

**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 on Thursday, **August 10, 2023** 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:

Mark Greenstein	Chairman
Steven Goldstein	Vice Chairman
Trudy Hobbs	Assistant Secretary
John Dryburgh	Assistant Secretary
June Wispelwey	Assistant Secretary

Also present were:

Tricia Adams	District Manager
Kristen Trucco	District Counsel
Steve Boyd (<i>via Zoom</i>)	Boyd Civil Engineering
Alan Scheerer	Field Manager
Garret Huegel	Yellowstone Landscape Services
Pete Wittman	Yellowstone Landscape Services
Victor Vargas	Reunion Security
Residents	

The following is a summary of the discussions and actions taken at the August 10, 2023 meeting. A copy of the proceedings can be obtained by contacting the District Manager.

FIRST ORDER OF BUSINESS

Roll Call

Ms. Adams called the meeting to order at 1:03 p.m. and called the roll. All Supervisors were present.

SECOND ORDER OF BUSINESS

Public Comment Period

There being no comments, the next item followed.

THIRD ORDER OF BUSINESS

Public Hearing

A. Open Public Hearing

On MOTION by Mr. Greenstein seconded by Ms. Hobbs with all in favor the public hearing on the adoption of the Fiscal Year 2024 budget was opened.

B. Presentation of Fiscal Year 2024 Proposed Budget

Ms. Adams presented the Proposed Budget for Fiscal Year 2023, which starts on October 1, 2023 and ends on September 30, 2024. The Board previously met and approved the Proposed Budget. There were not many changes, but there were the following updates:

- Under *Revenues*, most of the income would be collected through Property Tax Bills. Some property was direct billed Operation & Maintenance (O&M) fees. The revenue included *Interest Income* as well as *Rental Income* for Seven Eagles, Linear Park and other District facilities that were rented for private use. There were also Surplus Funds recognized to balance the budget and increase the *Transfer Out* to the *Replacement & Maintenance (R&M) Fund*.
- *Maintenance – Shared Expenses* were updated to refine *Security* based on agreements that the Board approved. *Fitness Center Repairs & Maintenance* was increased based on the increased maintenance schedule for Seven Eagles Fitness Centers.
- *Irrigation System Operations* used to be a direct expense for the Reunion East CDD; however, there would be no consumption fees or any fees associated with the administration of the irrigation system.
- There was a *Transfer Out – R&M Fund* of \$500,000.
- *Shared Costs* were in accordance with the Interlocal Agreement between the Reunion West CDD and Reunion East CDD and based on platted lots; 56% to be borne by Reunion East and 44% by Reunion West.
- The Assessment for Fiscal Year 2024 was the same as the prior year.

Mr. Dryburgh questioned why pressure washing increased from \$19,000 to \$28,000. Ms. Adams explained it was for areas added in Reunion Village and in the Reunion West Encore neighborhood including the guardhouses.

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- *R&M Fund* was based on the Fiscal Year 2024 Project List that the Board reviewed and approved last month with the addition of benches and concrete pads. It was updated based on recently received proposals.
- There was debt service for the Series 2015A and 2021 bonds. Principal and interest payments were due in November and May, based on an Amortization Schedule.

C. Public Comments Regarding Budget and Special Assessments

There being no comments, the next item followed.

On MOTION by Mr. Greenstein seconded by Mr. Goldstein with all in favor the public hearing on the adoption of the Fiscal Year 2024 budget was closed.

D. Consideration of Resolution 2023-10 Adopting the Fiscal Year 2024 Budget and Relating to the Annual Appropriations

Ms. Adams presented Resolution 2023-10 Adopting the Fiscal Year 2024 Budget.

On MOTION by Mr. Greenstein seconded by Ms. Hobbs with all in favor Resolution 2023-10 Adopting the Proposed Fiscal Year 2024 Budget and Relating to the Annual Appropriations was adopted.

E. Consideration of Resolution 2023-11 Imposing Special Assessments and Certifying an Assessment Roll

Ms. Adams presented Resolution 2023-11, which was the funding mechanism for the budget and authorizing the imposition and collection of maintenance and the collection debt service fees. A copy of the Tax Roll was available for review.

On MOTION by Mr. Dryburgh seconded by Mr. Goldstein with all in favor Resolution 2023-11 Imposing Special Assessments and Certifying an Assessment Roll was adopted.

F. Close Public Hearing

This item was discussed.

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

Resident Diane Davis of 1540 Corolla Court asked about oversight with construction workers leaving trash, especially chicken bones on Corolla Court. Ms. Adams stated this issue would be discussed under Staff Reports. Ms. Davis asked what rentals were paying for trash pickup, requested an S-curve be painted and cars parked along Excitement be addressed.

FOURTH ORDER OF BUSINESS

**Approval of Minutes of the July 13, 2023
Meeting and the May 11, 2023 Workshop
Meeting**

Ms. Adams presented the minutes from the July 13, 2023 and May 11, 2023 workshop meetings, which were reviewed by District staff. Corrections were submitted by Mr. Staley and Ms. Wispelwey, which were incorporated.

On MOTION by Mr. Greenstein seconded by Ms. Wispelwey with all in favor the Minutes of the July 13, 2023 and May 11, 2023 Workshop Meetings were approved as amended.

FIFTH ORDER OF BUSINESS

**Review of Kingwood Agreement and
Compensation for Fitness Center Facilities
at Heritage Crossings Community Center**

Ms. Adams pointed out that the purpose of this item was to review the status and memorialize the discussion from last month. Staff presented a proposal for an increase in the maintenance schedule at Seven Eagles Fitness Centers, due to the Fitness Centers being open and Kingwood Reunion Resort no longer operating a Fitness Center on a temporary basis. Compensation was discussed to operate a Fitness Center at the Heritage Crossing Community Center (HCCC). Ms. Adams contacted the General Manager of Reunion Resort and they were open to the concept of a contribution or some other arrangement. Mr. Dryburgh noted that the maintenance contract was a variable expense that Kingwood should cover. Ms. Wispelwey questioned the timing of only having one Fitness Center. Mr. Goldstein recalled that it would be at least a year until the Kingwood's Fitness Center was constructed. Ms. Hobbs understood that the temporary fitness center was closed because this building was not owned by the Resort, they needed a permit and they failed to meet the requirements for a permit. Mr. Goldstein believed that the floor was the problem with the temporary fitness center.

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Ms. Wispelwey voiced concern that many people would be returning in November and there were serious noise issues. Ms. Adams acknowledged that there were complaints about loud music and the District had taken steps such as approving revision of the Amenity Policies to require the use of personal listening devices such as air buds. There was progressive discipline for those that did not follow the policies such as verbal warnings, written warnings and eventually suspension. A custodian is staffed at the facility seven days per week and monitors the noise level and contacts Reunion Security if there were any issues. There are also regular patrols from Reunion Security. Mr. Goldstein suggested that Security monitor the cameras. Mr. Scheerer pointed out the cameras did not have audio. Mr. Greenstein spoke with the General Manager (GM) about the closure of the temporary gym. It was probably going to be a year or 18 months before a new facility was opened, which only members would be able to access. With the volume of activity, usage had gone up, which was the reason for the game room being converted into a second fitness facility. Mr. Greenstein looked at the signage and deemed it to be insufficient. As a result, the Rules of Conduct would be posted on several walls. Rubber could be placed in the area where weights were being used, due to broken laminate boards from weights being dropped, but they need to educate the community. Security was effective in policing that area and being responsive to complaints, but if the Board wanted to hire someone to operate the center, they needed to perform a cost analysis. Mr. Greenstein spoke with the GM about entering into a Management Services Agreement (MSA), to consider alternative locations and having a Reciprocity Agreement. When the roof on Seven Eagles was replaced, it needed to be closed for a minimum of two weeks, but the Resort could make arrangements for members to use private fitness facilities. They needed to work with Kingwood to come up with a good solution as resources were stressed based upon the usage.

Ms. Adams reported that Security was issuing numerous verbal warnings and documenting names of those receiving repeated warnings for playing loud music, which resulted in written warnings from the District Managers office. At least one user was suspended from the facilities due to loud music. Most of the offenders were juveniles and the situation may be exacerbated when school is not in session such as the summer months. Mr. Dryburgh witnessed juveniles acting out and 12-year-olds throwing weights and suggested having a Security guard supervise the facilities. Mr. Victor Vargas, head of Reunion Security confirmed that they were patrolling it every hour. They had issues at the Gym, but not every five to ten minutes. Mr. Dryburgh preferred having patrols every hour, having an employee look at the security cameras and looking into the cost to

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modify the cameras. Ms. Wispelwey suggested asking Reunion Resort for additional monies, due to increased maintenance fees during the time that the resort had no Fitness Center, looking into cameras with audio and increasing security. Mr. Dryburgh suggested posting a “*No Children Under 16*” sign. Mr. Scheerer confirmed that the Fitness Center allowed children between 13 and 15 years of age with a responsible adult over the age of 18. Staff would ensure that the signs were consistent with the policies that the Board adopted. Mr. Greenstein requested the rules be posted and that there be signs in Spanish.

SIXTH ORDER OF BUSINESS**Ratification of Agreement with Guardian
Access System for RFID Reader**

Ms. Adams presented a proposal at the last meeting from Guardian Access Solutions (Guardian) for an RFID Reader at the Reunion Village gates in the amount of \$16,320, which was requested by the Board. There was a change to the proposal to affix the RFID Reader to the building as there was limited space, resulting in a credit of \$1,125. Mr. Dryburgh pointed out that access to this road would only be for people who were members and residents. Ms. Adams pointed out that they were public roads that were open to anyone. Mr. Greenstein noted that access to the road to and from Spine Road going onto Reunion Village Boulevard, was only for residents. Mr. Dryburgh wanted the system to be modified so that guests did not have a card access because at this time, guests room cards were tied into the system. Ms. Adams confirmed that the current system met the requirements for public access. Ms. Wispelwey reported once they had the RFID Reader, there would not need to be a guard. Mr. Greenstein recalled that the declarations called for the existence of a security guard, but guests had access to the Fitness Centers, pools, everything and they could not be stopped. Ms. Adams confirmed that the roads were public and must provide for public access.

On MOTION Mr. Dryburgh seconded by Ms. Hobbs with all in favor the agreement with Guardian Access Solutions for an RFID Reader at Reunion Village Gates and Change Order were ratified.

SEVENTH ORDER OF BUSINESS**Consideration of Guardhouse Roof
Proposals**

- A. Advantage Roofing**
- B. Don Schmidt Roofing**
- C. Steve Tuberville Roofing**

Mr. Scheerer obtained proposals from Advantage Roofing, Don Schmidt Roofing and Steve Tuberville Roofing to replace the roof at the guardhouses off of Tradition Boulevard, Spine Road and Old Lake Wilson Road and the main guardhouse at Osceola Polk County Line Road and Reunion Boulevard. This was a R&M project contemplated as part of the Fiscal Year 2023 budget. Advantage Roofing submitted three proposals to re-roof each guardhouse in the amount \$13,650, for a total of \$40,950, which included a seven-year warranty, 30-year warranty on shingles and several layers of peel and stick. Don Schmidt Roofing proposed \$88,850 for the three guardhouses and Steve Tuberville Roofing proposed \$41,615 for the three guardhouses, which included a five-year warranty and 30-year warranty on shingles. Mr. Scheerer recommended Advantage Roofing based on the price and warranty. It was supposed to be completed by the end of September.

Mr. Goldstein MOVED to approve the proposal from Advantage Roofing to replace the three guardhouse roofs as stated in the amount of \$40,950 and Mr. Greenstein seconded the motion.

Mr. Dryburgh wanted to use the same contractor. Mr. Goldstein agreed.

On VOICE VOTE with all in favor the proposal from Advantage Roofing to replace the three guardhouse roofs as stated in the amount of \$40,950 was approved.

EIGHTH ORDER OF BUSINESS**Consideration of Acknowledgement and
Consent with Encore and Work Print with
Duke Energy**

Ms. Trucco presented an Acknowledgement and Consent with EHOA Acquisitions II and a Work Print from Duke Energy for improvements in Reunion Village, Phase 5 to connect the electricity underneath Tradition Boulevard. The CDD acknowledged Duke Energy's right to install electricity under the property. The original easement shown in the Work Print from 2005, was between Florida Power & Light (FPL) regarding access over that property on Tradition Boulevard to install electricity in Reunion Village. Duke Energy was relying on an easement running with

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the land that the CDD now owned to do this work. The District would sign the Work Print, but wanted additional assurance from the developer, by signing the Acknowledgement and Consent, to indemnify the CDD and hold the District harmless if it was sued for work performed in the easement area. Mr. Goldstein asked if they would be responsible if the road falls in because they dug underneath it. Ms. Trucco replied affirmatively. Ms. Adams confirmed that the District Engineer reviewed the Work Print. Mr. Greenstein stated it was similar to when TECO ran the gas line under Tradition Boulevard on the west side.

On MOTION Mr. Dryburgh seconded by Mr. Goldstein with all in favor the Acknowledgement and Consent with Encore and Work Print with Duke Energy for improvements in Reunion Village, Phase 5 was approved.

NINTH ORDER OF BUSINESS**Review of Cost to Maintain Enhanced
Landscape Design on CR 532**

- A. Annual Cost to Maintain CR 532 Median**
- B. Review of Interlocal Agreement with Osceola County**
- C. Consideration of Proposal for Landscape Replacement on Median**

Ms. Adams presented a proposal from Yellowstone Landscape (Yellowstone) to remove existing plant material and add Zoysia turf in the median across from the fire station on CR 532 in the amount of \$6,393.11, which was requested by the Board. Mr. Scheerer recalled that the Board wanted a valuation of what being paid by the District annually to Yellowstone for maintenance as well as any other information regarding the Interlocal Agreement with the county, the cost to abandon the south side of CR 532 and what it would take to re-mulch. The original valuation of CR 532 was provided, which was approximately \$103,997 to maintain just the center median. Yellowstone provided a proposal for \$258,314.46 to restore the entire area with Bahia grass. In three years, the District would receive their money back. The irrigation system would remain in place to irrigate the sod. Mr. Greenstein questioned who was responsible for mowing the Bahia. Mr. Scheerer stated the county would be responsible. Ms. Adams pointed out that the county must agree with the amendment to the interlocal agreement to assume maintenance obligations. Ms. Trucco advised that it could be terminated with 60 days' notice, but it must be approved by the Board of County Commissioners. Ms. Adams recalled that when the Board previously considered this project, they looked at all of the areas being maintained by the CDD and directed staff to

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amend the Polk County side of the roadway with an agreement amendment. There was a legal expense each time the District amended it, which involved a great deal of legal work. Mr. Dryburgh questioned the amount spent in a year. Mr. Greenstein believed that it was \$104,000 for the center median and \$42,000 for the Reunion East side and requested photos showing the entrance with trees and bushes. Ms. Wispelwey noted the area did not look as good as she liked but agreed to continue to maintain it. Mr. Goldstein concurred. Ms. Hobbs agreed that it was worth keeping.

On MOTION by Mr. Greenstein seconded by Ms. Hobbs with all in favor the proposal from Yellowstone Landscape to remove existing plant material and adding Zoysia turf in the median across from the fire station on CR 532 in the amount of \$6,393.11 was approved.

TENTH ORDER OF BUSINESS**Consideration of Resolution 2023-12
Approving the Conveyance from EHOFF
Acquisitions II Borrower, LLC in Phases
1C4 and 5**

Ms. Trucco presented Resolution 2023-12, Approving the Conveyance from EHOFF Acquisitions II Borrower, LLC in Phases 1C4 and 5 in Reunion Village. There was a Special Warranty Deed, transferring the property from the developer to the CDD; Bill of Sale, transferring any infrastructure improvements to the CDD; Owners Affidavit, stating there were no encumbrances on the property or against the improvements; an Agreement Regarding Taxes, showing there were no outstanding taxes on the property and Certificate of the District Engineer, certifying that the conveyance was in accordance with the plans for the CDD and the improvements had all of the required regulatory approvals. The respective plats were attached, identifying the dedications for these tracts to be owned and maintained by the CDD. Ms. Trucco ordered title work, to confirm that there were no encumbrances on the property. Ms. Wispelwey asked if these were the parcels that the Board had questions about when the hospital road was conveyed a few months ago and if the road by Starbucks was intended to be owned and maintained by the CDD. Ms. Trucco indicated that these were the last outstanding tracts that were identified when they took an inventory of all of the plats in Reunion Village.

On MOTION by Ms. Hobbs seconded by Mr. Greenstein with all in favor Resolution 2023-12 Approving the Conveyance from EHOFF Acquisitions II Borrower, LLC in Phases 1C4 and 5 was adopted in

substantially final form subject to final execution by District Counsel once the title work was completed and the District Engineer.

ELEVENTH ORDER OF BUSINESS**Consideration of Proposals for Sign Post Updates**

- A. Fausnight**
- B. Onsite Industries**

Ms. Adams recalled that this item was requested by the Board and was presented to the Reunion West CDD because it was a R&M project that would include signage at both Reunion East and West CDDs and would be a shared expense. The Reunion West CDD approved the Fausnight Stripe & Line (Fausnight) proposal. Mr. Scheerer stated the proposals were to upgrade the galvanized square posts along Tradition Boulevard and Grand Traverse Parkway to the Reunion design standard. An inventory was taken, which was provided to Onsite Industries (Onsight) and Fausnight. Onsite missed four to five posts on Grand Traverse Parkway. Reunion West had the majority of the sign posts that needed to be switched over to the 3-inch fluted posts with finials. Fausnight was selected by the Reunion West Board because they would have the materials more readily available than Onsight and were used in the past for all sign upgrades. The Fausnight proposal was \$47,225 compared to the \$44,663 proposed by Onsight. Mr. Goldstein wanted to use Fausnight in order to simply things. Ms. Adams stated funding was allocated for next fiscal year for *'No Parking'* signs at Reunion Village and there were sign allocations to replace traffic enforcement signs. Discussion ensued.

On MOTION Mr. Dryburgh seconded by Mr. Goldstein with all in favor the proposal with Fausnight Stripe & Line for sign posts in the amount of \$47,225 was approved.

TWELFTH ORDER OF BUSINESS**Consideration of Irrigation Water System Operating Agreement with Kingwood**

Ms. Adams stated that the Reunion East CDD owned an irrigation system that was operated by Kingwood. Ms. Trucco reported that the CDD financed a portion of the Irrigation Water System through tax exempt bonds. Several years ago, Jan Carpenter was informed that Kingwood stated they owned a portion of the irrigation system and they entered into an agreement with the Tohopekaliga Water Authority (TOHO) and the South Florida Water Management District (SFWMD), to change from groundwater to reclaimed water. District Counsel entered into

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settlement negotiations to bring back an Irrigation Water System Operating Agreement, whereby the CDD's interest in the irrigation system would be recognized, and the CDD had not wished to operate the irrigation system and wanted Kingwood to continue to operate it, due to the many permitting requirements and State regulations. It has taken several years to try to come to an agreement. The CDD wanted assurance from Kingwood that they would comply with Florida Statutes when collecting a fee from Reunion East residents, since the CDD's position was it financed a portion of the system with tax exempt bonds. It was a lengthy process, but they were finally able to present this agreement, which was approved by Bond Counsel and reviewed by staff.

Ms. Wispelwey asked if Reunion West had this issue. Ms. Trucco spoke with Mr. Boyd to get confirmation on what was financed by Reunion West but believed as of now that \$165,000 was financed on the west side and \$3.5 million on the east side. There were many requisitions from 20 years ago, which were sent to Kingwood's attorney to prove that the CDD had a legal interest in the system. Mr. Boyd recalled that the CDD's bond was used to construct the pump station that services the District and all of the major lines that go through the community. Mr. Greenstein agreed with the agreement, based on bond funds being used to build it, as facilities on the west side were built by a private entity. Mr. Boyd noted that some issues still needed to be resolved. Ms. Trucco pointed out if there was no agreement, they must get a declaratory or judgment from a judge to regain physical control, which could cost hundreds of thousands of dollars. Ms. Trucco believed this was a good option because it acknowledges the legal interest in the system and Kingwood agreeing to indemnify the District and reimburse for any damages resulting from their operation of the system, listing the District as an additional insurer and paying for all repairs. Ms. Wispelwey voiced concern that there was no provision for the District to audit the rates.

Mr. Greenstein was happy with this agreement because the District could set the rates, Kingwood would continue to operate the system, acknowledge that the District owned the system and that CDD money was used to build the infrastructure, provided for a mechanism that it was subject to the Board's review and approval. The methodology set the rates in line with the industry and the agreement brings the District into compliance. Ms. Trucco pointed out that the 2023 rate was currently being charged to residents of Reunion East and moving forward, a public hearing needed to be held for residents to provide comments on the rate before the Board approved it. If Kingwood increased the rate, they must provide a 90-day notice to the CDD. Ms. Trucco referred

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to a table was attached to the resolution, comparing the blended average of the base assessment and service area assessment for Toho, Poinciana and Sandhill. Residents were charged the base assessment of \$34 and the far-right column was the blended average of the base assessment with a surcharge (extra use fee). The majority of residents were paying the base rate of \$34 and the total blended average was \$39.23. The rate for this year was consistent with the average use of other utility providers and was significantly less than the 2019 Toho rate of \$81.66. Mr. Greenstein was not concerned with the base charge because it was unmetered.

Ms. Wispelwey voiced concern that this was a 20-year agreement, capital expenses were at \$50,000 and did not have an escalating clause. Ms. Trucco pointed out there was a provision for Kingwood was making any repairs and expending their own funds. The agreement did not state the CDD was responsible for the capital expenses, but it was beneficial as worded because the CDD had the ability to get tax exempt bonds if needed and the cost would be carried forward to residents. Mr. Dryburgh asked if this contract absolved the CDD from any expenses for the next 20 years. Ms. Adams replied affirmatively for administration and consumption costs. Mr. Greenstein pointed out a provision in the agreement whereby Kingwood would notify the CDD if any capital expenses could not be included in the rates charged to landowners and had the right to request a rate increase, just like any utility. Ms. Trucco explained if the rate increased, Kingwood must come back to the Board for approval and under this agreement, there was an option for the CDD to terminate it.

Ms. Wispelwey loved that there was an agreement but felt that there was a lack of transparency. Ms. Trucco indicated that there was a public records provision in the agreement, whereby any documents were public record. Mr. Greenstein pointed out that Kingwood contracted with a governmental entity and they must disclose everything and was pleased that they reached this point as Kingwood wanted to make things right. The only concern was whether any funds were spent on the Reunion West side irrigation. Ms. Trucco pointed out if Mr. Boyd confirmed that CDD funds were spent, the Reunion West CDD would ask to enter into a similar agreement. Ms. Adams noted the added value of the District not paying consumption and administration fees and not planning for capital repairs were budgeting advantages. Ms. Wispelwey asked if the agreement was transferrable if Kingwood sold the project. Ms. Trucco noted in the first paragraph, *"Their accessors and assigns."* Ms. Trucco appreciated that the Board was asking questions.

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Ms. Trucco stated that the Board approve this agreement in substantially final form, subject to her going back to Kingwood with a request from the Board for clarification on the successor transfer ability and to obtain the rates for 2022. Mr. Dryburgh requested a couple of years to show a trend. Ms. Trucco advised that the next step would be for the Board to set a public hearing on the rates. Mr. Dryburgh pointed out if the Board did not get the information they received, they could break this agreement. Ms. Trucco also needed to clarify the early termination provision of 180 days' notice of intent not to renew and capital expense provision. The first term was 20 years and could continue be renewed for another 20 years, unless either party provided notice of intent not to renew. Mr. Dryburgh asked if they had the right to terminate if Kingwood did not provide the information the Board was asking for. Ms. Trucco stated there would be a default, such as any breach of the obligations with 90 days written notice. Ms. Wispelwey questioned the difference between mediation and arbitration. Ms. Trucco explained that arbitration was binding and mediation was where the parties have to agree to come to agreement. If there was no agreement, there would be an impasse and the District could proceed to litigation. Ms. Hobbs asked if Kingwood would be required to obtain three quotes if they needed to do repairs. Ms. Trucco pointed out that the CDD would be required to get quotes or go through the Request for Proposal process (RFP) if expenses exceeded a certain amount for certain things and would remind Kingwood that they agreed to do the same under the Florida Statutes since the CDD was involved.

Mr. Greenstein felt that these were legitimate questions and the District needed to move in this direction, but they needed to tie up any loose ends and thanked Ms. Trucco and her staff for getting the District to a great position. Ms. Wispelwey was not comfortable proceeding unless there was further transparency, such as Kingwood notifying the Board if they increased the rate. Mr. Goldstein felt that they had sufficient transparency. Mr. Greenstein reiterated that rates could not be increased without the Board's review and approval, believed that Kingwood was cost conscious and hoped that they would recognize who they were dealing with and operate in a proper manner. Ms. Trucco requested that the Board approve the agreement in substantially final form, subject to Kingwood's approval and modification of the language regarding successors and assigns and delegating a Board Member to approve the final form. Mr. Dryburgh delegated Mr. Greenstein.

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Ms. Hobbs MOVED to approve the Irrigation Water System Operating Agreement with Kingwood in substantial form, subject to Kingwood's approval and modification of the language regarding successors and assigns and authorization for the Chair to approve the final form and Mr. Dryburgh seconded the motion.

Ms. Wispelwey asked if there would be a public hearing on the rates. Ms. Trucco explained that there must be a formal rate hearing with 60-day notice and would try to get the 2022 rates, at Mr. Dryburgh's request.

On VOICE VOTE with all in favor the Irrigation Water System Operating Agreement with Kingwood in substantial form, subject to Kingwood's approval and modification of the language regarding successors and assigns and authorization for the Chair to approve the final form was approved.

Ms. Trucco did not want to set the public hearing at this time as it would take time to get Kingwood's counsel on board. Mr. Greenstein pointed out as long as the agreement was in place, Kingwood could not raise the rates.

THIRTEENTH ORDER OF BUSINESS

Staff Reports

A. Attorney

Ms. Trucco was working with the Osceola County Sheriff's Department on providing traffic enforcement services and understood that they were going to be provided without an agreement; however, they were now requiring an agreement. Her position was that there was no statutory authority to require the CDDs to enter into an agreement for the Sheriff's Department to provide traffic enforcement services in the CDDs. They had a conference call with the Osceola County Sheriff's Department, their counsel, a number of engineers and public works and new information was provided by the Sheriff's Department counsel about why they were requesting an agreement and did not feel comfortable providing these services in CDDs without an agreement. They explained that they were having some issues with tickets and charges being thrown out, contested and challenged by defense lawyers who were arguing that the Sheriff's Department did not have jurisdiction in the CDDs. Ms. Trucco indicated that Osceola County wanted an acknowledgement from the CDDs in writing that the CDDs owned and maintained the roadways, but the Sheriff's Department was not liable and had authority to provide traffic enforcement

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services. She was also told that there was an issue with the gate that precipitated some of this discussion. Allegedly, a member of the Sheriff's Department had tried to enter a gate, they were asked for their ID and were turned away as a result of not providing it. Ms. Trucco expressed that they couldn't restrict the public from entering these roadways because they were built with tax-exempt bonds and based on that, she was comfortable entering into an agreement with them to confirm these issues. Ms. Adams had been in contact with Security, to ensure they did not restrict anyone from entering the community and were in the process of providing a security agreement addendum to pertinent parties.

B. Engineer

Mr. Boyd reported that the core samples for the roadways was underway. Mr. Greenstein questioned how long it would take. Mr. Boyd expected them to be completed in a week.

Mr. Boyd left the meeting.

C. District Manager's Report

i. Action Items List

Ms. Adams presented the Action Items List.

ii. Approval of Check Register

Ms. Adams presented the Check Register from July 1, 2023 through July 31, 2023 in the amount of \$291,639.14.

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

iii. Balance Sheet and Income Statement

Ms. Adams presented the Unaudited Financial Statements through June 30, 2023, which were for informational purposes.

iv. Consideration of Series 2019 Requisition 8

Ms. Adams presented Requisition No. 8 with Government Management Services for construction accounting services for the Series 2021 Project in the amount of \$3,500.

On MOTION by Mr. Greenstein seconded by Mr. Dryburgh with all in favor the Series 2019 Requisition 8 was approved.

v. Replacement and Maintenance Plan

Ms. Adams presented the Replacement and Maintenance Plan.

vi. Approval of Fiscal Year 2024 Meeting Schedule

Ms. Adams presented the Fiscal Year 2024 meeting schedule, which was consistent with the prior year's meeting schedule, the second Thursday of each month at 1:00 p.m. at this location.

On MOTION by Ms. Hobbs seconded by Mr. Greenstein with all in favor the Fiscal Year 2024 meeting schedule as presented was approved.

D. Security Report

Mr. Vargas presented the July Security Report, which was provided under separate cover. Mr. Greenstein requested increased vigilance at the Fitness Center.

• Public Comment Period

Ms. Adams recalled questions during the public comment period regarding trash services. Mr. Scheerer pointed out that the landscaper had the obligation to pick up garbage in CDD common areas prior to mowing and Yellowstone has been cooperative. They did not pick up trash in residential areas. Ms. Adams recalled that the trash that Ms. Diane Davis was concerned about was related to construction activities and residents should contact the Master Association about trash at construction sites Mr. Greenstein felt that Ms. Davis had a valid point as the S-curve on Excitement going from Radiant Street was unstriped. Mr. Scheerer confirmed that there was no centerline striping on any of the interior roads. Mr. Greenstein felt that there was a basis to put a centerline down the middle, starting at Radiant Street and going around to where it straightened out because people were going onto the wrong side of the road. Mr. Goldstein suggested posting a "*Dangerous Curve*" or "*Slow Curve*" sign before striping it. Mr. Scheerer would post one. Ms. Davis recalled that this area was supposed to have a speed bump. Ms. Adams pointed out that funds were allocated for potential roadway striping and reached out to the District Engineer for

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clarification on whether he was recommending it for certain streets or all streets in accordance with the Pavement Management Plan.

FOURTEENTH ORDER OF BUSINESS Other Business

Mr. Greenstein talked to Mr. Scheerer about the dumpster situation and they recognized it was a problem and needed to come up with viable solutions such as gating it, limiting the hours of security patrol in that area and relocation, with the ultimate solution of revoking the license to have dumpsters there. It would require Board action to make a determination within the next 60 to 90 days and work with the Master Association and the Resort to come up with new procedures for the operation of those dumpsters that could produce a satisfactory result.

FIFTEENTH ORDER OF BUSINESS Supervisor's Requests

Ms. Wispelwey received many complaints about raccoons and requested that Ms. Adams provide a proposal for trapping raccoons. Mr. Dryburgh requested that the HOA cover those costs as it was not a CDD matter. Mr. Greenstein pointed out that the Master HOA was open to the changes that the CDD were making. If they could find another site to put the dumpster on, they would put gates at the front so it would only be operational during daylight hours to provide greater security because people were coming into Reunion, dumping their trash and leaving. Ms. Adams recalled a Management Service Agreement (MSA) for Kingwood to maintain the trash in that area. Mr. Greenstein pointed out it was a health and safety issue.

SIXTEENTH ORDER OF BUSINESS Next Meeting Date – September 14th, 2023

The next meeting was scheduled for September 14, 2023 at 1:00 p.m. at this location.

SEVENTEENTH ORDER OF BUSINESS Adjournment

On MOTION by Mr. Greenstein seconded by Mr. Dryburgh with all in favor the meeting was adjourned at 4:09 p.m.

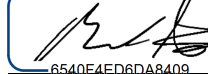
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Chairman/Vice Chairman