

MINUTES OF MEETING
REUNION EAST
COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Reunion East Community Development District was held Thursday, June 14, 2018 at 1:00 p.m. at the Heritage Crossing Community Center, 7715 Heritage Crossing Way, Reunion, Florida.

Present and constituting a quorum were:

Carlton Grant	Chairman
Mark Greenstein	Vice Chairman
Steven Goldstein	Assistant Treasurer
Don Harding	Assistant Secretary
John Dryburgh	Assistant Secretary

Also present were:

George Flint	District Manager
Andrew d'Adesky	District Counsel
Alan Scheerer	Field Manager
John Cruz	CWS Security
Daniel Baker	ACP Communities
Rob Stultz	Yellowstone Landscape
Chris Arnold	Yellowstone Landscape

FIRST ORDER OF BUSINESS

Roll Call

Mr. Flint called the meeting to order and called the roll.

SECOND ORDER OF BUSINESS

Public Comment Period.

There being none, the next item followed.

THIRD ORDER OF BUSINESS

Approval of the Minutes of the May 10, 2018 Meeting

Mr. Harding: On page 3 it should refer to Mr. Dryburgh not Mr. Harding.

On MOTION by Mr. Harding seconded by Mr. Greenstein with all in favor the minutes of the May 10, 2018 meeting were approved as amended.

FOURTH ORDER OF BUSINESS

**Discussion of Additional Security Measures
at Unmanned Rear Gate**

Mr. Harding: This is something that has been brought up in our ABOG meeting and in the community. People are coming in the exit gate and that is how they are coming into Reunion. I don't know how they activate the gate or maybe they go around it or whatever and activate it from the other side then they shoot in. People are wondering what we can do. One suggestion was to put a spike mechanism in the road where you can only go one way and if you back up your tires are punctured. Is that something you can do with our roads?

Mr. d'Adesky: You can do it but there are a lot of liability issues. Regardless of whether or not you are responsible people are going to sue you.

Mr. Greenstein: Alan is recommending the Sally system on that side too.

Mr. Scheerer: On the entry we have the barrier gates and bi-party gates so you hit your card, the gate comes up, you pull up, the gate arms open and as soon as you go by the gate comes down. We do not have that on the exit side. What happens is the bi-party gate opens, you can run a couple cars through there because it is timed so as not to close on a vehicle. Opposed to spikes a simpler suggestion would be to look at the cost to install barrier arm gates and they have them as soon as you go that drops fast.

Mr. Goldstein: Why doesn't the current arm drop quicker?

Mr. Scheerer: It is timing, we can have it drop a little sooner if it is a problem, but you have to remember you have to wait for the bigger gate to open. You are sitting there and there is not a staging area in-between the barrier gate and the swing arm gate. My answer is to install gate arms. The CDD owns the swing arms the master installed the gate arm.

Mr. Dryburgh: Why don't we have cameras there and track it back to whoever is going in there?

Mr. Cruz: We do have cameras at that entrance. If residents come across folks who are behind them trying to get in we strongly encourage them to call us immediately so we can get out there and address it.

Mr. Dryburgh: To have a person take the time out of their day to call security it is not going to happen.

Mr. Cruz: The folks who do care give us a call. Those cameras are for the most part monitored, they are in our dispatch office, however, we can't have 24 hours attention to those cameras. We do catch them and I have them in my office. I will see people do that.

Mr. Goldstein: What is the legality of it if someone goes down the wrong side of the road to go in the exit? Is that against State law?

Mr. Harding: Yes, the wrong side of the road.

Mr. Goldstein: Why would we not be able to call not just you but have you call the police?

Mr. Cruz: We have and it is kind of touchy. The last instance we have of that happening law enforcement said there is not much they can do. I have a meeting on Tuesday with the Sheriff's Department.

Mr. Goldstein: All I hear is this is a public highway but if they can't do anything because it is a gated community let's go back to the conversation of saying what happens when those bonds are paid off, why do you let people come through because it is a gated community.

Mr. d'Adesky: It is public roads.

Mr. Cruz: That goes back to the officer that responds and if they are not familiar with the area. One of my goals for the meeting with the Sheriff's office is to get these guys who are here on rotation familiar with Reunion and how to approach these situations.

Mr. d'Adesky: That is pretty common with the Districts that we represent when there is a gate, it is a matter of educating them, which is an ongoing and consistent task because you may have a new officer who comes in and isn't familiar with the area and didn't realize it is a CDD, these are public roads, they can be enforced. We have this issue in all different counties.

Mr. Flint: It is a constant education process. The Osceola Board of County Commissioners knows these are public roads because they required us to enter into an interlocal agreement when the District was formed acknowledging they were public acknowledging the public access issues with the gates. There is no debate about them being public the issue is that the specific officer who may respond their default is going to be I see a gate therefore, these are private roads. We battle that all the time.

Mr. Harding: I have had communication with James Froelich, the Deputy Sheriff and he supports our neighborhood watch and he responded and said he was going to get more involved with his department in terms of making sure they follow-up better with regard to violations and people parking on the wrong side of the street, parking opposite each other, which is another violation.

Mr. Flint: The other difficult thing about that situation is the fact they are public roads so if someone is tailgating someone through the gate they are entering a public road and we can't preclude them from entering but we try to direct them to the manned gate where at least we can monitor them entering and leaving. If they are tailgating I'm not sure they are going to be able to write a ticket because it is a public road. We can try to address that through the speed of the gate arms. It is a double edge sword on the speed of the gate arms because you get them too fast and they close on people's hoods and we get a lot of broken gate arms. You have to balance the timing of that.

Mr. Harding: Your other idea as far as the exit gate can we look at that?

Mr. Scheerer: Of course.

Mr. Harding: Why don't we take that as an action?

Mr. Greenstein: Getting the Sally gate so you have to be leaving from inside the community for the Sally gate to come up.

Mr. Scheerer: There is a loop in the road and that is the on/off mechanism when you drive through a gate like that. You pull up to it and it opens and when you clear it, it closes and we want that to close very quickly and this way if anyone is trying to come in the other way they will hit the gate and hopefully, security picks them up on camera and we can go after them.

Mr. Flint: We always find that we have to pair the rapid arm gates with the slow-moving swing arm gates.

Mr. Greenstein: On the entry is there sufficient distance between the Sally arm and the real gate that it is a two-step process? I felt like I was being held hostage in a bank branch when I opened the outer door and then the outer door behind me locks then they inspect me before they let me go through the second door. When you swipe the prox card can it just operate the Sally gate and when you come up, the Sally gate comes down and because you are getting close to the gate it, then opens up so it is kind of a two-step process?

Mr. Scheerer: There is room for a car but there may not be plenty of room for a truck or if someone has a trailer. I will look at staging and stacking and get with ACT and see what we can do. We can definitely increase the speed of the rapid arm gate so it comes down a lot quicker. We just have to make sure nobody is trying to get between both gates.

Mr. Goldstein: I assume we can't say, car entrance only because it is a public highway?

Mr. Flint: We might be able to but enforcing that I don't know.

Mr. Scheerer: Let's see if we have room. I drive a 4-door F-150 and that is a good size pickup truck and I feel comfortable that I can sit in there in my truck and that might be an option.

Mr. Flint: The reality is you can put, car only, on there but you are going to have someone with a trailer or motor home and end up with an issue.

Mr. Scheerer: We will get some information for the Board.

FIFTH ORDER OF BUSINESS

Ratification of Natural Gas Agreement with Infinite Energy

Mr. Scheerer: Every year we bring this back to the Board. As you know we have an agreement with Infinite Energy to provide gas for the swimming pools. We did not get this in time for the last Board meeting and George executed it. The costs are all the same for the gas at our pools with the exception of Seven Eagles and the Terraces.

On MOTION by Mr. Greenstein seconded by Mr. Harding with all in favor the Natural Gas agreement with Infinite Energy was ratified.

SIXTH ORDER OF BUSINESS

Discussion of Fiscal Year 2019 Proposed Budget

Mr. Flint: We would like to defer this item until the July meeting at which time we will talk about whether we need to move the August meeting out a little bit from the regular date.

SEVENTH ORDER OF BUSINESS

Consideration of Management Services Agreement (MSA)

Mr. Flint: I did provide Mark with a preliminary draft this morning and we would like to hold off on distributing that until Counsel and Mark have an opportunity to review that and get

some feedback from LRA. Again, we think this will be something that we will have a more meaningful discussion at the July meeting. In the interim you have designated Mark as the point person for the Board on this issue.

EIGHTH ORDER OF BUSINESS

**Discussion and Consideration of Actions
Related to Unallocated Debt**

This item deferred until the next meeting.

NINTH ORDER OF BUSINESS

Staff Reports

A. Attorney

There being none, the next item followed.

B. Engineer

There being none, the next item followed.

C. Manager

i. Action Items List

Mr. Flint: LRA is still working on the irrigation issue.

Mr. Baker: We will have an update next month on that.

Mr. Flint: Steve is continuing to work on the signalization. I think the lead time on the mast arms is lengthening so he can update you in July. The allocation of the 532 costs I believe Andrew informed you at the last meeting that due to some staff changes some of the preliminary discussions we had with staff, which seemed to be favorable to that has now changed.

Mr. d’Adesky: There is no further input from our end, it was a matter of cost analysis.

Mr. Harding: We were going to get costs on what it would take.

Mr. Scheerer: \$226,300 to remove all landscaping, irrigation and everything we have on the south side.

Mr. Harding: Is that removing trees too?

Mr. Stultz: The only trees that would stay is Oaks and Magnolias, everything else would have to go as well as the plant material that is on every bed out there. That means we would

have to go back in some areas from the curve of the road to the light poles and that is where your land would stop.

Mr. Scheerer: There is a sidewalk in there too.

Mr. Harding: What is the cost of maintaining that part of the road?

Mr. Flint: They provided that to us before, they provided the median, north side and south side.

Mr. d'Adesky: We can do it in portions, it doesn't have to be all or nothing. Their interpretation and our interpretation is something we rarely agree on but we could pull out of a certain section if we wanted to pull out of a section.

Mr. Harding: Why don't we break it down into some options?

Mr. Stultz: There is going to be a lot of machinery for the work to be done in there. We would have to stage dumpsters out there just to put the debris in. Taking out all that Zoysia grass, heavy debris, mud, turf, load it in the dumpsters so it is a lot of debris coming down. That is all the new grass, all the removal, there are irrigation components that do still affect the median. Anything in the median there is irrigation on that side we have to leave, we have to cap off a lot of valves and stuff like that, it has to be closed off. We still need some of the pipe to run underneath there to run the middle part. It is just not one thing it is more.

Mr. Scheerer: It is \$27,733 to maintain outside the 532. The overall cost for the sod work and the median according to the contractor is \$173,928 that is for all three sections, north, south and the median. Of that you are looking at about 16% for the maintenance.

Mr. Dryburgh: Why is that such a small amount of the expense?

Mr. Scheerer: It is a small amount because there is not a lot of sod. I imagine a lot of that is shrub trimming, spraying weeds and stuff like that. In the median you have all the sod and now we have added more sod. It is 24% on the north side of the median. These are numbers provided by Rob Stultz to us back in October 2017.

Mr. Goldstein: I'm in no rush to change what we are doing myself. I don't see why we are even thinking about ripping it out I think we ought to wait and see what happens being built down the road then try to renegotiate this again with somebody. But to spend \$200,000 is ridiculous.

Mr. Harding: I do too.

Mr. Goldstein: It looks nice while we are maintaining it, it is a little less than the Resort and everybody else.

Mr. Greenstein: I think our intent was good, going through the analysis was good, I think we have to recognize if we were on metered water we may be having a different discussion. Under the current scenario I say, let's monitor the situation and revisit it down the road. I appreciate everything everyone has done on this issue because it is irritating when you think about commercial entities like the Publix shopping center that are getting the benefit of our efforts and our expenditures. If there is a way to isolate that area and go back to them and say we are going to pull it out but it has to be at a reasonable cost that we can recoup within a three year period.

Mr. Harding: What if we threatened to do it?

Mr. d'Adesky: We could do that; however, the demand letter was sent out by the County. We haven't threatened them directly. Our legal obligation is to restore it to its original condition.

Mr. Harding: Is that written somewhere?

Mr. d'Adesky: In the interlocal agreement.

Mr. Harding: What if we were to go to those entities again and say the Board is seriously talking about doing that.

Mr. d'Adesky: I think we would need a parcel by parcel break out of how much we are demanding from each.

Mr. Harding: Why don't we send out individual letters to each of them and say this could disappear in front of your entity very shortly.

Mr. Greenstein: When I made that statement I was thinking about the commercial entities. I would not go after a church. Isn't there another entity that owns the property in front of the apartments? I'm talking about from Old Lake Wilson going west at some reasonable point we say okay, that is a commercial corridor we did it before the commercial corridor existed. If we could isolate that and figure out what it would cost without driving anybody crazy then I think we have something to go back to them with and the shopping center people would pay attention.

Mr. Scheerer: We can do it by each parcel.

Mr. Harding: Can we at least do that and not give up? Can you bring back a map to the next meeting with a cost for each parcel?

Mr. Stultz: Yes.

Mr. Goldstein: An idea of how you can just clean it up to reduce our cost but not necessarily ripping everything out?

Mr. Stultz: Sure.

Mr. Flint: The MSA we have already talked about. The signage on Sinclair, I think the Board approved that last month.

Mr. Grant: It is completed and installed.

Mr. Flint: That is everything on the list. Is there anything else?

Mr. Scheerer: The landscape lighting proposal was approved and it is on here as not completed but I thought that was completed. The roof was taken care of.

Mr. Flint: Since we don't produce this list it may not be as updated as you would like.

Mr. Harding: Did we update the existing MSA as far as including Linear Park as far as the Resort managing and scheduling events there?

Mr. Flint: That would be an amendment to the existing agreement, we are working on the new one, but we will also amend the existing one as part of the discussion. That will happen, we will formalize the arrangement of the waiver of any rental fees for events in Linear Park.

We are going to add an item to the action items list about the updates on the exit side of the gate that we talked about.

ii. Approval of Check Register

Mr. Flint presented the check register in the amount of \$282,918.74.

On MOTION by Mr. Greenstein seconded by Mr. Dryburgh with all in favor the check register was approved.

iii. Balance Sheet and Income Statement

A copy of the balance sheet and income statement was included in the agenda package. There is no Board Action necessary.

iv. Status of Direct Bill Assessments

A copy of the status of direct bill assessments was included in the agenda package.

v. Presentation of Arbitrage Rebate Calculation Report

A copy of the arbitrage rebate calculation report for the Series 2005 bonds reflecting a negative rebate requirement of \$2.8 million was included in the agenda package.

On MOTION by Mr. Greenstein seconded by Mr. Dryburgh with all in favor the Arbitrage Rebate Calculation report for the Series 2005 Bonds was accepted.

TENTH ORDER OF BUSINESS

Other Business

There being none, the next item followed.

ELEVENTH ORDER OF BUSINESS

Supervisor's Requests

Mr. Harding: I know you are working on the new MSA. Do we have Encore committed to restoring this? What are they going to do with the carpeting?

Mr. Flint: We are still working on that. I know we are well into June and the end of their lease was May 30th, but we are still working with that. Their contractors have come back and done some additional work over there. I met with them before the Rolling Oaks meeting today so we are still working through that. We have a \$15,000 security deposit but we are concerned that won't cover what needs to be covered. As we work through the MSA and get to the point where we enter into an MSA with the Resort this has to be restored, we have to have those issues resolved.

Mr. Goldstein: There was an issue discussed last time regarding if we could have a gate operated system with something tied to the license plate or something on the windshield. John was going to look into those costs.

Mr. Cruz: I met with Jody from ACT and I am waiting on some numbers. I have to follow-up and see where we are on that.

Mr. Goldstein: Also, there was some discussion, a couple members wanted to donate some money to try out some stoplights by the water park. Did anyone approach you about that or anyone else here?

Mr. Flint: No, I didn't have any further communication after our email exchange. I don't think we have any objection to that as long as they meet the DOT standards and the locations are approved by the Engineer. If there is no objection from the Board as long as the Engineer signs

off and it meets DOT standards would there be any objection if someone wanted to donate radar speed limit signs?

Mr. Goldstein: It is not going to reflect your speed it is going to be a lit speed limit that says 25 mph and it will have photocells.

Mr. Flint: We have them in other Districts around school zones. The only thing I want to make sure the Board understands is you probably do want to keep the same type of pole, the decorative pole, you don't want to put a galvanized metal pole up.

Mr. Goldstein: I think they were just going to give the money to the Board.

Mr. Flint: That would be easiest because we are tax-exempt that would be the better way to do it. The Board can accept a donation and purchase it tax-exempt.

Mr. Greenstein: The only issue I have is one of our residents was discussing the issue of safety or the need to go into the street while walking down one sidewalk because of a vacant lot. We know the sidewalk has to go in as part of a house build and the developer of that property is responsible for the sidewalk.

Mr. Flint: At the time they build the house.

Mr. Greenstein: Who is responsible for the sidewalk in front of my residence?

Mr. Grant: It is all CDD there is no distinction.

Mr. Flint: We don't have the responsibility to pressure wash them for aesthetics, but we do have a safety responsibility.

Mr. Greenstein: I know we have some modified arrangements where I think the master does the sidewalk when they pressure wash houses.

Mr. Scheerer: That is aesthetic.

Mr. Greenstein: I was also assuming that the installation of the sidewalk goes in at the time of construction after infrastructure is installed in case there is a need to run anything under there so this party was basically recommending they would like to see since a lot of our communities were virtually complete there may only five or six vacant lots, they would like to see sidewalks installed.

Mr. d'Adesky: In Celebration they employ seven fulltime employees to repair sidewalks. If sidewalks are installed, as the installer we would have to maintain that going forward and if there is a tripping hazard have it repaired.

Mr. Goldstein: As a trade-off a guy in a wheelchair doesn't have to go in the street. I think there is a higher risk the street versus the trip hazard.

Mr. Greenstein: Landscaping is not done in that section. So we would have to end up doing both.

Mr. Flint: If you are considering putting sidewalks on undeveloped lots like that there are some other issues. In another District we manage someone stepped off the edge of a sidewalk into a hole and there has been a lawsuit going on for three years. If you are going to put sidewalks on a lot that is not developed then you are also going to have issues, there is no sod, there is no driveway, then you have an elevation change, someone could step off the edge, break their ankle.

Mr. Greenstein: I told the individual there were a number of issues.

Mr. Flint: If the Board wants to do it we can do it; it is a matter of cost.

Mr. Harding: I think we leave it alone.

Mr. Greenstein: Don't be surprised if we individually get a letter and the HOA gets a letter.

TWELFTH ORDER OF BUSINESS

Next Meeting Date

On MOTION by Mr. Greenstein seconded by Mr. Dryburgh with all in favor the meeting adjourned at 1:52 p.m.



Secretary/Assistant Secretary



Chairman/Vice Chairman