In the governmental fund financial statements, amounts incurred for the acquisition of capital assets are reported as fund expenditures. Depreciation expense is not reported in the governmental fund financial statements.

#### Unearned Revenue

Governmental funds report unearned revenue in connection with resources that have been received, but not yet earned.

#### Assets, Liabilities and Net Position or Equity (Continued)

#### **Long-Term Obligations**

In the government-wide financial statements long-term debt and other long-term obligations are reported as liabilities in the statement of net position. Bond premiums and discounts are deferred and amortized over the life of the Bonds. Bonds payable are reported net of applicable premiums or discounts. Bond issuance costs are expensed when incurred.

In the fund financial statements, governmental fund types recognize premiums and discounts, as well as issuance costs, during the current period. The face amount of debt issued is reported as other financing sources. Premiums received on debt issuances are reported as other financing sources while discounts on debt issuances are reported as other financing uses. Issuance costs, whether or not withheld from the actual debt proceeds received, are reported as debt service expenditures.

#### Deferred Outflows/Inflows of Resources

In addition to assets, the statement of financial position will sometimes report a separate section for deferred outflows of resources. This separate financial statement element, deferred outflows of resources, represents a consumption of net position that applies to a future period(s) and so will not be recognized as an outflow of resources (expense/expenditure) until then.

In addition to liabilities, the statement of financial position will sometimes report a separate section for deferred inflows of resources. This separate financial statement element, deferred inflows of resources, represents an acquisition of net position that applies to a future period(s) and so will not be recognized as an inflow of resources (revenue) until that time.

#### Fund Equity/Net Position

In the fund financial statements, governmental funds report non spendable and restricted fund balance for amounts that are not available for appropriation or are legally restricted by outside parties for use for a specific purpose. Assignments of fund balance represent tentative management plans that are subject to change.

The District can establish limitations on the use of fund balance as follows:

<u>Committed fund balance</u> – Amounts that can be used only for the specific purposes determined by a formal action (resolution) of the Board of Supervisors. Commitments may be changed or lifted only by the Board of Supervisors taking the same formal action (resolution) that imposed the constraint originally. Resources accumulated pursuant to stabilization arrangements sometimes are reported in this category.

<u>Assigned fund balance</u> – Includes spendable fund balance amounts established by the Board of Supervisors that are intended to be used for specific purposes that are neither considered restricted nor committed. The Board may also assign fund balance as it does when appropriating fund balance to cover differences in estimated revenue and appropriations in the subsequent year's appropriated budget. Assignments are generally temporary and normally the same formal action need not be taken to remove the assignment.

The District first uses committed fund balance, followed by assigned fund balance and then unassigned fund balance when expenditures are incurred for purposes for which amounts in any of the unrestricted fund balance classifications could be used.

Net position is the difference between assets and deferred outflows of resources less liabilities and deferred inflows of resources. Net position in the government-wide financial statements are categorized as net investment in capital assets, restricted or unrestricted. Net investment in capital assets represents net position related to infrastructure and property, plant and equipment. Restricted net position represents the assets restricted by the District's Bond covenants or other contractual restrictions. Unrestricted net position consists of the net position not meeting the definition of either of the other two components.

#### **Other Disclosures**

#### Use of Estimates

The preparation of financial statements in conformity with generally accepted accounting principles requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities, and disclosure of contingent assets and liabilities at the date of the financial statements, and the reported amounts of revenues and expenditures during the reporting period. Actual results could differ from those estimates.

#### **NOTE 3 – BUDGETARY INFORMATION**

The District is required to establish a budgetary system and an approved Annual Budget. Annual Budgets are adopted on a basis consistent with generally accepted accounting principles for all governmental funds. All annual appropriations lapse at fiscal year-end.

The District follows these procedures in establishing the budgetary data reflected in the financial statements.

- a) Each year the District Manager submits to the District Board a proposed operating budget for the fiscal year commencing the following October 1.
- b) Public hearing(s) are conducted to obtain comments.
- c) Prior to October 1, the budget is legally adopted by the District Board.
- d) All budget changes must be approved by the District Board, unless otherwise delegated by the District Board.
- e) The budgets are adopted on a basis consistent with generally accepted accounting principles.
- f) Unused appropriation for annually budgeted funds lapse at the end of the year.

#### **NOTE 4 – DEPOSITS AND INVESTMENTS**

#### **Deposits**

The District's cash balances were entirely covered by federal depository insurance or by a collateral pool pledged to the State Treasurer. Florida Statutes Chapter 280, "Florida Security for Public Deposits Act", requires all qualified depositories to deposit with the Treasurer or another banking institution eligible collateral equal to various percentages of the average daily balance for each month of all public deposits in excess of any applicable deposit insurance held. The percentage of eligible collateral (generally, U.S. Governmental and agency securities, state or local government debt, or corporate bonds) to public deposits is dependent upon the depository's financial history and its compliance with Chapter 280. In the event of a failure of a qualified public depository, the remaining public depositories would be responsible for covering any resulting losses.

#### **Investments**

The District's investments were held as follows at September 30, 2023:

	Amo	rtized Cost	Credit Risk	Maturities
Goldman Sachs Financial Square				Weighted average of the fund
Governmentt Fund	\$	580,920	S&P AAAm	portfolio: 35 days
Total Investments	\$	580,920		

Credit risk – For investments, credit risk is generally the risk that an issuer of an investment will not fulfill its obligation to the holder of the investment. This is measured by the assignment of a rating by a nationally recognized statistical rating organization. Investment ratings by investment type are included in the preceding summary of investments.

Concentration risk – The District places no limit on the amount the District may invest in any one issuer.

Interest rate risk — The District has adopted the State's alternative investment guidelines as a part of its compliance with Sec. 218.415(17) F.S., that limits investment maturities as a means of managing exposure to fair value losses arising from increasing interest rates.

#### NOTE 4 – DEPOSITS AND INVESTMENTS (Continued)

#### **Investments (Continued)**

However, the Bond Indenture limits the type of investments held using unspent proceeds.

Fair Value Measurement – When applicable, the District measures and records its investments using fair value measurement guidelines established in accordance with GASB Statements. The framework for measuring fair value provides a fair value hierarchy that prioritizes the inputs to valuation techniques.

These quidelines recognize a three-tiered fair value hierarchy, in order of highest priority, as follows:

- Level 1: Investments whose values are based on unadjusted quoted prices for identical investments in active markets that the District has the ability to access;
- Level 2: Investments whose inputs other than quoted market prices are observable either directly or indirectly; and,
- Level 3: Investments whose inputs are unobservable.

The fair value measurement level within the fair value hierarchy is based on the lowest level of any input that is significant to the entire fair value measurement. Valuation techniques used should maximize the use of observable inputs and minimize the use of unobservable inputs.

Money market investments that have a maturity at the time of purchase of one year or less and are held by governments other than external investment pools should be measured at amortized cost. Accordingly, the District's investments have been reported at amortized cost above.

#### **NOTE 5 - CAPITAL ASSETS**

Capital asset activity for the fiscal year ended September 30, 2023 was as follows:

	Beginning Balance	Additions	Reductions	Ending Balance	
Governmental activities					
Capital assets, not being depreciated					
Land and improvements	\$ 10,404,277	\$ -	\$ -	\$ 10,404,277	
Total capital assets, not being depreciated	10,404,277	-	-	10,404,277	
Capital assets, being depreciated					
Infrastructure	10,396,500	-	-	10,396,500	
Improvements other than buildings	34,742	-	-	34,742	
Total capital assets, being depreciated	10,431,242	-	-	10,431,242	
Less accumulated depreciation for:					
Infrastructure	6,237,900	346,550	-	6,584,450	
Improvements other than buildings	14,474	3,474	-	17,948	
Total accumulated depreciation	6,252,374	350,024	-	6,602,398	
Total capital assets, being depreciated, net	4,178,868	(350,024)	-	3,828,844	
Governmental activities capital assets	\$ 14,583,145	\$ (350,024)	\$ -	\$ 14,233,121	

Depreciation expense was charged to the maintenance and operations function.

#### **NOTE 6 – LONG-TERM LIABILITIES**

#### Series 2022

On February 1, 2022, the District issued \$10,845,000 of Special Assessment Refunding Bonds, Series 2022 due on May 1, 2031 which bear interest at a rate which increases each year starting at 1.69% and finishing at 2.57% in the year the Bonds are due. The Bonds were issued to refund District's outstanding Special Assessment Refunding Bonds, Series 2012 (the "Refunded Bonds"), pay certain costs associated with the issuance of the Bonds. Interest is to be paid semiannually on each May 1 and November 1. Principal on the Bonds is to be paid serially commencing May 1, 2023 through May 1, 2031.

The Series 2022 Bonds are subject to redemption at the option of the District prior to their maturity. The Series 2022 Bonds are subject to optional redemption. The Bonds are subject to extraordinary mandatory redemption prior to their selected maturity in the manner determined by the Bond Registrar if certain events occurred as outlined in the Bond Indenture. This occurred during the current fiscal year as the District collected assessments from lot closings and prepaid \$453,000 of the Series 2022 Bonds.

The Bond Indenture established a debt service reserve requirement as well as other restrictions and requirements relating principally to the use of proceeds to pay for the infrastructure improvements and the procedures to be followed by the District on assessments to property owners. The District agrees to levy special assessments in annual amounts adequate to provide payment of debt service and to meet the reserve requirements. The amount in the debt service reserve account meets the debt service reserve requirement. The District was in compliance with the requirements at September 30, 2023.

#### **Long-term Debt Activity**

Changes in long-term liability activity for the fiscal year ended September 30, 2023 were as follows:

	Beginning						D	ue Within
	 Balance	Additions	F	eductions	End	ing Balance	(	One Year
Bonds payable:								
Series 2022	\$ 10,822,000	\$ -	\$	1,510,000	\$	9,312,000	\$	1,077,000
Total	\$ 10,822,000	\$ -	\$	1,510,000	\$	9,312,000	\$	1,077,000

At September 30, 2023, the scheduled debt service requirements on the long-term debt were as follows:

Year ending September 30:	Principal	Interest	Total
2024	\$ 1,077,000	\$ 215,283	\$ 1,292,283
2025	1,101,000	194,421	1,295,421
2026	1,124,000	171,477	1,295,477
2027	1,147,000	146,883	1,293,883
2028	1,171,000	120,695	1,291,695
2029-2031	 3,692,000	188,956	3,880,956
Total	\$ 9,312,000	\$ 1,037,715	\$ 10,349,715

#### **NOTE 7 – SIGNIFICANT LANDOWNER TRANSACTIONS**

Avatar Properties Inc. ("Builder") owns a portion of land within the District; therefore, assessment revenues in the general and debt service funds include the assessments levied on those lots owned by the Builder.

#### **NOTE 8 - CONCENTRATION**

The District's activity is dependent upon the continued involvement of the Builder, the loss of which could have a material adverse effect on the District's operations.

#### **NOTE 9 - MANAGEMENT COMPANY**

The District has contracted with a management company to perform management advisory services, which include financial and accounting services. Certain employees of the management company also serve as officers of the District. Under the agreement, the District compensates the management company for management, accounting, financial reporting, computer and other administrative costs.

#### **NOTE 10 - RISK MANAGEMENT**

The District is exposed to various risks of loss related to torts; theft of, damage to, and destruction of assets; errors and omissions; and natural disasters. The District has obtained commercial insurance from independent third parties to mitigate the costs of these risks; coverage may not extend to all situations. There were no settled claims over the past three years.

# POINCIANA COMMUNITY DEVELOPMENT DISTRICT POLK COUNTY, FLORIDA SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE - BUDGET AND ACTUAL – GENERAL FUND FOR THE FISCAL YEAR ENDED SEPTEMBER 30, 2023

		udgeted .mounts				iance with al Budget -	
	O	riginal &		Actual	Positive		
		Final	Α	mounts	(Negative)		
REVENUES							
Assessments	\$	667,298	\$	682,320	\$	15,022	
Interest		2,000		1,398		(602)	
Miscellaneous revenue		-		3,901		3,901	
Total revenues		669,298		687,619		18,321	
EXPENDITURES							
Current:							
General government		150,431		132,222		18,209	
Maintenance and operations		576,830		471,919		104,911	
Total expenditures		727,261		604,141		123,120	
Excess (deficiency) of revenues							
over (under) expenditures		(57,963)		83,478		141,441	
ever (ander) experiance		(01,000)		00, 110		,	
OTHER FINANCING SOURCES (USES)							
Carryforward surplus		57,963		-		(57,963)	
Total other financing sources (uses)		57,963		-		(57,963)	
Net change in fund balances	\$			83,478	\$	83,478	
Fund balance - beginning				690,211			
Fund balance - ending			\$	773,689			

### POINCIANA COMMUNITY DEVELOPMENT DISTRICT POLK COUNTY, FLORIDA NOTES TO REQUIRED SUPPLEMENTARY INFORMATION

The District is required to establish a budgetary system and an approved Annual Budget for the general fund. The District's budgeting process is based on estimates of cash receipts and cash expenditures which are approved by the Board. The budget approximates a basis consistent with accounting principles generally accepted in the United States of America (generally accepted accounting principles).

The legal level of budgetary control, the level at which expenditures may not exceed budget, is in the aggregate. Any budget amendments that increase the aggregate budgeted appropriations must be approved by the Board of Supervisors. Actual general fund expenditures did not exceed appropriations for the fiscal year ended September 30, 2023.

# POINCIANA COMMUNITY DEVELOPMENT DISTRICT POLK COUNTY, FLORIDA OTHER INFORMATION – DATA ELEMENTS REQUIRED BY FL STATUTE 218.39(3)(C) FOR THE FISCAL YEAR ENDED SEPTEMBER 30, 2023 UNAUDITED

Element Comments

Number of District employees compensated in the last pay period of the District's fiscal year being reported.	0				
Number of independent contractors compensated to whom nonemployee compensation was paid in the last month of the District's fiscal year being reported.	8				
Employee compensation	\$4,600				
Independent contractor compensation	\$604,127				
Construction projects to begin on or after October 1; (>\$65K)	Not applicable				
Budget variance report	See the Schedule of Revenues, Expenditures and Changes in Fund Balance - Budget and Actual - General Fund				
Ad Valorem taxes;	Not applicable				
Special assessment rate	Operations and maintenance - \$184.04				
	Debt service - \$373.96				
Special assessments collected	\$1,994,894				
Outstanding Bonds:	see Note 6 for details				



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# INDEPENDENT AUDITOR'S REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS

To the Board of Supervisors
Poinciana Community Development District
Polk County, Florida

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of the governmental activities and each major fund of Poinciana Community Development District, Polk County, Florida ("District") as of and for the fiscal year ended September 30, 2023, and the related notes to the financial statements, which collectively comprise the District's basic financial statements, and have issued our opinion thereon dated, May 22, 2024.

#### **Report on Internal Control Over Financial Reporting**

In planning and performing our audit of the financial statements, we considered the District's internal control over financial reporting (internal control) to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the District's internal control. Accordingly, we do not express an opinion on the effectiveness of the District's internal control.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented or detected and corrected on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or, significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses or significant deficiencies may exist that were not identified.

#### **Report on Compliance and Other Matters**

As part of obtaining reasonable assurance about whether the District's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

#### **Purpose of this Report**

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

May 22, 2024



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### INDEPENDENT AUDITOR'S REPORT ON COMPLIANCE WITH THE REQUIREMENTS OF SECTION 218.415, FLORIDA STATUTES, REQUIRED BY RULE 10.556(10) OF THE AUDITOR GENERAL OF THE STATE OF FLORIDA

To the Board of Supervisors Poinciana Community Development District Polk County, Florida

We have examined Poinciana Community Development District, Polk County, Florida's ("District") compliance with the requirements of Section 218.415, Florida Statutes, in accordance with Rule 10.556(10) of the Auditor General of the State of Florida during the fiscal year ended September 30, 2023. Management is responsible for District's compliance with those requirements. Our responsibility is to express an opinion on District's compliance based on our examination.

Our examination was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants. Those standards require that we plan and perform the examination to obtain reasonable assurance about whether the District complied, in all material respects, with the specified requirements referenced in Section 218.415, Florida Statutes. An examination involves performing procedures to obtain evidence about whether the District complied with the specified requirements. The nature, timing, and extent of the procedures selected depend on our judgment, including an assessment of the risks of material noncompliance, whether due to fraud or error. We believe that the evidence we obtained is sufficient and appropriate to provide a reasonable basis for our opinion. Our examination does not provide a legal determination on the District's compliance with specified requirements.

We are required to be independent and to meet our other ethical responsibilities in accordance with relevant ethical requirements relating to the examination engagement.

In our opinion, the District complied, in all material respects, with the aforementioned requirements for the fiscal year ended September 30, 2023.

This report is intended solely for the information and use of the Legislative Auditing Committee, members of the Florida Senate and the Florida House of Representatives, the Florida Auditor General, management, and the Board of Supervisors of Poinciana Community Development District, Polk County, Florida and is not intended to be and should not be used by anyone other than these specified parties.

May 22, 2024



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### MANAGEMENT LETTER PURSUANT TO THE RULES OF THE AUDITOR GENERAL FOR THE STATE OF FLORIDA

To the Board of Supervisors Poinciana Community Development District Polk County, Florida

#### **Report on the Financial Statements**

We have audited the accompanying basic financial statements of Poinciana Community Development District, Polk County, Florida ("District") as of and for the fiscal year ended September 30, 2023 and have issued our report thereon dated May 22, 2024.

#### **Auditor's Responsibility**

We conducted our audit in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; and Chapter 10.550, Rules of the Florida Auditor General.

#### **Other Reporting Requirements**

We have issued our Independent Auditor's Report on Internal Control over Financial Reporting and on Compliance and Other Matters Based on an Audit of the Financial Statements Performed in Accordance with *Government Auditing Standards*; and Independent Auditor's Report on an examination conducted in accordance with *AICPA Professional Standards*, AT-C Section 315, regarding compliance requirements in accordance with Chapter 10.550, Rules of the Auditor General. Disclosures in those reports, which are dated May 22, 2024, should be considered in conjunction with this management letter.

#### **Purpose of this Letter**

The purpose of this letter is to comment on those matters required by Chapter 10.550 of the Rules of the Auditor General for the State of Florida. Accordingly, in connection with our audit of the financial statements of the District, as described in the first paragraph, we report the following:

- I. Current year findings and recommendations.
- II. Status of prior year findings and recommendations.
- III. Compliance with the Provisions of the Auditor General of the State of Florida.

Our management letter is intended solely for the information and use of the Legislative Auditing Committee, members of the Florida Senate and the Florida House of Representatives, the Florida Auditor General, Federal and other granting agencies, as applicable, management, and the Board of Supervisors of Poinciana Community Development District, Polk County, Florida and is not intended to be and should not be used by anyone other than these specified parties.

We wish to thank Poinciana Community Development District, Polk County, Florida and the personnel associated with it, for the opportunity to be of service to them in this endeavor as well as future engagements, and the courtesies extended to us.

May 22, 2024

#### **REPORT TO MANAGEMENT**

#### I. CURRENT YEAR FINDINGS AND RECOMMENDATIONS

None

#### II. PRIOR YEAR FINDINGS AND RECOMMENDATIONS

None

#### III. COMPLIANCE WITH THE PROVISIONS OF THE AUDITOR GENERAL OF THE STATE OF FLORIDA

Unless otherwise required to be reported in the auditor's report on compliance and internal controls, the management letter shall include, but not be limited to the following:

1. A statement as to whether or not corrective actions have been taken to address findings and recommendations made in the preceding annual financial audit report.

There were no significant findings and recommendations made in the preceding annual financial audit report for the fiscal year ended September 30, 2022.

2. Any recommendations to improve the local governmental entity's financial management.

There were no such matters discovered by, or that came to the attention of, the auditor, to be reported for the fiscal year ended September 30, 2023.

3. Noncompliance with provisions of contracts or grant agreements, or abuse, that have occurred, or are likely to have occurred, that have an effect on the financial statements that is less than material but which warrants the attention of those charged with governance.

There were no such matters discovered by, or that came to the attention of, the auditor, to be reported, for the fiscal year ended September 30, 2023.

- 4. The name or official title and legal authority of the District are disclosed in the notes to the financial statements.
- 5. The District has not met one or more of the financial emergency conditions described in Section 218.503(1), Florida Statutes.
- 6. We applied financial condition assessment procedures and no deteriorating financial conditions were noted as of September 30, 2023. It is management's responsibility to monitor financial condition, and our financial condition assessment was based in part on representations made by management and the review of financial information provided by same.
- 7. Management has provided the specific information required by Section 218.39(3)(c) in the Other Information section of the financial statements on page 23.

# SECTION XI

## SECTION A

## SECTION 1



MICHAEL J. BEAUDINE
JAN ALBANESE CARPENTER
DANIEL H. COULTOFF
SARAH M. DINON
JENNIFER S. EDEN
DOROTHY F. GREEN
BRUCE D. KNAPP
PETER G. LATHAM

201 SOUTH ORANGE AVENUE, SUITE 1400
ORLANDO, FLORIDA 32801
POST OFFICE BOX 3353
ORLANDO, FLORIDA 32802
TELEPHONE: (407) 481-5800
FACSIMILE: (407) 481-5801
WWW.LATHAMLUNA.COM

JAY E. LAZAROVICH
MARC L. LEVINE
JUSTIN M. LUNA
LORI T. MILVAIN
BENJAMIN R. TAYLOR
CHRISTINA Y. TAYLOR
KRISTEN E. TRUCCO
DANIEL A. VELASQUEZ

**To:** CDD Board of Supervisors

From: District Counsel (Jan Albanese Carpenter, Esq., Jay E. Lazarovich, Esq. and Kristen E.

Trucco, Esq.)

**Regarding:** Annual Reminder on Florida Laws for Public Officials

**Date:** April 2024

#### I. Code of Ethics Reminders

#### a. "GIFTS LAW"

**-BENEFIT TO YOU:** public officials are prohibited from accepting or asking for <u>anything of value</u> based upon an understanding that such thing will influence the official's vote, official action or judgment. Section 112.313(2), *Florida Statutes*.

**-BENEFIT TO SPOUSE/MINOR CHILDREN:** a public official, their spouse and minor children are prohibited from accepting anything of value when the public official knows, or under the circumstances should know, that it was given to influence a vote or other official action of the public official. Section 112.313(4), *Florida Statutes*.

**-DISCLOSURE DUTY:** a public official must disclose gifts with a value of more than \$100 to the Commission on Ethics (on Form 9) unless the gift is from a relative or unless the public official pays the donor an amount to reduce the value of the gift to \$100 or less within 90 days of receiving the gift. Section 112.3148(8)(a), *Florida Statutes*.

#### **b.** MISUSE OF PUBLIC POSITION

-No public official shall corruptly<sup>1</sup> use or attempt to use his/her official position or any property or resource which may be within his or her trust, or perform his or her official duties, to secure a special privilege, benefit or exemption for himself/herself, or others. Section 112.313(6), *Florida Statutes*.

-Recent examples: (1) Florida Commission on Ethics found probable cause to believe that a CDD Supervisor misused her public position by using her official CDD email account to send an email

<sup>&</sup>lt;sup>1</sup> "Corruptly" "means done with a wrongful intent and for the purpose of obtaining, or compensating or receiving compensation for, any benefit resulting from some act or omission of a public servant which is inconsistent with the proper performance of his or her public duties." *See* Section 112.312(9), *Florida Statutes*.

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endorsing her preferred candidates for the upcoming homeowners association election; and (2) Florida Commission on Ethics opined that use of City business cards by City Commissioners and a City Mayor for private promotion or gain creates a prohibited conflict of interest under Section 112.313(6), *Florida Statutes*.

#### c. VOTING CONFLICTS

-A public officer must <u>not</u> vote on any measure which would (1) **result in his/her special private gain or loss**; or (2) which the officer knows would result in a special private gain or loss to:

- i. a principal<sup>2</sup> by whom the officer is retained<sup>3</sup>;
- ii. a parent organization or subsidiary of a corporate principal by whom the officer is retained; iii. a relative (parents, children, spouse, sibling, mother/father-in-law, son/daughter-in-law); and
- iv. a business associate (pursuing common commercial/business pursuit for profit and such pursuit is current and ongoing). Example: business partner.

-If you have a voting conflict you should: (1) consult with your CDD's counsel and/or your CDD's District Manager; (2) disclose your conflict<sup>4</sup>; and (3) submit the Commission on Ethics Form 8B within 15 days after the vote occurs to your District Manager so that the form can be incorporated into the minutes.

#### II. Quorum & Sunshine Law Reminders

#### a. QUORUM

-A majority of the Board of Supervisors must be physically present in order for the Board to take any official action.

-Participation by telephone: Participation by physical presence at Board meetings is expected under the Sunshine law. However, when a quorum of the Board is physically present, a Supervisor may participate by telephone only if the Supervisor's absence is due to an extraordinary circumstance such as an illness. In the event a Supervisor participates by telephone, the Supervisor must vote on every action unless a voting conflict exists. Likewise, if a Supervisor is participating in person, the Supervisor must vote on every action unless a voting conflict exists.

<sup>&</sup>lt;sup>2</sup> According to the Commission on Ethics, a "principal" excludes a "government agency" and includes: (1) an employer; (2) a client of a legal, accounting, insurance or other professional practice; and (3) a corporation for which the officer serves as a compensated director.

<sup>&</sup>lt;sup>3</sup> Generally speaking, a "principal by whom retained" means for compensation, consideration or similar thing of value. *See* Section 112.3143(1)(a), *Florida Statutes* for the full definition.

<sup>&</sup>lt;sup>4</sup> Although there may be a slight difference on timing and procedure for disclosure of a voting conflict for "<u>Elected Officers</u>" vs. "<u>Appointed Officers</u>," it is recommended that the conflict be disclosed prior to <u>any</u> discussion on the matter. Further, we caution that discussions on items on which a Supervisor has a voting conflict could potentially be challenged as a violation of the "Misuse of Public Position" rule in Section 112.313(6), *Florida Statutes*, if the discussion is seen as persuasion or an attempt to influence the Board's position to secure a special benefit for the Supervisor or others. If you have any questions, please contact counsel to discuss.

#### LATHAM, LUNA, EDEN & BEAUDINE, LLP

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#### **b.** SUNSHINE LAW

-Outside of a Board of Supervisors meetings, two or more members of the Board <u>must not</u> discuss any matter on which foreseeable action will be taken by the Board. This applies to in-person, "liaison" and "virtual" discussions, including text messages, emails, telephone calls, online postings (social media) and any other means of communication. Failure to abide to this rule constitutes a Sunshine law violation.

**-Best practices:** (1) utilize Board meetings for discussions with other Supervisors; (2) refrain from posting about CDD business online and responding/reacting to matters online related to CDD business.

#### III. Public Records Reminders

-Chapter 119, *Florida Statutes* & the Florida Constitution (Article 1, Section 24) guarantees the public a right to access government records.

-Includes <u>all materials</u> (i.e., documents, emails, **TEXT MESSAGES**, sound recordings, films, maps, books, photographs, tapes, etc.) made or received in connection with the official business of the CDD.

-You are required to keep records for the time period set by the Division of Library Information Services of the Florida Department of State.<sup>5</sup> For example, correspondence and memoranda that are associated with administrative practices or routine issues (but do not create a policy/procedure, document the business of a particular program or act as a receipt) are required to be retained for **3 fiscal years**.<sup>6</sup> Correspondence and memoranda that document policy development, decision-making, or substantive programmatic issues, procedures or activities are required to be retained for **5 fiscal years**. For more information on the retention and disposition of records, please contact your CDD's District Manager.

-Exceptions are very limited. Examples of exemptions: (1) materials related to security and/or fire safety of a facility (including video surveillance and security details); and (2) materials related to active criminal investigations.

-Best Practices: (1) in-person or telephone discussions (except with other Board members); (2) use or create a separate email account for CDD related materials; (3) avoid posting on social media about CDD business (posts can be removed/edited by users and website controller); and (4) avoid using text/social media messaging as they generally cannot be saved.

<sup>&</sup>lt;sup>5</sup> The Records Schedule is accessible at the following URL: <a href="https://files.floridados.gov/media/706717/gs1-sl-june-2023.pdf">https://files.floridados.gov/media/706717/gs1-sl-june-2023.pdf</a>.

<sup>&</sup>lt;sup>6</sup> October 1<sup>st</sup> through September 30<sup>th</sup>.

## SECTION 2

MICHAEL J. BEAUDINE
JAN ALBANESE CARPENTER
DANIEL H. COULTOFF
SARAH M. DINON
JENNIFER S. EDEN
DOROTHY F. GREEN
BRUCE D. KNAPP
PETER G. LATHAM

201 SOUTH ORANGE AVENUE, SUITE 1400 ORLANDO, FLORIDA 32801 POST OFFICE BOX 3353 ORLANDO, FLORIDA 32802 TELEPHONE: (407) 481-5800 FACSIMILE: (407) 481-5801 WWW.LATHAMLUNA.COM JAY E. LAZAROVICH
MARC L. LEVINE
JUSTIN M. LUNA
LORI T. MILVAIN
BENJAMIN R. TAYLOR
CHRISTINA Y. TAYLOR
KRISTEN E. TRUCCO
DANIEL A. VELASQUEZ

**To:** CDD Board of Supervisors

From: District Counsel (Jan Albanese Carpenter, Esq., Jay E. Lazarovich, Esq. and Kristen E.

Trucco, Esq.)

**Re:** Recently Enacted Legislation (2024)

**Date:** May 31, 2024

We are providing you with information about new legislation which affects special districts in the State of Florida. House Bill ("HB") 7013 was recently signed into law and will go into effect July 1, 2024.

HB 7013 creates a requirement for special districts, including community development districts ("CDDs"), to prepare and publish a report of goals/objectives, performance measurement standards for such goals/objectives and the results of such goals/objectives. Specifically, by October 1, 2024, or by the end of the first full fiscal year after the establishment of a special district, whichever is later, "each special district must establish goals and objectives for each program and activity undertaken by the district, as well as performance measures and standards to determine if the district's goals and objectives are being achieved." By December 1 of each year thereafter (beginning December 1, 2025), an annual report must be prepared and published on the district's website describing the goals and objectives achieved or failed to be achieved, as well as the performance measures and standards used by the district to make that determination. District Managers should prepare draft goals/objectives and performance measures and standards for review and adoption by CDD boards at or before the CDD's September board meeting. Boards may ultimately decide to tailor those goals and objectives, as well as the measurement standards for each goal, to their specific CDD.

HB 7013 also repealed Section 190.047, *Florida Statutes*, which, among other things, required CDDs to hold a referendum at a general election on the question of whether to incorporate after certain requirements were met by the CDD. Effective July 1, 2024, CDDs will no longer be required to conduct such a referendum.

HB 7013 added a number of other provisions that are applicable to special districts. However, CDDs were specifically excluded from those provisions in the text of the new legislation. More detail on the new provisions that do not apply to CDDs is available upon request. Please feel free to contact the District Manager or our office should you have any questions on this new legislation or any other CDD requirements.

## SECTION B

## SECTION 1



Orlando Office 618 East South Street Suite 700 Orlando, Florida 32801

June 6, 2024 GAI Project No. A171208.00

Ms. Tricia Adams Government Management Services-Central Florida, LLC 291 E. Livingston Street Orlando, Florida 32801

Consulting Engineer's Report
Poinciana Community Development District
Polk County, Florida
Special Assessment Bonds, Series 2022

Dear Ms. Adams:

We have completed our annual review of the facilities located in the Solivita development which are owned and maintained by the Poinciana Community Development District (District). We hereby offer the following consulting engineer report for the Series 2022 Bonds referenced above.

The facilities owned by the District have been found to be in generally good condition, well-maintained, and in good working order. The facilities are in service functioning properly and are regularly maintained by the District.

The District currently maintains property insurance in relation to District-owned improvements. The District Engineer does not recommend an adjustment to the District's current coverage.

Moreover, the District-owned properties are well-maintained and functioning in accordance with their intended purpose. If you have any questions or need additional information, please let me know.

Sincerely,

**GAI Consultants, Inc.** 

Kathleen S. Leo, P.E. Vice President

# SECTION C

## SECTION 3

### Poinciana Community Development District Action Items June 2024

Meeting Assigned	Action Item	Assigned To:	Status	Comments
Ongoing	Parcel Conveyance from TM to CDD	Staff	In Process	Application and fee received 01.11.2022. Ponds on application completed except P8. P8 being monitored by District staff.
Ongoing	Monitor Central Florida Expressway - Poinciana Parkway Project: Parkway Connector	Former Chairman Lita Epstein	In Process	CFXWay.com Project #599-233;
Ongoing	Monitor Polk County Road Construction for Impact to PCDD Tunnels	District Engineer	In Process	DE met with Polk County 03.19.2024 regarding scope and status of Marigold road improvements. Closer to the project date (2025 or thereafter), an Access Agreement will be considered by the BOS.
Ongoing	Review of Wetlands Owned by Developer and HOA	District Engineer	In Process	DE to review and make recommendation regarding ultimate owner, permit holder and maintenance entity for Solivita wetlands.
Ongoing	Review of HOA Improvements Installed on CDD Parcels	Field Staff	In Process	Information to be reviewed by District Counsel and presented to Board for review.
03.20.2024	Determine if Golf Course Fertilization is Contributing to Pond Algae	Field Staff	In Process	Supervisor Nelson provided golf management contact details to field staff for follow up.
01.17.2024	RFP Project Manual for Landscape Services	Field Manager	In Process	Proposals to be reviwed by BOS 07.17.2024.
04.17.2024	Impact of Cypress Gardens Parkway to PCDD Stormwater System	District Engineer	In Process	

## SECTION 4

### Poinciana Community Development District

### Summary of Check Register

May 1, 2024 to May 31, 2024

Fund	Date	Check No.'s	Amount
General Fund			
General i and	5/2/24	176-179	\$ 38,870.36
	5/16/24	180-183	\$ 20,932.88
	5/23/24	184	\$ 14,273.44
	5/30/24	185-186	\$ 5,050.97
	0,00,21	100 100	\$ 79,127.65
	5/23/24	14	\$ 62,675.15
	5/30/24	15	\$ 50,000.00
			\$ 112,675.15
Payroll	<u>May</u>		
•	Anita Nelson	ACH	\$ 184.70
	Anthony Reed	ACH	\$ 169.40
	Jon R Cameron	ACH	\$ 369.40
	Robert Zimbardi	50207-50208	\$ 369.40
			\$ 1,092.90
			\$ 192,895.70

AP300R YEAR-TO-DATE ACCOUNTS PAYABLE PREPAID/COMPUTER CHECK REGISTER RUN 6/14/24 PAGE 1
\*\*\* CHECK DATES 05/01/2024 - 05/31/2024 \*\*\* POINCIANA - GENERAL FUND

	BA	ANK C GENERAL FUND			
CHECK VEND# DATE	INVOICEEXPENSED TO DATE INVOICE YRMO DPT ACCT# S	VENDOR NAME SUB SUBCLASS	STATUS	AMOUNT	CHECK AMOUNT #
5/02/24 00011	4/15/24 00103200 202404 320-53800-4	47100	*	14,273.44	
	MOSQUITO MAINT AFR 24	CLARKE ENVIRONMENTAL MOSQUITO			14,273.44 000176
5/02/24 00004	5/01/24 10386 202405 320-53800-4 LANDSCAPE MAINT MAY 24	46200	*	16,081.20	
	LANDSCAPE MAINI MAY 24	FLORALAWN 2, LLC			16,081.20 000177
5/02/24 00001	3/29/24 262 202403 320-53800-4	49000	*	2,562.92	
	GENRAL MAINT MAR 24 3/29/24 263 202403 320-53800-4	49000	*	4,092.50	
	TUNNEL REPAIRS	GOVERNMENTAL MANAGEMENT SERVICES			6,655.42 000178
5/02/24 00017	4/30/24 2202301 202404 310-51300-3	31100	*	1,860.30	
	ENGINEER SERVICES APR 24	GAI CONSULTANTS, INC			1,860.30 000179
5/16/24 00056	4/30/24 00064000 202404 310-51300-4	48000	*	610.33	
	NOT BOS MEETING 4/22/24	GANNETT FLORIDA LOCALIQ			610.33 000180
5/16/24 00001	5/01/24 260 202405 310-51300-3 MANAGEMENT FEES MAY 24		*	3,605.00	
	5/01/24 260 202405 310-51300-3 WEBSITE ADMIN MAY 24	35200	*	68.75	
	5/01/24 260 202405 310-51300-3	35100	*	103.17	
	INFORMATION TECH MAY 24 5/01/24 260 202405 310-51300-5	51000	*	.18	
	OFFICE SUPPLIES MAY 24 5/01/24 260 202405 310-51300-4 POSTAGE MAY 24	42000	*	63.07	
	5/01/24 260 202405 310-51300-4	42500	*	.30	
	COPIES MAY 24 5/01/24 261 202405 320-53800-1	12000	*	884.08	
	FIELD MANAGEMENT MAY 24	GOVERNMENTAL MANAGEMENT SERVICES			4,724.55 000181
5/16/24 00038	5/03/24 2032 202405 320-53800-4	49000	*	2,850.00	
	PRESSURE WASH TUNNELS	PRESSURE WASH THIS			2,850.00 000182
5/16/24 00044	5/02/24 PSI07166 202405 320-53800-4	47000	*	12,748.00	
	AQUATIC MAINT MAY 24	SOLITUDE LAKE MANAGEMENT			12,748.00 000183

POIN POIN CDD AGUZMAN

AP300R YEAR-TO-DATE ACCOUNTS PAYABLE PREPAID/COMPUTE *** CHECK DATES 05/01/2024 - 05/31/2024 *** POINCIANA - GENERAL FUND BANK C GENERAL FUND	ER CHECK REGISTER	RUN 6/14/24	PAGE 2
CHECK VEND#INVOICEEXPENSED TO VENDOR NAME DATE DATE INVOICE YRMO DPT ACCT# SUB SUBCLASS	STATUS	AMOUNT	CHECK AMOUNT #
5/23/24 00011 5/15/24 00103245 202405 320-53800-47100	*	14,273.44	
MOSQUITO MAINT MAY 24  CLARKE ENVIRONMENTAL MOSQUITO			14,273.44 000184
5/30/24 00020 5/10/24 10 202405 310-51300-31300	*	100.00	
AMORT SER2022 11/1/23 DISCLOSURE SERVICES, LLC			100.00 000185
5/30/24 00027 5/15/24 128978 202404 310-51300-31500	*	3,326.97	
GENERAL COUNSEL APR 24 5/15/24 128979 202404 310-51300-31510	*	1,624.00	
CONVEYANCE APR 24 LATHAM, LUNA, EDEN & BEAUDINE			4,950.97 000186
TOTAL FOR E	BANK C	79,127.65	

POIN POIN CDD

AP300R YEAR-TO-DATE ACCOUNTS PAYABLE PREPAID/COMPUTER CHECK REGISTER RUN 6/14/24 PAGE *** CHECK DATES 05/01/2024 - 05/31/2024 *** POINCIANA - GENERAL FUND BANK D GENERAL FUND-HW	3
CHECK VEND#INVOICEEXPENSED TO VENDOR NAME STATUS AMOUNTCHECK DATE DATE INVOICE YRMO DPT ACCT# SUB SUBCLASS AMOUNT #	
5/23/24 00013 5/21/24 05212024 202405 300-20700-10000 * 62,675.15  ASSESSMENT TSFR DEBT SVC	
POINCIANA CDD 62,675.15 0000	14
5/30/24 00013 5/30/24 05302024 202405 300-10100-10200 * 50,000.00  TSFR FROM HANCOCK TO CDD	_
POINCIANA CDD 50,000.00 0000	15 -
TOTAL FOR BANK D 112,675.15	
TOTAL FOR REGISTER 191,802.80	

POIN POIN CDD

AGUZMAN

## SECTION 5

Community Development District

Unaudited Financial Reporting April 30, 2024



## **Table of Contents**

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Assessment Receipt Schedule	8

#### Community Development District Combined Balance Sheet April 30, 2024

		General Fund		ebt Service Fund	Сар	ital Reserve Fund	Totals Governmental Funds		
Assets:									
Cash	φ.	406560	<b>.</b>		Φ.		Φ.	406560	
Operating - Hancock Whitney	\$	406,568	\$	-	\$	-	\$	406,568	
Operating - Truist	\$	87,732	\$	-	\$	-	\$	87,732	
Money Market - Bank United	\$	559,534	\$	-	\$	153,808	\$	713,342	
Investments									
Series 2022									
Reserve	\$	-	\$	134,715	\$	-	\$	134,715	
Revenue	\$	-	\$	368,658	\$	-	\$	368,658	
Interest	\$	-	\$	107,520	\$	-	\$	107,520	
Principal	\$	-	\$	1,077,000	\$	-	\$	1,077,000	
Prepayment	\$	-	\$	3,000	\$	-	\$	3,000	
Due from General Fund	\$	-	\$	94,493	\$	-	\$	94,493	
Due from Other	\$	264	\$	-	\$	-	\$	264	
Total Assets	\$	1,054,098	\$	1,785,385	\$	153,808	\$	2,993,290	
Liabilities:									
Accounts Payable	\$	28,128	\$	-	\$	-	\$	28,128	
Due to Debt Service	\$	94,493	\$	-	\$	-	\$	94,493	
Total Liabilites	\$	122,621	\$	-	\$	-	\$	122,621	
Fund Balance:									
Assigned for:									
Capital Reserves	\$	-	\$	-	\$	153,808	\$	153,808	
Restricted for:									
Debt Service	\$	-	\$	1,785,385	\$	-	\$	1,785,385	
Unassigned	\$	931,477	\$	-	\$	-	\$	931,477	
<b>Total Fund Balances</b>	\$	931,477	\$	1,785,385	\$	153,808	\$	2,870,670	
Total Liabilities & Fund Balance	\$	1,054,098	\$	1,785,385	\$	153,808	\$	2,993,290	

#### **Community Development District**

#### **General Fund**

#### Statement of Revenues, Expenditures, and Changes in Fund Balance

	Adopted		Prorated Budget		Actual		
	Budget	Thr	Thru 04/30/24		ru 04/30/24	V	Variance
Revenues:							
Assessments - Tax Roll	\$ 667,127	\$	667,127	\$	672,783	\$	5,656
Assessments - Direct Bill	\$ -	\$	-	\$	-	\$	-
Interest	\$ 500	\$	500	\$	5,462	\$	4,962
Miscellaneous Revenue	\$ -	\$	-	\$	26,243	\$	26,243
<b>Total Revenues</b>	\$ 667,627	\$	667,627	\$	704,488	\$	36,861
Expenditures:							
General & Administrative:							
Supervisors Fees	\$ 12,000	\$	7,000	\$	3,800	\$	3,200
FICA Expense	\$ 918	\$	536	\$	291	\$	245
Engineering	\$ 20,000	\$	11,667	\$	9,405	\$	2,261
Attorney	\$ 30,000	\$	17,500	\$	21,786	\$	(4,286)
Arbitrage	\$ 450	\$	-	\$	-	\$	-
Dissemination	\$ -	\$	-	\$	-	\$	-
Annual Audit	\$ 3,600	\$	3,600	\$	3,600	\$	-
Trustee Fees	\$ 4,000	\$	-	\$	-	\$	-
Assessment Administration	\$ 5,000	\$	5,000	\$	5,000	\$	-
Management Fees	\$ 43,260	\$	25,235	\$	25,235	\$	-
Information Technology	\$ 1,238	\$	722	\$	722	\$	-
Website Maintenance	\$ 825	\$	481	\$	481	\$	-
Telephone	\$ 100	\$	58	\$	-	\$	58
Postage	\$ 2,600	\$	1,517	\$	536	\$	980
Printing & Binding	\$ 1,000	\$	583	\$	75	\$	508
Insurance	\$ 7,711	\$	7,711	\$	7,255	\$	456
Legal Advertising	\$ 5,500	\$	3,208	\$	912	\$	2,296
Other Current Charges	\$ 2,400	\$	1,400	\$	438	\$	962
Office Supplies	\$ 400	\$	233	\$	2	\$	232
Property Appraiser	\$ 7,000	\$	-	\$	-	\$	-
Dues, Licenses & Subscriptions	\$ 175	\$	175	\$	175	\$	-
Total General & Administrative:	\$ 148,177	\$	86,626	\$	79,714	\$	6,912

#### **Community Development District**

#### **General Fund**

#### Statement of Revenues, Expenditures, and Changes in Fund Balance

	Adopted	Prorated Budget			Actual		
	Budget	Thr	u 04/30/24	Thr	u 04/30/24	7	/ariance
Operations & Maintenance							
Field Services	\$ 10,609	\$	6,189	\$	6,189	\$	-
Property Insurance	\$ 13,116	\$	13,116	\$	12,504	\$	612
Electric	\$ 2,544	\$	1,484	\$	753	\$	731
Landscape Maintenance	\$ 203,955	\$	118,974	\$	105,435	\$	13,539
Aquatic Control Maintenance	\$ 147,569	\$	86,082	\$	85,543	\$	539
Aquatic Midge Management	\$ 215,454	\$	125,682	\$	98,861	\$	26,821
R&M - Mulch	\$ 3,500	\$	2,042	\$	-	\$	2,042
R&M - Plant Replacement	\$ 3,500	\$	2,042	\$	-	\$	2,042
R&M - Aerators	\$ -	\$	-	\$	-	\$	-
Storm Structure Repairs	\$ 50,000	\$	29,167	\$	606	\$	28,561
Contingency	\$ 12,000	\$	7,000	\$	6,655	\$	345
Total Operations & Maintenance:	\$ 662,247	\$	391,776	\$	316,545	\$	75,230
Other Expenditures							
Transfer Out - Capital Reserve	\$ 50,000	\$	50,000	\$	50,000	\$	-
Total Other Expenditures	\$ 50,000	\$	50,000	\$	50,000	\$	-
Total Expenditures	\$ 860,424	\$	528,402	\$	446,260	\$	82,143
Net Change in Fund Balance	\$ (192,797)			\$	258,229		
Fund Balance - Beginning	\$ 192,797			\$	673,248		
Fund Balance - Ending	\$			\$	931,477		

### **Community Development District**

#### **Debt Service Fund - Series 2022**

#### Statement of Revenues, Expenditures, and Changes in Fund Balance

	Adopted	Pro	rated Budget		Actual		
	Budget	Th	ru 04/30/24	Th	ru 04/30/24	V	ariance
Revenues:							
Assessments - Tax Roll	\$ 1,280,936	\$	1,280,936	\$	1,281,474	\$	538
Assessments - Prepayments	\$ -	\$	-	\$	5,050	\$	5,050
Interest	\$ -	\$	-	\$	27,418	\$	27,418
Total Revenues	\$ 1,280,936	\$	1,280,936	\$	1,313,942	\$	33,006
Expenditures:							
Property Appraiser	\$ 13,774	\$	-	\$	-	\$	-
Other Debt Service Costs	\$ -	\$	-	\$	0	\$	(0)
Series 2022							
Interest - 11/1	\$ 107,641	\$	107,641	\$	107,581	\$	60
Special Call -11/1	\$ -	\$	-	\$	5,000	\$	(5,000)
Principal - 5/1	\$ 1,077,000	\$	-	\$	-	\$	-
Interest - 5/1	\$ 107,641	\$	-	\$	-	\$	-
Total Expenditures	\$ 1,306,056	\$	107,641	\$	112,581	\$	(4,940)
Excess (Deficiency) of Revenues over Expenditures	\$ (25,120)			\$	1,201,361		
Net Change in Fund Balance	\$ (25,120)			\$	1,201,361		
Fund Balance - Beginning	\$ 423,822			\$	584,023		
Fund Balance - Ending	\$ 398,702			\$	1,785,385		

### **Community Development District**

#### **Capital Reserve Fund**

#### Statement of Revenues, Expenditures, and Changes in Fund Balance

	Adopted		Prora	Prorated Budget		Actual		
		Budget	Thru	Thru 04/30/24		Thru 04/30/24		ariance
Revenues:								
Interest	\$	-	\$	-	\$	3,368	\$	3,368
Total Revenues	\$	-	\$	-	\$	3,368	\$	3,368
Expenditures:								
Capital Outlay	\$	-	\$	-	\$	-	\$	-
Total Expenditures	\$	-	\$	-	\$	-	\$	-
Excess (Deficiency) of Revenues over Expenditures	\$	-			\$	3,368		
Other Financing Sources/(Uses):								
Transfer In/(Out)	\$	50,000	\$	50,000	\$	50,000	\$	-
Total Other Financing Sources/(Uses)	\$	50,000	\$	50,000	\$	50,000	\$	-
Net Change in Fund Balance	\$	50,000			\$	53,368		
Fund Balance - Beginning	\$	100,000			\$	100,440		
Fund Balance - Ending	\$	150,000			\$	153,808		

### Community Development District Month to Month

	Oct	Nov	Dec	Jan	Feb	March	April	May	June	July	Aug	Sept '	Total
Revenues:													
Assessments - Tax Roll	\$ - \$	140,498 \$	461,621 \$	23,308 \$	23,375 \$	7,508 \$	16,473 \$	- \$	- \$	- \$	- \$	- \$	672,783
Assessments - Direct	\$ - \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	-
Interest	\$ 231 \$	225 \$	233 \$	233 \$	219 \$	2,023 \$	2,298 \$	- \$	- \$	- \$	- \$	- \$	5,462
Miscellaneous Revenue	\$ 26,243 \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	26,243
Total Revenues	\$ 26,474 \$	140,723 \$	461,854 \$	23,542 \$	23,594 \$	9,530 \$	18,772 \$	- \$	- \$	- \$	- \$	- \$	704,488
Expenditures:													
General & Administrative:													
Supervisors Fees	\$ 1,000 \$	- \$	- \$	1,000 \$	1,000 \$	800 \$	- \$	- \$	- \$	- \$	- \$	- \$	3,800
FICA Expense	\$ 77 \$	- \$	- \$	77 \$	77 \$	61 \$	- \$	- \$	- \$	- \$	- \$	- \$	291
Engineering	\$ 1,289 \$	301 \$	600 \$	1,200 \$	988 \$	3,167 \$	1,860 \$	- \$	- \$	- \$	- \$	- \$	9,405
Attorney	\$ 4,560 \$	1,153 \$	270 \$	3,195 \$	2,966 \$	4,692 \$	4,951 \$	- \$	- \$	- \$	- \$	- \$	21,786
Arbitrage	\$ - \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	-
Dissemination	\$ - \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	-
Annual Audit	\$ - \$	- \$	- \$	- \$	- \$	3,600 \$	- \$	- \$	- \$	- \$	- \$	- \$	3,600
Trustee Fees	\$ - \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	-
Assessment Administration	\$ 5,000 \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	5,000
Management Fees	\$ 3,605 \$	3,605 \$	3,605 \$	3,605 \$	3,605 \$	3,605 \$	3,605 \$	- \$	- \$	- \$	- \$	- \$	25,235
Information Technology	\$ 103 \$	103 \$	103 \$	103 \$	103 \$	103 \$	103 \$	- \$	- \$	- \$	- \$	- \$	722
Website Maintenance	\$ 69 \$	69 \$	69 \$	69 \$	69 \$	69 \$	69 \$	- \$	- \$	- \$	- \$	- \$	481
Telephone	\$ - \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	-
Postage	\$ 69 \$	6 \$	347 \$	2 \$	77 \$	10 \$	25 \$	- \$	- \$	- \$	- \$	- \$	536
Printing & Binding	\$ - \$	- \$	- \$	- \$	- \$	75 \$	1 \$	- \$	- \$	- \$	- \$	- \$	75
Insurance	\$ 7,255 \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	7,255
Legal Advertising	\$ - \$	- \$	- \$	- \$	302 \$	- \$	610 \$	- \$	- \$	- \$	- \$	- \$	912
Other Current Charges	\$ 62 \$	53 \$	53 \$	54 \$	55 \$	106 \$	56 \$	- \$	- \$	- \$	- \$	- \$	438
Office Supplies	\$ 0 \$	0 \$	0 \$	0 \$	0 \$	0 \$	0 \$	- \$	- \$	- \$	- \$	- \$	2
Property Appraiser	\$ - \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	-
Dues, Licenses & Subscriptions	\$ 175 \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	175
Total General & Administrative:	\$ 23,263 \$	5,291 \$	5,047 \$	9,304 \$	9,241 \$	16,288 \$	11,280 \$	- \$	- \$	- \$	- \$	- \$	79,714

### Community Development District Month to Month

	Oct	Nov	Dec	Jan	Feb	March	April	May	June	July	Aug	Sept Total
Operation and Maintenance												
Field Services	\$ 884 \$	884 \$	884 \$	884 \$	884 \$	884 \$	884 \$	- \$	- \$	- \$	- \$	- \$ 6,189
Property Insurance	\$ 12,504 \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$ 12,504
Electric	\$ 189 \$	95 \$	98 \$	- \$	189 \$	93 \$	90 \$	- \$	- \$	- \$	- \$	- \$ 753
Landscape Maintenance	\$ 12,514 \$	12,514 \$	16,081 \$	16,081 \$	16,081 \$	16,081 \$	16,081 \$	- \$	- \$	- \$	- \$	- \$ 105,435
Aquatic Control Maintenance	\$ 9,055 \$	12,748 \$	12,748 \$	12,748 \$	12,748 \$	12,748 \$	12,748 \$	- \$	- \$	- \$	- \$	- \$ 85,543
Aquatic Midge Management	\$ 13,220 \$	13,220 \$	15,327 \$	14,273 \$	14,273 \$	14,273 \$	14,273 \$	- \$	- \$	- \$	- \$	- \$ 98,863
R&M - Mulch	\$ - \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$
R&M - Plant Replacement	\$ - \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$
R&M - Aerators	\$ - \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$
Storm Structure Repairs	\$ - \$	- \$	- \$	606 \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$ 600
Contingency	\$ - \$	- \$	- \$	- \$	- \$	6,655 \$	- \$	- \$	- \$	- \$	- \$	- \$ 6,655
Total Operations & Maintenance:	\$ 48,366 \$	39,462 \$	45,138 \$	44,593 \$	44,176 \$	50,735 \$	44,076 \$	- \$	- \$	- \$	- \$	- \$ 316,54
Other Expenditures												
Transfer Out - Capital Reserve	\$ 50,000 \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$ 50,000
Total Other Expenditures	\$ 50,000 \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$	- \$ 50,000
Total Expenditures	\$ 121,629 \$	44,753 \$	50,185 \$	53,897 \$	53,417 \$	67,023 \$	55,357 \$	- \$	- \$	- \$	- \$	- \$ 446,260
Net Change in Fund Balance	\$ (95,155) \$	95,970 \$	411,669 \$	(30,355) \$	(29,823) \$	(57,493) \$	(36,585) \$	- \$	- \$	- <b>\$</b>	- \$	- \$ 258,229

#### **Community Development District Special Assessment Receipts** Fiscal Year 2024

#### MAINTENANCE ASSESSMENTS

Gross Assessments \$ 717,119.22 Certified Net Assessments \$ 666,920.87

100%

		Gr	oss Assessments							N	let Assessments			
Date	Distribution		Received		Discounts/Penalties		Commissions Paid		Interest Income		Received		General Fund	
11/10/23	10/13/23 - 10/14/23	\$	10,366.07	\$	(530.85)	\$	(196.70)	\$	-	\$	9,638.52	\$	9,638.52	
11/14/23	10/01/23-10/31/23	\$	15,735.52	\$	(627.03)	\$	(302.17)	\$	-	\$	14,806.32	\$	14,806.32	
11/17/23	11/01/2023-11/05/23	\$	22,820.96	\$	(912.64)	\$	(438.17)	\$	-	\$	21,470.15	\$	21,470.15	
11/24/23	11/06/23-11/12/23	\$	100,533.31	\$	(4,019.98)	\$	(1,930.26)	\$	-	\$	94,583.07	\$	94,583.07	
12/8/23	11/13/23-11/22/23	\$	126,809.18	\$	(5,071.30)	\$	(2,434.76)	\$	-	\$	119,303.12	\$	119,303.12	
12/21/23	11/23/23-11/30/23	\$	314,019.63	\$	(12,734.26)	\$	(6,025.70)	\$	-	\$	295,259.67	\$	295,259.67	
12/29/23	12/01/23-12/15/23	\$	49,856.91	\$	(1,838.60)	\$	(960.37)	\$	-	\$	47,057.94	\$	47,057.94	
1/10/24	12/16/23-12/31/23	\$	19,503.58	\$	(576.37)	\$	(378.55)	\$	-	\$	18,548.66	\$	18,548.66	
1/16/24	10/01/23-12/31/23	\$	-	\$	-	\$	-	\$	4,759.53	\$	4,759.53	\$	4,759.53	
2/9/24	01/01/24-01/31/24	\$	24,449.62	\$	(597.67)	\$	(477.04)	\$	-	\$	23,374.91	\$	23,374.91	
3/13/24	02/01/24-02/29/24	\$	7,914.74	\$	(253.96)	\$	(153.22)	\$	-	\$	7,507.56	\$	7,507.56	
4/10/24	03/01/24-03/31/24	\$	16,993.72	\$	(184.04)	\$	(336.19)	\$	-	\$	16,473.49	\$	16,473.49	
Total Collected		\$	709,003.24	\$	(27,346.70)	\$	(13,633.13)	\$	-	\$	672,782.94	\$	672,782.94	
Percentage Collecte	d												101%	

#### DEBT SERVICE ASSESSMENTS

Gross Assessments \$ 1,376,976.82 Certified Net Assessments \$ 1,280,588.44

													100%
Date	Distribution	Gr	oss Assessments Received	Disc	ounts/Penalties	Cor	mmissions Paid	Int	terest Income	No	et Assessments Received	Del	ot Service Fund
Dute	Distribution			Disc	ounce, renarcies	001	mmissions i ara	1111	erest meome			DCL	or Bervice Fund
11/10/23	10/13/23 - 10/14/23	\$	20,624.81	\$	(1,059.98)	\$	(391.30)	\$	-	\$	19,173.53	\$	19,173.53
11/14/23	10/01/23-10/31/23	\$	27,486.27	\$	(1,094.99)	\$	(527.83)	\$	-	\$	25,863.45	\$	25,863.45
11/17/23	11/01/2023-11/05/23	\$	40,013.72	\$	(1,600.73)	\$	(768.26)	\$	-	\$	37,644.73	\$	37,644.73
11/24/23	11/06/23-11/12/23	\$	187,076.44	\$	(7,483.09)	\$	(3,591.87)	\$	-	\$	176,001.48	\$	176,001.48
12/8/23	11/13/23-11/22/23	\$	240,486.20	\$	(9,620.60)	\$	(4,617.31)	\$	-	\$	226,248.29	\$	226,248.29
12/21/23	11/23/23-11/30/23	\$	611,894.86	\$	(24,836.58)	\$	(11,741.17)	\$	-	\$	575,317.11	\$	575,317.11
12/29/23	12/01/23-12/15/23	\$	98,603.76	\$	(3,636.69)	\$	(1,899.34)	\$	-	\$	93,067.73	\$	93,067.73
1/10/24	12/16/23-12/31/23	\$	35,398.91	\$	(1,047.20)	\$	(687.03)	\$	-	\$	33,664.68	\$	33,664.68
2/9/24	01/01/24-01/31/24	\$	49,706.77	\$	(1,215.20)	\$	(969.83)	\$	-	\$	47,521.74	\$	47,521.74
3/13/24	02/01/24-02/29/24	\$	15,978.75	\$	(516.09)	\$	(309.25)	\$	-	\$	15,153.41	\$	15,153.41
4/10/24	03/01/24-03/31/24	\$	32,840.78	\$	(373.96)	\$	(649.34)	\$	-	\$	31,817.48	\$	31,817.48
Total Collected		\$	1,360,111.27	\$	(50,379.86)	\$	(26,152.53)	\$	-	\$	1,281,473.63	\$	1,281,473.63
Percentage Collect	ted												100%

## SECTION D

## SECTION 1



#### **SERVICES CONTRACT**

CUSTOMER NAME: PCDD SUBMITTED TO: Joel Blanco CONTRACT DATE: June 10, 2024 UBMITTED BY: Stephen AmRhein

**SERVICES: Planting** 

This agreement (the "Agreement") is made as of the date indicated above, and is by and between SOLitude Lake Management, LLC ("Solitude" or the "Company") and the customer identified above (the "Customer") on the terms and conditions set forth in this Agreement.

- 1. <u>The Services</u>. SOLitude will provide services at the Customer's property as described in Schedule A attached hereto:
- 2. <u>PAYMENT TERMS.</u> The total fee for services is \$13,500.00. Price is valid for 60 days from the contract date. The Customer shall pay 50% of this service fee upon execution of this Agreement. The balance (remaining 50% of fee) will be invoiced to Customer by SOLitude following completion of the Services.

For any work completed or materials in storage on the customer's behalf at the end of each month, the company will invoice and the customer will be responsible for paying the percent of the total work completed as of that date, less any previous deposit paid. Should the work performed be subject to any local, state, or federal jurisdiction, agency, or other organization of authority for sales or other taxes or fees in addition to those expressly covered by this contract, customer will be invoiced and responsible for paying said additional taxes in addition to the fee above. Customer agrees to pay all invoices within thirty (30) days of invoice date. The Customer will be liable for any returned check fees and any collection costs, including reasonable attorney fees and court costs, for any invoices not otherwise timely paid, and interest at the rate of 1% per month may be added to all unpaid invoices. Company shall be reimbursed by the Customer for any non-routine expenses, administrative fees, compliance fees, or any other similar expense that are incurred as a result of requirements placed on the Company by the Customer that are not covered specifically by the written specifications of this contract.

- 3. <u>TERM AND EXPIRATION.</u> This Agreement is for a one-time service as described in the attached Schedule A. Any additional services will be provided only upon additional terms as agreed to by the parties in writing.
- 4. <u>DISCLAIMER.</u> SOLitude is not responsible for the failure of any treatment, equipment installation, or other work that result from dam or other structural failures, severe weather and storms, flooding, or other acts of God that are outside of the control of SOLitude.

Customer understands and acknowledges that there are irrigation restrictions associated with many of the products used to treat lakes and ponds. The customer is responsible for notifying SOLitude in advance of the contract signing and the start of the contract if they utilize any of the water in their lakes or ponds for irrigation purposes. The customer accepts full responsibility for any issues that may arise from the irrigation

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of turf, ornamentals, trees, crops, or any other plants as a result of treated water being used by the customer for irrigation without the consent or knowledge of SOLitude.

Although there is rarely direct fish toxicity with the products used for treatment when applied at the labeled rate, or the installation and normal operation of the equipment we install, there is a risk under certain circumstances of significant dissolved oxygen drops. This risk is most severe in times of extremely hot weather and warm water temperatures, as these are the conditions during which dissolved oxygen levels are naturally at their lowest levels. Oftentimes lakes and ponds will experience natural fish kills under these conditions even if no work is performed. Every effort, to include the method and timing of application, the choice of products and equipment used, and the skill and training of the staff, is made to avoid such problems. However, the customer understands and accepts that there is always a slight risk of the occurrence of adverse conditions outside the control of SOLitude that will result in the death of some fish and other aquatic life. The customer also understands and accepts that similar risks would remain even if no work was performed. The customer agrees to hold SOLitude harmless for any issues with fish or other aquatic life which occur as described above, or are otherwise outside the direct control of the SOLitude, unless there is willful negligence on the part of SOLitude.

While SOLitude Lake Management LLC makes every effort to thoroughly inspect the site before providing this contract proposal or beginning any work, it is possible, without fault or negligence, that unforeseen circumstances may arise, or that hidden conditions on the site might be found in the course of the performance of the contract work, which would result in additional time or material costs that exceed this contract pricing. Should this occur, the customer will be notified of these unforeseen circumstances or conditions and be responsible for the costs associated with remedying. By signing this agreement, the customer acknowledges that they have informed SOLitude Lake Management® of all known and relevant current site conditions that would be reasonable to expect could affect our ability to successfully complete the contract work.

- 5. <u>INSURANCE AND LIMITATION OF LIABILITY</u>. Solitude will maintain general liability and property damage insurance as necessary given the scope and nature of the Services. The Company will be responsible for those damages, claims, causes of action, injuries or legal costs to the extent of its own direct negligence or misconduct, and then only to an amount not to exceed the annual value of this Agreement. In no event will any party to this Agreement be liable to the other for incidental, consequential or purely economic damages.
- 6. <u>FORCE MAJEURE</u>. The Company shall not be liable for any delay in performing the Services, nor liable for any failure to provide the Services, due to any cause beyond its reasonable control.
- 7. <u>ANTI-CORRUPTION AND BRIBERY.</u> Each party represents that neither it nor anyone acting on its behalf has offered, given, requested or accepted any undue financial or other advantage of any kind in entering into this Agreement, and that it will comply with all applicable laws and regulations pertaining to corruption, competition and bribery in carrying out the terms and conditions of this Agreement.
- 8. <u>GOVERNING LAW</u>. This Agreement shall be governed and construed in accordance with the laws of the state in which the Services are performed.
- 9. <u>ENTIRE AGREEMENT</u>. This Agreement constitutes the entire agreement between the parties with respect to the subject matter and replaces any prior agreements or understandings, whether in writing or otherwise. This Agreement may not be modified or amended except by written agreement executed by

Competitively Sensitive & Proprietary Materials – The information contained herein is the intellectual property of SŌLitude Lake Management. Recipients may not disclose to any outside party any proprietary information, processes, or pricing contained in this document or any of its attachments without the prior written consent of SŌLitude Lake Management. This document is provided to the recipient in good faith and it shall be the responsibility of the recipient to keep the information contained herein confidential.

#### Services Contract Page 3 of 8



both parties. In the event that any provision of this Agreement is determined to be void, invalid, or unenforceable, the validity and enforceability of the remaining provisions of this Agreement shall not be affected.

- 10. <u>NOTICE</u>. Any written notice provided under this Agreement may be sent via overnight mail, certified mail, hand delivery or electronic mail with delivery confirmation, to the individuals and addresses listed below.
- 11. <u>BINDING</u>. This Agreement shall inure to the benefit of and be binding upon the legal representatives and successors of the parties.
- 12. <u>FUEL/TRANSPORTATION SURCHARGE</u>. Like many other companies that are impacted by the price of gasoline, a rise in gasoline prices may necessitate a fuel surcharge. As such, the Company reserves the right to add a fuel surcharge to Customer's invoice for any increase in the cost of fuel as measured above the same time period in the prior year (by the National U.S. Average Motor Gasoline-Regular Fuel Price per Gallon Index reported by the U.S. Department of Energy). The surcharge may be adjusted monthly (up or down) with the price of gasoline.
- 13. <u>E-Verify</u>. Solitude Lake Management LLC utilizes the federal E-Verify program in contracts with public employers as required by Florida State law, and acknowledges all the provisions of Florida Statute 448.095 are incorporated herein by reference and hereby certifies it will comply with the same.

Services Contract Page 4 of 8

> 1253 Jensen Drive, Suite 103 Virginia Beach, VA 23451



Please Mail All Contracts to:	
1320 Brookwood Drive Suite H Little Rock AR 72202	
Please Remit All Payments to:	Customer's Address for Notice Purposes:
Date:	Date:
Title:	Title:
Printed Name:	Printed Name:
Signature:	Signature:
SOLITUDE LAKE MANAGEMENT, LLC.	PCDD
ACCEPTED AND APPROVED:	



#### **SCHEDULE A - SERVICES**

Plant 9,000 littorals at mapped area (including blue areas) in 3 rows. 5,000 Spike Rush, 3,000 Pickerel Weed, and 1,000 Yellow Canna.

#### <u>Customer Responsibilities (when applicable):</u>

- 1. Customer will be responsible for the following:
  - a. Providing information required for the permit application process upon request.
  - b. Providing Certified Abutters List for abutter notification where required.
  - c. Perform any public filings or recordings with any agency or commission associated with the permitting process, if required.
  - d. Compliance with any other special requirements or conditions required by the local municipality.
  - e. Compliance and enforcement of temporary water-use restrictions where applicable.

#### General Qualifications:

- 1. Company is a licensed pesticide applicator in the state in which service is to be provided.
- 2. Individual Applicators are Certified Pesticide Applicators in Aquatics, Public Health, Forestry, Right of Way, and Turf/Ornamental as required in the state in which service is to be provided.
- 3. Company is a SePRO Preferred Applicator and dedicated Steward of Water. Each individual applicator has been trained and educated in the water quality testing and analysis required for prescriptive site-specific water quality management and utilizes an integrated approach that encompasses all aspects of ecologically balanced management. Each applicator has received extensive training in the proper selection, use, and application of all aquatic herbicides, algaecides, adjuvants, and water quality enhancement products necessary to properly treat our Customers' lakes and ponds as part of an overall integrated pest management program.
- 4. Company guarantees that all products used for treatment are EPA registered and labeled as appropriate and safe for use in lakes, ponds, and other aquatic sites, and are being applied in a manner consistent with their labeling.
- 5. All pesticide applications made directly to the water or along the shoreline for the control of algae, aquatic weeds, or other aquatic pests as specified in this contract will meet or exceed all of the Company's legal regulatory requirements as set forth by the EPA and related state agencies for NPDES and FIFRA. Company will perform treatments that are consistent with NPDES compliance standards as applicable in and determined by the specific state in which treatments are made. All staff will be fully trained to perform all applications in compliance with all federal, state, and local law.
- 6. Company will furnish the personnel, vehicles, boats, equipment, materials, and other items required to provide the foregoing at its expense.

Services Contract Page 6 of 8







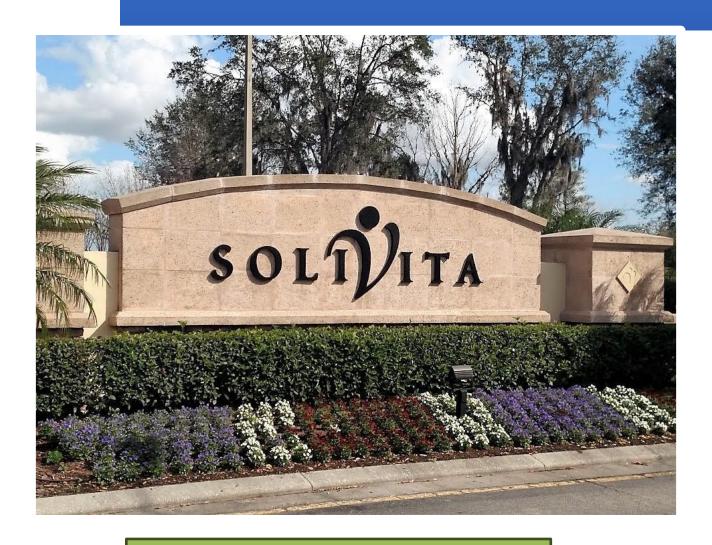
Services Contract Page 8 of 8



Item will be provided under separate cover.

## Poinciana

## **Community Development District**



June 19, 2024
Joel Blanco - Field Services Manager
GMS

## Completed

# Restriping Tunnel Lines & Repair of Section at the Bella Viana Cartpath Entrance

- Field Services scheduled restriping project with maintenance staff.
- Maintenance staff restriped cartpath inside the Bella Viana tunnel using the same thermoplastic lines as the Venezia Tunnel.
- A post-repair review was conducted after with some of the lines misaligned due to lines not cured long enough along with tunnel usage.
- Field Services is currently scheduling to replace broken and slightly damaged tunnel light covers.



## Site items

### Landscape Maintenance Review



- GMS staff continues to review CDD owned landscaping.
- Reviewed landscaping has clean and tidy easements at the end of resident property line with pond banks at appropriate height levels.
- Field Services reviewed and advised Floralawn of an unkept easement along the retention wall on Palm Tree Dr. along PC2. Several Primrose trees were removed along with overgrown grass cut. Area has been reviewed and is now in maintenance rotation with vendor.
- ♣ Dead trees on CDD owned tracts along Solivita Ave. were mentioned by the HOA during transition from Floralawn to Yardnique. Attached is a proposal to remove both trees by ponds A5 & B15 for consideration.

#### Site Items

#### **Aquatic Maintenance Review**



- GMS staff continues to review ponds throughout the district.
- ♣ District ponds continues, to a lesser extent, experience excessive algae blooms throughout the spring months due to spring heat, lack of rain, and the high nutrient boost from resident's irrigation system than normally experienced.
- Along with the algae bloom treatments throughout the district, vendor is spraying back several edge grasses at most ponds and island clusters at a couple ponds.
- P6 on has experienced aggressive torpedo grass growing at the edges and forming islands clusters in several areas at the pond. Vendor has treated most areas from the outside of the pond and inside with a boat.
- ♣ PC2 has experienced a section at the east end of the pond, aggressive edge grasses and algae bloom. Vendor has implemented the same method of treatment as P6.

#### Site Items

#### Review of E3







- ♣ GMS Staff continues to review E3 each site visit.
- ♣ Duckweed is no longer present, several occurrences of algae bloom have been treated and hydrilla treatment is taking effect at the west end of the pond.
- Eroded areas were reviewed and measured with severe areas located on the east end of the pond (by Amalfi and Sorrento) marked for recommendation to restore. Proposal is in included in the agenda for consideration.
- ♣ Proposal to plant aquatic plantings (mix of spike rush, pickerelweed, and duck potatoes) throughout the resident side of E3 is also present in the agenda for board consideration.

## Conclusion

For any questions or comments regarding the above information, please contact me by phone at 786-238-9473, or by email at <a href="mailto:jblanco@gmscfl.com">jblanco@gmscfl.com</a> Thank you.

Respectfully,

Joel Blanco

Pond #	Date Serviced	Algae	Grasses	Submersed Wee	No Treatment N	Comments
OD-01	5-20				х	
OD-02	5-20				x	
OD-03	5-20				x	
OD-04	5-20				x	
OD-05	5-20		x			
OD-06	5-20		x			
OD-07	5-20		x			
OD-08	5-20		x			
OD-09	5-20		x			
OD-10	5-20				x	
OD-11	5-20				х	
OC-01	5-21				х	
OC-02	5-21					
OC-03	5-21		x			
OC-06A	5-1				x	
OC-06B	5-1	-			x	
OC-08	5-1				x	
OC-09	5-1				x	
OC-10	5-28			х		
OC-11	5-1				x	
OC-12	5-30			х		
OC-13	5-1				x	
OC-14	5-1				x	
OC-15	5-1				x	
OC-16	5-1				x	
OC-17	5-1				x	
OC-18	5-20		х			
OC-19	5-1				x	
OC-20	5-30				x	
OB-01	5-29			x		
OB-05	5-21		х			
OB-06	5-21				x	
OB-11	5-1				x	
OB-15	5-1				x	
OB-16	5-1				X	
OF-07	5-21				X	
OA-01	5-23				X	
OA-02	5-1		x			
OA-03	5-1	-			X	
OA-04	5-1				X	
OA-05	5-1	-			X	
OA-06	5-1				X	
OA-07	5-1				X	

Pond #	Date Serviced	Algae	Grasses	Submersed Wee	No Treatment Ne	Comments
OA-08	5-1				x	
OA-09	5-1				x	
OA-10A	5-1				x	
OA-10B	5-1				x	
OA-11	5-1				x	
OA-12	5-1				x	
OA-13	5-1				x	
OA-20	5-23		x			
OA-21	5-23		x			
OA-22	5-23		x			
00-POLK	5-28	x	х			
OE-01	5-7		х			
OE-02	5-7		х	х		
OE-03	5-7		х			
OE-05	5-7		х			
OE-06	5-7		х			
OE-08	5-7		х			
OE-11	5-7		x			
OE-15	5-7		х			
OE-18	5-7		x			
OE-19	5-7		х			
OE-21	5-7		х			
OE-31	5-7		x			
P-1	5-16				X	
P-2	5-16				X	
P-3	5-16				X	
P-4	5-16		x			P4A&B
P <b>-</b> 5	5-16				x	
P <b>-</b> 6	5-16				x	
P <b>-</b> 8	5-16				x	
P <b>-</b> 9	5-16		x			
P-10	5-16		x			
P-11	5-16				x	
P-13	5-16				x	
P-14	5-16				x	
P <b>-</b> 15	5-16				x	
5A-P-16	5-16				x	
5C-P-16	5-16				x	
OS-3	5-16				x	
5E-W-C-3	5-16				x	
P-1F	5-20		x			
Canal 1	5-1				x	



# All Services By Customer Summary

Poinciana Community Development Dist (\$07800)

Filter Date between 05/01/2024 and 05/31/2024

Customer	Work Type	Service Item	Start Date	End Date	Used Quantity	Unit Of
S07800 - Poinciana Community Development Dist	Municipal Back Pack	KIS1768 - Nat G30 12 lbs per acre	05/29/2024	05/29/2024	19.78	acr
S07800 - Poinciana Community Development Dist	Night Truck	KIS2827 - Biomist 4+4 Truck ULV	05/02/2024	05/02/2024	9.10	mi
S07800 - Poinciana Community Development Dist	Night Truck	KIS2715 - Biomist 4+4 ATV/ULV	05/08/2024	05/08/2024	9.90	mi
S07800 - Poinciana Community Development Dist	Night Truck	KIS2827 - Biomist 4+4 Truck ULV	05/10/2024	05/10/2024	8.90	mi
S07800 - Poinciana Community Development Dist	Night Truck	KIS2827 - Biomist 4+4 Truck ULV	05/16/2024	05/16/2024	9.30	mi
S07800 - Poinciana Community Development Dist	Night Truck	KIS2715 - Biomist 4+4 ATV/ULV	05/16/2024	05/16/2024	10.30	mi
S07800 - Poinciana Community Development Dist	Night Truck	KIS2715 - Biomist 4+4 ATV/ULV	05/20/2024	05/20/2024	9.90	mi
S07800 - Poinciana Community Development Dist	Night Truck	KIS2827 - Biomist 4+4 Truck ULV	05/23/2024	05/23/2024	9.00	mi
S07800 - Poinciana Community Development Dist	Night Truck	KIS2715 - Biomist 4+4 ATV/ULV	05/28/2024	05/28/2024	10.70	mi
S07800 - Poinciana Community Development Dist	Night Truck	KIS2827 - Biomist 4+4 Truck ULV	05/30/2024	05/30/2024	8.60	mi
					85.70	

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Date	Resident	Address	Contact Given	Pond	Complaint	Assigned To	Resolution	Date Resolved
5/10/24	Timothy Logelin	766 Via Como St		P15	Midge activity	Joel	Requested vendor to schedule treatment and confirmed with resident. $ \\$	5/10/24
5/10/24	Judith Alvarez	934 Umbria Dr		P6	Requesting algae cleanup	Joel	Requested vendor to schedule treatment and confirmed with resident. Minor algae was present and hydrilla; requested vendor to schedule	05/10/2024
5/11/24	Sharon Morin	377 Acadia Dr		PC12	Weeds and algae in pond	Joel	treatment for both.	05/13/2024
5/13/2024	Richard Hodgson	958 Umbria Dr.		P6	Trash on edges, grass on edges overgrown	Joel	Requested maintenance staff to remove and vendor to schedule treatment.	05/13/24
5/16/2024	Chrisann Luckie	3630 Via Rizzoli Ct.		P2	Overgrown edge grasses	Joel	Explained to resident that aquatic plantings are not edge grasses but will review area for any present edge grasses exceeding 3-4ft.	05/17/24
5/20/2024	Bill Boyer	1026 Umbria Dr.		P6	Grass growing in pond	Joel	Provided resident update on vendor's treatment.	05/21/2024
5/20/2024	Daisy	707 Via Como St.		P6	Requesting call back about pond behind home	Joel	Met resident in person when reviewing pond; edge grasses and island clusters are browning with additional treatment scheduled.	5/21/24
5/20/24	Scott Hersh	157 Sorrento Rd.		E2	New weed growing in pond	Joel	Requested vendor to schedule treatment on dollar weeds growing in pond. $ \\$	05/20/2024
5/24/2024	Irene Miyamoto	970 Umbria Dr.		P6	Weeds and algae in pond	Joel	Met resident in person and walked pond, explaing 3-4ft. edge grasses protocol and scheduled additional treatment for aggressive edge grasses.	5/27/24
5/25/2024	Richard Hodgson	958 Umbria Dr.		P6	Trash on edges, grass on edges overgrown	Joel	Requested maintenance staff to remove and provided the same update as Ms. Miyamoto.	05/27/24
05/28/2024	Donald Kelleher	341 Acadia Drive		PC12	Algae growth	Joel	Requested vendor to schedule treatment and confirmed with resident.	5/28/24
05/28/2024	Sharon Morin	377 Acadia Drive		PC12	Requesting a cleaning of pond	Joel	Met resident in person; reviewed pond with Hydrilla treatment continuing and edge grasses at 3-4ft. mark.	05/30/2024
05/30/2024	Daisy	707 Via Como St.		P6	Algae persistent, requesting call back	Joel	Met resident in person; reviewed pond with visible treatment taking effect on the island clusters and overextended edge grasses.	05/30/2024
6/3/2024	Rod Viner	990 Umbria Dr.		P6	Requesting call back about pond behind home	Joel	Provided resident update	06/03/2024
6/3/2024	Joe Bodzioni	729 Glendora Rd.		P-D8	Overgrown grass edges	Joel	Explained to resident that aquatic plantings are not edge grasses.	06/03/2024
6/3/2024	Marjorie Morand	417 Grand Canal Dr.		P-A911	Question about meeting and plans to fix flooding	Joel	Left resident a voicemail; requested a callback.	06/03/2024
6/7/2024	Lamerial Daniels	2753 Palm Tree Dr.		Tract A	Algae bloom and overgrown plants	Joel	Resident requesting aquatic plantings to be cut back; explained to resident that aquatic plantings aren't recommended to be cut as they play a role for the health of the pond.	6/7/24
6 10 2024	arjorie orand	417 Grand Canal Dr.		P-A911	Questions about pond	Joel	Resident is experiencing erosion at her pond bank; scheduling review.	06/10/2024