

**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, **December 8, 2022** at 11:00 a.m. via Zoom Communication Media Technology and at the Heritage Crossing Community Center, 7715 Heritage Crossing Way, Reunion, Florida.

Present and constituting a quorum:

Graham Staley	Chairman
Sharon Harley	Vice Chairperson
Michael Barry	Assistant Secretary
Mark Greenstein	Assistant Secretary
William Witcher	Assistant Secretary

Also present were:

Tricia Adams	District Manager
Kristen Trucco	District Counsel
Alan Scheerer	Field Manager
Victor Vargas	Reunion Security
Garrett Huegel	Yellowstone Landscape
Residents	

The following is a summary of the discussions and actions taken at the December 8, 2022 meeting. A copy of the proceedings can be obtained by contacting the District Manager.

FIRST ORDER OF BUSINESS

Roll Call

Ms. Adams called the meeting to order at 11:05 a.m. and called the roll. All Supervisors were present.

SECOND ORDER OF BUSINESS

Public Comment Period

This item was discussed after the Third Order of Business.

THIRD ORDER OF BUSINESS

Organizational Matters

A. Administration of Oath of Office to Newly Elected Board Members

Ms. Adams stated that Mr. Bill Witcher and Mr. Mike Barry were elected through the General Election process and would be serving four-year terms and Mr. Mark Greenstein was elected through the Landowners' Election process and would be serving a four-year term.

Ms. Adams, a Notary of the State of Florida and duly authorized, administered the Oath of Office to Mr. Witcher, Mr. Barry and Mr. Greenstein.

Ms. Trucco reported that the Board of Supervisors were considered locally elected Government officials under Florida Law and subject to the Sunshine, Public Records and Ethics Laws. Under the Sunshine Law, Board Members were not permitted to speak with other Board Members outside of a Board meeting about CDD business or any item coming before the Board. This also applied to social media such as Facebook. Any posts could be construed as communication if another Board Member read it outside of a meeting and a violation of the Sunshine Law. All emails, correspondence, documents and contracts could be requested by the public. The new Board Members would be receiving a Welcome Packet. Ms. Adams provided Form 1, Financial Disclosure Form, which was required to be filed with the Supervisor of Elections within 30 days of this meeting. An annual filing was due in July of each year.

B. Consideration of Resolution 2023-01 Canvassing and Certifying the Results of the Landowners' Election

This item was discussed after the Election of Officers.

C. Election of Officers

D. Consideration of Resolution 2023-02 Electing Officers

Ms. Adams stated after each election, the Board was required to elect officers. Currently, Mr. Mark Greenstein was Chairman and Mr. David Burman, who no longer served on the Board, was Vice Chairman, the remaining Board Members were Assistant Secretaries, Mr. George Flint was Secretary, Ms. Tricia Adams was Assistant Secretary, Ms. Jill Burns was Treasurer and Ms. Teresa Viscarra was Assistant Treasurer. Ms. Adams requested that the Board retain the same staff members as officers for the purpose of facilitating financial documents, issuing accounts payable and attesting the Chairman's signature. Mr. Greenstein welcomed Mr. Witcher and Mr. Barry to the Board. He was happy to serve as Chairman of the Board for a number of years and

recommended that Mr. Staley serve as Chairman, due to his outstanding work during his time spent on the Board.

On MOTION by Mr. Greenstein seconded by Ms. Harley with all in favor electing Mr. Graham Staley as Chairman was approved.

Mr. Witcher recommended that Ms. Harley serve as Vice Chair, due to her experience.

On MOTION by Mr. Witcher seconded by Mr. Barry with all in favor electing Ms. Sharon Harley as Vice Chair was approved.

On MOTION by Mr. Staley seconded by Mr. Greenstein with all in favor electing Mr. George Flint as Secretary, Ms. Jill Burns as Treasurer, Ms. Tricia Adams as Assistant Secretary, Ms. Teresa Viscarra as Assistant Treasurer and Mr. Michael Barry, Mr. Mark Greenstein, Mr. Bill Witcher as Assistant Secretaries as evidenced by Resolution 2023-02 was adopted.

- **Consideration of Resolution 2023-01 Canvassing and Certifying the Results of the Landowners' Election (Item 3B)**

Mr. Greenstein received 365 votes, at the Landowners' Election held prior to this meeting and would serve a four-year term.

On MOTION by Ms. Harley seconded by Mr. Staley with all in favor Resolution 2023-01 Canvassing and Certifying the Results of the Landowners' Election was adopted.

Mr. Staley thanked Mr. Greenstein for nominating him Chairman and for his service to the CDD.

- **Public Comment Period (Item 2)**

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

FOURTH ORDER OF BUSINESS

Approval of Minutes of the October 13, 2022 Meeting

Ms. Adams presented the minutes of the October 13, 2022 meeting, which were included in the agenda package and were reviewed by District Management staff and District Counsel. Mr. Staley stated on Page 4, under the Action Items List, it was Mr. Greenstein who requested resetting the shade structure poles at the playground to improve the shade over the slide, but he requested the 12-inch plastic boundary around the playground to be reset. Mr. Scheerer confirmed that they were reset. On Page 6, in the second sentence under the Security Report, Mr. Staley requested “*Reunion Resort*” be changed to “*Encore at Reunion Resort.*”

On MOTION by Mr. Greenstein seconded by Ms. Harley with all in favor the Minutes of the October 13, 2022 Meeting were approved as amended.

FIFTH ORDER OF BUSINESS

Consideration of Fiscal Year 2022 Audit Engagement Letter from Grau

Ms. Adams presented an Audit Engagement Letter with Grau & Associates (Grau) to perform the audit for Fiscal Year 2022, which ran from October 1, 2021 through September 30, 2022 in the amount of \$9,500. Each year, Grau presents an Audit Engagement Letter to the Board. The District has entered into a five-year agreement starting in 2019. This was a budgeted item, but it was higher than what was budgeted for audit services because the District issued bonds during the fiscal year. Ms. Trucco noted this was a Statutory requirement to submit annual audits to the Auditor General and recommended approval. Mr. Staley questioned last year’s fee. Ms. Adams believed that it was \$7,400. In Mr. Greenstein’s experience, this fee was reasonable, given the District’s activity.

On MOTION by Mr. Staley seconded by Mr. Greenstein with all in favor the Audit Engagement Letter with Grau & Associates for Fiscal Year 2022 in the amount of \$9,500 was approved.

SIXTH ORDER OF BUSINESS

Consideration of Outdoor Fitness Center Mulch Beds

Ms. Adams recalled that the Board approved the installation of a playground and outdoor Fitness Center at Reunion West. The bulk of the equipment was installed for both amenities;

however, a mulch bed with a barrier around it was not considered as part of the scope but was now recommended to improve the appearance of the area. A proposal was included in the agenda package with Playtopia, the vendor of the equipment, for 25 cubic yards of engineered wood fiber mulch with a barrier in the amount of \$7,550.90. Ms. Adams requested that the Board not consider the sign, which would reduce the total proposal by \$500. In response to Ms. Harley's question, Mr. Scheerer confirmed that there would be mulch around all of the equipment. Mr. Staley questioned why there was a weed barrier as opposed to a plastic one. Mr. Scheerer explained that they do not make a short plastic barrier and Playtopia recommended the weed barrier. Ms. Harley asked if this was outside the budgeted amount. Ms. Adams stated that the original budgeted amount did not contemplate the inclusion of the mulch area; however, there were funds available in the Replacement and Maintenance (R&M) Fund. Mr. Staley was in favor as it should look like a facility as opposed to a construction site. Mr. Scheerer stated that a sidewalk would be added and trees that were struggling would be addressed with Yellowstone.

Ms. Harley MOVED to approve the proposal with Playtopia for 25 cubic yards of engineered wood fiber mulch with a weed barrier in the amount of \$7,050.90 and Mr. Greenstein seconded the motion.

Mr. Staley asked when they would get the fence and sidewalk extended for the outdoor Fitness Center. Mr. Scheerer recalled at the last meeting, it was reported that Superior Fence was working on the fence, but he received an email last week stating that there was a delay with the permitting, but they would expedite the installation once the permit was issued. They were currently grinding and replacing sidewalks in Reunion East and West and the sidewalk installation would be completed at the same time.

On VOICE VOTE with all in favor the 25 cubic yards of engineered wood fiber mulch with a weed barrier in the amount of \$7,050.90 was approved.

SEVENTH ORDER OF BUSINESS

**Consideration of Recreational Facility
Policies and Signage**

Ms. Adams reported that this was the first time that the District was looking at having an Amenity Policy, as the District did not own or operate any CDD owned facilities; however, since the District now owned the playground and outdoor Fitness Center, it was now appropriate to consider policies. Due to the Reunion East and West CDDs having an Interlocal Agreement for either District to use the other District's amenities, it made sense to have a combined Amenity Policy. Previously, the Reunion East CDD adopted Recreational Facility Policies in April of 2021. Staff would get comments from both Reunion West and East CDD Board Members since both Districts would be affected and would bring back a clean version. Ms. Adams would confirm with District Counsel the Board's ability to amend these policies outside of a rule hearing. A marked-up version identifying where the verbiage was edited from the version that the Reunion East CDD previously adopted, was provided to the Board.

Ms. Adams stated there were some updates where "*Functional Fitness Center,*" an additional Fitness Center at Seven Eagles was added, but the bulk of the edits were changing the language from one District to both Districts. On Page 43, the Liberty Bluff Playground and Grand Traverse Parkway Playground were included to differentiate between Reunion East and Reunion West locations. There would be provisions for progressive discipline for those who fail to abide by the policies and a fee schedule for amenities that were pertinent to Reunion East. Ms. Trucco advised that a notice would be published as even non-substantive changes to the rule required a formal rule hearing for members of the public to come and provide comments. It would also allow the Board to have a second glance of the rules and an opportunity to make revisions. Ms. Adams requested that the Board Member set the rule hearing for February 9, 2023 at 11:00 a.m. and would recommend that the Reunion East CDD Board do the same.

Mr. Staley questioned the provision on Page 36, in Section 1 under facility access cards whereby all patrons would be required to sign a Waiver of Liability before using the District amenities, as it did not make sense. Ms. Adams explained that any time a resident received an RFID card or transponder, Reunion Security provided them with a Waiver of Liability and other language that protected the District. Ms. Harley asked if the District was covered for guests. Ms. Trucco advised that the District was subject to liability because it owned property and allowed people to utilize the property. The Waiver of Liability helped to lessen the District's liability exposure. Ms. Trucco would review the language to see if any language could be added regarding

guests. Mr. Greenstein felt that it should be included because all of their documents extended the rights, privileges and responsibilities to authorized guests. Ms. Trucco noted that most of the language included the resident inviting a guest, which was most likely the language in the waiver, but would confirm this.

Mr. Barry asked if there was signage at the amenity showing that the rules applied. Ms. Adams stated that not every amenity had signage and were proposing signage for the new outdoor Fitness Center and playground with the language that was in the amenity policies and from the District's insurance provider. There would be language as far as using the equipment at own risk and language that was specific to each sign for the playground and outdoor Fitness Center. Staff did not want to bring back proposed signage until the Board approved the policies. Playtopia recommended ages 5 through 12 for the Grand Traverse Parkway playground. The signs would have the Reunion logo and round cast aluminum black posts. Ms. Adams requested that the Board review the policies and would provide a clean version at the January meeting.

On MOTION by Mr. Barry seconded by Mr. Witcher with all in favor setting a rule hearing for the Recreational Facility Policies for February 9, 2023 at 11:00 a.m. at this location was approved.

EIGHTH ORDER OF BUSINESS

**Consideration of Pavement Management
Plan Proposal**

Ms. Adams stated Mr. Boyd was typically present at Board Meetings, but not today and provided a Pavement Management Plan dated November 7, 2022. Two years ago, the District engaged in a Reserve Study to identify potential capital expenses and an inventory of all District assets, which showed that the District would be facing road repairs as early as Fiscal Year 2024. The Interlocal Agreement between the Reunion East and West CDDs contemplated fund sharing for the operations of the District as well as the Repairs and Maintenance (R&M) Fund, based on the number of platted lots in each District. In order to spend money on the roads, which would be the most expensive R&M Fund item, the Board directed staff to put the Pavement Management Plan in the budget for the current fiscal year. The Pavement Management Plan provided the linear feet of the District's roadways in the form of a detailed inventory and condition analysis with photo documentation, noting any deficiencies such as spalding, cracks, etc. Segments of roadways were ranked through a Pavement Condition Index (PCI). A brand-new roadway would have a PCI of

100, meaning that it was perfect and had no deficiencies. Older roadways would have a much lower PCI. Boyd Civil Engineering provided a proposal in the total amount of \$10,600; \$3,800 for the site inspections, \$6,500 for the final report and \$300 in reimbursable expenses.

Mr. Barry noted that the proposal included the apartment complex and Eagles Trace, which were not part of the CDD. Ms. Adams explained that some properties were within the District boundary that were not owned by the District and only areas owned by the District would be studied. Most of the main and neighborhood roads were owned by the District, with the exception of Bears Den Road, which was owned and maintained by the HOA. Mr. Staley noted that Mr. Boyd included Bears Den Road in the scope. Ms. Adams stated that Mr. Boyd was aware that Bears Den Road was private and would be excluded. Mr. Staley requested that Ms. Adams ask the HOA if they wanted to study Bears Den Road at the same time and asked if they needed to inventory all of the roads, since the roads in the main resort were 20 years old. Ms. Adams recommended getting an inventory of all the District roads in order to get the PCIs for the roadways throughout Reunion West. Mr. Greenstein was in favor as it would give the Board an indication of the wear of the roads and would validate that section of the Reserve Study. Ms. Harley asked if the sidewalks were included. Ms. Adams stated that the sidewalks were assessed annually by the Field Manager and not part of the Pavement Management Plan. Mr. Staley requested a timeframe from Mr. Boyd on completion of the Pavement Management Plan.

On MOTION by Mr. Greenstein seconded by Ms. Harley with all in favor the proposal with Boyd Civil Engineering for the Pavement Management Plan in the amount of \$10,600 was approved.

NINTH ORDER OF BUSINESS

Staff Reports

A. Attorney

Ms. Trucco drafted an agreement with Applied Aquatic at the Board's direction and was going back and forth with Kingwood's counsel regarding the bocce ball court encroachment issue. She was trying to get something in writing from Kingwood memorializing the ownership of the tract because it impacted other tracts, which she would present to the Board at the next meeting.

Mr. Staley questioned why this matter has not been discussed since April. Ms. Trucco was concerned about discussing this matter since it was potentially litigious. Mr. Staley wanted to discuss this matter without Kingwood sitting in the audience and asked if she could research and

bring documentation to the January meeting on whether this matter could be discussed at a closed meeting. Ms. Trucco explained that closed meetings were held for settlement negotiations and proposed litigation, but there were conditions of strict compliance, due to several Statutory requirements and would research whether this would qualify. Currently, the District was not in imminent danger of being sued as Kingwood had been compliant in working with the District. Mr. Staley wanted something to protect the District in the event that the Board agreed with the settlement and requested that she go back to Kingwood. Ms. Adams asked if there was time to circulate the document to individual Board Members for review and comment prior to publication in the agenda package. Ms. Trucco would not have any document signed or finalized before bringing it back to the Board. Mr. Greenstein thanked Ms. Trucco for bringing up this matter, noting that it was an administrative process when the document was provided to individual Board Members versus to the entire Board, due to the Sunshine Law, which avoided an open discussion.

B. Engineer

There being none, the next item followed.

C. District Manager's Report

i. Action Items List

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

1. Development of Recreation Parcels on Grand Traverse Pkwy & Valhalla Terr: The equipment installation was completed. The fencing was approved and pending installation. Sidewalks and other concrete work were being addressed by the Field Operations Manager. The Amenity Policy and signage were under consideration.

Mr. Staley requested the following items for tracking purposes:

2. Monitor Residential/Industrial/Commercial Development Nearby Reunion: Parcel numbers were provided so the public could enter them on the Osceola County Permitting website to bring up any pending action, permitting review, etc.
3. Monitor Sinclair Road Extension Project: There were presentations from the Department of Transportation (DOT) staff as well as keeping Board Members aware as information was published.

4. Monitor Old Lake Wilson Road Improvement Project: Osceola County provided a presentation to the Board on the planned development. With their current plan, the county was contemplating right-of-way (ROW) acquisition from the District. One concept was exchanging roadway acquisition for intersection improvements at Pendant Court. This was the side of Encore that had a remote monitored entrance, which was currently permitted by the county as exit only and there was consideration for making Pendant Court an entrance and exit only.

Ms. Trucco pointed out under eminent domain procedures per Florida Law, the District could get the fair market value for the property that was being taken by the Government entity and depending on how large it was, the Board could have discretion to retain outside eminent domain counsel. Mr. Greenstein thanked Ms. Adams for bringing this matter to the Board and suggested that the Board revisit what was occurring, when it would occur and come up with the best approach for the improvements, as the project matured. As a Government, the District would be exempt from any eminent domain consideration and the District could receive monetary consideration. Ms. Adams pointed out that the Board could get an appraisal for the property to compare to the estimated intersection improvement cost.

Ms. Harley suggested changing the layout of the road and include a filter lane, as most of the people coming into the Encore resort were coming from the Sinclair Road area and with the current configuration of the traffic signals, they could not turn left onto Pendant Court. Ms. Adams stated this would be in conjunction with the Old Lake Wilson Road expansion and the roadway would undergo a re-design; however, the proximity of the intersection would not change. Mr. Greenstein noted because this section of roadway was on the north side of the bridge, there was the need to construct another bridge. The county had taken emergency action to widen the intersection of 532 and Old Lake Wilson Road north of the Liberty Bluff resident only gate and there would be a dedicated left-turn lane on 532 going north on Old Lake Wilson Road. Mr. Staley felt that the county was doing a good job of informing the community and there was a meeting on Tuesday regarding the widening of 429 from I-4 to 192 from four to eight lanes. This would provide three sets of traffic lights on Sinclair Road, one going northbound and two sets on the bridge. The community needed to pay attention to it.

5. Pavement Management Plan: Discussed.

6. Traffic Calming: Budgeted for this fiscal year. Earlier this year, management presented pros and cons on traffic calming. This would be addressed after the Pavement Management Plan was completed.

ii. Approval of Check Register

Ms. Adams presented the Check Register from October 1, 2022 through October 31, 2022 in the amount of \$32,639.69 and from November 1, 2022 through November 30, 2022 in the amount of \$98,976.44, which were included in the agenda package.

On MOTION by Mr. Staley seconded by Ms. Harley with all in favor the October and November Check Registers were approved.
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iii. Balance Sheet and Income Statement

Ms. Adams presented the Unaudited Financial Statements through September 30, 2022 and October 31, 2022, which were included in the agenda package for informational purposes. The October financials showed the first month of the current fiscal year, 2023. The District received revenues from property owners as early as the end of November through Tax Bills. A large portion was received in December and January. Taxpayers had until March 31st to pay and there would be a tax certificate sale in June for any taxes that have not been paid. Mr. Barry asked if this was the line item for the State Board of Administration (SBA). Ms. Adams explained that the SBA account was a higher yield savings account administered by the State of Florida, as the Florida Statutes restrict how local governments can invest their funds. The funds were available within 24 hours as cash.

Mr. Barry questioned why some bonds had multiple interest rates. Ms. Adams explained that it was set according to the economic environment and market conditions. New Districts were currently issuing bonds at 6.5%. This District refunded the bonds at 3.0%. Usually, as part of the marketing prospectus, a bond underwriter would break up the bonds with different yields and maturity dates instead of marketing as one large bond. Ms. Adams stated that new Districts were issuing a 30-year bond, but the refunding was different because of the shorter retirement time. *At the Board's request, Ms. Adams would ask Mr. Jon Kessler, the Bond Underwriter to call into the next meeting and would provide the Limited Offering Memorandum to the Board.*

D. Security Report

Ms. Adams presented the Security Report from Mr. Victor Vargas of Reunion Security, which was provided by the Recording Secretary for Reunion East and West, who issued the ballots for the Landowners' Election. Mr. Witcher questioned how the CDD and HOA funded for security. Ms. Adams explained that Reunion West had an Interlocal Agreement with Reunion East to hire a security service provider to Reunion East and Reunion East had an agreement with the Master HOA to provide security services. Reunion East was going to consider a security agreement at their meeting because the property schedule and fee needed to be updated, based on Reunion West requesting additional staffing at the Sinclair Road gate. All of the community entrances were owned by the CDD and entered into a Security Service Agreement for staffing and had the benefit of having security services to patrol the CDD roadways and amenities. The CDD did not pay for private security.

Mr. Witcher noted dirt in curbs and gutters from job sites and questioned the CDDs position. Ms. Adams stated that the CDD owned and operated the stormwater system and any sand going into a drain would be an issue. Mr. Scheerer drove through the entire community every morning. There was filter fabric on the drains, due to the ongoing construction. Ms. Harley reported that drains on Grand Traverse Parkway and going into Valhalla Terrace were completely blocked. Mr. Scheerer would look at them. Mr. Staley questioned if the extra security guard at the Sinclair gate made a difference in the last three months, if the owner operating a car rental business in Encore Reunion was stopped and if the police were refusing to come into Reunion because it was a private community. Ms. Harley provided a copy of Chapter 509 to her staff indicating that they could escort guests from the premises when there was disorderly conduct. Ms. Adams pointed out the Board Members may be better informed on this issue than some of the deputies that patrol Reunion. She had been informed by security regarding the Sherriff's Office not responding to traffic matters which is a concern. There was a current communication challenge and District Management engaged District Counsel to aid in communication to get the matter resolved. Mr. Greenstein believed that the issue stemmed from having newer deputies or turnover in staff and it should be clear on what their responsibilities were. Ms. Trucco would address the matter and report back to the Board.

Mr. Staley requested that security send another reminder to property management companies as many of the parking incidents involved contractors. Ms. Harley spoke to Mr. Vargas

and his team about this matter. Ms. Adams would work on a Parking Rule notice for rental management companies. Mr. Staley requested that builders put cones or reflectors on the road in front of their dumpsters, due to the lack of vacant land to store their materials. Ms. Adams explained that the District was not compelled to allow dumpsters on a public roadway if it was a public safety issue. Mr. Greenstein pointed out the problem was with the Master HOA, but the CDD Board could be proactive and have discussions with the Master HOA.

TENTH ORDER OF BUSINESS

Other Business

There being none, the next item followed.

ELEVENTH ORDER OF BUSINESS

Supervisor's Requests

Ms. Harley requested a dumpster by the stables as she was concerned about the amount of trash with the upcoming holidays. There was a possibility that Reunion East CDD Board would enter into a temporary License Agreement with the HOA for an additional dumpster. Mr. Greenstein pointed out that while the property was the CDD's and the CDD approved the dumpster, the funding for the trash removal was the responsibility of the Master HOA. Ms. Trucco reviewed the Limited Offering Memorandum and there were three different parts to the bond issuance for the Series 2015 bonds: one for \$550,000, another for \$995,000 at 4.35% and one for \$2.74 million at 5% with different terms. The Underwriter would explain why it was done this way.

TWELFTH ORDER OF BUSINESS

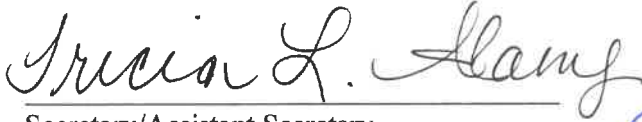
Next Meeting Date – January 12th, 2023

Ms. Adams announced that the next meeting was on January 12, 2023 at 11:00 a.m.

THIRTEENTH ORDER OF BUSINESS

Adjournment

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



Secretary/Assistant Secretary



Chairman/Vice Chairman