

**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, **November 9, 2023** 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 Chair
Michael Barry	Assistant Secretary
Mark Greenstein	Assistant Secretary
William (Bill) Witcher	Assistant Secretary

Also present were:

Tricia Adams	District Manager
Kristen Trucco	District Counsel
Steve Boyd <i>by Zoom</i>	Boyd Civil Engineering
James Curley <i>by Zoom</i>	Boyd Civil Engineering
Alan Scheerer	Field Manager
Victor Vargas	Reunion Security
Aura Zelada	Reunion West POA
Garrett Huegel	Yellowstone Landscape Services
Pete Wittman	Yellowstone Landscape Services
Residents	

The following is a summary of the discussions and actions taken at the November 9, 2023 Reunion West Community Development District Board of Supervisors meeting.

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**

Ms. Adams opened the public comment period. Resident Dorothy Reynolds of 7606 Sandy Ridge Drive, Unit 304 read on Facebook where many individuals inquired about the opening of the Fitness Center and pool area at Seven Eagles. Mr. Staley requested an update from Mr. Scheerer regarding Seven Eagles. Mr. Scheerer reported that the Seven Eagles pool and Fitness Center was currently scheduled to be open on Saturday morning. The pool looked great and there would be minor touchups, housekeeping and pressure washing today and tomorrow. Ms. Reynolds questioned the status of the surveying to change the Watson Golf Course, which was discussed at the last Reunion East CDD meeting; however, the Board did not have enough information. Mr. Staley noted that the Board did not have any information on the Watson Golf Course. Mr. Greenstein pointed out that all expenses the CDD incurred, regarding the potential change of golf course property into residential and any other use, were reimbursed by Kingwood under an agreement that the Reunion East CDD entered into with Kingwood. The impact on the CDD should be limited, when Kingwood moved out of the project. Ms. Adams recalled a request from the Reunion East CDD Board, that the developer make a presentation at a joint meeting or invite the Reunion West CDD Board Members to the Reunion East CDD meeting so the public could attend and learn about the re-design of the Watson Golf Course and the development of residential property. Mr. Staley pointed out that two years ago, the Board was informed that the developer was proposing to change the Watson Golf Course hole number 1 into a parking lot area, as part of the addition of new facilities to the Resort and redesign of the Watson Golf Course.

Resident Kelsey Jensen of 1338 Seven Eagles Court, Unit 102 questioned how Kingwood was associated with the CDD. Ms. Adams explained that the CDD was a special purpose local government and property owned by the CDD is public property. However, there is also private property within the CDD boundaries. This similar to other governments such as Osceola County where county parks, roads, recreational facilities and administrative buildings, that were owned and maintained by the County but there is also private property within the County boundaries. The CDD maintained CDD property and private owners maintained private property. Mr. Jensen questioned who owned the Gym. Mr. Staley confirmed that Reunion East CDD owned the Gym, except for the bar area. The CDD paid for maintenance of the pool, park and fountain. Ms. Trucco clarified that there were multiple owners within Reunion East and West, which was confusing. The CDD was responsible for operating and maintaining CDD property and Kingwood was an

**Reunion West CDD
Regular Meeting****November 9, 2023
Page 3 of 11**

additional property owner within the CDD boundary and could make their own rules regarding their property. Mr. Jenson questioned why the gate required a card to open it and how non-members would receive a key. Ms. Trucco explained that the gate must remain open to the public. A member of the public wanting to use a Gym owned by the CDD could do so if they paid the non-resident user fee. Ms. Adams offered to address any further questions that Mr. Jenson had after the meeting. There being no further comments, Ms. Adams closed the public comment period.

THIRD ORDER OF BUSINESS**Approval of Minutes of the October 12,
2023 Board of Supervisors Meeting**

Ms. Adams presented the minutes of the October 12, 2023 Board of Supervisors meeting. On Page 12, Mr. Staley requested that the statement, *“If it turned out that Reunion East had an interest in the Reunion West irrigation system, they would follow suit,”* be changed to, *“If it turned out that Reunion West had an interest in the Reunion West irrigation system.”* Ms. Trucco agreed with this revision. Mr. Staley stated if the Reunion West CDD had an interest in the west side irrigation system, this would make more sense. Ms. Adams recommended deleting this statement.

On MOTION by Mr. Greenstein seconded by Mr. Barry with all in favor the Minutes of the September 14, 2023 Board of Supervisors Meeting were approved as amended.

FOURTH ORDER OF BUSINESS**Consideration of Application Process and
Fee for Temporary Access Agreement**

Ms. Adams stated from time-to-time, staff presented petitions from property owners within the District boundaries who wanted to make improvements to their private property, for example, someone installing a pool. In some cases builders would need to access a CDD parcel. Property owners would request a Temporary Access Agreement to mobilize equipment or materials on CDD property. The agreement would provide protections for the District and allowed for inspections before and after construction activities. There was discussion by the Board regarding the professional fees the CDD was incurring as a result of the agreement preparation and a suggestion was made for an application process and procedure, whereby residents would pay a fee. A sample of a recent Temporary Access Agreement and draft application process, with a suggested fee of \$150 to offset any legal and administrative expenses, were included in the agenda package. However, the implementation required a rulemaking hearing to be held, in order to collect the fee.

**Reunion West CDD
Regular Meeting****November 9, 2023
Page 4 of 11**

Ms. Trucco recommended waiting until there were other items to hold a rule hearing for, as she had not reviewed the application that was provided to the Board. Mr. Staley suggested having a nominal fee and agreed to wait until a public hearing was scheduled.

Mr. Greenstein would bring up this issue at the Reunion East CDD meeting to obtain input, proposed bringing it back to this Board at the December meeting for further discussion, as the purpose of the \$150 fee was to separate the “*window shoppers*” from serious buyers and questioned the cost to publish the rule hearing. Ms. Adams would provide the cost for the required 28- and 29-day notice. Ms. Trucco recommended that the rule include the applicant paying for staff’s time and/or fees that the CDD incurred, due to the complexity of the request. Mr. Staley recalled that there was an upcoming public hearing for the Parking Rule. Ms. Adams confirmed that the Parking Rule was already noticed. If the Board wanted to move forward, she recommended a joint rule hearing between the Reunion West and Reunion East CDDs, to implement the fee. Mr. Greenstein did not feel it was fiscally responsible for the District to spend thousands of dollars on advertising and preferred dealing with requests on a case-by-case basis. Ms. Adams pointed out that an application fee would reimburse the CDD for any legal, engineering and administrative fees, which would be collected before the agreement was entered into, versus a bill for reimbursement, which would be paid after the work was completed. Mr. Staley questioned why Kingwood signed a developer funding agreement without a rule hearing. Ms. Trucco explained that staff requested that Kingwood reimburse the CDD for performing the review and could do the same with a homeowner building a pool in their backyard; however, she preferred that there be a provision in the rule so it was applied equally. After further discussion, Mr. Staley was not in favor of having a rule hearing and there was Board consensus to table this matter.

FIFTH ORDER OF BUSINESS**Consideration of Fiscal Year 2023 Audit
Engagement Letter**

Ms. Adams presented an Audit Engagement Letter with Grau & Associates (Grau) to perform the audit for Fiscal Year 2023 in the amount of \$9,600. Because the CDD is a Florida Government, an annual independent audit was required. Florida Statutes prescribed the process for undergoing an audit, including the Board appointing an Audit Committee, the form of the notice and the solicitation of proposals. An Audit Committee meeting would be held in order for the proposals to be evaluated by the Audit Committee, who would then make a recommendation to the Board. The last time that the Board had an Audit Committee meeting was in 2019 and four

**Reunion West CDD
Regular Meeting****November 9, 2023
Page 5 of 11**

different proposals were received. Grau was ranked the number one firm by the Audit Committee, because they had the lowest fee, the Board accepted the ranking and directed staff to enter into a five-year agreement. The agreement allowed for an increase in the fee, if there were changes within the financial picture of the District. When this District refunded the Series 2022 bonds, it triggered a change in the audit fee. Last year's audit was \$9,500 and it increased to \$9,600 for this audit, which was in accordance with the budgeted amount.

Mr. Staley questioned why the fees were higher for this District versus the Reunion East CDD as he believed that the audit for Reunion East was more complicated than Reunion West with Reunion Village and the bond issues. Ms. Adams explained that it was based on the proposals that were received, the refunding of the bond and the complexity of the financials as there were audit findings. Mr. Greenstein felt that the fees were reasonable. Ms. Adams pointed out that Grau does more audits for CDDs than any other auditor in the State of Florida. Mr. Staley felt that the Reunion East and Reunion West audits should be completed at the same time for cost savings. Ms. Adams stated in order to start the Fiscal Year 2023 audit, which was required to be submitted to the Auditor General by June 30th, staff recommended that the Board approve the Audit Engagement Letter with Grau.

On MOTION by Mr. Staley seconded by Mr. Greenstein with all in favor the Audit Engagement Letter with Grau & Associates for Fiscal Year 2023 in the amount of \$9,600 was approved.

SIXTH ORDER OF BUSINESS**Review of Revised Parking Map -Valhalla**

Ms. Adams stated that staff reviewed the existing parking maps at the request of the Board, after Ms. Harley reported that vehicles were parking on both sides of road at the children's playground on Valhalla Terrace. The maps showing the tow away zones were included in the agenda package. The maps are included in the current Parking Rules. Next month, a rule hearing would be held to amend and restate the Parking Rules. Upon review by the District Engineer and Mr. Scheerer, what made the most sense was to restrict parking around the playground; however, five parking spaces would not be marked in red. Mr. Barry felt that no parking on one side of the street was fine as emergency vehicles needed to have access, but not to restrict parking on both sides. Ms. Adams agreed as there was an additional safety issue because this was a playground parcel. Ms. Harley proposed that the 'No Parking' zone be eliminated in a small area from the

**Reunion West CDD
Regular Meeting**

**November 9, 2023
Page 6 of 11**

bottom of Valhalla Terrace to the junction. Mr. Witcher did not want to allow parking around the cul-de-sac where there were houses. Mr. Staley requested that the 'No Parking' zone be removed on the left-hand side of Valhalla Terrace to the corner of the T-junction. *There was Board consensus for Ms. Adams to bring back a revised map with the amended and restated Parking Rules at the next meeting.*

SEVENTH ORDER OF BUSINESS

Staff Reports

A. Attorney

i. Update on Eminent Domain Proceeding (I-4 Expansion)

Ms. Trucco provided an update on the eminent domain proceeding with the CDD. The CDD Board agreed to retain Gray Robinson to serve as their eminent domain counsel because she and Ms. Jan Carpenter did not specialize in this area. Under Florida Law, the State was required to pay for any experts that the CDD retains as part of their review. What prompted the Board to engage Gray Robinson was the CDD being put on notice that the Florida Department of Transportation (FDOT) was interested in acquiring by fee simple deed, a sliver of parcels along I-4 and Old Lake Wilson Road, as a part of the I-4 expansion. The map that was included in the agenda package, highlighted the parcels, which were identified as Parcels 130, 131 and 134. The next step in the process, was the State sending out their experts and appraisal team to perform an appraisal and then they would send the CDD an offer for the portion that they were interested in taking to complete their project. The CDD would then review the appraisal and staff would consult with an appraiser and an engineer with experience in this matter. Gray Robinson would come back to the CDD with their offer and a recommendation to the Board. If the CDD Board rejected the State's offer, the State would initiate a formal eminent domain lawsuit against the CDD in order to retain that property. The CDD was entitled to the reasonable fair market value on the property that would be taken and compensable damage to the CDD property not being taken. Last night, Gray Robinson received an offer of \$8,900 for Parcel 134 for the fee simple acquisition of 547 square feet, between Old Lake Wilson Road and Encore Resort. The State was still undergoing their review of Parcels 130 and 131 and once the appraisal summaries were received, staff would review them and bring it back to the Board for discussion. Ms. Harley favored the CDD allowing FDOT to take Parcel 134 as most of it was in red, but questioned why they needed the other two parcels since only a sliver was in red. Ms. Trucco did not know the specifics. Mr. Staley felt that they owed it to residents to know exactly what FDOT was taking before they settled and was happy

**Reunion West CDD
Regular Meeting****November 9, 2023
Page 7 of 11**

to meet with the appraiser the day they come out. Ms. Trucco would provide a copy of the appraisal summaries to the Board. Ms. Trucco would provide this feedback to the Gray Robinson.

Regarding the ongoing discussions with the Reunion West POA about the verge maintenance responsibilities, Ms. Trucco reported since the last Board meeting, a conference call was held with the Reunion West POA team, including their attorney, which was positive, as the parties decided not to change maintenance obligations at this time. However, these were matters that still needed to be discussed and agreed to by the Reunion West POA Board and Ms. Trucco requested that Board Members that attended the POA meetings, try to explain the situation from the Board's standpoint. At the conference call, there was a request to have some type of Memorandum of Understanding between the CDD and the Reunion West POA, a one-page summary of the discussions and everyone's understanding of the maintenance obligations, which Ms. Trucco could provide. She thanked Mr. Staley for volunteering his time to be part of the discussions and negotiations with the Reunion West POA Board, as it was beneficial and also thanked Ms. Aura Zelada from the POA management team for serving as an intermediary between both parties in order to facilitate a good result. Mr. Staley felt that it was a good educational session, but it was subject to full agreement from the POA Board.

Regarding the Traffic Enforcement Agreement with the Osceola County Sheriff's Office (OCSO), Ms. Trucco received a response from their attorney that the agreement was being reviewed by the County Engineer and their project team. As soon as she received their comments, she would respond and report back to the Board for approval. Mr. Staley asked if there was any feedback from her weekly letter to them. Ms. Trucco indicated there was no other response. Mr. Staley pointed out that other than corresponding to them in writing once a week, there was not much more that the CDD could do, as there was something going on behind the scenes between the county and the OCSO, which they were not privy to; however, this needed to be their number one priority. Ms. Harley pointed out that she was on the Solterra Resort CDD and OCSO attended every meeting. Mr. Staley recalled the county stating that these were public roads and the officers must enforce traffic within the community, but the gates seemed to be an issue for the OCSO and at some point, they must request a physical meeting because they were getting nowhere. Ms. Trucco pointed out that it was an important document, as it had impacts and was going to set a precedent for all CDDs in Osceola County. It may be taking time some time to get it approved, but they were remaining firm on their position that the CDD roads were public, residents were paying

**Reunion West CDD
Regular Meeting**

**November 9, 2023
Page 8 of 11**

taxes for these services and the services should be provided within the CDD boundaries. Mr. Staley requested a discussion on the blue and green signs. Ms. Trucco would bring this back to the Board for further discussion upon the agreement with OCSO being resolved.

B. Engineer

Mr. Boyd introduced Mr. James Curley with his firm who was a Professional Engineer who recently joined his firm and would be assisting Mr. Boyd to provide an increased level of service, since the District matured and required more active tasks. Mr. Curley had 10 years of experience and previously worked for Encore but was now independent of Encore. The bidding of the pavement repairs would be lumped together with Reunion East, which they were currently working with Ms. Adams on, due to some issues with the anticipated dollar amount, as Reunion East was not under the threshold for public bidding, but Reunion West was under it. Mr. Staley questioned the public bidding threshold. Ms. Adams explained that the Florida Statutes require, when there was a certain dollar threshold, a sealed bid public notice, publication and sealed bid opening. She was working with the District Engineer's office regarding the notice and location for the sealed bid opening and would be keeping the Board apprised of the status of this document. Mr. Staley asked if the public was aware of the threshold limit. Ms. Adams stated it was prescribed in the Florida Statutes that the threshold was \$195,000 for maintenance service contracts.

Mr. Boyd and Mr. Curley left the meeting.

C. District Manager's Report

Regarding earlier questions on when the Reunion East CDD bid out their audit services and the cost for publishing the rule notices, Ms. Adams confirmed that the audit for Reunion East was entered into in 2019, which was in tandem with the Reunion West CDD and the last engagement under the five-year engagement would be in 2023. The cost to publish the December rule hearing to amend and restate the Parking Rules was \$509 for both notices.

i. Action Items List

Ms. Adams presented the Action Items List, which was provided for informational purposes. Regarding the Whitmarsh mound, Mr. Scheerer was trying to engage with various contractors to reduce the size of the mound and hoped to have positive feedback by the next meeting. Mr. Staley felt that the sale of The Stables parcel, which was on the Reunion East CDD

**Reunion West CDD
Regular Meeting**

**November 9, 2023
Page 9 of 11**

Action Items List, was pertinent to this Board and questioned the status. Mr. Greenstein stated that CDD funds were used to build The Stables, but it was under-utilized and the desired outcome was to cut it loose. Mr. Boyd was identifying the bond issues that were associated with the construction of this project as the funds must be recouped before the transfer of the title. A decision must be made as to whether the building should be repurposed or disposed of, but no decision had been made at this time. Ms. Adams recalled there being a preference among the Reunion East CDD Board Member to sell the parcel versus structuring a Management Service Agreement (MSA) to develop it into a useful amenity under the operation of the CDD. Mr. Greenstein believed that a decision could be made once they had the appraised value. Ms. Harley asked if there was a provision for it to be sold to Kingwood. Ms. Trucco noted a statutory process for selling property that a governmental entity owned, but they were not yet at that point as the District Engineer was currently reviewing all of the requisitions to see what bond funds were used to finance it. Then Bond Counsel needed to perform a tax analysis to determine the amount of bonds outstanding and the amount needed to be redeemed in order for there to be a private use of The Stables. If the ultimate decision of the Board was to sell it, they must go through the statutory process of putting the public on notice. Mr. Staley asked if the dumpster agreement was completed. Ms. Adams stated that staff was waiting for comments from the Master Association.

ii. Approval of Check Register

Ms. Adams presented the Check Register from October 1, 2023 through October 31, 2023 in the amount of \$41,371.08.

On MOTION by Mr. Witcher seconded by Mr. Greenstein with all in favor the October Check Register was approved.

iii. Balance Sheet and Income Statement

Ms. Adams presented the Unaudited Financial Statements through September 30, 2023, which were for informational purposes. Mr. Barry noted a large difference between the beginning and ending fund balance on the Debt Service Fund. Ms. Adams explained that when they collect the assessments, they were collecting for the November and May principal and interest payments, but some of the payment collected was outside of the budget cycle. When they collected in November, they were collecting for the current fiscal year principal and interest payments and for

**Reunion West CDD
Regular Meeting****November 9, 2023
Page 10 of 11**

the next November payment. When the budget was presented, they identified the bond payments that they were collecting for outside of the budget cycle. Mr. Staley pointed out when residents received their property tax bills, they paid them in November or December and part of the assessment was the principal and interest payment for November of 2024 and there needed to be cash on hand to handle to pay this November's interest and debt. Mr. Barry questioned why the budget was different than the actual, such as for 2015, \$176,868 was budgeted, but the actual was \$343,430. Ms. Adams stated the actual accounted for the interest earnings but would confirm with the accountant on why the adopted fund balance was different from the actuals. Mr. Staley congratulated GMS for managing the revenue budget.

iv. Replacement and Maintenance Plan

Ms. Adams presented the Replacement and Maintenance Plan for Fiscal Year 2024, which was their project list. There was also a list of the Fiscal Year 2023 projects that were currently in process or deferred until 2024. It was for informational purposes.

D. Security Report

Ms. Adams reported that the October Security Report was provided to the Board under separate cover, as well as Security Reports for the Reunion West Encore neighborhood, which were requested by the Board. Mr. Staley noted the challenges that the POA had, as there were 21 tows during the month of October whereas the most he could recall in Reunion Resort in a single month was four.

EIGHTH ORDER OF BUSINESS**Other Business**

There being no comments, the next item followed.

NINTH ORDER OF BUSINESS**Supervisor's Requests**

Mr. Staley requested that the Reunion East CDD Board revisit the rental fee charged for weddings to pay for the fountains at the entrance to Linear Park. Mr. Greenstein would share this information with the Board, but at the last meeting, the Board wanted to focus on the fountain closest to Gathering Drive, which was opposite the hotel, because it was the fountain that people see when driving by the resort.

**Reunion West CDD
Regular Meeting**

**November 9, 2023
Page 11 of 11**

TENTH ORDER OF BUSINESS

Next Meeting Date – December 14th, 2023

Ms. Adams stated the next meeting was scheduled for December 14, 2023 at 11:00 a.m., which would be the rule hearing to amend and restate the Parking Rules.

ELEVENTH ORDER OF BUSINESS

Adjournment

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

DocuSigned by:

Tricia Adams

3E3E5EA5C67E43B...

Secretary/Assistant Secretary

DocuSigned by:

Graham Staley

439E73A503AA4E2...

Chairman/Vice Chairman