

**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, **June 6, 2024** at 1:00 p.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
Michael Barry	Assistant Secretary

Also present were:

Tricia Adams	District Manager
Kristen Trucco	District Counsel
James Curley	District Engineer
Alan Scheerer	Field Manager
Victor Vargas	Reunion Security
Aura Zelada	Reunion West POA Manager
Residents	

The following is a summary of the discussions and actions taken at the June 6, 2024 Reunion West Community Development District Board of Supervisors meeting.

FIRST ORDER OF BUSINESS

Roll Call

Ms. Adams called the meeting to order at 1:02 p.m. and called the roll. All Supervisors were present with the exception of Ms. Harley.

SECOND ORDER OF BUSINESS

Public Comment Period

Ms. Adams opened the public comment period. Resident Richard Holmes of 1245 Grand Traverse Parkway, noted on the Osceola County Property Appraiser website, the roads on the west side, were now listed as being owned by Kingwood and not Reunion West CDD and questioned

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whether there was an error by the attorney, when the CDD was created, in not properly transferring the property to the CDD. He also questioned if the developer was the owner of the roads, whether it should remain that way, whether they should pursue the developer for past funds paid by residents, or if action needed to be taken to return ownership back to the Reunion West CDD. Ms. Adams pointed out that Mr. Holmes had reached his three-minute time limit and asked if the Board wanted to extend his time. Mr. Staley felt that it was appropriate to extend the time allocation longer. Mr. Holmes wished for these questions to be answered openly for the community to have an understanding of what was taking place, and whether the developer owning the property was best for the residents. If someone was to blame, they should be held responsible. There being no further comments, Ms. Adams closed the public comment period.

THIRD ORDER OF BUSINESS**Approval of the Minutes of the May 9,
2024 Board of Supervisors Meeting**

Ms. Adams presented the minutes of the May 9, 2024 Board of Supervisors meeting, which were included in the agenda package. Mr. Barry stated on Page 16, "*Ms. Hobbs*" should be "*Ms. Harley*." On the last page, Mr. Barry did not state that it was discussed with Mr. Kingsley. Mr. Staley recalled Ms. Harley mentioning that someone built a circle around the tree and believed that she would speak to the HOA about it. Ms. Adams would make these corrections. Mr. Staley noted on Page 8, "*draw*" should be "*draw attention*." On Page 9, "*Mr. Staley asked if Mr. Curley could provide Mr. Staley questioned the value of the contract by piggybacking*." He actually asked Mr. Curley to confirm that by piggybacking this contract, they would achieve a good and reasonable price for the repaving. On Page 11, Mr. Witcher stated that he was in favor of proceeding, as he felt that the Reunion West POA took advantage of the CDD, due to their attorney's slow response. This made no sense, as there was no discussion with the Reunion West POA. Ms. Adams would listen to the recording, but it made no substantive change to the meeting minutes. Mr. Staley stated on Page 12, "*Ms. Zelada stated that the expectation was that people would be walking to the parking lot*." Ms. Adams would change it to "*Would be walking from the parking lot to the playground*."

On MOTION by Mr. Barry seconded by Mr. Greenstein with all in favor the Minutes of the May 9, 2024 Board of Supervisors Meeting were approved as amended.

FOURTH ORDER OF BUSINESS**Consideration of Resolution 2024-05
Approving Entering into a Contract with
All County Paving, Inc. to Provide Paving
and Related Services**

Ms. Adams recalled that the District was considering milling and resurfacing and other roadway improvements. The District completed a Pavement Management Study, resulting in a Pavement Management Plan, whereby Board Members identified the first five years of priority areas for road work. Ultimately the District solicited for proposals for the priority areas, utilizing the bid instructions and bid form, which were included in the agenda package. At last month's meeting, the Board asked for further clarification regarding traffic calming devices as one option was installing speed tables. For discussion purposes, the District Engineer provided a diagram of potential locations for traffic calming devices, which was included in the agenda package. Resolution 2024-05, Approving Entering into a Contract with All County Paving Inc. (All County), to provide paving and related services was also included in the agenda. The Board had the option to approve all traffic calming devices, eliminate them or approve whatever locations the Board deemed fit. Mr. Curley pointed out that the speed tables were depicted in red lines on the diagrams. When he started this process, he was asked to have speed tables at golf cart crossings and along any stretch of roadway.

Mr. Witcher noted in some sections, two red lines appeared close together and asked if there would be speed tables at each location. Mr. Curley confirmed that the plan was to have two speed tables to protect the golf cart crossing. Mr. Witcher recommended not doubling up on speed tables and taking the extra ones and spreading them around the property. Mr. Staley agreed, but preferred to keep the speed table on Whitemarsh, close to the Sinclair Road gate, eliminate the one closer to the I-4 bridge to slow people down, and having one adjacent to Bears Den Lane. Mr. Witcher agreed, as the next intersection was the four-way stop. *There was Board consensus.* Mr. Witcher also recommended having one speed table before the golf cart crossing from Nicklaus #17 to #18, before the bridge on Grand Traverse Parkway and eliminating the second speed table. Mr. Staley questioned whether there should be one after making the turn onto Grand Traverse Parkway from Tradition Boulevard, to slow people down, or where there were two exits coming out of Bears Den. Going down Grand Traverse Parkway, there was a blind corner, which was dangerous. Mr. Greenstein pointed out that the idea was to place the speed tables in such a way that, just when

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people start getting at a point of where they were going to exceed the speed limit, it would slow them down. Mr. Witcher recommended moving it prior to the two Bears Den entrances. Mr. Staley preferred having a speed table after the mailboxes and before the right turn into Bears Den. Mr. Greenstein wanted there to be official DOT crossing signs, showing that it was a golf cart crossing on the path, like the ones on Excitement Drive. Mr. Witcher recalled that there were yellow triangular golf cart crossing signs.

Mr. Staley preferred not having speed tables at any of the golf cart crossings, but to improve the signage on both sides of the crossings, having a speed table between the mailboxes and at the right turn into Bears Den, having no speed tables next to the Nicklaus #17 and #18 golf cart crossings and having signage next to the Nicklaus #1 and #2 golf cart crossings. Mr. Staley questioned whether there needed to be something between the Nicklaus #1 and #2 golf cart crossing and the right-turn onto Desert Mountain Court to slow people down. Mr. Witcher felt that installing DOT signage at the curve and a speed table to slow people down entering the curve, made sense, as parked cars caused visibility issues. Mr. Barry recommended placing the speed table close to the Nicklaus #1 and #2 golf cart crossings. Mr. Staley preferred Mr. Barry's suggestion, to put the speed table before the Nicklaus #1 and #2 golf cart crossings, as it would slow people down before the crossings and eliminate the one after the crossing. *There was Board consensus.* Mr. Staley felt that, as a principle, speed tables should not be in front of resident's homes, but on the boundary between two homes. Mr. Staley said it made sense to have one on the corner of his property, between the vacant lot and his home, as it would stop people before reaching the corner and stop them accelerating after going around the corner. Mr. Staley further suggested having a speed table further down the hill, to stop people from speeding up and down the straightaway, but none thereafter, as there were plenty of curves to slow people down. Mr. Barry felt this made sense. Mr. Witcher did not see a speeding problem coming out of the cul-de-sac at the end of Valhalla Terrace, or the small stretch from where Grand Traverse Parkway intersected with Valhalla Terrace. Mr. Greenstein felt that there needed to be a combination of speed tables and signs. Mr. Witcher requested further discussion about the proposed agreement with the Osceola County Sheriff's Department, since the CDD was addressing speeding with traffic calming.

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Mr. Witcher MOVED to adopt Resolution 2024-05 Approving Entering into a Contract with All County Paving, Inc. to Provide Paving and Related Services, subject to final approval by staff and Mr. Barry seconded the motion.

Mr. Greenstein asked if this was affected by the next agenda item and the comment received by Mr. Holmes during the public comment period. Ms. Trucco would look into it, as there must be a comfort level before staff signs off on it, since there was a deed that was recorded, involving roadway tracts that would be impacted by this contract. Mr. Staley requested that Ms. Trucco come back to the next meeting regarding the CDDs liability, if someone damages their vehicle on a speed table. Ms. Trucco did not believe that the CDD was liable but would confirm it.

On VOICE VOTE with all in favor Resolution 2024-05 Approving Entering into a Contract with All County Paving, Inc. to Provide Paving and Related Services subject to final approval by staff and the amended scope was approved.

Mr. Greenstein asked if there was prescribed signage or road markings in advance of the speed table, to warn about an approaching speed table. Mr. Curley would look into it. Mr. Greenstein pointed out that there were speed limits and no reason why anyone would have a problem, if they were focusing on their driving.

FIFTH ORDER OF BUSINESS**Consideration of Resolution 2024-06
Approving the Proposed Fiscal Year 2024
Budget and Setting a Public Hearing**

Ms. Adams presented Resolution 2024-06, approving the proposed budget for Fiscal Year (FY) 2025 and setting the public hearing for August 8, 2024 at 11:00 a.m. at this location, which was included in the agenda package. Each year CDDs in Florida were required to approve a proposed budget no later than June 15th. Approval of this resolution also allowed for transmittal of the proposed budget to Osceola County, posting it on the District's website and publishing the legal notice in a newspaper of general circulation in Osceola County. A level assessment was proposed for Fiscal Year 2025. Mr. Barry asked if the Board was approving the budget or a draft budget that could still be changed. Ms. Adams indicated that the proposed budget could be changed

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at any duly noticed public meeting up through budget adoption. However, this was the high-water mark for the maintenance fee and the Board could reduce the maintenance fee or keep it the same, but not increase it beyond what was approved. Mr. Barry felt that it was prudent to have a small increase, since larger items were coming up, but questioned how to do that, looking at a one-year snapshot. Ms. Adams explained that the recommended Reserve Contribution and Reserve Fund Balance, according to the Reserve Study, were considered in the Proposed Budget. It was clear, that this would be the last year that the assessment level could be the same, in order to meet required reserve contributions for future years. The proposed fee would likely be increased next year. When a budget increase was contemplated, it was desirable to have the assessment level for three to five years, as an assessment increase required an expensive mailed notice.

Mr. Staley agreed with Mr. Barry. Mr. Staley said it was his intention to update the Five-Year Plan, but was waiting until after this meeting, to get clarity and would provide it to the Board prior to the next meeting. At the end of FY 2024, there would be almost \$900,000 in Replacement & Maintenance (R&M) Reserves. At this point in time, \$400,000 was budgeted in FY 2024 for the road work for both Reunion West and East CDDs and Reunion West's share would be \$230,000. However, no projects were listed for next year. Ms. Adams would discuss this with the Board Members. Mr. Staley did not think there would be anything substantial to use up the \$900,000 Reserve and as a result, they would have the opportunity to review the updated Five-Year Plan and prepare for an assessment increase in FY 2026. Mr. Staley recalled that this was the fourth year that assessments were level. Ms. Adams confirmed that it was the third year. Mr. Barry voiced concerns that inflation was high and questioned whether assessments should be raised by 3% per year. Ms. Adams stated that the Board could set the Proposed Budget Operations and Maintenance Fee at a higher level than what would be adopted, to provide a high watermark for future budget years, avoiding the necessity of sending a mailed notice every year. Therefore, if the Board wanted to increase assessments by 3% each year, it could be built into the mailed notice. Mr. Barry wanted it to be based on something. Mr. Greenstein recalled prior to the Pavement Management Project, they did not have any large capital items that they needed to budget for, beyond a fairly substantial contribution to the R&M Fund, which was why they were able to absorb other increases. In the future, Mr. Greenstein felt that they should be setting a higher bar, to allow for wiggle room and then come back and consider noticing the fee at a higher amount than what they actually adopt.

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Mr. Staley clarified that Reunion West's pavement share with Reunion East was 43% of \$1.3 million and not \$900,000. Ms. Adams noted it depends on when the expense occurs, as there was a change in the percentage of cost share for next year based on the number of platted lots. Mr. Staley felt that an inflationary increase every year was not a bad discipline to have. Mr. Barry suggested doing an analysis to justify a 3% increase. Mr. Staley pointed out if they were short in 2025, they could still exceed their Operating Expense Budget, if they set a \$1.6 budget and spent \$1.7 million, but questioned where they would take it from. Ms. Adams stated Reunion West and East had surplus funds and the Board could approve additional expenses to the extent funding is available, but it required a budget amendment within 60 days of the end of the fiscal year. Mr. Staley liked Mr. Barry's idea, but due to the lack of clarity with the next item of business and unforeseen circumstances with the pavement work, he was in favor of doing nothing, so that they could explain it properly and rationally with data. Mr. Witcher felt that before they increased fees, they should have a good solid basis, to justify what was happening, as no one wanted a 10% increase. Ms. Adams suggested reviewing the Reserve Study in February 2025 to plan for the 2026 budget cycle. The following was highlighted:

- *"Special Assessments"* remained the same as the prior year at \$1,780,770. *"Interest"* was budgeted at \$32,625, due to the money market and SBA, which were earning over 5%. There was *"Rental Income"* of \$5,714, as certain facilities were rented in Reunion East from time to time, such as fountain locations or Heritage Crossings Community Center. A *"Carry Forward Surplus"* of \$258,921 was recognized, to balance the budget.

Mr. Staley pointed out that this reserve to balance the budget, was a surplus, but questioned where the surplus was. Ms. Adams stated this amount is included with the Unassigned Balance on the Unaudited Financials Balance Sheet. The Unassigned Balance includes the amount that is needed to operate for the remainder of the fiscal year and the amount needed to operate the next fiscal year until tax revenues. Anything beyond what is required to operate the District are surplus funds. Mr. Staley indicated that there was a budget of \$2.1 million, including rental income, but it included a surplus of \$279,000. Ms. Adams clarified that the amount was \$258,921. Mr. Staley questioned how it could be a surplus when they were taking \$400,000 from the R&M Fund. Ms. Adams stated funds were budgeted to be moved from the General Fund to the R&M Fund. In normal circumstances, when carry forward was recognized in order to balance the budget, it was

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a red flag that there was stress on the current assessment level. However, because this Board did a great job of controlling expenses over the years, there were surplus funds that have built up, but this was the last year that it would be recognized because they would be used to balance the budget. Next year, they would not recognize any surplus as well as ensuring that the Reserve Fund was funded in accordance with the Reserve Plan. Mr. Staley indicated that when he did the R&M Fund projections, he would add in the General Fund reserve. Mr. Barry noted that in 2036, some of the debt expenses start to drop off. Ms. Adams pointed out that it only made a small difference in their maintenance fee but would make a difference to property owners on their Tax Bill. As far as the impact to the General Fund Budget, there was a reduction in Trustee Fees, Dissemination Agent and Arbitrage, but there were small reductions. Mr. Staley indicated that two-thirds of the assessment was debt service and only one third was operating costs. However, the 2022 debt expires in 2036. Ms. Adams stated the maturity date for each debt series was on the Amortization Schedule.

- *“Total Revenues”* for Fiscal Year was \$2,078,031.
- *“Administrative Expenses,”* were the costs to operate the District, in accordance with Florida Statutes. There were increases in the actual spending for the current year for *“Engineering Fees”* and *“Attorney,”* as the District was undertaking paving and other projects. *“Management Fees”* increased from \$49,277 to \$52,973. *“Insurance”* was for Public Officials Liability Insurance and General Liability and was based on estimates from the insurance company and was an early estimate.

Mr. Staley questioned why the Management Fee was increasing, as there was an increase last year.. Ms. Adams explained that it covered the District Management, meeting attendance, meeting recordings, meeting minutes, preparation of agendas, financial services, such as accounts receivable, accounts payable, preparation of the unaudited financials, proposed budgets and other services. There were increased personnel expenses for recruitment and retention of the District Management team. Mr. Staley felt that a 7.5% increase in total was not unreasonable.

“Field Expenses,” were cost shared, based on the Interlocal and Amenity Reciprocity Agreement between Reunion East and West. *“Maintenance Expenses”* included a proposed increase for field services from \$33,864 to \$34,749. There was an estimate for *“Property Insurance”* of \$52,512, although this was expected to decrease slightly, due to a rebate that was received from the insurance company based on the property schedule. Many of the field expenses

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were trued up based on projections. “*Electric*” decreased slightly, based on the projected consumption for this year. There was an increase in “*Landscape Maintenance*,” based on additional property at Reunion Village that the District would be responsible to maintain in the upcoming fiscal year. There were slight adjustments to “*Pool & Fountain Maintenance*”, due to chemical and pool expenses.

Mr. Staley questioned why “*Security*” was increasing by 25%. Ms. Adams explained that a contingency was built in for Security. The narrative, which was part of the budget, showed the exact amount going to the Master Association, Reunion West Property Association, Envera, the security services company for Carriage Point and a contingency. Mr. Barry noted that the 2025 budget was the same as the 2024 budget, even though actuals were less. Mr. Staley questioned why it increased from \$73,612 to \$91,963. Ms. Adams stated that the Master Association had the ability to bill to the amount in the adopted budget, based on the agreement with Reunion East, but they had not been billing the full amount. Mr. Staley questioned the reason for the split going down to 43% for Reunion West and 57% for Reunion East. Ms. Adams noted there were a few units that were added at Reunion West, at the end of Whitmarsh Way cul-de-sac. Whereas in Reunion East, the Reunion Village project, including condos, they added more units in that area and the unit count changed. The cost share is based on the current number of platted units.

- There would be a transfer out of the R&M Fund of \$464,225.
- The Net Assessment was the amount that goes to the CDD and the Gross Amount was the amount that property owners see on their Tax Bill. There was a 6% difference, which accounted for early payment discounts and the fees assessed by the county. There was a proposed gross per unit assessment of \$750.97 per multi-family unit, \$1,001.29 per single-family unit and \$500.64 per unit for golf, which were the same as the prior year. There is no increase in proposed operation and maintenance (O&M) fees.
- For “*Shared Costs*,” the current cost share was 44% for Reunion West, but next year, it decreased to 43%.
- A per unit assessment comparison, showing the number of units and shared cost table, was included, showing a breakdown between the 57% and 43%, compared to the total aggregated costs.

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- The narrative was updated each year in accordance with the Proposed Budget and did a great job of explaining what comprised the different line items.

Mr. Staley pointed out that the 398 multi-family were part of the CDD and the assessments were paid by the property owner. Mr. Staley asked if the 25 units for golf was for areas around the Clubhouse. Ms. Adams explained that the 25 units were for the entire golf course within the Reunion West boundaries. Mr. Staley requested a summary of what comprised those 25 units. Ms. Adams indicated that the Operations and Fee Assessment Methodology followed the Debt Assessment Methodology, which determined how Debt was fairly apportioned. Ms. Adams explained that it was based on the benefit that that property received. Mr. Barry indicated that the single-family units were not on CDD land. Mr. Staley clarified that it was not land owned by the CDD, but land owned within the boundaries of the CDD. Ms. Adams stated staff would look at the Assessment Methodology that was used for the fair share of the debt.

- The “*Replacement & Maintenance Fund*,” were based off of the Reserve Study as a placeholder. A project list was being prepared by Ms. Adams and Mr. Scheerer for Reunion West and East, which would be provided to the Board at the July meeting, for the Board to discuss the projects for FY 2025. It would include anything that would be a carry forward from the current fiscal year, that would not be completed this fiscal year, such as road work. Board Members expressed interest in a playground in the Reunion West Encore neighborhood, which was estimated to cost \$170,000.
- There was a “*Transfer In*” from the General Fund of \$464,225, recognizing some “*Interest Earnings*” and a planned “*Capital Outlay*” that was based on the Reserve Study, which could be updated based on the project list that the Board approved.
- For the *Series 2015 Debt Service Fund*,” there were interest and principal payments due in November and May 1, based on the Amortization Schedule. It also identifies the number of units in this assessment area. As discussed earlier, it has a retirement date of May 2023. There were also similar schedules for the Series 2016 debt, for 265 single-family units, which retired in 2046, Series 2017 debt, which retired in 2047, Series 2019 debt, which retired in 2050 and Series 2022 debt, which the District refunded to lower the debt service payment, which would retire in 2036.

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Mr. Staley thanked Ms. Adams for putting this together and for the R&M, requested that the Board think about projects for the west and east side, even though most of the work was on the east side. Ms. Adams noted that there was a schedule for roof replacements, HVAC replacement and when the carpet needed to be replaced at Heritage Crossings. The Reserve Study was utilized as a resource for budget preparation. Mr. Staley agreed with using the Reserve Study, but the company they used four years ago, was expensive. Ms. Adams agreed, but Reserve Advisors did provide a spreadsheet that goes 30 years out, which was helpful and would be updated with any infrastructure that was installed since that time, such as the playground and outdoor Fitness Center. Newly installed items would be included on the inventory.

On MOTION by Mr. Barry seconded by Mr. Greenstein with all in favor Resolution 2024-07 Approving the Proposed Fiscal Year 2025 Budget and Setting a Public Hearing for August 8, 2024 at 11:00 a.m. at this location was adopted.

SIXTH ORDER OF BUSINESS**Consideration of Resolution 2024-07
Approving the Filing of Court Action to
Clarify Title - ADDED**

Ms. Adams stated that Resolution 2024-07 was added to the agenda, which Ms. Trucco presented. Ms. Trucco explained that a deed was discovered that was recorded in April of 2024, over property tracts that were owned and maintained by the CDD. There were approximately 48 tracts, which were conveyed from Kingwood Orlando Reunion Resort, LLC (“KORR”), to Orlando Reunion Development, LLC. As a result, this triggered discussions with the litigation department, who performed the research previously directed by the Board. After discussions with them, staff decided to bring this resolution back to the Board and recommended proceeding with filing a court action, in order to clarify title to tracts that were included in the deed. As with any court action, there was always a clock that was ticking and recommended that action be taken as quickly as possible, in order to preserve their ability to clarify CDD ownership. Mr. Staley cautioned the Board that this was a public meeting and were guided by Ms. Trucco, but once this action was filed, the Board could meet “in the shade”. Ms. Trucco confirmed that once the court action was filed, the Board could have a private meeting to discuss specific items, such as settlement negotiations and/or strategy related to litigation, but the CDD must be a party to the

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pending litigation, in order to conduct a “shade session.” A Court Reporter must be present to take minutes and the notice of the session must be discussed publicly at a CDD meeting.

Mr. Staley agreed with the comments made by Mr. Holmes during public comments, but did not want to address them now, because of the public environment. Mr. Witcher felt that it was important to have a “shade session,” so that the Board could have open discussion about this matter, to ensure clarity amongst all Board Members on the issues, so there would be successful resolution. Mr. Staley pointed out that time was running out as someone was claiming title to land that the CDD owned and believed that once the community was aware of this, they would want further details. Mr. Witcher pointed out that the Board represented the residents and had a responsibility to inform them of what was occurring. Mr. Barry understood that they were looking for clarity and not stating a position. Ms. Trucco indicated their position was the CDD owned and maintained the tracts. Mr. Barry asked if they could pursue other avenues as there were different scenarios. Ms. Trucco confirmed that they considered other scenarios and this was their recommendation, to proceed with the legal action to clarify the title and bring it back to the Board for further discussion. There could be negotiation after filing and/or it could be settled prior to a judge entering into a judgement. Mr. Staley agreed that they needed to clarify whether or not the CDD owned the tracts. In addition, there was another issue regarding whether the roads were owned by the party who filed the deed and questioned what would happen to the bonds on the west side. Ms. Trucco confirmed that there were bond implications, which in part prompted the recommendation, in order to preserve the CDD’s ability to clarify the title. Mr. Staley pointed out that the bonds were secured on residents’ homes. Therefore, the bonds were a factor and bondholders should be aware of who owned these assets and parcels of land. Mr. Witcher felt that they needed to move forward to get it clarified as quickly as possible. Mr. Greenstein pointed out there were many questions and felt that Mr. Holmes did an excellent job presenting the issues, but the action needed to be taken, to get some rationale and logic, as this was unprecedented..

Mr. Staley clarified that the bocce ball incident occurred 26 months ago and was pursued by District Counsel. He preferred to remove the bocce ball court from the CDD land, but the Board voted not to do that and to give Kingwood 30 days to come back with a new solution. During that Board meeting Kingwood offered to buy the land on which the bocce ball court had been built. In subsequent negotiations between the attorneys on both sides, progress was made, but a conscious decision was made by the Reunion West CDD, to postpone further action in order to focus on other

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issues on the east side, which were significant and had to be resolved with Kingwood. These issues have now been resolved satisfactorily. Once those issues were resolved, the CDD's counsel came back to the bocce ball court issue and pursued it further, but in April 2024, there was another filing. This was the reason why this issue has taken as long as it has and agreed that this court action needed to be taken, in order to clarify the ownership of these tracts of land. If the CDD did not own the tracts, they needed to decide what it meant for the community. There would be interest from the community and communication needed to occur as soon as possible after this action was filed. Mr. Witcher agreed. There was a question on the specific claims that would be alleged in the legal action and whether we were seeking clarity or asserting ownership. Ms. Trucco confirmed that the action to be taken included different causes of action, but could not elaborate, as those specifics would ultimately be determined by their litigation department. Their position was the CDD owned and maintained those tracts; however, there was a deed showing ownership by another party and, therefore, there was disagreement on who the actual owner was which necessitated the need for clarity. Mr. Barry agreed with getting clarity but felt that the three scenarios that Mr. Holmes proposed might be better overall for the residents. Mr. Trucco pointed out there were things that could be negotiated, which they were open to, but time was of the essence and they needed to take action if they wanted to preserve their ability to clarify by court action. Mr. Greenstein felt that they were looking for clarity and for a resolution which they could achieve.

Mr. Greenstein MOVED to adopt Resolution 2024-07 Approving the Filing of Court Action to Clarify Title to Real Property Tracts; Directing District Staff to Take Appropriate Actions to File Court Action; Declaring Authorization to the Proper Officials to do all things Deemed Necessary in Connection with the Filing of Such Court Action, Ratifying Past Actions Related to Filing of Court Action; Providing for Severability and Providing for an Effective Date and Mr. Staley seconded the motion.

Mr. Staley agreed in seeking clarity and believed there could be one of two possible resolutions. The first resolution could be that the court finds that Kingwood owns all of the tracts. If that occurred, back property taxes would be owed. The other resolution could be that the CDD owns the tracts. We need to seek clarity from the court before sitting down with Kingwood to see if there is a better solution to the ownership of these tracts and roads. This would include consideration of the items that Mr. Holmes mentioned. There had to be clarity as to who owned

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what and then the CDD could sit down with Kingwood. However, Kingwood did not inform the Board that they were going to do this. Mr. Greenstein believed when the crisis played out, the Board would learn why this action was taken, but would not get personally riled up about it and because it was potential litigation, they could not discuss it with Kingwood. Mr. Barry voiced concern that the CDD was taking the legal route without having a conversation with Kingwood. In his opinion, Mr. Anthony Carll was a good businessperson and wanted the best for the resort. Mr. Barry felt that Mr. Carll was upset with the CDD legal team and would not discuss this matter with them, and that it was up to the CDD Board to have this discussion with Mr. Carll. Mr. Staley pointed out that Mr. Carll was entitled to have this view about the CDD's legal counsel, but Mr. Carll had not informed him of his filing of the deed for these tracts and felt that this was not helpful. Mr. Staley had a few ideas about why Mr. Carll may be upset, and there may be issues on the Reunion East CDD side that we are not aware of. Mr. Staley said that reaching out to Mr. Carll was not a good idea at this stage, until we had clarity from the court on who owned the tracts. Once we had this clarity Mr. Staley was open to meeting with Mr. Carll to discuss his intentions, subject to approval of CDD counsel to do so.

Mr. Greenstein wanted clarity and a resolution. Mr. Staley hoped we could have a unanimous decision and proposed that the adoption of the resolution be subject to District Counsel advice, in order to preserve CDD rights and stop the clock. Then he could potentially meet with Mr. Carll. Mr. Barry agreed. Mr. Staley said he believed there were issues on the east side, which he hoped could be brought out into the open so that everyone could understand. Mr. Greenstein agreed. Before he potentially met with Mr. Carll, Mr. Staley wanted to understand what the issues were. Mr. Greenstein had no issue with this, as it was a community-wide issue and even though Reunion East and West were separate CDDs, at some point, they would get together and discuss them as a combined entity. Mr. Staley did not want to be aggressive and preferred to have a sensible professional approach, but was not prepared to meet with Mr. Carll at this time.

<p>On VOICE VOTE with all in favor Resolution 2024-07 Approving the Filing of Court Action to Clarify Title to Real Property Tracts; Directing District Staff to Take Appropriate Actions to File Court Action; Declaring Authorization to the Proper Officials to do all things Deemed Necessary in Connection with the Filing of Such Court Action, Ratifying Past Actions Related to Filing of Court</p>

Action; Providing for Severability and Providing for an Effective Date was adopted.

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

Ms. Trucco presented a Memorandum with a legislative updates since the last meeting. House Bill 7013 was recently signed into a Bill and would go into effect on July 1, 2024. There were many provisions in this new Bill that applied to Special Districts, but only two sections applied to CDDs specifically. There was a new annual requirement to prepare and publish a report of goals and objectives, as well as performance measurement standards for those goals and objectives. By October 1, 2024, the CDD must establish goals and objectives for each program and activity undertaken by the CDD, as well as performance measures and standards to determine if the CDD's goals and objectives have been achieved. Then by December 1st of each year thereafter, an annual report must be prepared and published on the CDD's website describing whether the goals and objectives were achieved or not and what standards were used to make that determination. Ms. Adams and her team would prepare a draft report of goals and objectives and performance measurement standards, which would be provided to the Board at the September Board meeting. Ms. Adams indicated that the District Management team is handling this and would present the report at the public hearing on the budget adoption, in order to meet the October 1st requirement. Mr. Trucco stated the other change in the law pertaining to CDDs was that Section 190.047, regarding the incorporation of a CDD into an actual city, had been repealed. In the past, a referendum at a general election was required before incorporating a CDD, but this was not that relevant since incorporation was not something that the CDD was currently pursuing.

Ms. Trucco recalled at the last meeting, there was discussion regarding the Traffic Enforcement Agreement. Since that meeting, she reached out to the legal department at the Osceola County Sheriff's Department to confirm in writing, that they were not going to provide traffic enforcement services without that agreement being in place, which was at the Board's request. However, she had not received a response and would continue to follow up, as she was concerned if they come back and say that it was required and they would not provide these services without the agreement in place, that from a legal side, there could be some liability exposure for the CDD if there was a car accident, for example. Potentially a lawyer could try to argue if those services were provided, maybe that accident could have been avoided or somehow mitigated. As soon as

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she received that response, she would update the Board. Mr. Witcher asked if the agreement was specifically related to traffic enforcement and nothing else. Ms. Trucco confirmed that the agreement would establish that they have jurisdiction to enforce traffic enforcement laws. Mr. Witcher asked if they can come onto CDD property to deal with non-traffic related police enforcement as needed. Ms. Adams was not aware of any instances where they were refusing to come in for ambulatory services, criminal activities or burglaries and the only complaints were traffic enforcement issues. Mr. Witcher also recalled when they had accidents, the Osceola County Sheriff's Department responded at an appropriate level. Mr. Vargas confirmed that they always responded. Mr. Witcher voiced concern about residents that owned and operated golf carts that were not registered to be driven on public roads. Mr. Barry questioned what they were trying to solve but it was worth discussing.

B. Engineer

Mr. Curley answered the earlier question about the cost of the pavement work, which was \$1.5 million.

C. Field Manager Updates

Mr. Scheerer reported that some sidewalk panels in Encore Reunion West had raised and they were working on replacing them. The flex stakes at the Tradition Gate, were changed from a basic one to a round pole with red reflectors around it, which seem to be doing well. Fausnight Stripe & Line (Fausnight) tried to reset everything. The new turf on Whitemarsh Mound was struggling, due to the lack of irrigation, but they were supposed to receive rain later on today, tomorrow and next week. Mr. Staley informed him about a light that was out on one of the monuments, which he would check on. The new radar signs that were installed at Encore Reunion West were working well and they were planning to add more. They had to renew a subscription service every year, since they were cloud based. There were some minor repairs to the guardhouse air conditioner on Tradition Boulevard and some filter cleanings were being completed at the Encore Reunion West entrance guardhouse. Mr. Staley questioned the gap in the fence behind the Whitemarsh Mound. Mr. Scheerer confirmed that they were working on it. Yellowstone was supposed to be onsite today, but they had an employee issue and one way or another it would be taken care of. Mr. Barry questioned who was responsible for the trimming of trees between the curb and the sidewalk. Mr. Scheerer stated it was the HOA. The CDD trimmed trees abutting

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driveways and non-single-family homes throughout Reunion East and West. Mr. Barry would follow up with the HOA.

D. District Manager's Report

i. Review of Sidewalk Project

Ms. Adams recalled at recent meetings, Board Members were discussing a potential R&M project, for the installation of pedestrian sidewalks on empty lots and ultimately, the Board delegated authority to Mr. Barry, to interface with Kingwood, a representative of the Master Association and the Preferred Builders Program, to determine feasibility. It looked like there was some interest to advance this project and the next step was identifying strategic locations to be able to focus in or target a potential budget number. Mr. Barry presented recommendations, which were included in the agenda package. Unfortunately, there were 170 vacant lots on the West side and in order to avoid spending money needlessly, the Board proposed taking a selective approach. Mr. Barry felt that the streets that they needed to concentrate on were Muirfield Loop, Golden Bear Drive, Grand Traverse Parkway, Castle Pines Court and Desert Mountain Court. However, there were other areas in Twin Eagles, Loxahatchee Court, Coyote Creek, Valhalla and Whitestone where someone could walk around and not get hit, because there was not much traffic on those streets. Mr. Barry had maps associated with each of these areas, identifying the number of vacant lots in each section. Mr. Staley thought that according to the HOA rules, once a house was developed, it must have a sidewalk. At an HOA meeting held two years ago, Mr. Carll was asked that question and he and Mr. David Burman stated that it was not clear if the HOA had the authority to insist that homeowners do that. Ms. Trucco felt that it was worth looking into the county code.

Mr. Barry recommended installing 2,000 linear feet of sidewalk and requested that the Board look at it and provide any comments. During the last discussion, the cost of \$22 per linear foot was mentioned, but it did not include any grading and questioned the entire cost. Ms. Adams pointed out it depends if they were required to install sod, so that the transition from the sidewalk was a certain threshold. Mr. Curley reported they usually installed 2 feet of unirrigated Bahia for erosion control, if water was flowing over it, but would look into it. Mr. Scheerer would obtain an estimated cost per linear foot from a General Contractor and provide at the July meeting. Ms. Adams suggested including the high priority sidewalk locations as a placeholder in the R&M budget for Fiscal Year 2025. Mr. Witcher thanked Mr. Barry for doing a great job and felt that the

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idea of doing one side as a priority to help control expenses, was a great suggestion. Mr. Staley recommended the following:

- Five low priority areas in Masters Landing, by the Whitemarsh piece, opposite the mound, be included, because as people walked around the corner, they walked in the road, since there was no sidewalk on the other side.

Mr. Barry felt this was a good suggestion and questioned whether they wanted to install a sidewalk at the Whitemarsh Mound, as it prevented someone from getting to Muirfield Loop. Mr. Staley agreed, as coming out of Muirfield Loop and going around the Whitemarsh monument, the sidewalk stopped.

- Installing a sidewalk along Lots 130, 131, 132 and 133 on Palmilla Court, so people could walk on both sides of the road, from Palmilla Court to Whitemarsh Way and that they be moved from low priority to high priority.
- The recommendations for Castle Pines Court and Desert Mountain Court, were great suggestions,
- On Grand Traverse Parkway, installing sidewalks along five lots at the end, as homes were being built all the way down to Lot 263 and there was a concern for speeding, coming across the bridge from Heritage Preserve and turning the left bend. Someone could then walk from Traditions Boulevard to Valhalla, only having to cross the road once.

Mr. Staley requested that Mr. Barry work with Mr. Scheerer on this matter further and thanked Mr. Barry for his hard work. Ms. Adams would include a placeholder in the project list. Mr. Staley estimated at \$22 per square foot, the total cost was \$45,000. Mr. Barry noted one area by the exercise area, where the sidewalk was not extended to the end of Valhalla. Ms. Trucco pointed out that one of the lots was on the deed and suggested providing the approximate location, so that they could identify the Parcel ID. Mr. Scheerer would work with Mr. Barry. Mr. Barry appreciated Mr. Staley's suggestions, as it would provide continuous areas for \$45,000. Mr. Scheerer noted 400 feet of sidewalks in total, which could be completed quickly.

ii. Action Items List

Ms. Adams presented the Action Items List for Reunion East and West, which was included in the agenda package.

iii. Approval of Check Register

Ms. Adams presented the Check Register from May 1, 2024 through May 31, 2024 in the amount of \$148,357.92, which was included in the agenda package, along with a detailed register. Mr. Staley questioned the \$6,000 to \$7,000 in gate repairs. Ms. Adams explained that some repairs occurred in April and some in May. There were many gates in Reunion West, in the Encore neighborhood.

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

iv. Balance Sheet and Income Statement

Ms. Adams presented the Unaudited Financial Statements through April 30, 2024, which was included in the agenda package and were for informational purposes. No Board action was required. Mr. Staley noted a typo on the Debt Schedule, where the 2022 debt at the bottom, reflected that the maturity was 2031, but according to the Amortization Schedule, the maturity date was 2036. Ms. Adams would make this change.

v. Replacement and Maintenance Plan

Ms. Adams presented the Replacement and Maintenance Plan, which was included in the agenda package. Next month, the Board would be looking at the spending to date for Fiscal Year 2024, as well as the Project List for Fiscal Year 2025, which included estimated dates. However, they needed to determine what was going to be completed during the current fiscal year and what was going to be deferred. Based on the number of months, the pavement work and other projects, would be funded in Fiscal Year 2025, but they were hoping to complete some projects during this current fiscal year, such as the improved cardiovascular equipment at Seven Eagles. There were a number of items that were still in process, due to permitting issues, such as the Davenport Creek Bridge Project, which was 70% completed. Mr. Scheerer received some permit numbers for projects on hold, which he would follow up on. Mr. Barry asked if a shade was considered for the exercise equipment area. Mr. Scheerer recalled that the Board discussed it, but the cost was excessive. Ms. Adams noted that it could still be retrofitted. Mr. Staley requested the quote for the next meeting.

vi. Reminder of Form 1 Filing Requirement Deadline – July 1, 2024

Ms. Adams reminded Board Members that Form 1 was due by July 1st of each year. The Supervisors should have received an email from the Florida Commission on Ethics, showing how to complete the filing. Mr. Staley asked if District Counsel looked at the filings, to ensure that it was completed properly. Ms. Trucco stated that she did not see the forms as they were sent directly to the State.

E. Security Report

Ms. Adams provided under separate cover, the May Security Reports from Reunion Security on behalf of the Master Association and the other from the Reunion West POA. No Board action was required and it was for informational purposes.

EIGHTH ORDER OF BUSINESS

Other Business

There being no comments, the next item followed.

NINTH ORDER OF BUSINESS

Supervisor’s Requests

There being no comments, the next item followed.

TENTH ORDER OF BUSINESS

Next Meeting Date – July 11, 2024

The next meeting was scheduled for July 11, 2024.

ELEVENTH ORDER OF BUSINESS

Adjournment

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

DocuSigned by:

Tricia Adams

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Secretary/Assistant Secretary

DocuSigned by:

Graham Staley

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Chairman/Vice Chairman