

MINUTES OF MEETING  
REUNION WEST  
COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Reunion West Community Development District was held on Thursday, January 14, 2021 at 11:30 a.m. at Heritage Crossing Community Center, 7715 Heritage Crossing Way, Reunion, FL.

Present and constituting a quorum were:

|                 |                              |
|-----------------|------------------------------|
| Mark Greenstein | Chairman                     |
| David Burman    | Vice Chairman                |
| Michael Mancke  | Assistant Secretary by phone |
| Sharon Harley   | Assistant Secretary          |
| Graham Staley   | Assistant Secretary          |

Also present were:

|                |                   |
|----------------|-------------------|
| Tricia Adams   | GMS               |
| Jan Carpenter  | District Counsel  |
| Steve Boyd     | District Engineer |
| Alan Scheerer  | Field Manager     |
| Victor Vargas  | Reunion Security  |
| Kristen Trucco |                   |

**FIRST ORDER OF BUSINESS**

**Roll Call**

Ms. Adams called the meeting to order at 11:30 a.m. and called the roll. Four Board members were present constituting a quorum and one Board member was on the phone.

**SECOND ORDER OF BUSINESS**

**Public Comment Period**

Ms. Adams: The first item on the agenda is the public comment period. This is an opportunity for any members of the public to make a comment to the Board of Supervisors regarding anything that is on the agenda or anything that is not on the agenda. If you would like to make a comment please address the Board and provide your name and address for the record. Is there anyone who would like to make a comment? We do have three public callers on the phone. Do we have any callers who would like to make a comment? Hearing none, we will move forward.

### **THIRD ORDER OF BUSINESS**

#### **Approval of the Minutes of the December 10, 2020 Meeting**

Ms. Adams: The next item on the agenda is the approval of the minutes from December 10, 2020. Do we have any corrections or edits to the minutes?

Mr. Staley: Yes, I noticed a couple of errors and I have one question. On page number 3, it says I said, "this scope is what I would call union, this east and west." I think that's me commenting on this scope being for both the Union East and the Union West."

Ms. Adams: We'll alter that to that effect.

Mr. Staley: The other correction was on page 14 where I was talking about pickleball. About 6 or 7 lines from the bottom it says, "I'm worried that attracts a little bit," I said "detracts" from what Josh is trying to achieve.

Ms. Adams: I see that.

Mr. Staley: The question I have was on page number 6. I was just curious to know if the Reunion West POA had any comments on the Security Services Agreement?

Ms. Adams: Yes, we can address that issue under attorney's report. We did have some comments. There were some non-substantive changes that were requested and those were made. The revised agreement was provided to the Reunion West HOA.

Mr. Greenstein: The only other thing that is strictly a typo, is it should be Creative North. Wherever there was a reference to Creative North it was captured as Created North. It's funny, the motion had it correct.

Ms. Adams: We'll search all of those and replace Created with Creative. Any other comments on the minutes? Hearing none,

On MOTION by Mr. Greenstein, seconded by Mr. Staley, with all in favor, the Minutes of the December 10, 2020 Meeting, were approved as amended.

### **FOURTH ORDER OF BUSINESS**

#### **Consideration of Data Sharing and Usage Agreement with Osceola County Property Appraiser**

Ms. Adams: The next item in your agenda is consideration of a Data Sharing Agreement with Osceola County Property Appraiser's office. This is an agreement that the Board of Supervisors has seen in the past. This is an annual agreement. Basically, the District is agreeing that the information that the property appraiser wants to hold confidential, we will also hold confidential. We would be seeking a motion to approve if there's no question or discussion.

Mr. Greenstein: This is the standard agreement that we've had in place for prior years?

Ms. Carpenter: There was a change in the public record law that allowed certain information to be deleted from recording. It includes certain law enforcement officers, certain people in certain jobs, victims of crimes, etc. there's a list of people that have their addresses and identifying information removed from the records. It's really a legal basis, we have to do it as well. They are just asking us to comply so we don't breach the law.

Ms. Adams: Jan, do you think this is the second or third year that this law has been in place?

Ms. Carpenter: It's funny you ask that because I tried to look up the statute and I couldn't figure out exactly what year, but it's about the third year.

On MOTION by Mr. Greenstein, seconded by Mr. Staley, with all in favor, the Data Sharing with Osceola County Property Appraiser, was approved.

#### **FIFTH ORDER OF BUSINESS**

#### **Consideration of Resolution 2021-04 Ratifying Actions Related to E-Verify Requirements**

Ms. Adams: The next item on the agenda is related to a new Florida statute. I'll introduce this item and District Counsel may have some additional input. Part of the legislative session this past year for the State of Florida included a new statute going into place related to immigration law. Basically, it is requiring all governments in Florida to comply with E-Verification requirements. The District will need to register with a memorandum of understanding and the other impact that you'll see in the District besides registering the District with the E-Verify system is that moving forward new agreements that are entered into with contractors will be required to also participate in the E-Verify system. District counsel will have language in each agreement in order to be in compliance with this new statute.

Ms. Carpenter: It's a federal system set up by the Department of Homeland Security. All federal contractors have to use the system and the state has now adopted that state contractors have to use the system. It's a requirement, it will take a little bit of getting use to. When putting out for proposals and bids, we need to make sure that the contractors as well as their subcontractors are enrolled before we sign the contracts. I think within a year everybody will get registered. In the meantime, it will take a little bit of patience. What we did was draft a resolution that delegates and ratifies the actions of the District Manager so they can enroll the District. The memorandum of understanding is basically an agreement that you understand the use of the

system and will abide by the immigration requirements, and it can be signed by the Chairman or District manager and going forward it allows them to continue to do whatever they need to comply with the law. Any questions?

Mr. Greenstein: It's a straight forward employment practice requirement.

On MOTION by Mr. Greenstein, seconded by Mr. Staley, with all in favor, Resolution 2021-04 Ratifying Actions Related to E-Verify Requirements, was approved.

## **SIXTH ORDER OF BUSINESS**

### **Discussion of Feasibility to Sell District Roads to Private Entity**

Ms. Carpenter: This is a continuation of the issue of the potential concept of the roads being taking out of ownership from the District and put in with a private entity such as the POA or some other private entity. This was a memo that we got, and it summarizes our discussions over the last month or two of how this would work in an overall conceptual phase. We were asked by the Boards what are the next steps, let's start seeing if this is feasible. Vanessa Lowery is one of the tax lawyers for Greenburg Traurig, a national firm up in Philadelphia, and she does tax work for CDDs all over. She did a really nice job of putting in language that made my long, convoluted explanation look really long and convoluted. What we talked about and what she put down is sort of the next steps and we are going to need direction from the Boards on where the Board wants to go with this. We talked with her and gave her estimates based on the Engineer's Report because that was the easiest place for the engineer to say this is what we're suppose to spend on roads, this is the total cost. What happens is we would now need to actually get the actual verified cost of pulling the requisitions from bond issues and seeing how much was spent. It looked like it was about \$47 million total for both Reunion East and West. We'd have to get those exact numbers to be able to show this is \$42 million, or whatever the amount was, and then they compare that to the amount of bonds still outstanding and then do a proportionate calculation to figure out how much of the bonds need to be redeemed. The process there would be, we would need Steve to figure out how much time it would take for Steve and GMS to get a proposal to come back. There are probably hundreds of questions between the various bond issues. Between Steve and GMS, come up with the best, least expensive way, but also a way that would be acceptable for the IRS to be able to say, this is exactly what was spent. We can have bond counsel run the calculations. Once we got that number, then they would figure out how much of the bonds need to be redeemed. Bond issue tax law gives you about a 5% leeway you can use for costs that



aren't good public costs. The District has spent some, East has spent some with the management leases and other private uses, so there is some of that 5% left. Mostly in West and a little bit in East. They'd run the calculation and then say, okay since half the bonds are paid off instead of \$47 million, \$23 million of the bonds has to be redeemed over the two Districts, this is how much for East, this is how much for West. That's where the entity purchasing it would have to figure out how are they getting that money. The interesting but kind of difficult part is, they just can't pay \$23 million to the District and own the roads. They have to redeem the bonds. So, to redeem the bonds, it would mean the homeowners that pay assessments have to pay those assessments down for the right bonds under the indenture because you can't just redeem whatever bonds you want, you have to redeem them in specific order. It's a random order, but it's a process. So, they have to figure out which homeowners, which land would be prepaying, how much they would prepay, and then make that equal the 20 something million and figure out how they were paying it on behalf of the bond holders, the landowners, or exactly how that process would work. It's a big mathematical problem. There are other issues, like if you're going to be paying 1/3 of everyone's assessments down for this, and then charge them on the HOA side, or whatever private side. What about people that prepaid their assessments? Would they be getting that benefit? The purchaser is going to need to have some input on how they would want to handle that. Does the Board want to consider the cost and decide whether we want to at least get the District side prepared so they can say this is the exact amount, now you need to work with us and the tax lawyers to figure out how you are going to do it? There are a couple steps. We were told to go forward. These are the steps that we would need to go forward and we kind of need the Boards now to decide is this worth an investment in cost now and who is going to pay for it?

Mr. Staley: Presumably, we refinance. Once we've redeemed, we then refinance. That's nontax exempt. No?

Ms. Carpenter: This is tax exempt, but if you're going to redeem the bonds they'll be redeemed and go to a private entity. So, if the POA or somebody paid the \$23 million, they'd have to finance somehow that \$23 million.

Ms. Adams: Not the District.

Ms. Carpenter: Yes, not the District.

Mr. Staley: If they finance it somehow, I assume we would then issue new bonds which is not tax exempt.

Ms. Carpenter: No, the District cannot do that. The District still owns them, and they are open to the public. It would have to be a private entity is buying them and the Districts bonds are gone, and they are redeeming the bonds and purchasing the roads. So, it has to be a private entity, generally it is HOAs own roads. There are not a whole lot of other entities that buy them. I suppose resort owners could buy it if the County would allow it.

Mr. Greenstein: The finance portion is under the Master Association and, number one, I want to thank you for bringing us to this day. We have been looking for this guidance. The one thing that it doesn't address, which was a concern that we had mentioned in the past which has nothing to do with financing. It's related to the tax-exempt status of our whole financing package. It's really the issue of the privatization of the road work. Meaning, the whole purpose of the CDD infrastructure build out, initially, was to use public funds to create infrastructure, certain amenities, etc. The decision to take the roads private, there was some indication that it could be a problem from a statute standpoint from Section 190. I don't know what the legal basis for it was, but that is what threw that into the equation. Am I correct in saying that, at this point, we are not aware of any impediments to moving forward? Are there any non-financial issues that we have to address or consider that could impact as we move on this plan?

Ms. Carpenter: If the CDD is still going to be owning pools or other amenities, even if the gates are private, the public has to be allowed in to use those amenities. You can have people screen it from a private standpoint, but you have to allow people to use those amenities. So, unless every amenity got purchased and all the bonds redeemed or any amenity and the District just owned storm water and infrastructure, there still would be a public access issue.

Mr. Staley: Could you clarify that for me, please?

Mr. Greenstein: We have a nonresident user fee.

Ms. Carpenter: Which is something we should probably update this year to make sure we are covered, since we now have Seven Eagles.

Mr. Greenstein: Tell me if I'm right about this, Jan. From a legal standpoint, we'd have to establish an easement on the books to allow for the public to gain access to the roadway. But we have a condition on that access known as a nonresident user. So, for all intents and purposes, its only for those individuals who own property within the CDD or rent it and are residents that don't reside within the CDD. If they have access to the CDD amenities now, they will continue to have access to those amenities. The roadway issue should be moot as far as that group is

concerned. It would only be for someone who is accessing those amenities because they paid the nonresident user fee.

Ms. Carpenter: I think there still could be challenges if someone said we haven't paid the fee, but we want to look at the facilities. This is a public entity, it's a public facility, we want to see them. You would still have that argument that they should be let in.

Mr. Burman: Those policies exist today, correct?

Ms. Carpenter: Yes.

Mr. Greenstein: If someone came to the gate, and even though security would inspect them and ask them where they were going and they say they just want to drive through, and we try to discourage them from making this a throughway, but they have to let them go through. If they came in a said, I want to consider using the resort for some event or they want to go to a model home that's just normal cost of business that's going to have to continue. If we want to do this I don't think it's a problem, I just think we have to be aware of what our requirements are and make proper notice.

Ms. Carpenter: It would require training and there would probably be a challenge here or there, but it is probably the most we can get.

Mr. Greenstein: When I read through this I was very pleased to see this in English where the backup is there, the spreadsheets are there. There are lots of little notes on the dollar amounts. I think before we incur any additional expenses internally, as far as legal counsel or GMS and scrubbing books and looking through, trying to determine the dollar amount. I think we have a general idea, which we had from the beginning, as to what dollar amount we are probably talking about. I think it's a question of talking with the Master Association trustees and figuring out if this is something they want to pursue. Because we cannot, as Jan pointed out, self-finance this. We can't flip it to a non-exempt bond issue and go ahead and refinance on our own. It has to go to another entity. It makes full sense to have it managed by the POA. Not a developer, not a private entity that can go belly up tomorrow. I think it requires some further discussion before we get involved in scrubbing anymore books or doing any more work internally on it. Timing is an issue. During this Covid time things are impacting our businesses, good and bad. I think we go to the point we wanted to get to, and we may come back at next month's meeting and say full steam ahead, let's do all this work, but I think we need to discuss it on the East side and get their input. I want to receive input from the West Board because I don't want to speak on your behalf.

Mr. Staley: Moving from tax exempt bonds to nontax-exempt bonds all to increase costs, but the world has changed since those tax-exempt bonds were issued at 6.5%. Financially I wanted to see if we could find a way to make this happen with another entity, ideally a POA or HOA. I think what I agree with Mark, somehow we need to lay out the advantages and disadvantages of this because people reading these minutes will have no clue what we are talking about. I think we have to work on something that says these are the advantages and disadvantages of why we would move to a private road system. Then, an outlined timetable of how long this might take. An English version of how this would possibly work. I think we owe it to the residents, homeowners, and entrusted parties to try to lead them along the way. Otherwise, you'll end up six months from now dropping something on their laps, which they would not have been part of previously. They won't have seen the journey of getting from here to there. As long as we have a strategic plan for this. What are we trying to achieve? What are the advantages and disadvantages? How would it work? We need an outline. I would be happy to work with whoever we have to work with to try to put a two or three page document together, and then members of the community can review it. Something along those lines I think is necessary.

Mr. Greenstein: This will probably be the most significant effort that has been taken by the CDD in all the time that I have lived here. We've had challenges, we've had defaults, we've had all kinds of things that went on that impacted us. I think as Graham pointed out, financially the market as it currently stands, as long as we have a capable Master Association to put together appropriate financing to enable us to redeem a portion of the bonds that covers the roadways so that we basically privatize the roads. We're not going to do anything if a majority of folks or property owners do not want us to go down this road, no pun intended.

Mr. Burman: And they may be on our side. For the POA to accrue a debt like that requires a vote by the owners. That's step one. The \$23 million is only the initial capital, I believe. From that point forward, it's \$400 extra a year for every owner. It might move from owning them in the CDD assessment to the POA, but it still comes down to the POA.

Mr. Greenstein: We looked at this at a very high level. When I spoke with David supporting the Master or principals who were on the Master at a high level, and this is going back almost a year, there was an almost unanimous agreement that it was doable financially. There are lots of other issues that we haven't scratched the surface on yet that will come from property owner discussions.

Ms. Harley: I agree with Graham, we'll want to do pros and cons because I do think that most of the property owners within the resort are totally confused.

Ms. Carpenter: And if I may, I think a combination of your two proposals or comments might be what is appropriate. It's tough for the CDD to give pros and cons of giving up tax-exempt financing. Generally, it's the association that would come and say, we want this amenity, we want this, how do we do it? I think the pros really comes from the association side. This is why we want this, because we want to have a HOA own it so if we wanted golf carts we qualify under the statute. We want to be private to avoid cut through traffic. I think many of the pros come from the side of the association which really needs to be involved in that analysis of why do we want to do it, what are the good things? And then on both sides, what are the negatives?

Ms. Harley: A majority of the people will assume that if you're to privatize the roads, that would prevent people from outside the resort coming in. That isn't going to be the case because they will still have access to other amenities, including the resort. That's why we really need to put it out clearly, so that everyone totally understands.

Ms. Carpenter: And then for the association, if that is the case, does it make sense to tie other amenities in and have the CDD end up just being an infrastructure CDD?

Mr. Staley: You can have private roads without having property, that's the point isn't it? It's a concept thing. This is what we want. The objective, pros and cons, time frame, etc. It should be, if we can arrange it, a joint East/West document.

Ms. Carpenter: Perhaps delegating someone from each Board to meet with the Master to go over where we are. Come up with the reasons for doing it, pros and cons. I think the District alone it would be tougher for us, because if the Master finances it, and they get a good financing price, but they don't have the collection ability that the District does. So, what happens if 10% of the people don't pay. Suddenly, there's a big burden and reserve studies and those sorts of things to think about from the Master's side and more of a longer term. So, I think, our recommendation is sort of a joint effort to make sure we have covered all sides, at least, as much as we can anticipate without super details.

Mr. Greenstein: Absolutely. I haven't done my own risk analysis, but I think the Master has a lot more to consider and is a lot more at risk in this endeavor than the CDD does.

Mr. Burman: I think residents would appreciate seeing it. I can write some pros and cons. It's not just a maintenance cost, when you have to turn away visitors it's a whole new security

structure everyone needs to get. There are guest passes, authorized visitors, not authorized visitors. There are lots of other things to consider.

Ms. Adams: I just want to mention on the record that Supervisor Burman is speaking on behalf of the Master association in terms of the pros and cons and some of the other documentation to bring forward for consideration.

Mr. Staley: Can't we set up a joint HOA, West/East, staff, working party?

Ms. Adams: We have the ability to schedule a joint meeting with both Districts.

Mr. Staley: And invite the HOA?

Ms. Carpenter: Or we could just set up a meeting, have a representative appointed from each Board to meet with the Master, and have a zoom meeting to go over general issues and put together something and go and refine it from both sides.

Mr. Greenstein: It's definitely a joint venture. Both parties are going to have issues. While it may not require a formal, and you can tell me if I'm wrong on this, would this require a formal hearing?

Ms. Carpenter: On the District side bonds can be redeemed once the amounts are figured out and the assessment payments they can be redeemed.

Mr. Greenstein: To me, while it's a significant financial matter, it basically falls within the administrative control of the Board. But I would still recommend that we have, and we will have, some town hall type meeting with the HOA. In other words, the community has to be able to surface any and all issues that may come up prior to making a decision. The CDD, obviously, can explain and can project the financial impact of doing it. What the reduction and debt services is going to be as a result of this, so your annual assessment is going to go down from x to x minus whatever. They will want to hear, of course, from the Master is how they are going to go about securing that financing and what the impact on monthly assessments are going to be.

Mr. Staley: That's further down the road, isn't it? My concept is, we put a concept paper together with input from the HOA and POA in a fairly good detail but without a definitive on the cost. To outline that there may be a cost, depending on the financial markets and everything else. All the other issues that we have identified, and have that meeting at that point, to get the initial approval to actually start to spend some serious money to actually research it properly. You can't go all the way through to say your assessment in Legends is going to go up by \$55 or something like that. We need a big entering step before we get to that point.



Mr. Greenstein: Oh no, we're talking high level. We have to be able to address early on what we think would happen here. We can't tell people that each property is going to have a special assessment. If we were to do a special assessment, which we're not, but if we did everyone is going to want to know that dollar amount is or what am I getting for it. Hopefully, this is going to be the kind of thing that the financial aspect of it won't be of significance to the average property owner. If it's going to be of significance to the average property owner, then that might make a difference as to whether or not this is done or not. I'm really thinking that the financial side of it is not going to be a problem and that all of these other things that we haven't even identified yet that may be impacts might be reason to talk about having someone steering in that particular direction. But the bottom line is this, it's definitely going to be a joint effort with Reunion East and Reunion West CDD representing the CDD community with an HOA Master association directive group. Right now, I think, we need to go back, and we're going to have a meeting and discuss it further at the East meeting, but again we need to go back and David maybe since you are intimately connected with the Master Association, maybe you can be our arm boy. I'm hoping that the Master could be brought up to speed as to where we are and work with us in developing this concept paper that we'll be able to put out to the community, out it on the websites, Artemis can distribute it to all property owners, and then determine if there is a need for a community meeting where we discuss it. Because I think there will be. You have people who when they first bought into Reunion though that it was a private gated community. And then you have others that were totally shocked when they found out that it wasn't that way. But I am glad we got to the point that we did, because I thought we were going to have a problem. It seems to me, and maybe I'm saying from a different angle, but tell be if this is right, as long as after we do the redemption, the remainder of the balance on the bonds meets the 95% test based upon assets that are secured by that vote, then we are okay?

Ms. Carpenter: I think that's correct if we can balance the assessments. We can figure out the numbers of how much has to be redeemed, but who has to pay it and how that impacts assessments, I think is going to be a tough thing to figure out. Because of folks that have prepaid or bond issues were at different times with different maturities, it's going to be hard. We can't just say we are going to pay \$300 to the Master and you're going to be reduced \$300 in your assessments, because some people paid all of their assessments. That I think is going to be the toughest part for the Master to help work on how they will pay these down and how it will be fair on the Master's side to all the homeowners.



Mr. Staley: Can we agree to settle a working bond consisting of the East, West, HOA, and Kingwood. It has to have Kingwood involved because it's a big impact on the resort owner.

Mr. Greenstein: The Master will be paying. They are like the owner/operator in this case.

Mr. Staley: It may be the same person, but they have got to be seen to be represented and then we can work together for a few months to put all this together. Then have what you say, a proper meeting, to explain it to all constituents. It will be the first time we have all worked together on something.

Mr. Greenstein: Well, again, this is major stuff. This is a major, major issue. Quite honestly, full disclosure, we started looking at this behind the scenes a year and a half ago. It took all this time to get to the point where we separated and identified the key issues and got it to today. That is why this is so important because I wasn't sure we were going to get to this point. Now we have to accept what we have received and take it back.

Ms. Carpenter: I think as a reminder to the Board, we have to remember that when you are in the Board seat you're looking out for the best interest of the CDD. You have to kind of look at the different roles which is where David, with your Master hat, we need to talk with the Master proposers to see how the Master wants to do it, and the CDD can help it happen and agree to it for the payment. We have to look at a little bit of the pros and cons in slightly different ways because we are in different roles. Perhaps the meeting should be something the Master should propose, we'll have to see. We do have to think about in what role and what steps are taken by the CDD and what steps are actually master purchaser proposals.

Mr. Staley: Are you suggesting you'll make a recommendation on how we structure this preparation concept paper? Is that what you are suggesting?

Ms. Adams: It seems that Supervisor Burman, representing the Master Association, is willing to bring back some information to the Board regarding some advantages of private roads. Some potential brief information on how to proceed from the Master Association perspective. Perhaps the Board would review that at your next meeting and determine form there is that ready to be released to residents or does it need more shaping for feedback for your constituents here in the community.

Mr. Staley: That's not really what I had in mind.

Ms. Carpenter: If I may, David, where is the Master on this? Is this something that has been talked about?

Mr. Burman: Not really.

Ms. Carpenter: Yeah, I kind of feel like the CDD is step ahead. We were like, can it happen? Yes, we figured out from a tax standpoint it can happen and there are a couple little glitches as Mark did a good job explaining. It seems like it's kind of in the Master's hands so to say, you've told us how to do it, here are some of the main wrinkles you have identified, yes, we would like to proceed, and then we can all come together with our pros and cons. We can certainly help, but I think the Association needs to decide if they want to do this before we put out any pros and cons from a CDD standpoint. I'm not sure we can really do that.

Mr. Staley: It just sounds as if you're saying today, off you go and work on this and come back to us next month. I think that's not really fair on David.

Mr. Greenstein: Well, getting concurrence from the Master has yet to occur, officially. The idea and concept of moving in this direction was discussed by me with Anthony Carll, the general manager. Now that we have this guidance, this needs to be shared with them. We need an official buy in with them. Yes, we're going to proceed. We can take care of this administratively, this doesn't require a board meeting. We can agree that were going to designate Graham because I would recommend that you served as the West representative and not David because of his connection with the Master. We'll designate someone from the East side at the East meeting and we'll issue officially.

Ms. Carpenter: We'll have to be a bit cautious with David and Graham because they can't meet together on this issue. The District really needs the Master to say, thanks, we see that you can do this now we want to say yes, we would like to proceed in investigating this. Because otherwise we don't have a purchaser. The CDD says, we think we can sell these but no one really said they wanted them. I think we need at least the preliminary information, and I can work with David to come up with some pros and cons if everybody can send me their thoughts, we can out together a joint concept, initially. Before the District moves any further, we do need the Master to say this sounds like something we want to proceed with and please take the next steps. Before we tell the community, these are the pros and cons of doing it and no one wants to buy it.

Mr. Staley: That's not what I was saying. I was saying we have to work hard together to get to the point.

Mr. Greenstein: We need to formally notify the Master of our findings relative to possible redemption of bonds to tie into the roadways and to see if they are still interested. Purchasing the roadways and arranging financing so the CDD can remove that asset from its portfolio.

Mr. Staley: Perhaps we can ask the legal advisors how we can structure some meetings. Because this doesn't happen without people going into a room working hard. So, if you can think about how we can do that and allows me to do the same.

Ms. Carpenter: Okay, we would just have to put a notice for a workshop, and we can do that.

Ms. Adams: The Board can hold a virtual workshop given the Covid situation if you wanted to plan a zoom meeting. That's feasible. The Board could not take any actions during that workshop, but you could notice the workshop which would allow all of the Board members from both Boards to join the zoom meeting, as well as any other stake holders or constituents.

Ms. Carpenter: And the public. Would you like Trish, or I will send David a formal memo assuming East's Board adopted and its feasible to do. Please let us know if you want to explore going forward.

Mr. Greenstein: I think we do need to do something officially because it was done very informally. We now have something that they need to see it and determine their intentions at this point.

## **SEVENTH ORDER OF BUSINESS**

### **Review and Acceptance of Draft Fiscal Year 2020 Audit Report**

Ms. Adams: The next item on the agenda is a draft of the Fiscal Year 2020 audit report. As the Board recalls, Board members earlier in the District's history served as an audit committee, selected an auditor to comply with the requirement to file an annual audit, and this is a result of that audit. This is a draft and it's being reviewed. There are some comments that we have received from one supervisor. Supervisor Staley, would you like me to address the comment?

Mr. Staley: I had a couple small notes. Page 20, I'm just curious about where it says the remaining cost to complete the project. The project being the build out that Reunion West. The question was when are we expecting to complete that and what about the situation on the bonds? Very simple question.

Ms. Adams: Under first review, it appears that this comment may be an error. We have reached out to the District Engineer to confirm that Reunion West Community Development District is substantively complete and that very soon there will be certificates of completion for the project. What may have happened, is that when the auditors were looking at the overall cost of developing Reunion West and the amount that was issued in bonds, there is typically a developer contribution that offsets what it issued on the bonds and the total cost. That doesn't

pass through district financials, but they may have seen that difference and this amount may be the overall cost less the developer contribution. Or the developer contribution portion of the development. We will verify that. Because of the covid situation and the fluidity of not being certain from month to month on the status of meetings, this is something that is an annual requirement. Ultimately, although the audit is subject to further review and verification, ultimately, we would be seeking a motion from the Board to accept and authorize staff to file the audit. But we are happy to discuss and answer question.

Mr. Staley: And that's subject to verify?

Ms. Adams: Yes, subject to verification and confirmation of any questions that may arise today.

Mr. Greenstein: The West to me is complete.

Ms. Adams: Your District Engineer is reviewing that just to confirm the completion of the project and then we will confirm how that figure was arrived at by the auditor.

Mr. Greenstein: So they can correct it. It may just be the wording of the statement.

Ms. Adams: The back of your audit does have a management letter and overall, this would be what is qualified as a "clean audit."

On MOTION by Mr. Staley, seconded by Mr. Burman, with all in favor, the Draft Fiscal Year 2020 Audit Report Subject to Verification and Completion, was approved.

## **EIGHTH ORDER OF BUSINESS**

### **Staff Reports**

#### **A. Attorney**

Ms. Carpenter: That was out big one. We have one quick thing. TECO has requested, on your desk is a picture map of where they need to place lines for the new developments. They have asked for an easement to lay those lines for construction as well as a permanent easement which is typical. We will need, obviously, to get from them title work and all to make sure the CDD owns the property and make sure they understand it's not exclusive to run there. But this is a typical matter of legality and all CDDs as development occurs. What we would recommend would be to not hold up development and permitting. Usually, to get their permits they need to show they have access, and they can actually put it in the ground. We recommend delegating to a Board member the authority to move on that if we need to have an easement signed before the next meeting, and then we can bring it back and ratify. If there are any issues, of course, we would

wait to bring it to a meeting. My guess is, with TECO, we'll send them an easement and it will take quite a while to get it back. Sometimes in development things happen quickly.

Mr. Staley: Normally, do utilities repair everything to its original condition?

Ms. Carpenter: Yes. Talking earlier with GMS, as to how to structure that best, I'll need Alan's input. Most of the time we build a construction easement directly and in the same easement. But there are ways we can separate those tasks to make sure we have inspection rights and all. We will work on that.

On MOTION by Ms. Harley, seconded by Mr. Burman, with all in favor, Delegation of Authority to the Chairman to Execute an Easement Agreement with TECO for the Installation of the Four Inch Gas Line, was approved.

Mr. Greenstein: It's basically parallel in Tradition Boulevard.

Ms. Adams: Yes, the yellow line is the existing gas line. They are having some flow issues right now and they are hoping that bigger line gets them pressure throughout the service area.

Ms. Carpenter: And they are rushing to do it because apparently in the cold weather they weren't able to provide enough electricity.

Mr. Greenstein: The one thing I recommend, Alan, is that we do a quick inspection of that area because it's a long run. To make sure we don't have any preexisting things.

Mr. Scheerer: I have. The only concern would be the artificial turf between the sidewalk and the curb. We just need to make sure that's not natural sod. It's in that location.

Ms. Carpenter: If it weren't for the gas line, they would probably an easement there but because that gas line is such a huge distance, they have to stay away from it and they need a little extra space. We will get with Alan and Steve too to make sure everybody is comfortable with the locations out there. The second thing is a follow up from last month. Last month the Board approved a form of agreement with the HOA in West in the new areas to monitor the guard houses since the roads are public over there, similar to how all the other guard houses are maintained. The HOA received it before the last meeting and we had made it as of January 1<sup>st</sup> to have that taken over when the balance of all the property from the developer was turned over to the District. The HOA has not signed and has apparently raised some issues. At this point, we really have to do something because those are public roads and I understand they are not following the protocol for the District. They are not allowing access or have not allowed to somebody. The District needs to firmly tell them that they need to sign the agreement and have the District run those or we need

to tell them they are trespassing there, and public property owned by the CDD and they don't have any right to be there. Obviously, we want to work with them and try to resolve any issues, but we are to the point now that they are privately running this improperly, which is illegal. We need to deal with that, and it just came up this week that this issue has come up and we haven't made any progress with the agreement, so we want to bring it back to you all and how best we handle it.

Mr. Staley: What's their motivation?

Ms. Adams: There were some non-substantive changes requested on the agreement. All of those have been satisfied. There have been numerous email exchanges and more recently meetings. The HOA perhaps has some interest in some additional projects that they'd like to partner with the District on that are not related to the security services agreement. We don't have clarity on if there is any hold up on the security services agreement thinking that perhaps there's some ability to further discuss these other projects. We just need to handle these as independent issues. I can't speak on behalf of the HOA if there are any concerns, but there is regular communication back and forth, and for some reason as of today, the 14<sup>th</sup> of the month, we do not have that agreement executed. Even after persistent communication.

Ms. Carpenter: I think it's time for an attorney letter that is provided that they do not own it and we will give them 10 days to communicate with GMS or we will have a security person from the District to handle the roads. Short and nice. We will cooperate on other things, but we need this done ASAP.

Ms. Adams: Another option the District has is rather than staffing is just to remove the gate arms.

Ms. Carpenter: That's even better. Okay, if the Board agrees we will do that.

Mr. Greenstein: I think we have a representative from Prime Core, from the HOA.

HOA Representative: I just wanted to clarify that there is no resistance. It's really just the timing. We had Christmas, we had New Years, and our Board meeting is tomorrow. We have no issues we just want to meet one more time tomorrow, discuss everything that was informally discussed with the CDD and then get it over to you guys. I don't want there to be any confusion from anyone as to where we stand on it.

Mr. Greenstein: We appreciate the input. Today is the 14<sup>th</sup>. So, maybe the 25<sup>th</sup>, give them 10 days. Thank you.

Ms. Adams: Anything else under Attorney reports?

**B. Engineer**

Ms. Adams: Engineer's report?

Mr. Boyd: I don't have anything to report.

Ms. Adams: For the record, Steve Boyd is in attendance but there is no report.

**C. District Manager's Report**

**i. Action Items List**

Ms. Adams: Included in your agenda packet, transmitted electronically last week is the action items report for both Reunion East and Reunion West. I can run through the report or alternatively, if Board members have already had an opportunity to review, I stand ready to answer any questions regarding any updates for Reunion West or Reunion East, for that matter. This is an item for review and discussion only, it does not require any Board action.

Mr. Staley: The lighting on Legends and Masters Landing, Alan told me he's hoping to have those installed.

Mr. Scheerer: Currently I am permitting. 911 has to issue us an address because we have to have a new meter installed in both locations. The utility companies have been out to do the locates, I think they finished up yesterday. We're going to do everything in advance of being able to tie in two transformers and the meters being set. They are suppose to be here tomorrow to do the directional board and then going forward, we will pull the wires and get everything ready once the permits have been issued the meters have been installed we can just do the tie in with Duke Energy.

Mr. Greenstein: Did they survey go out?

Ms. Adams: The survey has been transmitted to the Master Association and they are working on formatting that. Any other questions on action items?

**ii. Approval of Check Register**

Ms. Adams: Included in your agenda packet, you have the check run from December 1 - 31, 2020. The amount of \$1,678,684.02. Keep in mind that this is the time of year where we are transmitting funds to the trustee for debt service. Included in your agenda packet is the detailed check register. If there are any questions, I would be happy to address those. If not, we'd be seeking a motion to approve



On MOTION by Mr. Greenstein, seconded by Mr. Staley, with all in favor, the Check Register for the Month of December for \$1,678,684.02, was approved.

### **iii. Balance Sheet and Income Statement**

Mr. Adams: The next item is provided for informational purposes. You have your unaudited financial reporting from November 2020. I believe I have received a couple of questions regarding the financials. One question that came up from a Board member is regarding the landscape contract. The annual amount compared to the prorated budget and the actual, there was a little bit of variance there. The reason for that is the landscape contract includes some once-a-year services such as mulch as well as some quarterly services such as annuals. They are all budgeted for, but it doesn't happen evenly throughout the year, so there will be times of year, notably around this time of year, where you are running a little ahead of your prorated but it all evens out in the end. The other question was in regard to the replacement and maintenance fund for Reunion West. It was noted that there was a \$14,972 in spending under the contingency. That was all attributed to the mail kiosk. There was the final payment to All Terrain. This had been budgeted as part of Fiscal Year 2020, but the actual expense occurred in Fiscal Year 2021. So that was placed under contingency. The Board did approve the project and I am happy to answer any other questions about the financials if there are any.

Mr. Staley: On that same page under signage.

Ms. Adam: Thank you for that. Typically, Reunion West has historically adopted a particular project list for your replacement and maintenance fund. This year one of the items that operations staff was aware of was the signage related to the parking kiosk and the no parking zones. The estimates for that were factored into the replacement and maintenance fund. In addition to that fund, under the operating budget, there is \$12,000 in signage allocated for the fiscal year. That is for general sign replacement or any other signage requirements that the District has. Although the entire replacement and maintenance has been spent, the District does have some funding available if there are incidental needs for signs throughout the fiscal year. Again, this item doesn't require Board action.

## **NINTH ORDER OF BUSINESS**

### **Other Business**

Ms. Adams: Other business and supervisor's requests? Hearing none

## **TENTH ORDER OF BUSINESS**

### **Supervisor's Requests**

Ms. Adams: Any other supervisor's requests?

**ELEVENTH ORDER OF BUSINESS**

**Next Meeting Date**

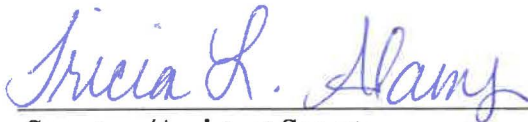
Ms. Adams: Motion to adjourn as long as everyone agrees the 11:30 meeting time is working for the Board? Your next meeting will again be at 11:30 the second Thursday in February.

**TWELTH ORDER OF BUSINESS**

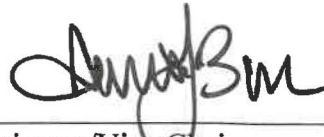
**Adjournment**

There being no further business, Mr. Adams called for a motion to adjourn.

On MOTION by Ms. Harley, seconded by Mr. Greenstein, with all in favor, the meeting was adjourned.



Secretary/Assistant Secretary



Chairman/Vice Chairman