

**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, **December 14, 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 <i>by Zoom</i>	Assistant Secretary

Also present were:

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

The following is a summary of the discussions and actions taken at the December 14, 2023 meeting. A copy of the proceedings can be obtained by contacting the District Manager.

FIRST ORDER OF BUSINESS

Roll Call

Ms. Burns called the meeting to order at 1:01 p.m. and called the roll. A quorum was present.

SECOND ORDER OF BUSINESS

Public Comment Period

There being no comments, the next item followed.

THIRD ORDER OF BUSINESS

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

Ms. Burns presented the minutes from the November 9, 2023 meeting, which were included in the agenda package.

On MOTION by Mr. Goldstein seconded by Mr. Dryburgh with all in favor the Minutes of the November 9, 2023 Board of Supervisors Meeting was approved as presented.

FOURTH ORDER OF BUSINESS

**Public Hearing to Establish and Confirm
Rates for Irrigation Services**

Ms. Burns indicated that the public hearing to establish and confirm rates for irrigation services was advertised.

A. Open Public Hearing

On MOTION by Mr. Greenstein seconded by Mr. Goldstein with all in favor the public hearing to adopt rates for irrigation services was opened.

Ms. Trucco recalled that the Board adopted a resolution setting the public hearing for this meeting, to approve and confirm the current rates Kingwood was assessing residents in Reunion East for irrigation services. A one-page summary of benefits for the Irrigation Agreement was provided as requested by the Board. The initial goal of the Board was to ensure that Kingwood was acknowledging that the CDD had a legal interest in the irrigation system. Instead of initiating an expensive lawsuit, the Board directed District Counsel to negotiate an agreement, whereby Kingwood would continue to operate the system, but would be acknowledging the CDD's legal interest in the public portions of the irrigation system. It also added additional protections and advantages for the CDD, if Kingwood chose a different provider and provided a way for the CDD to terminate the agreement, if needed and have physical control of the system in the event that the agreement was terminated. Most importantly, if the rates changed from what was attached to the agreement, Kingwood would have to come back to the Board for approval, which provided more control to the CDD Board than it would have otherwise had if it went with a provider such as Toho.

**Reunion East CDD
Regular Meeting**

**December 14, 2023
Page 3 of 12**

Kingwood also agreed to reimburse the CDD for any damages that they caused the CDD and indemnify and hold the CDD harmless in the event that the District incurred some type of loss or damage or was sued as a result of Kingwood providing irrigation services to residents, which was an additional protection for the CDD. A chart was provided regarding the District's blended average, which was \$38.42 and competitive with other providers in Central Florida. Toho's blended average was \$39.23 and Encore Club's blended average in 2019 was \$81.66. Therefore, there were significant savings by the CDD going with Kingwood, as opposed to some of the other providers. The first step with the Irrigation Agreement was to approve and confirm the current rates.

B. Public Comment

There being no comments, the next item followed.

C. Consideration of Resolution 2024-02, Adopting Rates for Irrigation Services

Mr. Greenstein felt they reached a point where they needed to be. They could use potable water, but it comes from the aqueduct and as long it rained, they were in good shape. They could also piggyback on the golf course system. Mr. Dryburgh pointed out that part of the agreement was Kingwood would have insurance and questioned the amount. Ms. Trucco confirmed that the amount was \$2 million, but it depends on the type of insurance. There was employer's liability of \$1 million and workers compensation of \$100,000 per occurrence, as stated in Paragraph 12; however, the CDD needed to be listed as an additional insurer. Mr. Dryburgh asked if permits were required. Ms. Trucco explained that Kingwood was the permit holder for the entire system through the Southwest Florida Water Management District (SWFWMD). Mr. Greenstein recalled that it was included in the agreement and the Board was adopting the rates that were in effect for the past year and in order for Kingwood to raise the rates, they must provide supporting documentation. Mr. Goldstein noted it would nice if Toho had some reclaimed water to sell. Ms. Trucco pointed out that Kingwood was not charging the CDD for irrigation water.

<p>On MOTION by Mr. Greenstein seconded by Mr. Dryburgh with all in favor the rates for irrigation services as evidenced by the adoption of Resolution 2024-02 was approved.</p>
--

D. Close Public Hearing

On MOTION by Mr. Goldstein seconded by Mr. Greenstein with all in favor the public hearing to adopt rates for irrigation services was closed.

Mr. Greenstein recalled discussion in Reunion West about having the same administrative process that the CDD put into place on the east side in order to manage it as one entity.

FIFTH ORDER OF BUSINESS**Consideration of Proposals for Seven
Eagles Fountain Refurbishment or
Replacement****A. UCC****B. Yellowstone**

Mr. Scheerer recalled that over the last couple of months, the CDD Board was discussing the two fountains in Linear Park. Proposals were provided to the Board at the last meeting and the Board requested warranty information. Under every option in the UCC proposal, there was a one-year warranty on materials and labor. There was also a long-term renovation requirement for new fountains of eight to ten years. If the Board just wanted to renovate two fountains and keep the current configuration, but add a vault and multi changing lights, the expected light expectancy decreases to six to eight years. The last option was to not include the vault, but to have a filter, water and lights. There would be a one-year warranty on the materials and labor, but the fountains would not have to be re-done for at least every five years. The costs have not changed. The option for the newer fountain would be a circular ring veil fountain with new brick, cap and center nozzle, to bring it more up to speed.

Mr. Greenstein stated at the last meeting, the Board delegated him authority to speak to Mr. Anthony Carll, General Manager for Reunion Resort, to see if they would contribute funds towards the fountains. He shared with Mr. Carll the scope of work and the options and that even though it was the CDD's property and responsibility, the Board felt that Reunion Resort should contribute to the effort to refurbish, replace or repair both fountains because there were benefits to Reunion Resort. Mr. Carll indicated Kingwood's willingness to contribute to this effort and Mr. Greenstein hoped between now and the next meeting, they would receive definitive documentation

that Mr. Scheerer could review and compare, so that the Board could have options and make a decision at the next meeting. *There was Board consensus to table this item to the next meeting.*

SIXTH ORDER OF BUSINESS**Consideration of Vertical Bridge
Easement Funding Agreement**

Ms. Burns presented a Vertical Bridge Easement Funding Agreement between the District and Rowstar LLC. Under the terms of this agreement, Rowstar would fund due diligence costs up to the \$5,000 cap that was noted in that agreement. Ms. Trucco explained that Rowstar LLC was requesting a non-exclusive easement from the CDD for a tract owned by the CDD, for the purpose of gaining access to a Florida Department of Transportation (FDOT) parcel that was abutting I-4, to install a cell tower. Along with the tract, the CDD owned an open space tract next to it. Mr. Dryburgh questioned who would own the cell tower. Ms. Burns explained that the cell tower was not going on CDD property and FDOT would just need access to the parcel. Mr. Goldstein questioned how big the cell tower was going to be and if it could be seen by homes. Mr. Greenstein pointed out that it was just an easement for FDOT to get to the property on which the cell tower would be placed. Mr. Goldstein understood that, but noted if it was 1 foot over the line, it would be the same as if it was on their property and he did not want to have a cellphone tower in his backyard, as parking lot lights were affecting residents' views in the back of Grand Traverse Parkway. Mr. Greenstein noted that even though it was not on CDD property, they had some control. Mr. Goldstein asked if the Board could say no. Ms. Trucco indicated that she would ask Rowstar what benefits residents of the CDD would get from the cell tower, specifics about the size and exact location, whether it was a multi carrier cell tower and request compensation. Mr. Goldstein suggested that FDOT pay for their access.

Ms. Trucco explained that the Funding Agreement in the agenda package was in a form that her firm used previously and Rowstar LLC. would reimburse the CDD for costs incurred by the District for staff to analyze the project in an amount not-to-exceed \$5,000. Ms. Burns clarified that the Board was approving the agreement and not the actual easement, subject to staff reviewing this request. Ms. Trucco pointed out that the Board did not have to approve it today and she could obtain the answers that the Board requested. Mr. Dryburgh felt there was no reason to delay it. Mr. Greenstein indicated that they wanted to maintain open mindedness and questioned allowing FDOT to put up the cell phone tower to improve communication. Mr. Dryburgh felt that was a good line of thought as they could charge \$300,000. Mr. Greenstein agreed, as they could use the

**Reunion East CDD
Regular Meeting****December 14, 2023
Page 6 of 12**

funds for other CDD projects. Ms. Trucco noted it was a good point on whether the CDD Board had a right to say no and what they could potentially face if they did say no, as in Florida, people could file a lawsuit for an easement of necessity, if there was landlocked property and/or the adjacent property owners would not allow access. However, in this case, there appears was no necessity. They could get permission from the owners of I-4 and the parcel below the FDOT parcel, which was owned by Orlando Health, but Ms. Trucco believed that the most direct route was to go over CDD property. Mr. Greenstein was in favor, because CDD could further evaluate their project. Ms. Trucco pointed out that some of the \$5,000 could be used for an appraisal if necessary.

On MOTION by Mr. Dryburgh seconded by Mr. Greenstein with all in favor the Vertical Bridge Easement Funding Agreement, subject to Rowstar, LLC. funding any due diligence costs necessary up to the \$5,000 cap was approved.

SEVENTH ORDER OF BUSINESS**Consideration of Osceola County Property
Appraiser Data Sharing and Usage
Agreement**

Ms. Burns explained that this was an administrative matter to not disclose information from public records for certain professions, such as a judge or a police officer and this was the renewal from an existing agreement as Osceola County required that the District enter into an annual agreement.

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

EIGHTH ORDER OF BUSINESS**Ratification of Gas South Renewal**

Ms. Burns recalled that the current Gas South Agreement expired in February and the renewal was executed by the Chairman in order to lock in rates prior to increases going into place for next fiscal year.

On MOTION by Mr. Goldstein seconded by Mr. Dryburgh with all in favor the Gas South renewal was ratified.

NINTH ORDER OF BUSINESS**Consideration of License Agreement with
Swim Kids**

Ms. Burns received a request from a resident to offer swim lessons within the community. Swim Kids worked with other Districts to provide swim lessons and it was the goal to fill those spots with resident's children; however, Swim Kids was operating a business and if there were not enough residents' children, they could open it up to outside residents. Staff could work out an agreement with them to either pay a per head fee to the CDD or provide a discount to residents. Ms. Burns asked if this was something that the Board was interested in pursuing. Ms. Trucco indicated that she spoke to Ms. Jan Carpenter about this when she noticed that the CDD had not had any private vendors performing swim lesson services to the District in the past. Since the pools were financed with bonds and there was an Internal Revenue Service Code provision whereby a non-government could not use publicly financed property for private business gain. At the Reunion West CDD meeting, there was a similar discussion regarding The Stables whereby no more than 10% of the entire bond issuance could be used for a private purpose and Bond Counsel must perform an analysis to determine if the CDD was at the 10% yet. The issue was that Swim Kids is a non-governmental entity that would be using a public government financed property to make a profit. Mr. Goldstein pointed out they could go to Kingwood to use the water park. Mr. Dryburgh felt that it was important for children to have access to water and learn how to swim as there were many deaths in Florida and suggested referring Swim Kids to Kingwood, as Kingwood had multiple pools. Mr. Goldstein agreed, due to the 10% rule. Ms. Trucco was in favor of referring it to Kingwood, and they could charge Swim Kids, but if Kingwood says no, it would be brought back to the Board to discuss further options. *There was Board consensus to refer Swim Kids to Kingwood.*

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

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

On MOTION by Ms. Hobbs seconded by Mr. Dryburgh with all in favor the Board appointing themselves as an Audit Committee in order to issue a Request for Proposals for auditing services was approved.

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

Ms. Trucco was working on a resolution on the irrigation system issue and on the vertical bridge request. They were continuing to follow up with legal department at the Osceola County Sheriff's Office (OCSO) on the Traffic Enforcement Agreement and received an apology on the length of time it was taking to provide comments and believed it had to go through multiple channels. Ms. Trucco also believed that it was taking longer because it was going to set a precedent for all CDDs in Osceola County. Mr. Goldstein suggested having a Parking Rule change, as residents were parking cars in the parking spaces at the mail kiosks. The current rule was that residents could park their car and leave it for three weeks and suggested initiating a rule that cars could not be parked overnight or abandoned. Ms. Trucco recalled seeing a rule about abandoned cars. Mr. Goldstein pointed out they needed to consider what was abandoned because if an owner was going out of town for three weeks but wanted to park their car on the street and utilize one of the parking spaces, it was not considered abandoned and suggested having a provision that a car could not be left for more than 24 hours.

Ms. Burns asked if there was a sign at the mail kiosk stating that there was no parking except for use of the mail kiosks. Mr. Scheerer confirmed that there was a sign, but not where the vacant spaces were. Ms. Trucco recalled a provision in the current rules that they could use to initiate towing and there was a recommendation that Mr. Scheerer install signs stating no overnight parking was permitted, as the Reunion West rules were just amended to allow for parking at the playground to users of the playground and mail kiosk only. Ms. Burns indicated that other Districts had a provision in their rules for a vehicle parked after seven days that had not moved or not functioning and suggested that the Board include the same provision. Mr. Dryburgh preferred to have a certain time frame as he was concerned that the more security had to keep track of, the more difficult it was for them to perform their job. Mr. Goldstein felt that they needed to allow overnight parking for guests, but if someone noticed a pickup truck in one of three spots for two weeks, something needed to be done. Ms. Trucco agreed and offered to work with GMS to review the existing rules and find grounds to tow a vehicle immediately, as an additional rule would require

**Reunion East CDD
Regular Meeting****December 14, 2023
Page 9 of 12**

a rule hearing and recommended placing the Parking and Towing Rules on the next agenda. If there needed to be a change, a public hearing could be set with a 28/29 days published notice.

Mr. Dryburgh noted at the intersection of Old Lake Wilson Road and Sinclair Road, there was a stoplight and across the road, coming into their project, a new stoplight was being installed at the entrance to the Encore project and questioned who authorized it, as most of the accidents occurred at their entrance on Spine Road. Mr. Goldstein believed that a stoplight was going in at this location because a crosswalk was needed in order for residents to cross to get to the Clubhouse. Mr. Scheerer noted it was a short-term portion of the expansion of Old Lake Wilson Road and there was already a digital pedestrian crossing sign at that intersection. Mr. Dryburgh suggested looking at temporary solutions and making the County aware of it, as it was a dangerous intersection. Mr. Goldstein agreed, as when he was turning into the other side of Reunion West yesterday, it was impossible to get in and out with the speed of the traffic. Mr. Dryburgh pointed out any time after 2:30 p.m. or 3:00 p.m., Monday through Friday, no one could make a left-hand turn, as there was a solid line of cars that were not stopping or slowing down. Mr. Greenstein questioned why this issue was being brought up again as it was discussed at a prior meeting. Mr. Dryburgh recalled that he brought it up and the County being contacted, but they never heard back. Mr. Greenstein questioned what they could do other than going to FDOT to state their case about why traffic control was needed at this intersection and recalled Ms. Wispelwey asking Mr. Boyd to see if there was any CDD property, not in the FDOT right-of-way (ROW), for an additional turn lane, as it was difficult to turn onto Spine Road from Old Lake Wilson Road. Mr. Scheerer pointed out on Spine Road, coming into the community, there was a section of asphalt off of Old Lake Wilson Road that had yet to be poured, that was on CDD property. Mr. Dryburgh suggested asking the County to step up their plans for some type of access control in order to have proper and safe transit during heavy business hours. Mr. Greenstein preferred that the county re-examine the speed limit, because on Fairfax Drive it was 35 MPH, approaching the bridge, it increased to 45 MPH and on Old Lake Wilson Road, approaching Spine Road, it increased to 55 MPH. Ms. Trucco believed that the first step was to contact the County regarding the necessary process. Mr. Dryburgh suggested reaching out to Mr. Boyd.

**Reunion East CDD
Regular Meeting**

**December 14, 2023
Page 10 of 12**

B. Engineer

Mr. Boyd offered to check on the County's plans for the widening of County Road (CR) 545; however, there was sufficient ROW to install a deceleration and right turn lane on the southbound lane of CR 545, with sufficient radius into the existing entrance when entering the property. However, exiting the property would be more challenging as a stop sign may be needed, which required a Transportation Consultant in order to justify a stop sign, which must be warranted in a similar way as a signal because of the liability of installing a three-way stop sign on a straight section of road. Mr. Goldstein pointed out that the Board preferred having a signal versus a stop sign. Mr. Boyd explained that a signal required a warrant analysis, which he would pursue. Mr. Goldstein requested that Mr. Boyd have them investigate why the speed limit was 55 MPH. Mr. Boyd recalled that the speed limit on CR 545 was 45 MPH.

Mr. Boyd received information from GMS on The Stables but was unable to identify requisitions that specifically listed the Reunion Riding Stables in the requisition itself. However, there was documentation reflecting that a little over \$1 million in bond funds were used and was getting close to providing the final answer on how much the CDD actually spent on that project. Mr. Boyd added speed tables to the repaving plans and would discuss those locations with Mr. Scheerer and send it out to bid. Mr. Greenstein pointed out the more precise they could be in identifying the CDD funding, the better it would assist the Board in whether to engage Bond Counsel to provide an analysis of what bond debt remained and questioned the timetable. Ms. Trucco stated that once Mr. Boyd's analysis was complete, staff would come back to the Board to see if they wanted to engage Bond Counsel to perform the Tax Analysis for \$10,000 to \$20,000, which was estimated to take 10 to 20 hours.

**Mr. Boyd left the meeting at this time.*

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

Ms. Burns presented the Action Items List for Reunion East and Reunion West, which were included in the agenda package. Mr. Scheerer reported that the Reunion Village Gate RFID reader and transponder were installed. Sarah at Reunion Village was instrumental in ensuring that they had the proper internet. Mr. Scheerer spoke with Mr. Boyd earlier about the bridge access, as the County needed additional approval because of the way rescue vehicles would access it. Mr. Boyd informed him that it was resubmitted to the County. There was confirmation from the fitness

**Reunion East CDD
Regular Meeting****December 14, 2023
Page 11 of 12**

company that they should have the mats and Ms. Burns informed him that the bids for janitorial would be reviewed at a later meeting. Mr. Dryburgh complimented Mr. Scheerer on doing a great job, especially putting everything together on the fountains. Mr. Scheerer appreciated it.

ii. Approval of Check Register

Ms. Burns presented the Check Register from November 1, 2023 through November 30, 2023 in the amount of \$346,051.84. During the week of November 8th, some checks were stolen out of the mail for a few Districts and as a result, all of the checks issued that week were voided and re-issued, in an abundance of caution. Ms. Hobbs suggested looking into direct deposit. Ms. Burns indicated that they were looking at different options such as no longer using a public drop box, changing their envelopes and looking at ACH options for certain vendors. Many accounts had *Positive Pay* to detect fraud, which did pick up a significant amount of fraud. A Police Report was filed. The only ones that did go through the banks were for smaller amounts. Staff would continue to monitor the situation.

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

iii. Balance Sheet and Income Statement

Ms. Burns presented the Unaudited Financial Statements through October 31, 2023, which were for informational purposes. This was the first month in the new fiscal year and in November/December, they would start receiving funds from Tax Bills, for those who pay early to take advantage of discounts. Mr. Dryburgh looked at the projected expenses for electricity, which did not go up significantly, but it was over 12 months. Ms. Burns explained that it was still warm and there were some fluctuations.

iv. Replacement and Maintenance Plan

Ms. Burns presented the Replacement and Maintenance Plan, which was for informational purposes.

D. Security Report

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

i. Parking Rules

This item was discussed.

TWELFTH ORDER OF BUSINESS

Other Business

There being no comments, the next item followed.

THIRTEENTH ORDER OF BUSINESS

Supervisor’s Requests

Mr. Dryburgh recalled that security was going to send out notices to remind residents to activate their access cards and requested that the HOA send out one quarterly. Mr. Goldstein believed that access cards were renewed 12 months from the time it was issued. Ms. Hobbs pointed out that she just renewed her cards. Mr. Vargas indicated that residents were providing their card to housekeepers, handymen, etc. and by controlling the time, they could have residents provide their proof of ownership. Mr. Dryburgh did not want to make any changes, but to only notify residents at least once a year. Mr. Greenstein felt that it was a controllable item and every property owner went through the same process of re-initializing and updating their cards. Mr. Goldstein questioned why he received an email from Reunion Resort stating that there was a CDD meeting today. Mr. Greenstein believed that they send out reminders on Monday or Tuesday.

FOURTEENTH ORDER OF BUSINESS

Next Meeting Date – January 11, 2024

Ms. Burns stated that the next meeting was scheduled for January 11, 2024 at 1:00 p.m. at this location.

FIFTEENTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Dryburgh seconded by Mr. Greenstein with all in favor the meeting was adjourned at 2:10 p.m.

DocuSigned by:
Tricia Adams
3F3E5FA5C67E43B...

Secretary/Assistant Secretary

DocuSigned by:
[Signature]
6540F4ED6DA8409...

Chairman/Vice Chairman