

**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 14, 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
Mark Greenstein	Assistant Secretary
William (Bill) Witcher	Assistant Secretary

Also present were:

Jill Burns	District Manager
Kristen Trucco	District Counsel
Steve Boyd (<i>via Zoom</i>)	Boyd Civil Engineering
Alan Scheerer	Field Manager
Victor Vargas	Reunion Security
Residents	

The following is a summary of the discussions and actions taken at the December 14, 2023 Reunion West Community Development District's Board of Supervisors meeting.

FIRST ORDER OF BUSINESS

Roll Call

Ms. Burns called the meeting to order at 11:05 a.m. and called the roll. A quorum was present.

SECOND ORDER OF BUSINESS

Public Comment Period

There being no comments, the next item followed.

THIRD ORDER OF BUSINESS

Approval of the Minutes of the November 9, 2023 Board of Supervisors Meeting

Ms. Burns presented the minutes of the November 9, 2023 Board of Supervisors meeting. Mr. Staley asked if Ms. Adams met with Resident Kelsey Jensen of 1338 Seven Eagles Court, Unit 102 privately to answer his questions. Ms. Burns did not know and would find out.

On MOTION by Mr. Witcher seconded by Mr. Greenstein with all in favor the Minutes of the November 9, 2023 Board of Supervisors Meeting were approved as presented.

FOURTH ORDER OF BUSINESS

Public Hearing to Amend and Restate Parking Rules

Ms. Burns indicated that the public hearing to Amend and Restate Parking Rules was advertised.

A. Open Public Hearing

On MOTION by Mr. Witcher seconded by Mr. Greenstein with all in favor the Public Hearing to Amend and Restate the Parking Rules was opened.

B. Public Comment

There being no comments, the next item followed.

C. Consideration of Resolution 2024-01 Adopting Amended and Restated Parking Rules

Ms. Burns recalled that the Board reviewed the rule changes at the prior meeting to add an area on Valhalla Terrace that was not previously included in the towaway zone and was informed by Ms. Adams that one other area was added. Mr. Scheerer stated that the Board discussed having one sided parking on the golf course side of Grand Traverse Parkway and they designated both sides of Grand Traverse Parkway and Tradition Boulevard all the way to Twin Eagles Loop where there were homes, as no parking. No consideration was given of installing signs at this time, but if there were parking issues and they had to enforce a Towing Policy, they would have to install signs. Mr. Witcher requested clarification of the “No Parking” zone. Mr. Scheerer explained that it was from Tradition Boulevard past Desert Mountain Court and into The Estates, from the first

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home on the left and the first home on the right on Grand Traverse Parkway. There were already parking designations from Grand Traverse Parkway to Valhalla Terrace and on Golden Bear Drive. A map of these areas was included in the agenda package and recommended designating both sides of the street in that location as no parking as there were no homes.

Mr. Staley was in favor of this as people were already parking where there were three homes on Grand Traverse Parkway near Bears Den, because there was nowhere to park. In addition, a double yellow line was an indication of no parking and there should be signage, but it did not have to be 40 yards apart, as he agreed with Mr. Scheerer, if they did not install signage, people were going to park there. Mr. Scheerer explained that signage was typically 150 feet apart and offered to work with Fausnight to place signage the entire length, as two dozen sign posts were purchased and stored by The Stables. Mr. Witcher questioned where staff would direct people to park when there was not enough parking. Mr. Vargas pointed out with the construction parking was difficult. Mr. Staley agreed as the contractor was parking their vehicles there, but it would end soon. However, if someone had an accident, because of where vehicles were parked, and there were not "*No Parking*" signs, it would be difficult to tow a vehicle. Therefore, they needed to look into the cost of installing "*No Parking*" signs. Mr. Scheerer noted that many of the areas that had signage were as far as 300 feet apart. Mr. Staley requested that Mr. Scheerer stretch it to 50 or 60 yards. Ms. Trucco would work with Mr. Boyd to check the county codes. Mr. Staley believed if they do not install the signage, people would be confused. Mr. Witcher felt that they had no choice but to install "*No Parking*" signs on both sides and understood that the area across from the playground on Grand Traverse Parkway, was already designated as a parking area and suggested moving forward with the parking on the playground side of Valhalla Terrace. Mr. Scheerer would work with Fausnight on the installation of the "*No Parking*" signs and with Mr. Boyd to confirm the maximum distances for the long stretch of Grand Traverse Parkway to Twin Eagles Loop in The Estates section.

Mr. Staley pointed out they allowed parking in front of the houses on one side of Valhalla Terrace; however, last weekend, four cars were parked all day long in the spaces that were temporarily reserved for the playground and mailbox kiosks due to a party in one of the houses opposite the playground and questioned whether they could tow the cars. Mr. Trucco advised that the District could set a parking time limit. However, Mr. Staley preferred that Security tow the cars because residents could not use the playground. Mr. Witcher agreed as there were times when

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guests and renters were parked there overnight. Ms. Trucco pointed out that Security's role may be difficult, but a provision could be added to only allow use of those parking spaces for utilization of the playground. Mr. Staley proposed installing a sign at the playground saying "*No parking except for playground and mail kiosk use*". Ms. Trucco include a provision to the Parking Rule to allow for parking at the playground to users of the playground and/or mail kiosk as shown in Appendix 5.1 and Mr. Vargas have the authority to call a towing company. *There was Board consensus.*

<p>Mr. Greenstein MOVED to approve the Amended and Restated Parking Rules as amended to allow for parking at the playground to users of the playground and/or mail kiosk as shown in Appendix 5.1 as evidenced by the adoption of Resolution 2024-01 and Mr. Staley seconded the motion.</p>
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Mr. Staley recalled asking Ms. Adams to contact the Encore POA since the parking applied to the POA as well and question their preference to have golf carts parked on the road, since golf carts were not permitted on CDD roads. Yesterday, the POA agreed they did not want golf carts to be parked on roads. A Resident asked about the apron as they did not want anyone to be on the sidewalk. Ms. Trucco advised that the swale was CDD property as part of the roadway owned by the CDD. Mr. Staley pointed out that parking was permitted on the apron, but not encroach the sidewalk. Ms. Trucco indicated that a car was subject to towing if it was blocking a sidewalk or driveway and asked if the Board wanted to prohibit no parking on the swale/apron. Mr. Staley was in favor of including language to prohibit parking within a landscaped or grassed surface of the District, including but not limited to the grass verge, to remove the uncertainty of the "swale" language. Mr. Greenstein pointed out that the apron was part of the roadway just like the verges. Mr. Staley clarified it was on CDD land, but the concrete belonged to the owner. Ms. Trucco advised that technically, the sidewalk, apron and verge were part of the roadway track that the CDD owned, but multiple homeowners' associations provide authority to individual owners with regards to their driveway and there could be a question about whether the apron was in the CDD's jurisdiction or subject to an HOA declaration. Mr. Staley pointed out that the CDD did not power wash the apron. *There was Board consensus to approve the amendment to the swale language.*

On VOICE VOTE with all in favor approving the Amended and Restated Parking Rules as amended to allow for parking at the playground to users of the playground and/or mail kiosk as shown in Appendix 5.1 and clarifying the language pertaining to swales as evidenced by the adoption of Resolution 2024-01 was approved.

D. Close Public Hearing

On MOTION by Mr. Staley seconded by Mr. Witcher with all in favor Public Hearing to Amend and Restate the Parking Rules was closed.

FIFTH ORDER OF BUSINESS

Consideration of Osceola County Property Appraiser Data Sharing and Usage Agreement

Ms. Burns explained that information was exempt from public records for certain professions, such as a judge or a police officer and this was the renewal from an existing agreement as Osceola County required that the District enter into an annual agreement.

On MOTION by Mr. Staley seconded by Mr. Witcher with all in favor the Osceola County Property Appraiser Data Sharing and Usage Agreement was approved.

SIXTH ORDER OF BUSINESS

Consideration of Resolution 2024-02 Approving Conveyances from Encore Phase 4

Ms. Trucco recalled that the Board approved conveyances before for Encore from Reunion West Development Partners, LLP per plats that needed to go through permitting and obtain approvals from the county as part of their development process to build in Osceola County. Within the Encore Phase 4 plat, certain tracts would be owned and maintained by the CDD, HOA, county, etc. Yesterday, GMS distributed some backup material for this resolution, including a copy of the plat. Tracts C, E, G and RW-1, which were on the Reunion West Phase 4 plat, would be owned by the CDD. However, the CDD would not accept ownership of the two stormwater retention tracts, an open space tract and a right-of-way (ROW) tract until the developer completed construction of the property. In addition, Tract RW-1, a roadway tract in Reunion West on the 17th and 18th fairways, was being removed from the conveyance, as it was being conveyed to the HOA. Ms.

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Trucco requested that the Board adopt Resolution 2024-02, approving the conveyance of the tracts from Reunion West Development Partners, LLP to the CDD, subject to execution from District Counsel and the District Engineer and delegating authority to a Supervisor for final execution. Attached to the resolution was a Special Warranty Deed, the legal instrument transferring the real property tract from the developer to the CDD and Bill of Sale, transferring the infrastructure improvements that the developer constructed to the CDD. Attached to the Bill of Sale, was an exhibit listing some improvements, which Ms. Trucco asked the District Engineer to confirm as well as an estimate of value for accounting purposes. There was also an Owner's Affidavit and Agreement Regarding Taxes, providing the developer's assurance that there were no outstanding taxes or encumbrances on the parcels that would prohibit the CDD's ownership and maintenance after the deed was recorded. A Title Report would be ordered to show any liens or encumbrances on these tracts. Ms. Trucco would not sign off on the conveyance until this report was received. The final document was a Certificate of the District Engineer, which was a requirement in the CDD's bond documents, for the District Engineer to certify that the conveyance of the four tracts was in accordance with the development plan for the CDD and that the condition of the improvements and the tracts were up to the District's standards for acceptance.

Mr. Staley pointed out that all four tracts were within the Encore neighborhood and Reunion West Development Partners, LLP owned Encore and questioned when money would be transferred regarding the ownership of this land. Ms. Trucco confirmed that no money would be exchanged at this time as the property was developed pursuant to the plans and the developer was simply conveying the tracts in accordance with the development plans. Mr. Boyd recalled that the construction was funded out of a CDD capital bond that the development was being assessed for and was verifying the amount. Ms. Trucco believed that it was an \$8 million bond issuance, but the project was \$12 million and the developer did not seek reimbursement for these additional improvements. Mr. Greenstein asked if these were additional areas that were overlooked in that previous review. Ms. Trucco explained the four tracts were under construction at the time and the CDD did not accept property unless construction was completed, but since the tracts were now constructed, they were going through the process of getting them conveyed. Mr. Greenstein asked if there was other development within Encore Reunion West. Ms. Trucco would find out. Mr. Staley was in favor of approving this conveyance, subject to clarification from the District Engineer on whether bond funds were utilized. Mr. Greenstein suggested deferring this matter

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until the next meeting to get these questions answered, unless there was an urgency. Ms. Trucco pointed out that the developer may have to pay taxes on these parcels, if they were not conveyed to the CDD and the best-case scenario was for the CDD to take ownership of the property. Mr. Greenstein asked if they were maintaining these tracts. Mr. Scheerer confirmed that the tracts were being maintained for years. Ms. Trucco recommended that the District not maintain property until the deed was recorded in the CDD's name.

On MOTION by Mr. Greenstein seconded by Mr. Witcher with all in favor the adoption of Resolution 2024-02 Approving Conveyances from Encore Phase 4 in substantially final form, pending approval from District Counsel and the District Engineer and authorization for the Chair to provide the final execution was approved.

SEVENTH ORDER OF BUSINESS**Appointment of Audit Committee**

Ms. Burns reported that the District's audit was up for renewal and under the Florida Statutes, a separate Audit Committee needed to be established to issue a Request for Proposal (RFP). Generally, a Board appointed themselves as the Audit Committee.

On MOTION by Mr. Greenstein seconded by Mr. Staley with all in favor the Board appointing themselves as an Audit Committee in order to issue a Request for Proposals for auditing services.

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

Since the last Board meeting, Ms. Trucco prepared a resolution for the conveyance, worked on resolution of the verge area with the attorney for the Reunion West POA and would continue to follow through with its sign off. A conference call with the Reunion West POA was held yesterday to discuss the verge issue, which went well and was working with the POA to compose a short one-page Memorandum of Understanding, memorializing everyone's understanding of maintenance and ownership responsibility of the verge area. Mr. Staley indicated that he had two conference calls with Ms. Aura Zelada, the Community Association Manager for the Reunion West POA, and the Vice President of the POA and yesterday, he and Ms. Trucco met with the POA Board. It was a very positive relationship and exercise and they were building a strong working relationship. Because the Memorandum of Understanding was non-binding, they all

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agreed to carry on as they were, which the CDD and POA were comfortable with. Mr. Greenstein asked if they were modifying the declaration for the one parcel. Mr. Staley explained that it was in order for Ms. Trucco to consider whether a License Agreement was necessary, to ensure that the POA continued to maintain it. The bottom line was they were going to continue to maintain the parcel. However, other items were discussed, which would be included on a to-do list.

Mr. Staley recalled that a Board Member asked if there was any CDD owned property in the Encore neighborhood that could be used for an amenity. There were stormwater dry ponds, but in a prior agenda item, there was open space. No action needed to be taken today, but over the next four to six weeks, they could research whether open space was owned by the CDD that could be used to develop a CDD amenity for Encore West, because there were no CDD amenities. In the past, a Board Member lived in a CDD where a playground was built on a dry pond. Ms. Zelada recalled that a playground was built over a dry retention pond and there was playground equipment on it and would obtain additional information. Ms. Burns advised that there would be a liability issue for the District's insurance carrier, by inviting children to play in an area designed to hold water. Mr. Staley requested that the District Manager and Ms. Zelada research this matter and for the District Manager to find out if the Encore Club paid any CDD assessments because they use many of the facilities. A Board Member asked if there were any CDD amenities on the west or east side that could be repurposed to be more attractive to owners of Encore, but Mr. Staley did not think that was a possibility because the of all of the pools, the large rental market and Seven Eagles being a self-contained facility. Mr. Greenstein pointed out the struggles they have been having for years with repurposing The Stables and in the next month or so, they would have to make the decision on whether or not they could repurpose it. Ms. Trucco recalled that the Reunion East Board directed the District Engineer to review through all of the requisitions to see what bond money was spent on The Stables and Bond Counsel was charging \$10,000 to \$20,000 to provide the analysis. Mr. Staley requested that the Board consider it for a couple of months to see if Ms. Zelada had any ideas from the Reunion West POA. Mr. Greenstein agreed as he was pushing for amenitization on the west side because everything was on the east side.

Mr. Staley recalled at the last Board meeting, there was a question about whether there was a reciprocal relationship between Spectrum, which was behind the water park and Encore Club; however, Ms. Zelada confirmed this morning that there was no reciprocal arrangement. Mr. Greenstein asked whether there was any such arrangement in Reunion Village. Mr. Staley pointed

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out that that if the Reunion East CDD included Reunion Village, it would get complicated and suggested following up on whether all of owners in Reunion Village had access to Encore Club. Ms. Zelada explained that the Encore Club was strictly for owners in the Reunion West POA, but there were a group of homeowners that were not happy with the way the association documents were written, as they clearly state that they must belong to the Encore Club. Furthermore, if their home was not managed by the management company, their guests were not permitted to use the Encore Club. Mr. Staley noted it was consistent with Spectrum, as Spectrum owners must be mandatory members of the Spectrum Club. Mr. Vargas pointed out that many owners came into the office wanting to get a membership card, but it was not their responsibility to provide one. Mr. Staley confirmed that according to Mr. Vargas, anyone who lived in Encore and were a CDD taxpayer, were entitled to obtain an access card. Mr. Greenstein felt that this was something that they needed to get a handle on. Ms. Zelada sent an email to the membership team to verify this.

Ms. Trucco was continuing to follow up with legal counsel for the Osceola County Sheriff's Office (OCSO) on the Traffic Enforcement Agreement and was waiting for their revisions. Mr. Staley questioned whether Ms. Trucco sent weekly emails to them and they did not say anything verbally or in writing for several weeks. Ms. Trucco confirmed that their counsel responded approximately a couple of weeks ago, apologizing and informing them that they were working on it, but it has to go through multiple channels. Mr. Staley requested further discussion next month and escalating it, if she received no further response. Mr. Witcher asked if they were trying to get out of controlling their roads. Ms. Trucco explained that the Traffic Enforcement Agreement was an understanding between both parties that these were public roadways and they had jurisdiction; however, there was a concern about the gates and if it made the roadways private. She continued to reiterate that the roadways were public and services should be provided as residents were paying taxes, but wanted it in writing that the OCSO had jurisdiction, due to receiving different responses from different people.

Mr. Staley suspected that OCSO had to confirm their arrangements with other CDDs. Mr. Greenstein recalled that there were anomalies like the blue signs at Tradition Boulevard and Grand Traverse Parkway, which were replaced and beautified and they had to enter into some kind of legal agreement and have it identified on a map to exclude certain roadways. Ms. Trucco confirmed that they could not enter into an agreement on behalf of anyone else and in the current agreement that they were reviewing, OCSO had authority over the roadways owned by the CDD and within

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the CDD boundary. Mr. Greenstein questioned whether there was pushback because they were not entering into the Off Duty Patrol Program. Ms. Burns pointed out that they were usually able to get it resolved and particularly in smaller cities and counties like Polk County, it was an educational issue for the person answering the phone or deputies did not understand the difference between an HOA and a CDD, which was clarified by the City or County Attorney that these were public roads. Ms. Trucco did not believe that any of the other CDDs located in Osceola County that they represented currently had an agreement in place. There was a jurisdiction issue raised with regard to cases or tickets being challenged by people. CDD was happy to put in writing that their roadways were public and the OCSO had jurisdiction to write tickets and would see what they came back with.

Mr. Staley requested that the Board consider the issue of the alleged encroachment on Grand Traverse Parkway with the bocce ball court, to establish who owned it, because there were five or six other properties who could want an additional 13 feet and deserved to have some clarity of ownership. If it was owned by Kingwood or the CDD, they should have some documentation that cleared it up, as long as the CDD had access to the dry pond. Ms. Trucco agreed, as she had multiple phone calls since the last meeting but preferred to discuss it at/before the next meeting or at a closed meeting. Mr. Witcher pointed out the owner of the home had previously placed the home on the market and if a transaction happened through a real estate deal in the future, it may complicate issues.

B. Engineer

Mr. Boyd would meet with Mr. Scheerer after the meeting to discuss the speed table locations and send it out to bid.

C. District Manager's Report**i. Action Items List**

Ms. Burns presented the Action Items List, which was provided for informational purposes. Mr. Scheerer reported that Yellowstone tried to bring a bobcat service on board for the Whitemarsh Mount, but they were unresponsive and reached out to All Terrain. Florida Gas Transmission provided permission to move as much soil as they wanted, but there were two other utilities that they were trying to get permission from; Teco Gas and OUC and hopefully, this matter could be resolved by the next meeting. Mr. Scheerer was close to collecting the data from the radar signs

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and should have all of the vehicle speed and quantity of vehicle information for all locations for the past three months. However, the radar sign on Grand Traverse Parkway, was not allowing for the collection of data and there were two radar signs in Reunion East that were also being problematic. He was trying to put together a map of all of the radar sign locations to provide to the Board at a future meeting. Mr. Witcher questioned the status of the RFP related to the pavement management. Mr. Boyd stated there was a request to add speed control to the speed tables and had a first draft of what they were recommending, which he would discuss with Mr. Scheerer either next week or the first week after New Years to finalize.

Mr. Staley questioned where Reunion East was heading in regards to The Stables, as his recollection was that they wanted to dispose of it. Mr. Greenstein reported that they have been discussing it for some time and had some interest from a property owners' group in acquiring it. The bottom line was whether they repurpose, maintain it, just like this facility or Seven Eagles, allow the property owners group to acquire it or Kingwood build on the property with CDD funds, they needed to determine the impact and what the property was worth in terms of the amount to pay off the bond indebtedness. However, until there was approval from Bond Counsel and the bond trustee, that they can actually dispose of the property, they could not proceed with allowing anyone who was interested to bid on it. The reason why they were considering disposal, was because none of their ideas were coming to fruition and the simplest thing to do would be to have a developer like Kingwood repurpose the facility, but they would have to turn into something that was beneficial for the community. However, Mr. Greenstein had not been pushing heavy in that direction because financially, when looking at what the reduction in debt service would be and spreading it across a large basis, it was miniscule.

Ms. Trucco pointed out there was an Internal Revenue Code whereby only 10% of the entire bond issuance could be used for private purpose and Bond Counsel must perform a Tax Analysis to determine the amount remaining in the bond issuance. If they have not reached the 10% maximum, it could potentially be repurposed or leased to a private restaurant. In order for the Tax Analysis to be completed, Mr. Boyd must go through the bond requisitions to determine the amount of bond funds expended on The Stables. Mr. Greenstein believed that either the property owners' group had enough funding, which he personally did not like, since The Stables were built with an equestrian feature or Kingwood would repurpose and manage it under a Management Services Agreement (MSA), which was the best outcome. In his opinion, \$20,000 was significant

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just to see what bond debt remained. Ms. Trucco explained that the analysis would take between 10 to 20 hours, but it was complicated because they must determine whether it was within the 10% and figure out the percentage of private use, which takes time. Mr. Staley agreed it was a great deal of money, but it allowed for another level.

ii. Approval of Check Register

Ms. Burns presented the Check Register from November 1, 2023 through November 30, 2023 in the amount of \$82,434.75. Due to an increase in mail fraud, Checks 2217 through 2219 were voided in an abundance of caution and they were waiting for the bank to refund the money. One check was fraudulently cashed and the other two were voided and reissued.

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

iii. Balance Sheet and Income Statement

Ms. Burns presented the Unaudited Financial Statements through October 31, 2023, which were for informational purposes. This was the first month in the new fiscal year and in November/December, they would start receiving funds from tax bills.

iv. Replacement and Maintenance Plan

Ms. Burns presented the Replacement and Maintenance Plan for Fiscal Year 2024, which was their project list. It was for informational purposes. Mr. Staley would speak to Ms. Adams on aligning it so that there was one list.

D. Security Report

Mr. Vargas provided the November Security Report under separate cover.

NINTH ORDER OF BUSINESS

Other Business

There being no comments, the next item followed.

TENTH ORDER OF BUSINESS

Supervisor's Requests

There being no comments, the next item followed.

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ELEVENTH ORDER OF BUSINESS

Next Meeting Date – January 11th, 2024

The next meeting was scheduled for January 11, 2024 at 11:00 a.m.

TWELFTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Greenstein seconded by Mr. Witcher with all in favor the meeting was adjourned at 12:45 p.m.

DocuSigned by:

Tricia Adams

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Secretary/Assistant Secretary

DocuSigned by:

Graham Staley

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Chairman/Vice Chairman