

**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, **October 15, 2025**, at 12:00 p.m. via Zoom Communication Media Technology and in the Gator Room, 385 Village Drive, Poinciana, Florida.

Present and constituting a quorum were:

Jon Cameron	Chairman
Rick McKelvey	Vice Chairman
Tony Reed	Assistant Secretary
Anita Nelson	Assistant Secretary
Robert Zimbardi	Assistant Secretary

Also present were:

Tricia Adams	District Manager
Jay Lazarovich	District Counsel
Kathleen Leo	District Engineer
Joel Blanco	Field Services
Cherrief Jackson	Clarke Midge Control
Carl Warren	Solivita HOA President
Members of Solivita Fishing Club Residents	

The following is a summary of the discussions and actions taken at the October 15, 2025, Poinciana Community Development District's Board of Supervisors Meeting.

FIRST ORDER OF BUSINESS

Roll Call

Ms. Adams called the meeting to order and called the roll at 12:00 p.m. All Supervisors were present.

SECOND ORDER OF BUSINESS

Pledge of Allegiance

The Pledge of Allegiance was recited.

October 15, 2025

Poinciana CDD

THIRD ORDER OF BUSINESS

Public Comment Period on Agenda Items

Mr. Cameron introduced Mr. Carl Warren, Solivita HOA President. Ms. Adams opened the Public Comment Period. Mr. Jim Jeffries of 346 New River Drive thanked the Board for the consideration Pond B16 to the larvicide program, as he had not seen any improvements with the efforts that have been undertaken thus far. Mr. Tom Guninski of 669 Glendora Drive voiced concern about the ponds in Shorehaven and the plant life along the banks, which blocked off views of the ponds. Mr. Cameron recalled this issue coming up last month and they were working on it. Ms. Sunshine Croce of 1930 Molise Drive reviewed the minutes and noticed that the Fishing Policy was revised. She did not mind anyone fishing but did mind them fishing in her backyard and requested that the Board reconsider that portion of the Fishing Policy. Mr. Cameron pointed out that this would be discussed later, but those edits were recommended by the Fishing Club. When the Board considered the Fishing Policy, Mr. McKelvey requested that members of the Fishing Club be allowed to comment. Mr. Cameron had no problem with this. There being no further comments, Ms. Adams closed the audience comments period.

FOURTH ORDER OF BUSINESS

Approval of Minutes of the September 17, 2025, Board of Supervisors Meeting

Mr. McKelvey pointed out where he was requesting the address, it was Mr. Cameron. Mr. Reed indicated on the bottom of Page 16, Pond D1 should be B1.

On MOTION by Ms. Nelson seconded by Mr. Zimbardi with all in favor the Minutes of the September 17, 2025, Board of Supervisors Meeting were approved as amended.

FIFTH ORDER OF BUSINESS

Consideration of Proposal to Share Cost with Solivita Association for Apian Place Gate Near Pond E21

Mr. Cameron reported that the properties on the other side of E21, were part of Solivita and the grass was not being maintained. The HOA was cited by the county for not mowing the outside of the fence. The solution was to install a lockable gate in that fence, so that the CDD and the Solivita Association could access it. The cost was \$2,300 for the gate, with the CDD paying for half of the cost or \$1,150.

October 15, 2025

Poinciana CDD

On MOTION by Mr. Reed seconded by Mr. Zimbardi with all in favor the proposal to share the cost of \$2,300 for a gate near Pond E21 with the Solivita Association was approved.

A. Consideration of Easement Agreement with Solivita Association for Apian Place Near Pond E21

Mr. Cameron recalled that there was a written email to allow the CDD to access the property near Pond E21, to do initial mowing and this approval would allow the Solivita Association and the CDD to access the gate. This morning, he received an email from the President of the HOA, granting the CDD access through the gate. According to Ms. Jan Carpenter, the email was not sufficient. Mr. Lazarovich would review the email. Ms. Adams pointed out that District Counsel would determine whether a recorded maintenance easement would be prudent to guarantee access in perpetuity. Mr. Cameron requested a motion to approve the Easement Agreement, subject to District Counsel review.

On MOTION by Mr. Zimbardi seconded by Ms. Nelson with all in favor the Easement Agreement with the Solivita Association to access. Property near Pond E21 for maintenance, subject to review by District Counsel was approved.

SIXTH ORDER OF BUSINESS

Consideration of Addendum to Agreement with Clarke for Addition of Pond B16 to Larvicide Program

Ms. Adams requested that this item be discussed later in the meeting, as Ms. Cherrief Jackson of Clarke was attending the Solivita Health Fair and would arrive shortly. Mr. Cameron agreed.

SEVENTH ORDER OF BUSINESS

Review of Proposed Fishing Policies

A. Review of Solivita Fishing Club Feedback

Mr. Cameron requested that Mr. McKelvey discuss this matter, as he was working with the Solivita Fishing Club. Revisions of the proposed Fishing Policies were provided to the Board. The following members of the Solivita Fishing Club addressed the Board:

- Mr. Jim Clough of 236 Bay Drive and President of the Solivita Fishing Club reviewed the Fishing Policies and found no issue with points one through seven, but would like to discuss point eight, which stated: *“Residential/private property*

October 15, 2025

Poinciana CDD

should not be utilized or walked over to gain access to fishing areas unless the person fishing has explicit and verifiable permission from the private property owner. Easements through residential backyards along the community's stormwater management system are for maintenance purposes only." He requested deleting, *"And are not general grants for access for fishing or any other recreational purpose."*

Ms. Nelson questioned why the Fishing Club members were insistent about striking this language and fish in any pond wherever that they want to, if they were agreeable to not walking across people's property. Mr. Clough explained that the easement was a neutral zone. Ms. Nelson pointed out that residents did not want someone fishing behind their home. Mr. Clough noted that anglers would use common sense and respect when fishing on PCDD property, to not trouble or inconvenience the homeowner. Ms. Nelson suggested that they agree to fishing only in certain ponds and that someone fishing should not expect to be able to go wherever they wanted to go. Mr. Clough pointed out that the resident who said that she did not want people fishing behind her home, should ask them to move on. Mr. Cameron pointed out that there were areas on almost every pond in Solivita that they could access without going behind someone's house. Mr. Clough indicated that 90% stay within the areas that were not behind someone's house. Ms. Nelson emphasized that they were not making this policy for just the Fishing Club, as it was for the entire community. Restricting what ponds people could fish on, was a much better way to handle the community, than saying that they could go behind somebody's house if they get permission.

Mr. Clough felt that the Board already made up their mind and were breaking the norm of what was accepted for 25 years. Mr. McKelvey pointed out that residents have approached him to say that they enjoy the fishermen behind their house and would go out to talk to them. Mr. Clough noted that this was more common than someone chasing them off, because if restrictions were applied, it would diminish their freedom to fish. Mr. Cameron further pointed out that this proposal included educating residents, so they have permission to ask fishermen to move from behind their house. Ms. Nelson questioned why a resident should have to go out and ask them to move. Mr. Clough felt that the odds of a fisherman walking behind someone's lanai, fishing and being confronted by the homeowner, was insignificant. Ms. Nelson indicated that the people in favor of fishing wherever they want to fish, say that all the time. Mr. Clough recalled there were

October 15, 2025

Poinciana CDD

only one or two complaints per year and wondered why the Board was addressing a problem that was not a problem. Ms. Nelson pointed out that it was a problem, but it was not her problem, because she did not live on a pond, but people have stopped her, and she received emails from people complaining. Restricting what ponds people could fish on, could be enforced better than asking someone to move. Mr. Zimbardi pointed out that the CDD had no enforcement authority. Ms. Nelson spoke to the security guards and was informed that they were following the HOA policy stating that fishing was allowed. Therefore, if a resident did not want someone fishing behind their house, the security guard could not do anything, and the Board was trying to figure out the best way to address it.

Mr. Clough recommended having a softer policy, as they could not get a Sheriff to come out to chase someone off a resident's property, when they were on CDD property. Ms. Nelson pointed out that the CDD's policy was that fishing was not allowed, which could be enforced by the Sheriff's Department. The fishing community would ignore the policy, but the Fishing Club would respect a policy that makes sense for them; however, they could not control what outside members of the Club do, unless they enact some training. Therefore, the recommendation of the Fishing Club was to start out with a softer policy and provide some training. If there was an issue, they could toughen up the policy in a year or two. Mr. Cameron explained if the CDD's policy was that fishing was prohibited on CDD property behind a home, this was enforceable by security asking them to move. Mr. Clough pointed out if a homeowner asked them to move, they would move without having to call security, which was what they would be teaching to the community. Ms. Nelson felt that the Fishing Club was being inflexible, because this was the third time that they sent revisions back and wanted to fish in all ponds, but at the same time, they were working with Mr. McKelvey on different ponds that people could fish on, that were not behind resident's homes.

- Ms. Sunshine Croce of 1930 Molise Drive voiced concern with golf carts driving across her lawn.

Mr. Clough asked if it was a specific person. Ms. Croce indicated that there were three different people. Mr. Clough pointed out that the Fishing Club's policy was for no golf carts behind any house. Ms. Croce had video of the people driving golf carts behind her home. Mr. Clough hoped to identify the person, to educate them. On Ms. Croce's specific pond, which was referred to as the RV pond, there were eight houses in a row and then open area all the way

October 15, 2025

Poinciana CDD

around. The back of Ms. Croce's property had a shallow shoreline, which was not attractive to fishermen. They would educate the non-members to be respectful. Ms. Croce preferred that they fish elsewhere, as there were other ponds that they could fish on. When she asked fishermen to stop fishing behind her home, they ignored her. Ms. Nelson was not worried about the Fishing Club but was worried about people that were not in the Fishing Club that may or may not listen to the soft policy. The Board was working on a solution.

- Mr. Mike Schouten of 939 Glendora Road South and the Vice President of the Fishing Club indicated that currently they had 88 members and every pond that was fishable, there was a member on that pond. In 2012, there was a No Fishing Policy and that same year, the Fishing Club started Fish for Trash and since then, removed over 6,000 pounds of trash. However, this year since construction stopped, they have only removed 200 to 300 pounds.

Ms. Nelson pointed out that the HOA policy did not become a policy until three years ago, right before the builder turned over everything to the HOA. Fishing was not allowed, but they were informing residents that fishing was allowed. Mr. Schouten would like to know how to enforce it. Mr. Cameron recalled at last month's meeting, it was mentioned that the developer put in the master declaration, that people could fish on all ponds in Solivita, but Point 13.4 contradicts what they did right before turnover. Therefore, they did not have the legal authority to allow fishing on ponds that they did not own.

- Ms. Randy Croce of 1930 Molise Drive recalled that he previously lived in a community that backed up to a pond, where fishing was prohibited. Signs were posted. The revisions to the Fishing Policy stated that fishing was permitted within 15 feet of the bank, which was unacceptable. His wife was outspoken about it, as well as several of his neighbors, who were not happy about the golf carts and fishermen.

Mr. Zimbardi pointed out that there was nothing that the Board could do about enforcement and that the master declarations could be changed. Mr. Croce indicated that they could not direct the HOA to do so. Mr. Cameron noted that the developer had the right to make any changes to the master declaration. Mr. Zimbardi recalled that they did at one time, but not anymore. Mr. Warren indicated that if they owned lots, the developer had the right to change the documents, but at this time, they did not own any lots. Ms. Adams explained that the recorded

October 15, 2025

Poinciana CDD

declarations govern private property; however, they were not usually applicable for CDD property, as CDD property was public property. Furthermore, before the proposed policies were reviewed by the Board, they were reviewed by the CDD's liability insurance provider, from a liability and safety perspective. One issue that they were adamant about, was if the CDD adopted a policy to allowed for fishing, the fishing must take place in designated areas and signage would be installed, warning residents about the unsafe conditions of the stormwater pond. Mr. Lazarovich recalled other CDD's having an issue regarding golf carts on the pond bank causing damage to the property, which was expensive to repair. Ms. Nelson pointed out that it must be paid out of taxpayer funds. Mr. Reed believed that there would be a question of liability, if the Board approved fishing and residents paid the insurance and hoped that they did not get sued. Therefore, it did not matter whether they approved fishing or prohibited it. Mr. Lazarovich noted that the CDD could still be liable, if someone drives a golf cart onto CDD property and gets hurt, even with the policy. Mr. Cameron closed the floor to public comments.

Mr. Reed wanted to understand the CDD's liability, before he approved anything, as he did not want to do something that would put the community at risk. Mr. Lazarovich pointed out that they were trying to approve a policy, to warn the public that there was an inherent danger by doing this. Mr. Reed did not want the Board to be responsible for causing liability by approving fishing. Mr. Zimbardi felt that the Board needed to do something. Mr. Cameron pointed out that even if it was not legally enforceable, it was an educational tool and still served a valid purpose. Mr. Reed felt that all they could do, was write a policy that states what pond they could fish on and the dangers involved. Ms. Nelson asked if they could charge a user fee for people to fish on their ponds and issue a license. Mr. Lazarovich would investigate it further. Mr. Reed pointed out that there were ways to make it enforceable, but they needed to come up with something that would work for everyone and questioned how they would enforce catch and release. Ms. Nelson indicated that it was in the Fishing Club rules. Mr. McKelvey pointed out that they would teach people how to get the fish out of water and release it in a safe manner. Ms. Nelson agreed. Mr. Cameron recalled that he had a phone conversation with Ms. Jan Carpenter about boating on the ponds, because if the Board adopted a policy that officially allowed public access to their ponds, it would open it up to anyone. Ms. Carpenter advised him that the CDD could restrict who used the ponds. Therefore, if the Board adopted a policy, they could restrict it to Solivita residents only.

October 15, 2025

Poinciana CDD

Ms. Adams clarified that there were public access requirements for recreational facilities, but not public access requirements for utilities. If the CDD had recreational facilities, public access was required. The CDD could meet the public access requirement by requiring a non-resident user application fee. The fee would be commensurate with a portion of the bond debt and operation and maintenance assessments. If paid, that would give the public user, the same privileges that a property owner within the District boundaries would have, relative to CDD recreational facilities. They would become a non-resident user and have the same privileges for CDD recreational facilities as property owners within the District boundaries. Mr. Cameron asked if the Fishing Club would be amenable to residents receiving a free license, based on training provided by the Fishing Club. Mr. Clough indicated that he was in favor of it. Ms. Leo recalled that there was a no fishing policy in place since 2012, which they could not enforce, but was worried about people falling into the ponds, due to the slope. There was a practical side, as there were conflicts between the Board policy and HOA policy and it might be best to leave sleeping dogs lie. Mr. Reed felt that was a good point. Mr. Cameron recommended tabling this matter. Mr. Reed was in favor of issuing a fishing license, so they have more control. Ms. Adams pointed out that the CDD had no law enforcement power and if they were talking about a fishing license that was issued by the State of Florida, it could only be enforced by a law enforcement officer in the State of Florida. Mr. Reed believed that they had the right to charge a fee for a fishing license and require that they be educated. However, if the Board wanted to approve something, he proposed making it temporary for a year and look at whether licensing was feasible. Mr. Cameron clarified that they were talking about a Solivita fishing permit, not a State of Florida license.

Mr. Lazarovich advised if the Board was to adopt a fee, there must be a rate hearing. Mr. Reed recommended rewriting the policy and softening it. Mr. Cameron suggested using the map that had ponds designated less dangerous and not behind people's houses for recommended ponds for fishing. Mr. Reed asked if this was unique in all of Florida. Ms. Adams pointed out that it was not unusual for CDDs to have fishing policies relative to the stormwater ponds. What was provided to the Board was based on the best practices for other Districts. Mr. Reed questioned what they were up against and whether it was a problem all over Florida, regarding liability. Ms. Adams confirmed that liability issues are prevalent in Florida. Mr. Lazarovich could not speak directly to ponds but recalled that they had lawsuits in the majority of CDDs for

October 15, 2025

Poinciana CDD

sidewalk trips and falls. Mr. Reed felt as a government agency, the CDD had some limitations. Ms. Adams stated as a Florida government, there was a statutory liability cap known as sovereign immunity. Mr. Cameron asked if the insurance company wanted the District to have designated areas to fish. Ms. Adams confirmed that this was their recommendation. However, the Board was the policy making group and as such, could go against the recommendation from the attorney, the District Manager, the District Engineer, or the insurance provider, but the CDD Board needed to be aware of the risk. Mr. Cameron recalled that the insurance company would like for there to be signage at the designated ponds. Ms. Adams explained that the insurance company felt that there was less liability, if the CDD designated fishing areas and had warning signs. Mr. Cameron understood that Mr. Blanco provided a map of designated areas and requested a copy of it. Ms. Adams indicated that after the meeting, they planned to circulate a copy of that map for additional feedback from the Board. This item was tabled.

- **Consideration of Addendum to Agreement with Clarke for Addition of Pond B16 to Larvicide Program** (*Item 6*)

Ms. Cherrief Jackson of Clark was present, to present the addendum to the agreement with Clarke for the addition of Pond B16 to the larvicide program, which was included in the agenda package, along with some background information. An email was received from Mr. McKelvey, who had specific questions about the midge management program, including background about how the midge management program started and how ponds were identified for treatment. He also wanted a record of pond treatments year to date. The result of those questions was provided to the Board, along with the data that Ms. Jackson provided. Ms. Jackson answered questions on which ponds were treated and attached a proposal with a list of ponds from A9 to P1F. Last year, they added Ponds P10, P3 and P1F. There were also questions on how they arrived at the original list and her prior discussion about a full ecological study that was performed around 2004, that was prepared by a biologist from the University of Florida, who went out and surveyed all of the ponds, identifying what types of midges were present, which products worked in the lab versus the field and what the best treatment was. They built that program based on what they found, because at any given point, all of them were not going to have midge issues. As far as the treatment schedule, they used to treat every single Thursday, but now it might be a Wednesday or Friday, depending on the weather or the technician's schedule. The only time that they would deviate from the list, was when they received requests. A list of

October 15, 2025

Poinciana CDD

treatments from October 2024 to August 2025, was provided to the Board, which included the ponds that they spray larvicide on.

Regarding the questions on whether they check the pond every time and what they do to evaluate the new ponds, because of the nature of the Florida environment and what was coming out of the ponds and what runs off into the ponds, Ms. Jackson indicated that the vast majority of them have a good environment for midges, but they were not all going to have midges. There was no rhyme or reason, because they could have a pond that looks nasty, but did not have midges or one that looked great and had midges. It was more about what was going on under the water. There were also some ponds that would have an issue for one month, which residents would contact them on and then they never hear from the residents again. It was not an exact science. The best way for them to know which ones were starting to have a problem, was from residents that called it in. The problem was that people did not know who to contact. Mr. Reed questioned who paid for the investigation and where the report was. Ms. Jackson did not know who paid for it, but would try to find the report, which was 21 years ago. Mr. Reed wanted to understand how the University of Florida was involved. Ms. Jackson recalled that they were invited. Mr. Cameron asked if the email that was sent to Mr. Blanco, included a list of all ponds that were regularly inspected for treatment and if the ponds were treated every month or inspected. Ms. Jackson explained if a pond had no midges, they would not spray it. They only bill for what they sprayed, not the mileage that they drove from pond to pond. Mr. Cameron understood that it was within their contract and not over and above their base contract.

Ms. Adams clarified that these were the ponds that were regularly inspected for treatment, but if there was an adulticide request by field staff, there was no additional fee to spray another pond. Ms. Jackson explained if there was a pond that was not on the list and there was an issue, if another pond did not have any issues, the technician could spray the pond that had an issue, instead of the one that had no issues. The CDD would not be charged twice, and they would not have to use extra product that they had not budgeted for. Mr. Reed pointed out that the CDD was paying a monthly fee regardless of whether Clarke sprayed or not. Mr. Cameron pointed out that the Board wanted to add Pond B16, which had always been a problem, but Clarke wanted to charge the CDD \$6,947.80, but if there was a request to do other ponds, they would do that as part of their base contract. Ms. Jackson explained that it did not include larvicide, just the adulticide. If they were asking for additional adulticide, the larvicide should be

October 15, 2025

Poinciana CDD

added, because there was an ongoing issue, to get the population down. Ms. Nelson questioned how long it would take to get B16 under control. Ms. Jackson indicated that it depends on how bad the infestation was, but they probably would not see a change in the first three months. Ms. Nelson asked if they treated it yet. Ms. Adams confirmed that it was treated with an adulticide, but no larvicide. Ms. Nelson noted that she lived on Shorehaven and when the larvicide was not done correctly or for some time, she gets a breakout of midges on the front of her home, but when it was sprayed, they disappear. Mr. Jim Jeffries of 346 New River Drive recalled that the adulticide was sprayed on B16 but has not made a difference. Ms. Nelson pointed out that this was the reason for the larvicide being added.

Ms. Jackson reported that it takes everything to keep the midge population down. Anytime she sells a proposal for midges, she recommends using both the larvicide and adulticide, to keep as little as possible from coming out of the pond and at the same time, killing as many adults as possible, because they would lay eggs and start the process all over again. Mr. Reed questioned how many ponds were in Solivita 21 years ago. Mr. Reed pointed out that this was the reason why he wanted to see the report from 20 years ago, so that he could understand the process, how it all started, how they got where they were at and why they were paying so much money, as they were adding all of these ponds and no formal study was done. Ms. Jackson confirmed that besides these last three ponds, the rest were the original ones. They were currently treating 20 ponds. Mr. Reed noted that the others have not been a problem for the 13 years that he lived in the community and appreciated Ms. Jackson's help to get a handle on it. Ms. Jackson questioned what they were trying to get a handle on. Mr. Reed wanted to understand the situations and whether it was the right thing to be doing. Mr. Cameron clarified that the request was to know how they got to where they were, what they needed to do and where they needed to go in the future. Ms. Adams typically sees this issue with other CDDs that under development and experiencing midges. It was not an issue until there were houses around the pond, because it then impeded the resident's lifestyle and enjoyment of their outdoor space. Therefore, it was natural to add more ponds, as the development grows and as residents populate around a pond, based on resident feedback. Midges were a pest that annoyed residents.

Mr. Cameron felt that they needed to attack the larva and asked Mr. Blanco to provide a list of ponds where they installed gambusia fish and shrimp and compare it to the list of ponds that Clarke routinely treat. Money was an issue and if they could control it with fish and shrimp,

October 15, 2025

Poinciana CDD

they could concentrate on other ponds. Ms. Nelson pointed out that B16 was a large pond. Mr. Cameron was in favor of the proposal to include B16 to the larvicide program but was thinking more of the long term and whether they needed to expand their fish and shrimp program and monitor it. Mr. Blanco pointed out in 2022 when the fish and shrimp were introduced, he was not the Field Manager, but would check with Mr. Clayton Smith, the prior Field Manager, to see how he was overseeing the population for those ponds and provide guidance on future ponds. However, the midge management was like algae management where one solution was not the entire solution. Some of the ponds may only need the fish and shrimp. Pond E3 had fish, shrimp and larvicide to keep midges under control. They could stock fish and shrimp in ponds, if there was a habitat for the fish. Mr. Cameron agreed that they needed to spray, but maybe look at the other options, as well as consider fish and shrimp for B16. Ms. Jackson indicated that plants could be placed around edges of the ponds, to help soak up some of the nutrients that flow into the pond. Other communities used aerators, to keep the water moving, but they were costly. Mr. Cameron would like to develop a midge management program, taking both the biological and the treatments that Ms. Jackson could bring back to the Board.

Ms. Nelson MOVED to approve the addendum to the agreement with Clarke for the addition of Pond B16 to the larvicide program in the amount of \$6,947.80 and Mr. McKelvey seconded the motion.

Ms. Nelson clarified that the current contract was \$182,000 and Clarke was adding \$6,947.80 to the total for the year, to bring the total amount to \$188,667.78. Ms. Nelson asked if there was money in the budget for this expenditure. Ms. Adams confirmed that there was enough money to cover the \$188,667.78.

On VOICE VOTE with all in favor the addendum to the agreement with Clarke for the addition of Pond B16 to the larvicide program in the amount of \$6,947.80 was approved.

EIGHTH ORDER OF BUSINESS

Consideration of License and Maintenance Agreement Between Poinciana CDD and Avatar Properties, Inc.

October 15, 2025

Poinciana CDD

Mr. Cameron reported that the purpose of the License and Maintenance Agreement between the CDD and Avatar Properties, was for the CDD to handle the striping and any lighting on the Bella Viana tunnel that was on the Avatar Properties side. He tried to contact Nora at Avatar Properties to seek reimbursement, but she had not returned his phone call. She was informed that there was a License Agreement for this purpose, which she was fine with. Mr. Lazarovich confirmed that it was in a similar form to a License Agreement with the HOA, with a 10-year term and insurance indemnification. Mr. Cameron noted that Avatar would be billed for the cost of materials. Mr. Warren questioned what led to this. Mr. Cameron explained when coming into the Bella Viana tunnel from the golf course side, there were lights along the wall and striping down the middle. One side was owned by Avatar Properties. The CDD owned inside of the tunnel and going out along the Bella Viana side. It did not make sense for the CDD to do part of it and this agreement allowed the CDD to do the work and bill Avatar Properties for it. Ms. Adams requested that the Board approve the agreement in substantial form.

On MOTION by Ms. Nelson seconded by Mr. McKelvey with all in favor the License and Maintenance Agreement between the Poinciana CDD and Avatar Properties, Inc. in substantial form was approved.
--

NINTH ORDER OF BUSINESS**Staff Reports****A. Attorney**

Mr. Lazarovich had no updates for the Board.

October 15, 2025

Poinciana CDD

B. Engineer

Ms. Leo reported that she did some research on Pond B1 but did not have anything ready for the Board this month. She planned to get with Mr. Blanco, to understand the irrigation. There was a question about what rights the Central Florida Expressway (CFX) had to drain into the CDD ponds. She searched documentation that she had but could not find anything and would turn it back over to legal to see what they could come up with.

C. District Manager

Ms. Adams recalled that the Board earlier inquired about the status of litigation related to a trip and fall. That case was dismissed, and the online docket has this matter closed, as the plaintiff missed the statute of limitations to add the Poinciana CDD to the claim and the CDD never received a notice of claim. Mr. Cameron noted that was good news.

i. Action Items List

Ms. Adams presented the Action Items List, which was included in the agenda package. Many of these items were already discussed. She reported on the following:

1. Monitor Central Florida Expressway – Poinciana Parkway Project: Parkway Connector: In process. Staff received correspondence regarding the CFX, which was distributed to the Board. They were not doing any other active work on this, other than Ms. Leo's research on the pond capacity and reception issue.
2. Monitor Polk County Road Design for Impact to PCDD Tunnels: In process. This was still in the early stages. They were far off from the time where Polk County would have specific plans.
3. Review of Wetlands Owned by Developer and HOA: On hold, as there was no current application from Avatar to turn over any additional stormwater system to the CDD.
4. Pond Water Quality Improvements: In process. This has been an ongoing topic of interest since March of 2024. The ponds were stocked with clams in the Spring of 2025. Options to improve water quality were presented to the Board. Fire flag was considered for replacement, and the proposal was pending. Proposals for the grass carp and screens to control hydrilla, would be presented to the Board at a future meeting.

October 15, 2025

Poinciana CDD

5. Educate Residents Regarding Beneficial Pond Vegetation and Best Maintenance Practices: Ongoing.
6. Eminent Domain Cypress Parkway: In process. There was an agreement with Gray Robinson.

Mr. Reed did not understand why CFX needed 5 feet instead of 3 feet and requested more detailed information.

7. Stormwater Maintenance: In process. Mr. Blanco would be presenting details on the repairs that could be completed during the wet season. The ones that needed to be completed during the dry season, would remain on the Action Items List to be tracked. At the last meeting, the District Engineer mentioned that she had visually seen some areas that might need more fine tuned maintenance. In the future, there may be a proposal to clean up those areas.
8. Finalize Proposed Fishing Policies: This item was discussed. A map would be distributed, showing where fishing was considered to be permitted.
9. Landscape Maintenance Confirmation: Completed. A meeting was held in June and as a result, there was scrutiny of different tracts that were owned by different entities.

Ms. Adams asked if anything was pending that needed to be resolved. Mr. Cameron indicated at that meeting, the golf course commented to Mr. Blanco and Mr. McKelvey, that they wanted the CDD to start mowing around the ponds on the golf course side. Ms. Adams noted that this was unusual. As a result, Mr. Cameron met with the manager a couple of weeks ago, but he not aware that they were continuing to maintain that. Mr. Blanco was informed if he received a call from the golf course, asking to maintain it, the CDD would not do so, unless it comes back before the Board. Ms. Adams would remove this item from the Action Items List.

10. Midge Management Pond B16: In process. This item was added for tracking purposes. She would change the title to, "*Midge Management Program.*"

Ms. Nelson wanted to think about having someone come in and do a study on their ponds and asked if the University of Central Florida would be interested. Ms. Adams pointed out that they would need to understand what they were studying. Mr. Reed discussed with Dr. Hoffman, what was available. In addition, the University of Florida and the Florida Institute of Technology, had the biggest conservation program, but it was in its infancy. However, he would

October 15, 2025

Poinciana CDD

like to learn more and understand. Ms. Nelson asked who was working on it. Mr. Reed confirmed that he was working on it. Ms. Nelson questioned who authorized him to work on it. Mr. Reed indicated that he was allowed to investigate, just like other Board Members do. Ms. Nelson pointed out that it was supposed to be approved by the Board and that a representative of the Board be designated. Mr. Reed noted that it was only research, but if he comes up with something, he will bring it to the Board. Mr. Cameron designated Mr. Reed to follow up with the University of Central Florida and the University of Florida, as a representative of the Board and report back to the Board. Ms. Adams would add this item to the Action Items List.

ii. Approval of Check Register

Ms. Adams presented the Check Register for September 9, 2025, through October 6, 2025, totaling \$186,170.28, which was included in the agenda package, along with the detailed invoices and Check Run Summary. Mr. Zimbardi asked if it mattered that he was not getting ACH. Ms. Adams indicated that it was up to him and staff would provide him with the forms.

On MOTION by Ms. Nelson seconded by Mr. Zimbardi with all in favor the September 9, 2025, through October 6, 2025, Check Register in the amount of \$186,170.28 was approved.

iii. Balance Sheet and Income Statement

Ms. Adams presented the Unaudited Financial Statements through August 31, 2025, which was included in the agenda package. No Board action was required, as the financials were provided for informational purposes. Ms. Nelson pointed out that the financials were two months behind. Ms. Adams indicated that this was the penultimate month for this fiscal year. The District was running on par with expenses for administration, running under budget for operations and maintenance field expenses, there was a transfer out to the capital reserve and all debt service payments were made.

D. Field Manager's Report

Mr. Blanco presented the Field Manager's Report, which was included in the agenda package. Repairs were made as noted in the Engineer's Report. Maintenance staff shortened a corrugated bleeder drain that was in Ponds A6 and C14 and added an atrium filter on both drainpipes. A damaged corrugated pipe in Pond C1, was dug out and replaced and an atrium

October 15, 2025

Poinciana CDD

filter head was added, before the area was backfilled. The weir grate on Pond B6 was reset and light bulbs in both the Bella Viana and Venezia tunnels were replaced with working bulbs. Field staff reviewed the District landscaping. During reviews, a mainline break was spotted on an HOA owned tract behind Amalfi Lane, with a washout affecting the bank area where the drain sox was completed earlier in the year. Juniper made the repair, and Solitude provided a quote to restore the area. A landscaped area by the Bella Viana tunnel entrance, had dead trees and weeds in the landscaping beds. A proposal to clean up the area, was provided to the Board. Shorehaven Park and Venezia tunnel tracts were reviewed and reported as consistently mowed. However, these areas were wetter than usual, causing tire tracks to appear, but they would fade away with a couple of mows. Overall, mowing has been consistent and uniform throughout the areas under review.

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

Mr. Blanco presented the Pond Maintenance and Midge Management Reports and Customer Complaint Log, which were included in the agenda package. Field staff continued to review the ponds, along with the aquatic's vendor throughout the District. However, they requested that the aquatic vendor start providing a maintenance report, highlighting reported ponds that needed additional assistance, as well as updates on ponds that received multiple treatments. They reviewed the littorals (Fireflags) in Shorehaven Park and the littorals (Spikerush, Pickerelweed and Duck Potato mix) in Pond E3. They were currently at the maximum height. He had conversations with Solitude on removal of the Fireflags and replacing it with the Spikerush, Pickerelweed and Duck Potato mix. They planned to provide a proposal and provided a proposal for the grass carp yesterday, which he would include on the next agenda. Regarding the aquatic maintenance, the vendor noted that Ponds A7, A8, A9, A10A A12, A13, C6, B6, C8, C17 and D5, were reviewed multiple times and needed some assistance with multiple treatments. He was working on this with the technician and were monitoring it closely, to see if additional treatments were needed. Many of these ponds were progressing and some had additional treatments scheduled. Moving forward, they would be providing a report, that highlighted the ponds that needed special assistance, as well as the treatment log.

October 15, 2025

Poinciana CDD

iv. Consideration of Floralawn Proposals
a. Belle Viana Gate Area Maintenance
b. Backside of Pond E21 Maintenance

Mr. Blanco presented a proposal from Floralawn, to clean up the area by the Bella Viana tunnel, as there were some dead Oleanders and landscaping beds that had heavy weeds in them. There was a one-time cleanup fee of \$250. Mr. Cameron reported that the HOA was doing work around the entrances, to spruce them up and it was pointed out by the HOA President, that there were some dead trees, between the Bella Viana entrance and the tunnel. The proposal was for Floralawn to cut down the trees and clean up the area, to coincide with the work that the HOA was doing on the other side of the fence. Mr. Blanco indicated that the second proposal was to bushhog an area by Pond E21, on the other side of the decorative fence that the CDD owned, which was massively overgrown. It was for a one-time bushhogging in the amount of \$1,500. Mr. Cameron pointed out that the HOA granted permission via email, to cross their land from the street, before the gate was put in, but questioned how often they would go back in there to keep it clean. Mr. Blanco would find out if it could be absorbed within the current contract or if they would need an addendum. Mr. Cameron did not feel that more than once a month would be necessary. Mr. Blanco did not recommend it, as it was technically not on the Solivita resident side. Discussion ensued.

On MOTION by Mr. Zimbardi seconded by Ms. Nelson with all in favor the proposals with Floralawn for the Bella Viana gate maintenance in the amount of \$250 and for bushhogging an area by Pond E21 in the amount of \$1,500 were approved.

v. Discussion Regarding Midge Management Program

This item was discussed.

• **Tunnel Striping**

Ms. Adams reported that a proposal was received this week to stripe the area that was discussed earlier, as part of the License Agreement. However, the agreement needed to be fully executed, to schedule this work. Mr. Cameron recalled that in the past, a company charged them \$950 to stripe the Bella Viana tunnel, but they did not remove the tape and refused to come back and remove the tape. Rather than fight them over \$950, which would be more than the bill, Mr.

October 15, 2025

Poinciana CDD

Cameron was advised by legal counsel to pay the bill. Mr. Cameron wanted confirmation that the vendor would remove the tape in the tunnel and separate the areas out, to determine how much Avatar would pay the CDD. Ms. Adams pointed out if the CDD does the work, it would be tax exempt and would send Avatar an invoice for reimbursement. Ms. Nelson did not want to approve this expenditure until they knew whether the vendor would remove the tape. Mr. Blanco was informed by the vendor, that they would remove the tape as a courtesy.

On MOTION by Mr. Zimbardi seconded by Ms. Nelson with all in favor the invoice for the Bella Viana tunnel striping in the amount of \$1,606, subject to the changes discussed was approved.

TENTH ORDER OF BUSINESS

Supervisor's Requests

A. Discussion Regarding Accounting Questions

Ms. Nelson recalled at the last meeting, the Board approved allowing her to talk to accounting about several questions that the Board had. As such, she provided a list of questions that she would be asking accounting, when Ms. Adams scheduled a meeting. She requested the Board's input. She would be bringing a report back to the Board, after the meeting. Mr. Cameron had three basic questions, which he provided to Ms. Nelson. Mr. Reed reported that he was researching pond dye, as he was recommending using it in a couple of ponds as a project, to see if it worked. Mr. Cameron pointed out that Pond 1B, at the end of Via Rizzoli Drive, was partially owned by the HOA, which was on the Floralawn contract for mowing. Mr. Blanco confirmed that this was the case. Mr. Cameron asked if they needed a License Agreement to mow that side of the pond, even though it was in the contract. Mr. Lazarovich replied affirmatively. Mr. Blanco indicated that according to the Polk County Property Appraiser's website, the CDD maintained the east side, while the west side has not been maintained. Mr. Cameron asked if the CDD should look at taking ownership of the entire pond. Ms. Leo would take this under advisement.

Mr. Cameron recalled the washout that Mr. Blanco mentioned, around the drain sox on P3, off Amalfi Lane, which undermined the bank restoration that they did. As a result, there was an \$8,800 estimate for the vendor who did the bank restoration, to repair it. The HOA was aware of the issue and would reimburse the CDD, subject to their Board approving it. Ms. Adams pointed out that the vendor must provide a work authorization, as they were a contracted service

October 15, 2025

Poinciana CDD

provider, once the Board approved the proposal. However, since this item was not on the agenda, the Board was required to take public comment or wait until the next meeting to approve the proposal. Mr. Cameron preferred opening the floor to public comment. There were no public comments. Mr. Blanco confirmed that the vendor would restore the area that was eroded, caused by the broken irrigation on Amalfi Lane, back to its original condition.

<p>On MOTION by Mr. McKelvey seconded by Mr. Zimbardi with all in favor the Solitude erosion repair in the amount of \$8,800 to restore the area that was eroded on Amalfi Lane that was caused by the broken irrigation was approved.</p>
--

ELEVENTH ORDER OF BUSINESS

Other Business

There being no comments, the next item followed.

TWELFTH ORDER OF BUSINESS

General Audience Comments

Ms. Rose Kerr of 389 Sorrento Road pointed out that something was happening with the midges. She spoke to Ms. Jackson about it at the Health Fair. Ms. Kerr noticed when Clarke comes around to spray, they were staying outside of her hedge by the water and not coming onto her property. The midges were getting bad.

THIRTEENTH ORDER OF BUSINESS

**Next Meeting Date – November 19, 2025,
12:00 P.M.; The Gator Room**

Mr. Cameron reported that the next meeting was scheduled for November 19, 2025, at 12:00 p.m. at this location.

October 15, 2025

Poinciana CDD

FOURTEENTH ORDER OF BUSINESS

Adjournment

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

Signed by:

Tricia Adams

3F3E5FA5C67E43B...

Secretary/Assistant Secretary

DocuSigned by:

John Law

C3C19ED3E27C4AF...

Chairman/Vice Chairman