

*Poinciana West  
Community Development District*

*Agenda Package*

*August 15, 2018*

# AGENDA

# *Poinciana West*

## *Community Development District*

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135 W. Central Blvd., Suite 320, Orlando, Florida 32801  
Phone: 407-841-5524 – Fax: 407-839-1526

August 8, 2018

**Board of Supervisors  
Poinciana West Community  
Development District**

Dear Board Members:

The Board of Supervisors of Poinciana West Community Development District will meet **Wednesday, August 15, 2018 at 12:30 PM at the Starlight Ballroom, 384 Village Drive, Poinciana, Florida.** Following is the advance agenda for the meeting:

1. Roll Call
2. Pledge of Allegiance
3. Public Comment Period on Agenda Items
4. Approval of Minutes of the July 18, 2018 Meeting
5. Consideration of Proposal from Clarke for Aquatic Pond Maintenance
6. Public Hearing
  - A. Consideration of Resolution 2018-11 Adopting the Fiscal Year 2019 Budget and Relating to the Annual Appropriations
  - B. Consideration of Resolution 2018-12 Imposing Special Assessments and Certifying an Assessment Roll
7. Discussion of Proposals for Amenity Real Estate Transaction Legal Services
8. Staff Reports
  - A. Attorney
    - i. Litigation Update
  - B. Engineer
  - C. District Manager
    - i. Action Items List
    - ii. Approval of Check Register
    - iii. Balance Sheet and Income Statement
    - iv. Approval of Fiscal Year 2019 Meeting Schedule
  - D. Field Manager
    - i. Field Manager's Report
    - ii. Customer Complaint Log
9. Supervisor's Requests
10. General Audience Comments
11. Other Business
12. Next Meeting Date – September 5, 2018 (Joint CDD Meeting)
13. Adjournment

The second order of business is the reciting of the Pledge of Allegiance.

The third order of business is the Public Comment Period where the public has an opportunity to be heard on propositions coming before the Board as reflected on the agenda, and any other items.

The fourth order of business is the approval of minutes from the July 18, 2018 meeting. The minutes are enclosed for your review.

The fifth order of business is the consideration of proposal from Clarke Environmental regarding aquatic pond maintenance. A copy of the proposal is enclosed for your review.

The sixth order of business is the public hearing on the budget and assessments. Section A is the consideration of Resolution 2018-11 adopting the Fiscal Year 2019 budget and relating to the annual appropriations. A copy of the Resolution and approved budget are enclosed for your review. Section B is the consideration of Resolution 2018-12 imposing special assessments and certifying an assessment roll. A copy of the Resolution is enclosed for your review and the assessment roll will be available at the meeting for review.

The seventh order of business is the discussion of proposals for amenity real estate transaction legal services. Three proposals are enclosed for your review.

The eighth order of business is Staff Reports. Section A is the Attorney's Report and an update on the litigation will be discussed under Sub-Section 1. Section C is the District Manager's Report. Sub-Section 1 includes the Action Items list for your review. Sub-Section 2 includes the check register for approval and Sub-Section 3 includes the balance sheet and income statement for your review. Sub-Section 3 is the approval of the Fiscal Year 2019 meeting schedule. A sample meeting notice is enclosed for your review. Section D is the Field Manager's Report. The report and the monthly treatment reports are enclosed for your review. Sub-Section 2 includes the customer complaint log for review.

The balance of the agenda will be discussed at the meeting. In the meantime, if you have any questions, please contact me.

Sincerely,



George S. Flint  
District Manager

CC: Michael Eckert, District Counsel  
Kathleen Leo, District Engineer  
Brian Smith, Field Manager  
Darrin Mossing, GMS

Enclosures



# MINUTES

MINUTES OF MEETING  
POINCIANA WEST  
COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Poinciana West Community Development District was held on Wednesday, July 18, 2018 at 12:30 p.m. in the Starlight Ballroom, 384 Village Drive, Poinciana, Florida.

Present and constituting a quorum were:

Leonard Vento  
Joe Gecewicz  
Shirley Bzdweka

Vice Chairman  
Assistant Secretary  
Assistant Secretary

Also present were:

George Flint  
Michael Eckert  
Kathy Leo  
Alan Scheerer  
Pete Deglomine  
William Viasalyers  
Residents

District Manager  
District Counsel  
District Engineer  
Field Manager  
Clarke Environmental  
GMS

*The following is a summary of the discussions and actions taken at the July 18, 2018 Poinciana West Community Development District's Board of Supervisors Meeting.*

**FIRST ORDER OF BUSINESS**

**Roll Call**

Mr. Vento called the meeting to order and all Board Members introduced themselves. A quorum was established.

**SECOND ORDER OF BUSINESS**

**Pledge of Allegiance**

The Pledge of Allegiance was recited.

**THIRD ORDER OF BUSINESS**

**Public Comment Period on Agenda Items**

Susan Godlewski commented that the website was much easier to navigate and thanked the Board. Mr. Vento closed the public comment period.

**FOURTH ORDER OF BUSINESS**

**Approval of Minutes of the June 20, 2018 Meeting**

Mr. Vento asked if there were any questions or comments to the minutes.

On MOTION by Ms. Bzdewka, seconded by Mr. Gecewicz, with all in favor, the Minutes of the June 20, 2018 Meeting were approved, as presented.

**FIFTH ORDER OF BUSINESS**

**Review and Acceptance of Fiscal Year 2017 Audit Report**

Mr. Flint stated that the report had already been filed with the State of Florida, as required, by June 30<sup>th</sup>. He noted that it was slightly delayed because of the transition in accounting and management companies, but that the timeframe was still met. He stated that the management letter, on page 33, reflected no current or prior financial recommendations and they are found to comply with all of the provisions of the Auditor General's Office, essentially meaning it is a clean audit. Mr. Gecewicz inquired how the transition from the former management company impacted the accounting process. Mr. Flint stated that some items had to be re-created from third parties but was comfortable that the audit for the next year could be completed earlier.

On MOTION by Ms. Bzdewka, seconded by Mr. Gecewicz, with all in favor, the Fiscal Year 2017 Audit was accepted.

**SIXTH ORDER OF BUSINESS**

**Consideration of Amended and Restated Disclosure of Public Financing Report**

Mr. Eckert stated that the Board has an obligation to record a Disclosure of Public Financing report that includes a description of the improvements maintained and details the bond issuances. He stated that it was a housekeeping matter and would replace the current version. Mr. Vento noted a typo on page 5 and Mr. Eckert stated it would be corrected.

On MOTION by Ms. Bzdewka, seconded by Mr. Gecewicz, with all in favor, the Amended and Restated Disclosure of Public Financing Report, was approved.

## **SEVENTH ORDER OF BUSINESS**

### **Special Assessment Matters**

#### **A. Review of First Amendment to Master Methodology Regarding Undeveloped Land in Poinciana CDD**

Mr. Eckert stated there was a copy of the report enclosed in the agenda package for the Board's review. Mr. Eckert stated that in the Master Methodology, there were some questions regarding the un-platted acreage that was owned by Avatar and whether or not some numbers and acreages should be corrected or updated. He stated that this was an amendment to the report that was previously approved in connection with the amenities and does not impact the assessments on the 1,650 platted lots within the District. He then introduced Kevin Plenzler, assessment consultant with Fishkind and Associates, to outline the changes. Mr. Plenzler explained that some parcel ID's were removed from the roll, belonging to Avatar, that were determined were not going to be part of any future development. He stated that Phase 5A has been platted, which before, had not been platted, and reduced some of the undeveloped acreage. He stated that as a result of those changes, the true-up was re-calculated based on the most recent information available and that it did not impact the platted lots within Poinciana West or any assessments associated within it. Brief discussion ensued.

#### **B. Consideration of Resolution 2018-09 Declaring and Adjusting Assessments Under the First Amendment to the Master Methodology Regarding Undeveloped Land in Poinciana CDD**

On MOTION by Ms. Bzdewka, seconded by Mr. Gecewicz, with all in favor, Resolution 2018-09 Declaring and Adjusting Assessments Under the First Amendment to the Master Methodology Regarding Undeveloped Land in Poinciana CDD was approved.

#### **C. Consideration of Resolution 2018-10 Setting a Public Hearing on First Amendment to Master Methodology Regarding Undeveloped Land in Poinciana CDD**

Mr. Eckert suggested setting the public hearing on September 5, 2018 at 11:00 a.m. as a joint meeting. He stated that likely the September 19<sup>th</sup> Board meeting would be canceled.

On MOTION by Ms. Bzdewka, seconded by Mr. Vento and Mr. Gecewicz, Resolution 2018-10 Setting a Public Hearing on First Amendment to Master Methodology Regarding Undeveloped Land in Poinciana CDD for September 5, 2018, at 11:00 a.m. at the Starlite Ballroom was approved.

## **EIGHTH ORDER OF BUSINESS**

### **Staff Reports**

#### **A. Attorney**

##### **i. Litigation Update**

Mr. Eckert stated they were in the process of getting a validation hearing set as soon as possible and would have a more in-depth update for the Board next month.

#### **B. Engineer**

Ms. Leo stated that everything is in generally good condition that that they have updated the map and distributed to all the Board members. She advised that as they alter things, updates will be made to it. Mr. Gecewicz thanked her for the map and Mr. Vento advised that when finalized it would be put on the District's website.

#### **C. District Manager**

##### **i. Action Items List**

Mr. Flint stated that action items list only had storm water repairs on it and would be covered under the Field Manager's Report.

##### **i. Approval of Check Register**

Mr. Flint presented the June general fund and payroll check register totaling \$28,991.96.

On MOTION by Ms. Bzdewka, seconded by Mr. Gecewicz, with all in favor, the Check Register for June 1, 2018 through June 30, 2018 was approved.

**ii. Balance Sheet and Income Statement**

Mr. Flint stated the unaudited financial statements through June 30<sup>th</sup> were included in the agenda and that no action was required by the Board.

On MOTION by Ms. Bzdewka, seconded by Mr. Gecewicz, with all in favor, the June Financial Statements were accepted.

**D. Field Manager****i. Field Manager's Report****ii. Customer Complaint Lot**

Mr. Flint stated that the report was e-mailed to the Board and that they were continuing to work on the stormwater repairs and that they are believed to be substantially completed by the end of August. He reminded that Board that they authorized staff to terminate the agreement with American Ecosystems and engage Clarke at the same price for monthly pond maintenance. He stated that Clarke started in July and that American Ecosystems was given the 30-day notice but was advised not to provide service after July 1<sup>st</sup>. He stated that some improvement has been noticeable since the switch and that Clarke has prepared a proposal that will be presented at the August meeting that would include a fairly extensive hydrilla maintenance plan. Ms. Bzdewka asked if the fish were an issue in Poinciana West as well and Mr. Flint responded that because of the temperatures right now, there is a significant concern about introducing those fish into ponds that have a water temperature of 85 degrees and higher. Mr. Vento asked if they were required to bid the aquatic contract and Mr. Eckert responded that they are not required to because of the amount of the contract. Discussion ensued regarding bidding requirements of governmental entities. Mr. Scheerer stated that he didn't have any additional field issues and thought that Clarke was doing a great job and that residents should also see an improvement. Ms. Bzdewka asked if there was additional charge for trash pick-up and Mr. Scheerer responded that there were none. Mr. Flint advised that he communicated with AV Homes to advise their sub-contractors about proper disposal, as the construction sites are the main source of the trash. Mr. Vento stated that adding the pond numbers to the complaint log was helpful.

**NINTH ORDER OF BUSINESS****Supervisor's Request**

Mr. Gecewicz asked Mr. Eckert to provide historical details about the funding agreement that a resident, Mr. Gundel, had mentioned last month. Mr. Eckert responded that his firm was the preliminary author of the agreement and that they received input from Underwriters and Bond Counsel over the years in relation to the terms of the document, and that it would have also been subject to negotiations with AV Homes or Avatar back in 2016 when it was implemented. He stated that the language that was pointed out at the last meeting has been used in many funding agreements, and that it is there to protect the District so that if bonds are not issued within five years, there is no obligation for the District to repay those monies at all.

**SEVENTH ORDER OF BUSINESS****General Audience Comments**

There being none, the next item is followed.

**ELEVENTH ORDER OF BUSINESS****Other Business**

There being none, the next item followed.

**TWELFTH ORDER OF BUSINESS**

**Next Meeting Date – August 15, 2018 @  
12:30 P.M.**

On MOTION by Ms. Bzdewka, seconded by Mr. Vento and Mr. Gecewicz, with all in favor, the meeting was adjourned.
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Secretary / Assistant Secretary

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Chairman / Vice Chairman

# SECTION V





3036 Michigan Avenue  
Kissimmee, FL 34744  
407.944.0520 p  
407.944.0709 f  
www.clarke.com

July 13, 2018

To: George Flint PWCDD District Manger

George,

Per our recent conversations the monthly cost relative to the whole scope of work (including hydrilla) for the ponds at PWCDD is as follows:

**\$4,750.00 monthly.**

Dr. Brett Bultemeier's hydrilla plan is as follows:

Hydrilla was found in 7 ponds (01-01, 1-05, 1-07, 1-09, 1-10, 1-11, 1-12, 1-15, and 1-21) throughout Poinciana West. Several of these ponds are facing a severe infestation that will take time to mitigate (immediate management of these ponds is advisable, as that much hydrilla makes other management efforts difficult or pointless). Managing this submersed weed is different than algae management, or even torpedo grass control. There are key times and strategies that need to be implemented in order to best address the problem in a cost effective and long term way. Management of hydrilla falls into two categories, Spring and Fall treatments. For ponds that irrigate contact herbicides are used in the spring, and then again in the fall, before October. For ponds where systemic herbicides are possible, a spring only treatment is needed for control. The goal is no hydrila growing by the end of October, in order to prevent the formation of tubers (October-March). These tubers can last 10+ years, so preventing their formation is critical to eradicating hydrilla, or at a minimum greatly reducing its growth. This requires that a coordinated



3036 Michigan Avenue  
Kissimmee, FL 34744  
407.944.0520 p  
407.944.0709 f  
www.clarke.com

resistance management plan must be in place to ensure the plants can not only be managed now, but in the long term as well.

### Keys to hydrilla management

- Proper rotation of herbicides (at least 2 modes of action for systemic treatments and 2 for contact treatments)
- Proper timing of treatment
  - Late spring/early summer for systemic treatments
  - Late spring/early summer and early fall for contact treatments
  - Tubers sprout in the spring and are created by hydrilla in the fall
  - Treatments in the spring target “new sprouting tubers” as they emerge and grow. Treatments in the fall (contact only) seek to eliminate any plants that have regrown over the summer so that “new tubers” are not placed in the soil. *The aforementioned ponds need to be treated at the appropriate time in 2018; a September treatment is most beneficial for most ponds, the most severely infested should be targeted ASAP.*
- Systemic treatments are reserved for non-pumping ponds and contact treatments are for pumping/irrigation ponds
- Coordination with district manager, golf course supervisors and anyone else involved in the ponds is necessary to properly shut down irrigation and pumping activities for treatments
- Continual scouting for “new” infestations
  - Immediate treatment to eliminate spread



3036 Michigan Avenue  
Kissimmee, FL 34744  
407.944.0520 p  
407.944.0709 f  
www.clarke.com

- Ability to communicate complex nature of management and understanding of its impacts
  - i.e. algae blooms follow treatment of hydrilla
- Full treatment where infestations are greater than 15% of total acreage
- Spot treatments where <10% infested are treated with contact herbicides and included in the "normal contract" pricing, not a separate charge under this amendment.
- **Due to timing it is desired that hydrilla management start in September, in order to best avoid a reset of tubers for 2019.**

Clarke is uniquely suited to handle these challenges and is prepared to implement a long term management plan that seeks to achieve suppression and elimination of hydrilla from Poinciana West. We have been largely successful in these endeavors at Solivita and see no reason that couldn't occur here.

**Dr. Brett Wells Bultemeier**  
*Clarke Water Resource Manager*

George, if You have any questions pertaining to the aforementioned pricing and Hydrilla plan please contact me. Thanks for the opportunity!

Sincerely,

Pete Deglomme  
Control Consultant



Cell: 407 509 1004  
Fax: 407 944 0709



A Global Environmental Products and Services Company



3036 Michigan Avenue

Kissimmee, FL 34744

407.944.0520 p

407.944.0709 f

[www.clarke.com](http://www.clarke.com)

Email: [pdeglomine@clarke.com](mailto:pdeglomine@clarke.com)

Web: [www.clarke.com](http://www.clarke.com)



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## SECTION VI

# SECTION A

## RESOLUTION 2018-11

### **THE ANNUAL APPROPRIATION RESOLUTION OF THE POINCIANA WEST COMMUNITY DEVELOPMENT DISTRICT (“DISTRICT”) RELATING TO THE ANNUAL APPROPRIATIONS AND ADOPTING THE BUDGETS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2018, AND ENDING SEPTEMBER 30, 2019; AUTHORIZING BUDGET AMENDMENTS; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the District Manager has, prior to the fifteenth (15<sup>th</sup>) day in June, 2018, submitted to the Board of Supervisors (“**Board**”) of the Poinciana West Community Development District (“**District**”) proposed budgets (“**Proposed Budgets**”) for the fiscal year beginning October 1, 2018 and ending September 30, 2019 (“**Fiscal Year 2018/2019**”) along with an explanatory and complete financial plan for each fund of the District, pursuant to the provisions of Section 190.008(2)(a), *Florida Statutes*; and

**WHEREAS**, at least sixty (60) days prior to the adoption of the Proposed Budgets, the District filed a copy of the Proposed Budgets with the local governing authorities having jurisdiction over the area included in the District pursuant to the provisions of Section 190.008(2)(b), *Florida Statutes*; and

**WHEREAS**, the Board set a public hearing thereon and caused notice of such public hearing to be given by publication pursuant to Section 190.008(2)(a), *Florida Statutes*; and

**WHEREAS**, the District Manager posted the Proposed Budgets on the District’s website at least two days before the public hearing; and

**WHEREAS**, Section 190.008(2)(a), *Florida Statutes*, requires that, prior to October 1<sup>st</sup> of each year, the Board, by passage of the Annual Appropriation Resolution, shall adopt a budget for the ensuing fiscal year and appropriate such sums of money as the Board deems necessary to defray all expenditures of the District during the ensuing fiscal year; and

**WHEREAS**, the District Manager has prepared the Proposed Budgets, whereby the budgets shall project the cash receipts and disbursements anticipated during a given time period, including reserves for contingencies for emergency or other unanticipated expenditures during the fiscal year.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE POINCIANA WEST COMMUNITY DEVELOPMENT DISTRICT:**

#### **SECTION 1. BUDGET**

- a. The Board has reviewed the Proposed Budgets, copies of which is on file with the office of the District Manager and at the District’s Local Records Office, and hereby approves certain amendments thereto, as shown in Section 2 below.

- b. The Proposed Budgets, attached hereto as **Exhibit “A,”** as amended by the Board, are hereby adopted in accordance with the provisions of Section 190.008(2)(a), *Florida Statutes* (“**Adopted Budgets**”), and incorporated herein by reference; provided, however, that the comparative figures contained in the Adopted Budgets may be subsequently revised as deemed necessary by the District Manager to reflect actual revenues and expenditures.
- c. The Adopted Budgets, as amended, shall be maintained in the office of the District Manager and at the District’s Local Records Office and identified as “The Budgets for the Poinciana West Community Development District for the Fiscal Year Ending September 30, 2019.”
- d. The Adopted Budgets shall be posted by the District Manager on the District’s official website within thirty (30) days after adoption, and shall remain on the website for at least 2 years.

## **SECTION 2. APPROPRIATIONS**

There is hereby appropriated out of the revenues of the District, for Fiscal Year 2018/2019, the sum of \$\_\_\_\_\_ to be raised by the levy of assessments and/or otherwise, which sum is deemed by the Board to be necessary to defray all expenditures of the District during said budget year, to be divided and appropriated in the following fashion:

TOTAL GENERAL FUND	\$ _____
DEBT SERVICE FUND - SERIES 2017	\$ _____
CAPITAL RESERVE FUND	\$ _____
TOTAL ALL FUNDS	\$ _____

## **SECTION 3. BUDGET AMENDMENTS**

Pursuant to Section 189.016, *Florida Statutes*, the District at any time within Fiscal Year 2018/2019 or within 60 days following the end of the Fiscal Year 2018/2019 may amend its Adopted Budget for that fiscal year as follows:

- a. The Board may authorize an increase or decrease in line item appropriations within a fund by motion recorded in the minutes if the total appropriations of the fund do not increase.
- b. The District Manager or Treasurer may authorize an increase or decrease in line item appropriations within a fund if the total appropriations of the fund do not increase and if the aggregate change in the original appropriation item does not exceed \$10,000 or 10% of the original appropriation.



- c. By resolution, the Board may increase any appropriation item and/or fund to reflect receipt of any additional unbudgeted monies and make the corresponding change to appropriations or the unappropriated balance.
- d. Any other budget amendments shall be adopted by resolution and consistent with Florida law.

The District Manager or Treasurer must establish administrative procedures to ensure that any budget amendments are in compliance with this Section 3 and Section 189.016, *Florida Statutes*, among other applicable laws. Among other procedures, the District Manager or Treasurer must ensure that any amendments to budget under subparagraphs c. and d. above are posted on the District's website within 5 days after adoption and remain on the website for at least 2 years.

**SECTION 4. EFFECTIVE DATE.** This Resolution shall take effect immediately upon adoption.

**PASSED AND ADOPTED THIS 15<sup>th</sup> DAY OF AUGUST, 2018.**

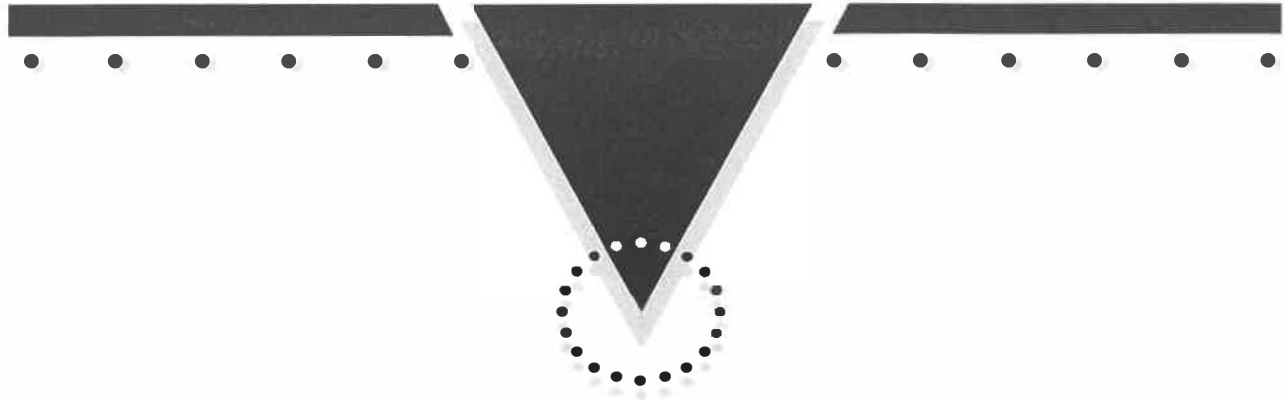
ATTEST:

**POINCIANA WEST COMMUNITY  
DEVELOPMENT DISTRICT**

\_\_\_\_\_  
Secretary/Assistant Secretary

By: \_\_\_\_\_

Its: \_\_\_\_\_



# **Poinciana West Community Development District**

**Proposed Budget  
FY 2019**



# Table of Contents

1	<u>General Fund</u>
2-5	<u>General Fund Narrative</u>
6	<u>Debt Service Fund Series 2017 R1 &amp; R2</u>
7	<u>Amortization Schedule Series 2017 R1</u>
8	<u>Amortization Schedule Series 2017 R2</u>

**Poinciana West**  
Community Development District

**Fiscal Year 2019**  
**General Fund**

Description	Adopted Budget FY2018	Actual Thru 7/31/18	Projected Next 2 Months	Total Thru 9/30/18	Proposed Budget FY2019
<b><u>Revenues</u></b>					
Special Assessments - Tax Collector	\$291,294	\$292,357	\$0	\$292,357	\$291,294
Interest	\$3,000	\$5,915	\$585	\$6,500	\$3,000
Carry Forward Surplus	\$0	\$8,622	\$0	\$8,622	\$51,955
<b>Total Revenues</b>	<b>\$294,294</b>	<b>\$306,893</b>	<b>\$585</b>	<b>\$307,478</b>	<b>\$346,249</b>
<b><u>Expenditures</u></b>					
<b><u>Administrative</u></b>					
Supervisors Fees	\$6,000	\$11,000	\$2,000	\$13,000	\$12,000
FICA Expense	\$459	\$842	\$153	\$995	\$918
Engineering	\$20,000	\$22,535	\$2,465	\$25,000	\$20,000
Attorney	\$50,000	\$37,368	\$10,202	\$47,570	\$50,000
Arbitrage	\$600	\$900	\$0	\$900	\$450
Dissemination	\$5,000	\$5,082	\$833	\$5,916	\$5,000
Annual Audit	\$4,023	\$0	\$3,415	\$3,415	\$3,415
Trustee Fees	\$0	\$7,004	\$0	\$7,004	\$7,050
Assessment Administration	\$0	\$0	\$0	\$0	\$5,000
Management Fees	\$50,525	\$39,266	\$7,500	\$46,766	\$45,000
Information Technology	\$0	\$1,219	\$250	\$1,469	\$1,500
Telephone	\$0	\$24	\$26	\$50	\$100
Postage	\$1,000	\$2,888	\$650	\$3,538	\$3,000
Printing & Binding	\$1,500	\$2,431	\$547	\$2,978	\$1,500
Insurance	\$10,883	\$10,074	\$0	\$10,074	\$10,883
Legal Advertising	\$2,000	\$8,393	\$507	\$8,900	\$2,500
Other Current Charges	\$636	\$707	\$103	\$810	\$636
Office Supplies	\$200	\$318	\$37	\$355	\$200
Property Appraiser	\$6,198	\$0	\$6,198	\$6,198	\$6,198
Dues, Licenses & Subscriptions	\$175	\$175	\$0	\$175	\$175
<b>Administrative Expenses</b>	<b>\$159,199</b>	<b>\$150,225</b>	<b>\$34,886</b>	<b>\$185,112</b>	<b>\$175,525</b>
<b><u>Operation &amp; Maintenance</u></b>					
Field Services	\$4,371	\$6,551	\$1,667	\$8,218	\$10,000
Landscape Maintenance	\$56,294	\$46,912	\$9,382	\$56,294	\$56,294
Aquatic Control Maintenance	\$32,430	\$27,025	\$5,405	\$32,430	\$32,430
Aquatic Midge Management	\$22,000	\$18,333	\$3,667	\$22,000	\$32,000
R&M Plant Replacement	\$10,000	\$0	\$500	\$500	\$10,000
Storm Structure Repairs	\$0	\$2,425	\$0	\$2,425	\$0
Contingency	\$10,000	\$0	\$500	\$500	\$10,000
Capital Outlay	\$0	\$0	\$0	\$0	\$20,000
<b>Operation &amp; Maintenance Expenses</b>	<b>\$135,095</b>	<b>\$101,245</b>	<b>\$21,121</b>	<b>\$122,366</b>	<b>\$170,724</b>
<b>Total Expenditures</b>	<b>\$294,294</b>	<b>\$251,471</b>	<b>\$56,007</b>	<b>\$307,478</b>	<b>\$346,249</b>
<b>Excess Revenues/(Expenditures)</b>	<b>\$0</b>	<b>\$55,422</b>	<b>(\$55,422)</b>	<b>\$0</b>	<b>\$0</b>

Net Assessment	\$291,294
Collection Cost (6%)	\$18,593
Gross Assessment	<u>\$309,887</u>

**Poinciana West**  
**Community Development District**  
GENERAL FUND BUDGET

**REVENUES:**

*Special Assessments – Tax Collector*

The District will levy a non-ad valorem assessment on all the assessable property within the District in order to pay for the operating expenditures during the fiscal year.

*Interest*

The District earns interest income on their operating accounts and other investments.

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**EXPENDITURES:**

**Administrative:**

*Supervisors Fees*

Chapter 190, Florida Statutes, allows for each Board member to receive \$200 per meeting, not to exceed \$4,800 per year paid to each Supervisor for the time devoted to District business and meetings. The amount is based on 5 supervisors attending 12 meetings during the fiscal year.

*FICA Expense*

Represents the Employer's share of Social Security and Medicare taxes withheld from Board of Supervisor checks.

*Engineering*

The District's engineer, GAI Consultants, Inc., will be providing general engineering services to the District, e.g. attendance and preparation for monthly board meetings, review of invoices and requisitions, preparation and review of contract specifications and bid documents, and various projects assigned as directed by the Board of Supervisors and the District Manager.

*Attorney*

The District's legal counsel, Hopping, Green & Sams, will be providing general legal services to the District, e.g. attendance and preparation for monthly meetings, preparation and review of agreements and resolutions, and other research assigned as directed by the Board of Supervisors and the District Manager.

*Arbitrage*

The District will contract with an independent certified public accountant to annually calculate the District's Arbitrage Rebate Liability on the Series 2017 R1 & R2 Special Assessment Refunding Bonds. The District has contracted with AMTEC for this service.

*Dissemination*

The District is required by the Security and Exchange Commission to comply with Rule 15c2-12(b)(5) which relates to additional reporting requirements for unrated bond issues.

# **Poinciana West**

## **Community Development District**

### **GENERAL FUND BUDGET**

#### *Annual Audit*

The District is required by Florida Statutes to arrange for an independent audit of its financial records on an annual basis. The District has contracted with Berger, Toombs, Elam, Gaines & Frank for this service.

#### *Trustee Fees*

The District will pay annual trustee fees for the Series 2017 R-1 & R-2 Special Assessment Refunding Bonds that are deposited with a Trustee at USBank.

#### *Assessment Administration*

The District has contracted with Governmental Management Services-CF, LLC to levy and administer the collection of non-ad valorem assessment on all assessable property within the District.

#### *Management Fees*

The District has contracted with Governmental Management Services-Central Florida, LLC to provide Management, Accounting and Recording Secretary Services for the District. The services include, but not limited to, recording and transcription of board meetings, budget preparation, all financial reporting, annual audit, etc.

#### *Information Technology*

Represents costs related to District's accounting and information systems, District's website creation and maintenance, electronic compliance with Florida Statutes and other electronic data requirements.

#### *Telephone*

Telephone and fax machine.

#### *Postage*

The District incurs charges for mailing of agenda packages, overnight deliveries, checks for vendors and other required correspondence.

#### *Printing & Binding*

Printing and Binding agenda packages for board meetings, printing of computerized checks, stationary, envelopes etc.

#### *Insurance*

The District's general liability and public officials liability insurance coverage is provided by Public Risk Insurance. Public Risk Insurance specializes in providing insurance coverage to governmental agencies.

#### *Legal Advertising*

The District is required to advertise various notices for monthly Board meetings, public hearings, etc in a newspaper of general circulation.

**Poinciana West**  
**Community Development District**  
GENERAL FUND BUDGET

Other Current Charges

Represents any miscellaneous expenses incurred during the fiscal year such as bank fees, deposit slips, stop payments, etc.

Office Supplies

The District incurs charges for office supplies that need to be purchased during the fiscal year.

Property Appraiser

Represents a fee charged by Polk County Property Appraiser's office for assessment administration services.

Dues, Licenses & Subscriptions

The District is required to pay an annual fee to the Florida Department of Economic Opportunity for \$175. This is the only expense under this category for the District.

**Operations & Maintenance:**

Field Services

Provide onsite field management of contracts for the District such as landscape and lake maintenance. Services to include onsite inspections, meetings with contractors, monitoring of utility accounts, attend Board meetings and receive and respond to property owner phone calls and emails.

Landscape Maintenance

The District will maintain the lake bank maintenance that include mowing of no less than once every 7 days during the months of April 1<sup>st</sup> to October 31<sup>st</sup> and no less than once every 14 days from November 1<sup>st</sup> to March 31<sup>st</sup>. The District has contracted with Floraweed 2, LLC for this service.

Description	Monthly	Annual
Landscape Maintenance	\$4,691	\$56,294
<b>Total</b>		<b>\$56,294</b>

Aquatic Control Maintenance

Represents cost for maintenance to the ponds located within the District. Services include, but are not limited to, treatment removal and offsite disposal of nuisance vegetation and algae treatment. The District has contracted with American Ecosystems, Inc. for these services.

Description	Monthly	Annual
Aquatic Maintenance	\$2,702	\$32,430
<b>Total</b>		<b>\$32,430</b>

**Poinciana West**  
**Community Development District**  
GENERAL FUND BUDGET

*Aquatic Midge Management*

Represents costs for aquatic midge control (blind mosquitoes, weekly ATV aerosol & monthly aerial larva side.)

<b>Description</b>	<b>Monthly</b>	<b>Annual</b>
Aquatic Midge Control	\$1,833	\$22,000
Contingency		\$10,000
<b>Total</b>		<b>\$32,000</b>

*R&M – Plant Replacement*

Represents estimated cost for the replacement of aquatic plants and tree replacement around the ponds.

*Storm Structure Repairs*

Represents estimated repair and maintenance cost to the storm structures maintained by the District.

*Contingency*

Represents any additional field expense that may not have been provided for in the budget.

*Capital Outlay*

Represents estimated cost for Aeration Systems.



# Poinciana West

## Community Development District

### Fiscal Year 2019 Debt Service Fund

Adopted Budget FY2018	Actual Thru 7/31/18	Projected Next 2 Months	Total Thru 9/30/18	Proposed Budget FY2019
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#### Revenues

Special Assessments - Tax Collector	\$1,050,687	\$1,054,523	\$0	\$1,054,523	\$1,050,687
Interest Income	\$100	\$1,530	\$220	\$1,750	\$100
Carry Forward Surplus	\$974,881	\$275,726	\$0	\$275,726	\$292,350

<b>Total Revenues</b>	<b>\$2,025,668</b>	<b>\$1,331,779</b>	<b>\$220</b>	<b>\$1,331,999</b>	<b>\$1,343,137</b>
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#### Expenses

##### **Administrative**

Property Appraiser	\$22,355	\$0	\$22,355	\$22,355	\$22,355
Trustee Fees	\$5,500	\$0	\$0	\$0	\$0

##### **Series 2017 R-1**

Interest - 11/1	\$198,166	\$198,166	\$0	\$198,166	\$194,316
Principal - 5/1	\$385,000	\$385,000	\$0	\$385,000	\$395,000
Interest - 5/1	\$198,166	\$198,166	\$0	\$198,166	\$194,316

##### **Series 2017 R-2**

Interest - 11/1	\$77,981	\$77,981	\$0	\$77,981	\$75,831
Principal - 5/1	\$80,000	\$80,000	\$0	\$80,000	\$85,000
Interest - 5/1	\$77,981	\$77,981	\$0	\$77,981	\$75,831

<b>Total Expenditures</b>	<b>\$1,045,149</b>	<b>\$1,017,294</b>	<b>\$22,355</b>	<b>\$1,039,649</b>	<b>\$1,042,649</b>
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<b>Excess Revenues/(Expenditures)</b>	<b>\$980,519</b>	<b>\$314,485</b>	<b>(\$22,135)</b>	<b>\$292,350</b>	<b>\$300,488</b>
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##### Series 2017 R-1

Interest - 11/1/2019	\$190,119
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##### Series 2017 R-2

Interest - 11/1/2019	\$73,547
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Net Assessment	\$1,050,687
Collection Cost (6%)	\$67,065
Gross Assessment	<u>\$1,117,752</u>

**Poinciana West**  
**Community Development District**

SERIES 2017 R-1  
AMORTIZATION SCHEDULE

DATE	BALANCE	PRINCIPAL	INTEREST	TOTAL
11/1/18	\$ 10,345,000.00	\$ -	\$ 194,315.63	\$ 194,315.63
5/1/19	\$ 10,345,000.00	\$ 395,000.00	\$ 194,315.63	\$ -
11/1/19	\$ 9,950,000.00	\$ -	\$ 190,118.75	\$ 779,434.38
5/1/20	\$ 9,950,000.00	\$ 405,000.00	\$ 190,118.75	\$ -
11/1/20	\$ 9,545,000.00	\$ -	\$ 185,258.75	\$ 780,377.50
5/1/21	\$ 9,545,000.00	\$ 415,000.00	\$ 185,258.75	\$ -
11/1/21	\$ 9,130,000.00	\$ -	\$ 179,656.25	\$ 779,915.00
5/1/22	\$ 9,130,000.00	\$ 425,000.00	\$ 179,656.25	\$ -
11/1/22	\$ 8,705,000.00	\$ -	\$ 173,281.25	\$ 777,937.50
5/1/23	\$ 8,705,000.00	\$ 440,000.00	\$ 173,281.25	\$ -
11/1/23	\$ 8,265,000.00	\$ -	\$ 166,406.25	\$ 779,687.50
5/1/24	\$ 8,265,000.00	\$ 455,000.00	\$ 166,406.25	\$ -
11/1/24	\$ 7,810,000.00	\$ -	\$ 159,012.50	\$ 780,418.75
5/1/25	\$ 7,810,000.00	\$ 470,000.00	\$ 159,012.50	\$ -
11/1/25	\$ 7,340,000.00	\$ -	\$ 150,787.50	\$ 779,800.00
5/1/26	\$ 7,340,000.00	\$ 485,000.00	\$ 150,787.50	\$ -
11/1/26	\$ 6,855,000.00	\$ -	\$ 142,057.50	\$ 777,845.00
5/1/27	\$ 6,855,000.00	\$ 505,000.00	\$ 142,057.50	\$ -
11/1/27	\$ 6,350,000.00	\$ -	\$ 132,715.00	\$ 779,772.50
5/1/28	\$ 6,350,000.00	\$ 525,000.00	\$ 132,715.00	\$ -
11/1/28	\$ 5,825,000.00	\$ -	\$ 122,871.25	\$ 780,586.25
5/1/29	\$ 5,825,000.00	\$ 545,000.00	\$ 122,871.25	\$ -
11/1/29	\$ 5,280,000.00	\$ -	\$ 111,971.25	\$ 779,842.50
5/1/30	\$ 5,280,000.00	\$ 565,000.00	\$ 111,971.25	\$ -
11/1/30	\$ 4,715,000.00	\$ -	\$ 100,318.13	\$ 777,289.38
5/1/31	\$ 4,715,000.00	\$ 590,000.00	\$ 100,318.13	\$ -
11/1/31	\$ 4,125,000.00	\$ -	\$ 88,149.38	\$ 778,467.50
5/1/32	\$ 4,125,000.00	\$ 615,000.00	\$ 88,149.38	\$ -
11/1/32	\$ 3,510,000.00	\$ -	\$ 75,465.00	\$ 778,614.38
5/1/33	\$ 3,510,000.00	\$ 645,000.00	\$ 75,465.00	\$ -
11/1/33	\$ 2,865,000.00	\$ -	\$ 61,597.50	\$ 782,062.50
5/1/34	\$ 2,865,000.00	\$ 670,000.00	\$ 61,597.50	\$ -
11/1/34	\$ 2,195,000.00	\$ -	\$ 47,192.50	\$ 778,790.00
5/1/35	\$ 2,195,000.00	\$ 700,000.00	\$ 47,192.50	\$ -
11/1/35	\$ 1,495,000.00	\$ -	\$ 32,142.50	\$ 779,335.00
5/1/36	\$ 1,495,000.00	\$ 730,000.00	\$ 32,142.50	\$ -
11/1/36	\$ 765,000.00	\$ -	\$ 16,447.50	\$ 778,590.00
5/1/37	\$ 765,000.00	\$ 765,000.00	\$ 16,447.50	\$ 781,447.50
		\$ 10,345,000.00	\$ 4,659,528.75	\$ 15,004,528.75

# Poinciana West

## Community Development District

### SERIES 2017 R-2 AMORTIZATION SCHEDULE

DATE	BALANCE	PRINCIPAL	INTEREST	TOTAL
11/1/18	\$ 2,740,000.00	\$ -	\$ 75,831.25	\$ 75,831.25
5/1/19	\$ 2,740,000.00	\$ 85,000.00	\$ 75,831.25	\$ -
11/1/19	\$ 2,655,000.00	\$ -	\$ 73,546.88	\$ 234,378.13
5/1/20	\$ 2,655,000.00	\$ 90,000.00	\$ 73,546.88	\$ -
11/1/20	\$ 2,565,000.00	\$ -	\$ 71,128.13	\$ 234,675.00
5/1/21	\$ 2,565,000.00	\$ 95,000.00	\$ 71,128.13	\$ -
11/1/21	\$ 2,470,000.00	\$ -	\$ 68,575.00	\$ 234,703.13
5/1/22	\$ 2,470,000.00	\$ 100,000.00	\$ 68,575.00	\$ -
11/1/22	\$ 2,370,000.00	\$ -	\$ 65,887.50	\$ 234,462.50
5/1/23	\$ 2,370,000.00	\$ 105,000.00	\$ 65,887.50	\$ -
11/1/23	\$ 2,265,000.00	\$ -	\$ 63,065.63	\$ 233,953.13
5/1/24	\$ 2,265,000.00	\$ 110,000.00	\$ 63,065.63	\$ -
11/1/24	\$ 2,155,000.00	\$ -	\$ 60,109.38	\$ 233,175.00
5/1/25	\$ 2,155,000.00	\$ 115,000.00	\$ 60,109.38	\$ -
11/1/25	\$ 2,040,000.00	\$ -	\$ 57,018.75	\$ 232,128.13
5/1/26	\$ 2,040,000.00	\$ 125,000.00	\$ 57,018.75	\$ -
11/1/26	\$ 1,915,000.00	\$ -	\$ 53,659.38	\$ 235,678.13
5/1/27	\$ 1,915,000.00	\$ 130,000.00	\$ 53,659.38	\$ -
11/1/27	\$ 1,785,000.00	\$ -	\$ 50,165.63	\$ 233,825.00
5/1/28	\$ 1,785,000.00	\$ 135,000.00	\$ 50,165.63	\$ -
11/1/28	\$ 1,650,000.00	\$ -	\$ 46,537.50	\$ 231,703.13
5/1/29	\$ 1,650,000.00	\$ 145,000.00	\$ 46,537.50	\$ -
11/1/29	\$ 1,505,000.00	\$ -	\$ 42,640.63	\$ 234,178.13
5/1/30	\$ 1,505,000.00	\$ 155,000.00	\$ 42,640.63	\$ -
11/1/30	\$ 1,350,000.00	\$ -	\$ 38,475.00	\$ 236,115.63
5/1/31	\$ 1,350,000.00	\$ 160,000.00	\$ 38,475.00	\$ -
11/1/31	\$ 1,190,000.00	\$ -	\$ 33,915.00	\$ 232,390.00
5/1/32	\$ 1,190,000.00	\$ 170,000.00	\$ 33,915.00	\$ -
11/1/32	\$ 1,020,000.00	\$ -	\$ 29,070.00	\$ 232,985.00
5/1/33	\$ 1,020,000.00	\$ 180,000.00	\$ 29,070.00	\$ -
11/1/33	\$ 840,000.00	\$ -	\$ 23,940.00	\$ 233,010.00
5/1/34	\$ 840,000.00	\$ 190,000.00	\$ 23,940.00	\$ -
11/1/34	\$ 650,000.00	\$ -	\$ 18,525.00	\$ 232,465.00
5/1/35	\$ 650,000.00	\$ 205,000.00	\$ 18,525.00	\$ -
11/1/35	\$ 445,000.00	\$ -	\$ 12,682.50	\$ 236,207.50
5/1/36	\$ 445,000.00	\$ 215,000.00	\$ 12,682.50	\$ -
11/1/36	\$ 230,000.00	\$ -	\$ 6,555.00	\$ 234,237.50
5/1/37	\$ 230,000.00	\$ 230,000.00	\$ 6,555.00	\$ 236,555.00
		\$ 2,740,000.00	\$ 1,782,656.25	\$ 4,522,656.25

## SECTION B

## RESOLUTION 2018-12

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE POINCIANA WEST COMMUNITY DEVELOPMENT DISTRICT MAKING A DETERMINATION OF BENEFIT AND IMPOSING SPECIAL ASSESSMENTS FOR FISCAL YEAR 2018/2019; PROVIDING FOR THE COLLECTION AND ENFORCEMENT OF SPECIAL ASSESSMENTS; CERTIFYING AN ASSESSMENT ROLL; PROVIDING FOR AMENDMENTS TO THE ASSESSMENT ROLL; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Poinciana West Community Development District (“**District**”) is a local unit of special-purpose government established pursuant to Chapter 190, *Florida Statutes*, for the purpose of providing, operating and maintaining infrastructure improvements, facilities and services to the lands within the District; and

**WHEREAS**, the District is located in Polk County, Florida (“**County**”); and

**WHEREAS**, the District has constructed or acquired various infrastructure improvements and provides certain services in accordance with the District’s adopted capital improvement plan and Chapter 190, *Florida Statutes*; and

**WHEREAS**, the Board of Supervisors (“**Board**”) of the District hereby determines to undertake various operations and maintenance and other activities described in the District’s budget (“**Adopted Budget**”) for the fiscal year beginning October 1, 2018 and ending September 30, 2019 (“**Fiscal Year 2018/2019**”), attached hereto as **Exhibit “A”** and incorporated by reference herein; and

**WHEREAS**, the District must obtain sufficient funds to provide for the operation and maintenance of the services and facilities provided by the District as described in the Adopted Budget; and

**WHEREAS**, the provision of such services, facilities, and operations is a benefit to lands within the District; and

**WHEREAS**, Chapter 190, *Florida Statutes*, provides that the District may impose special assessments on benefitted lands within the District; and

**WHEREAS**, it is in the best interests of the District to proceed with the imposition of the special assessments for operations and maintenance in the amount set forth in the Adopted Budget; and

**WHEREAS**, the District has previously levied an assessment for debt service, which the District desires to collect for Fiscal Year 2018/2019; and

**WHEREAS**, Chapter 197, *Florida Statutes*, provides a mechanism pursuant to which such special assessments may be placed on the tax roll and collected by the local tax collector (“**Uniform Method**”), and the District has previously authorized the use of the Uniform Method by, among other things, entering into agreements with the Property Appraiser and Tax Collector of the County for that purpose; and

**WHEREAS**, it is in the best interests of the District to adopt the Assessment Roll of the Poinciana West Community Development District (“**Assessment Roll**”) attached to this Resolution as **Exhibit “B”** and incorporated as a material part of this Resolution by this reference, and to certify the Assessment Roll to the County Tax Collector pursuant to the Uniform Method; and

**WHEREAS**, it is in the best interests of the District to permit the District Manager to amend the Assessment Roll, certified to the County Tax Collector by this Resolution, as the Property Appraiser updates the property roll for the County, for such time as authorized by Florida law.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD  
OF SUPERVISORS OF THE POINCIANA WEST  
COMMUNITY DEVELOPMENT DISTRICT:**

**SECTION 1. BENEFIT & ALLOCATION FINDINGS.** The Board hereby finds and determines that the provision of the services, facilities, and operations as described in **Exhibit “A”** confers a special and peculiar benefit to the lands within the District, which benefit exceeds or equals the cost of the assessments. The allocation of the assessments to the specially benefitted lands, as shown in **Exhibits “A” and “B,”** is hereby found to be fair and reasonable.

**SECTION 2. ASSESSMENT IMPOSITION.** Pursuant to Chapters 190 and 197, *Florida Statutes*, and using the procedures authorized by Florida law for the levy and collection of special assessments, a special assessment for operation and maintenance is hereby imposed and levied on benefitted lands within the District, and in accordance with **Exhibits “A” and “B.”** The lien of the special assessments for operations and maintenance imposed and levied by this Resolution shall be effective upon passage of this Resolution. Moreover, pursuant to Section 197.3632(4), *Florida Statutes*, the lien amount shall serve as the “maximum rate” authorized by law for operation and maintenance assessments.

**SECTION 3. COLLECTION.** The collection of the operation and maintenance special assessments and previously levied debt service assessments shall be at the same time and in the same manner as County taxes in accordance with the Uniform Method, as indicated on **Exhibits “A” and “B.”** The decision to collect special assessments by any particular method – e.g., on the tax roll or by direct bill – does not mean that such method will be used to collect special assessments in future years, and the District reserves the right in its sole discretion to select collection methods in any given year, regardless of past practices.

**SECTION 4. ASSESSMENT ROLL.** The Assessment Roll, attached to this Resolution as

**Exhibit “B,”** is hereby certified to the County Tax Collector and shall be collected by the County Tax Collector in the same manner and time as County taxes. The proceeds therefrom shall be paid to the District.

**SECTION 5. ASSESSMENT ROLL AMENDMENT.** The District Manager shall keep apprised of all updates made to the County property roll by the Property Appraiser after the date of this Resolution, and shall amend the Assessment Roll in accordance with any such updates, for such time as authorized by Florida law, to the County property roll. After any amendment of the Assessment Roll, the District Manager shall file the updates in the District records.

**SECTION 6. SEVERABILITY.** The invalidity or unenforceability of any one or more provisions of this Resolution shall not affect the validity or enforceability of the remaining portions of this Resolution, or any part thereof.

**SECTION 7. EFFECTIVE DATE.** This Resolution shall take effect upon the passage and adoption of this Resolution by the Board.

**PASSED AND ADOPTED this 15<sup>th</sup> day of August, 2018.**

Witness:

**POINCIANA WEST COMMUNITY  
DEVELOPMENT DISTRICT**

\_\_\_\_\_  
Secretary / Assistant Secretary

By: \_\_\_\_\_

Its: \_\_\_\_\_

**Exhibit A:** Budget

**Exhibit B:** Assessment Roll

## SECTION VII





Scott I. Steady  
ssteady@burr.com  
Direct Dial: (813) 367-5719

One Tampa City Center, Suite 3200  
201 North Franklin Street  
Tampa, FL 33602

Office (813) 221-2626  
Fax (813) 221-7335

BURR.COM

July 20, 2018

Chairman and Members of the Board of Supervisors  
Poinciana Community Development District  
Poinciana West Community Development District  
c/o George S. Flint  
Governmental Management Services -  
Central Florida, LLC  
135 West Central Boulevard, Suite 320  
Orlando, FL 32801

**Re: Proposal for Legal Services**

Dear Chairman:

Burr Forman is pleased to have the opportunity to submit this proposal to assist the Districts with the acquisitions. Scott Steady is the partner with the firm that will provide the primary representation to the Districts. Scott has thirty (30) years of experience representing local governments and Community Development Districts (CDDs). During the first few years of his practice, Scott Steady was an assistant City attorney for Tampa, an assistant county attorney for Pinellas and an assistant City attorney for Temple Terrace. In addition to his local government practice, Scott also represents developers in land use and zoning matters and clients concerning environmental clean-ups. Scott currently represents the City of Tampa's solid waste department on special matters.

- Scott is currently in the process of creating a new CDD in Pasco County
- Scott represents seven (7) resident-controlled CDDs in Hillsborough and Pasco County
- Scott represents the Trustee/Board in two defaulted CDDs
- Scott represents four (4) developer-controlled CDDs

Both Scott Brown and Iden Sinai are real estate lawyers in our office and they will provide whatever transaction services are required.

Scott Brown has over thirty years' worth of experience as a real estate lawyer in the greater Tampa Bay area. He has an extensive practice throughout the country representing clients in a variety of industries, including multi-family, office and medical center property acquisitions and dispositions. Scott also has significant experience with LIHTC use restrictions and guiding

clients through the Qualified Contract process and other regulatory matters within the multi-family housing space.

Scott Brown and his team also have an active practice representing borrowers in Fannie Mae and Freddie Mac financing. Scott also represents local, regional and national lenders in structuring and documenting construction and permanent real estate loans throughout Florida and the southeast, as well as issuance of title insurance for acquisition and loan transactions for multiple national underwriters.

Iden Sinai has nearly a decade of experience throughout the United States representing real estate developers and lenders in loan transactions secured by real estate, as well as representing developers and real estate investors on acquisitions and sales across a variety of industries. Iden also works with multifamily housing and other developers on a number of day-to-day operational issues, including drafting leases, applying for LIHTC and other regulatory approval and assisting with other compliance issues.

Iden also has broad legal experience representing corporations with general governance issues and general corporate matters, including corporate formation, restructuring, governance issues, and preparing bylaws and operating agreements for a variety of corporate entities. In addition, Iden has significant third-party legal opinion experience for asset-based and real estate lending in the State of Florida.

Scott Steady's proposed rate is \$375.00

Iden Sinai's proposed rate is \$325.00

Scott Brown's proposed rate is \$425.00

We appreciate your consideration of this proposal and look forward to hearing from you.

Sincerely,



Scott I. Steady

SIS/lat



BRIAN M. JONES  
PARTNER  
Shutts & Bowen LLP  
300 South Orange Avenue  
Suite 1600  
Orlando, Florida 32801  
DIRECT (407) 835-6937  
FAX (407) 849-7237  
EMAIL [bjones@shutts.com](mailto:bjones@shutts.com)

August 1, 2018

**VIA E-MAIL**

District Manager  
George Flint  
Vice-President  
Governmental Management Services –  
Central Florida, LLC  
135 West Central Blvd, Suite 320  
Orlando, Florida 32801

**Re: Poinciana West Community Development District (collectively “Poinciana West CDD”) and Poinciana Community Development District Poinciana CDD (collectively “Districts”) request for proposal of legal services**

Dear George:

Thank you for the opportunity to respond to the RFP (“RFP”) and to submit our firm’s qualifications and proposed rate and fee structure related to the Districts’ proposed acquisition of certain amenities from Avatar Properties Inc. (“Transaction”). Shutts & Bowen has significant experience in both sophisticated commercial real estate transactions, and in the representation of community development districts. (We have included with this correspondence some general information about our firm as well as more specific information concerning our real estate and community development district experience.)

If we were retained by the Districts, I would be the lead attorney for the Transaction. As reflected in my biographical information I have over thirty (30) years of real estate experience. In addition, I have represented developers and homebuilders with respect to the establishment and operation of community development districts. I have also represented the Viera East Community Development District (“Viera East CDD”) located in Brevard County Florida, continuously since 2004. Our representation of the Viera East CDD has encompassed various legal matters from bond refinancing to the negotiation of service contracts, and has included numerous real estate transactions and conveyances between the Viera East CDD and the community developer, Brevard County and the State of Florida.

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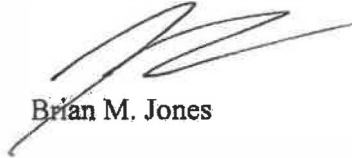
We would extend our governmental hourly rates to the Districts for the Transaction, which are as follows:

1. Brian M. Jones        \$340.00
2. Steven Zucker        \$340.00
3. Scott Glass        \$340.00
4. Paul Jezierny        \$210.00
5. Paralegal rates would be reduced to \$175.00

After your review of this correspondence and the enclosed information please contact me with any questions or requests for additional information.

Very Truly Yours,

Shutts & Bowen LLP



Brian M. Jones

BMJ/aem



PROPOSAL FOR

GOVERNMENTAL MANAGEMENT  
SERVICES – CENTRAL FLORIDA, LLC,  
DISTRICT MANAGER FOR THE  
POINCIANA COMMUNITY  
DEVELOPMENT DISTRICT AND THE  
POINCIANA WEST COMMUNITY  
DEVELOPMENT DISTRICT

Presented by:

BRIAN M. JONES  
407-835-6937  
[BJones@shutts.com](mailto:BJones@shutts.com)

August 1, 2018



## Community Development Districts

### Overview

Our Community Development District (CDD) team has decades of experience working on all sides of transactions involving special districts. We have assisted in the formation of CDDs as well as the development and implementation of their associated policies and procedures.

Our attorneys regularly assist CDD's in a broad range of legal issues including real estate matters, bond issuance contracts, and litigation. We also have extensive experience assisting developers and investors seeking to utilize CDDs and better understand the obligations and responsibilities inherent in existing CDDs. This includes addressing the concerns of permitting agencies, and meeting the expectations of local governments. The team includes Brian M. Jones with over thirty (30) years of real estate experience; Steven J. Zucker, who, as a former member of the City of Orlando City Attorney's Office, was responsible for the review of all CDD petitions and oversight of operations for compliance with Interlocal Agreements; and Scott Glass, who, as former City Attorney, has extensive experience in local government representation.

We have also served as general counsel to scores of CDDs throughout the State of Florida. Our attorneys are keenly aware of the complex issues associated with public finance, public bidding processes, and rule-making, as well as public records and open meetings laws.

The services we provide to our clients include the following:

- Real Estate Transactions Regulatory Compliances and Permitting
- Contract Drafting and Negotiation, Including the Preparing and Filing of Petitions and Resolutions for the Establishment of a CDD
- Preparing Exhibits and Compiling All Evidence Necessary for Admission at Public Hearings
- Addressing the Requirements of the Appropriate Governmental Authority or Administrative Body
- Bond Financing
- CDD Budgeting
- Enforcement
- Special Assessment Implementation



## REAL ESTATE

### Overview

If you operate in the dynamic, fast-paced world of real estate, you need trusted counselors to help you navigate the myriad issues that emerge along the way – from first assessment to final sale. As real estate attorneys with decades of experience, we pride ourselves on partnering with commercial and residential developers, financiers, builders, contractors and others conducting business in the real estate arena. We counsel clients throughout the State of Florida, and also serve as trusted advisors to major companies in national and international markets.

We've been honored for outstanding service to clients by such prestigious organizations and ranking agencies as *Chambers USA*, *Best Lawyers in America®*, *Super Lawyers* and *Florida Trend*, and several of our attorneys are Florida Bar Board Certified in real estate.

### Experience

Different ventures require different approaches, and our team can create and apply innovative legal strategies as needed. Our statewide practice handles projects such as residential and condominium developments, office buildings, shopping centers, industrial parks, hotels and resorts, golf courses, hospitals and manufacturing plants. We also bring knowledge and experience in finance, corporate law, litigation, tax and other areas.

### Services

- **Development:** Whether your project is a building complex or a single unit, we have experience in counseling developers, property owners and investors in buying, developing, selling, leasing and converting residential and commercial property.
- **Finance:** We've built close working relationships with many lenders in Florida and across the country, and help our clients get deals done. We advise on interim and permanent mortgage loans on commercial projects, as well as workouts, bankruptcies, foreclosures and restructurings of troubled projects.
- **Construction:** We represent developers, home builders and contractors on contract and other construction-related issues. Our construction litigation team counsels clients when construction defects, delays and contract disputes arise. We work to resolve matters quickly and effectively.
- **Land Use and Zoning:** The laws and regulations governing land use and zoning matters are often dense and complex. We help companies navigate through this



regulatory labyrinth, and regularly appear before local, state and federal agencies.

- **Litigation:** When disputes involving contracts, tax protests, zoning, construction and related areas surface, our litigation attorneys help resolve matters quickly and efficiently.
- **Eminent Domain and Condemnation:** We represent property and business owners, tenants and mortgage holders in eminent domain and condemnation proceedings and appeals. We also counsel on inverse condemnation proceedings.
- **Title Insurance:** We act as agents for most major title insurance companies in issuing owners and mortgagee title insurance policies for both residential and commercial transactions.





## FIRM OVERVIEW

Shutts & Bowen LLP is a full-service law firm with a deep connection to Florida's history, a commitment to excellent service for our clients and community, and a focus on diversity in the workplace. For more than 100 years, Shutts has been opening doors to our business clients across the state with sophisticated, cutting-edge legal skills from Florida's top legal talent.

Our firm employs approximately 280 attorneys who focus on more than 30 distinct practice areas, including litigation, construction, financial services, hospitality, insurance, real estate, taxation and trusts and estates. At Shutts, we are committed to offering sophisticated legal services efficiently and responsively. We work tirelessly with businesses and individual clients, as well as with referring national and international law firms and companies. We always strive to provide the highest degree of professionalism and passion for our work.

Shutts & Bowen's attorneys work in an environment where people are recognized for their value as individuals, giving them the autonomy and freedom to best serve their clients.

Because of our stake in the past, we are poised to become the law firm of the future.



## FIRM HISTORY

It was 1909 when Frank B. Shutts, a member of the Indiana Bar, came to Miami at the request of the United States Comptroller of the Currency to act as a receiver for the Old Fort Dallas Bank. His first reaction to the hot July weather was to instruct his companion to find out when the next train to Indiana would leave. However, after meeting Henry Flagler and obtaining substantially more money for the depositors of the defunct bank than they expected, he confided, "This spot has a future; I am coming back to it."

The story of Shutts & Bowen begins with the return in 1910 of that young attorney, Frank B. Shutts, and his belief in the future of Miami. In that year, Shutts and Henry F. Atkinson associated for the practice of law under the name of Shutts & Atkinson. In 1911, William Pruden Smith joined the firm, and the firm was called Shutts, Atkinson & Smith. When Mr. Atkinson left the firm to become a Circuit Judge and Crate D. Bowen joined the firm in 1912, the firm was known as Shutts, Smith & Bowen. In 1919, when Mr. Smith was elected Mayor of the City of Miami and retired from the practice of law, the firm became known as Shutts & Bowen.

Appointed a Lieutenant Colonel on the staff of Florida Governor Cary Hardee from 1921 until 1925, Colonel Shutts, as he was thereafter known, played an important role in many of the significant developments which transformed Miami from the small community of approximately 5,000 residents it was when he arrived to the major international city it is today. It was Colonel Shutts' contribution to these key developments that began our firm's tradition of service to our state that we maintain to this day.

Shortly after his return to Miami, Shutts suggested to Flagler that Miami should have a newspaper that would present both sides of current issues. With funds borrowed from the railroad builder, he founded *The Miami Herald* on December 1, 1910, and remained the guiding spirit of that publication for 27 years.

Colonel Shutts negotiated the City of Miami's acquisition of the property which is now Bayfront Park from the Florida East Coast Railway. He was instrumental in bringing the Seaboard Air Line Railway to Miami, and in the construction of the Tamiami Trail and Dixie Highway. It was through his personal efforts that Carl G. Fisher became interested in Miami Beach and made his first investments in Florida, which included assisting John F. Collins in completing his wooden bridge across Biscayne Bay.

While Colonel Shutts divided his attention among *The Miami Herald*, the development of Miami and his law practice, Crate Bowen centered his professional attention solely on the practice of law. He was an excellent trial lawyer who was well known for his thoroughness in preparing cases. Mr. Bowen attracted wide attention in 1929 when



President Calvin Coolidge appointed him United States District Judge and he declined the appointment, stating, "I just want to practice law."

From the very beginning, Shutts & Bowen's growth and history have paralleled that of Miami. In the great land boom of 1925, Shutts & Bowen's practice necessitated the employment of 23 attorneys, which, in those days, was an unheard of number of attorneys in a single firm.

One of the attorneys joining the firm during the great land boom was Sherman Minton, a young, ambitious trial lawyer from Indiana. Mr. Minton later returned to his home state to pursue a political career and was elected to the United States Senate. During his years in Washington, D.C., Senator Minton became one of President Franklin D. Roosevelt's closest confidants, and Roosevelt appointed him to the United States Court of Appeals in Chicago. President Truman later appointed Judge Minton to the United States Supreme Court, where he served with distinction.

Just as Colonel Shutts saw the bright future of Miami in 1909, so too do we see the bright future of all of Florida today. To serve the needs of our clients, we have offices in Fort Lauderdale, Jacksonville, Miami, Orlando, Sarasota, Tallahassee, Tampa and West Palm Beach.

In the years to come, we will maintain our tradition of service to our clients. We will strive always to be worthy of the reputation established by our founders more than 100 years ago.

Thus, while we are proud of our heritage of providing legal service to our clients continuously for more than a century, we are most excited not about our past, but about our future.

[Click here to read the history of Shutts & Bowen.](#)

[Click here to read an article about Shutts & Bowen and Miami's growth.](#)



## Selected Biographies



## **BRIAN M. JONES**

Partner

[Blones@shutts.com](mailto:Blones@shutts.com)

Phone: 1-407-835-6937

Fax: 407-849-7237

300 South Orange Avenue, Suite 1600  
Orlando, FL 32801

Brian M. Jones is a partner in the Orlando office of Shutts & Bowen LLP, where he is a member of the Real Estate Practice Group.

A Martindale-Hubbell AV® rated attorney, Brian has a background in accounting and over 20 years of experience representing national and international developers in commercial and residential real estate development matters and commercial banks and investment funds in commercial loans and investments.

Brian has more than 20 years of experience serving as developer's counsel for numerous Community Development District (CDD) offerings, restructurings, and overall CDD operations and management.

Brian has played a role in many large commercial and residential real estate developments, hotel condominium, hotel and timeshare resort projects in Florida. He has represented individual investors, public companies, community, regional and national banks and lenders and real estate investment trusts in projects of all sizes, including developments of regional impact.

Brian is also experienced in representing commercial developers and national home builders in addressing development, regulatory, and environmental issues for residential and commercial condominiums, timeshare resorts and hotel condominiums, including public offering statement registrations with state agencies.

With an accounting background, Brian brings financial experience to his work with institutional lenders. He counsels clients through the commercial loan process and helps them restructure troubled-debts.

He is a frequent lecturer of civic and business associations on issues affecting developers, small businesses and professionals. Outside of his practice, Brian is actively involved in the Orlando community

### **PRACTICE AREA**

Real Estate  
Land Use & Zoning  
Environmental

### **INDUSTRIES**

Real Estate  
Hospitality  
Financial Services

### **BAR ADMISSIONS**

Florida



and supports charitable organizations for children.

### **Services**

- Commercial and Residential Real Estate Development
- Commercial and Residential Condominium Development
- Land Use and Development Issues
- Hotel Sale, Acquisition, and Development
- Commercial Loan Restructuring
- Troubled Debt Refinancing
- Debt and Equity Structuring
- Commercial Loan Foreclosures
- Timeshare Resort Development
- Hotel Condominium
- Commercial and Retail Leasing
- Environmental Law
- Commercial Lending

### **EDUCATION**

- University of Florida College of Law, J.D., 1987
- University of Florida, B.S., Accounting, 1983

### **PROFESSIONAL ACTIVITIES**

- American Bar Association
- Orange County Bar Association

### **RECOGNITION**

- Martindale-Hubbell AV® Preeminent™ Rated 5.0 out of 5.0



## STEVEN J. ZUCKER

Partner

[SZucker@shutts.com](mailto:SZucker@shutts.com)

Phone: 1-407-835-6733

Fax: 407-849-7241

300 South Orange Avenue, Suite 1600  
Orlando, FL 32801

Steven J. Zucker is a partner in the Orlando office of Shutts & Bowen LLP, where he practices public finance and local government law and is Co-Chair of the Government Law and Public Finance Practice Group.

Steven serves as counsel to a wide range of local governments and special districts, including cities, community redevelopment agencies, community development districts and transportation authorities in the offering of tax-exempt bonds, notes and other forms of indebtedness. Since joining Shutts in 2002, Steven's experience includes the establishment and/or representation of dozens of CDDs, including acting as issuer's counsel during issuance of CDD bonds.

He provides legal advice on local government law issues, including the Sunshine Law and the Public Records Law in the State of Florida. In addition, Steven has served in the capacity of underwriter's counsel and trustee's counsel in tax-exempt bond offerings. He also has experience handling matters involving special assessments, and state and local taxes.

Prior to joining the firm in 2002, Steven worked with the City Attorney's Office for the City of Orlando, Florida.

### EDUCATION

- University of Florida, J.D., 1988
- University of Florida, M.B.A., 1988
- University of Florida, B.S.B.A., 1985

### COURT ADMISSIONS

- U.S. District Court for the Middle District of Florida

### PRACTICE AREA

Government Law  
Public Finance

### INDUSTRIES

Government

### BAR ADMISSIONS

Florida



## **PROFESSIONAL AND CIVIC ACTIVITIES**

- Orange County Bar Association
- City, County, Local Government Law Section of The Florida Bar
- National Association of Bond Lawyers





## SCOTT A. GLASS

Partner

[SGlass@shutts.com](mailto:SGlass@shutts.com)

Phone: 1-407-835-6964

Fax: 407-849-7264

Orlando

300 South Orange Avenue, Suite 1600

Orlando, FL 32801

Scott Glass is a partner in the Orlando office of Shutts & Bowen LLP, where he focuses his practice on local government law, land use issues and related litigation and is a member of the Government Law Practice Group. He is Board Certified by the Florida Bar in City, County and Local Government Law.

Having served as an elected official and a city attorney, Scott understands how local government works. This perspective allows him to anticipate problems and work with clients, elected officials and staff to avoid them. His business background and creditors' rights work for the Resolution Trust Corporation and numerous lending institutions during the 1980s and 1990s add to his practice. Having worked through both economic downturns and upturns, Scott has the experience and knowledge to counsel public and private clients through the legal challenges that each presents.

With more than 25 years of experience, Scott is recognized in the region for confronting tough legal issues with a focused approach. On the public sector side, he has represented and advised large public entities, such as the Expressway Authority, City of Orlando, OUC and the Sanford-Orlando Airport, and smaller communities like West Melbourne and Winter Park, each with its own unique issues and opportunities. He counsels government clients on a multitude of issues including public records, open meetings, land use, development agreements, utilities, annexation, and interlocal agreements.

In the private sector, Scott represents clients ranging from individuals to Fortune 500 and other national and international companies with regard to due diligence, land use, economic incentives, and general commercial matters. Scott frequently appears before government boards and agencies to gain approvals

## PRACTICE AREA

Government Law  
Land Use & Zoning  
Administrative Law and  
Licensing

## INDUSTRIES

Real Estate  
Hospitality  
Government  
Energy  
Construction

## BAR ADMISSIONS

Florida  
Maryland (1985-1991,  
Inactive)



for clients and, when necessary, litigates to either achieve or defend such approvals.

### **Background**

Prior to joining Shutts, Scott served as a Senior Assistant City Attorney with the City of Orlando, where he practiced in the Land Development and Transactions Section. During that same period he served as a City Commissioner, Mayor Pro Tem, Code Enforcement Board Member, and Police Advisory Board Member in the City of Ocoee. He was also appointed by the Honorable Daniel Webster to the Florida Public School Construction Study Commission.

Scott previously practiced in Baltimore, Maryland where he concentrated his practice in creditors' rights, loan workouts, general corporate and commercial matters, and business litigation. He was a charter member of the Baltimore Bankruptcy Bar Association and practiced in Washington, D.C., before various government agencies and before that jurisdiction's courts, *pro hac vice*.

### **Professional and Community Involvement**

Scott enjoys speaking at industry seminars on various topics, including the Public Records Act, the Government in the Sunshine Law, government takings, private property rights, the Harris Act, quasi-judicial hearings, concurrency and First Amendment issues in land use regulation. He has also taught Urban Land Use Law to numerous local government officials and staff members as part of the University of Central Florida School of Health and Public Administration's Master of Public Administration program.

### **EDUCATION**

- University of Virginia, J.D., 1985
- Towson University, B.S., *magna cum laude*, 1981

### **COURT ADMISSIONS**

- Florida State Courts
- U.S. District Court for the Middle District of Florida

### **PROFESSIONAL AND CIVIC ACTIVITIES**

- Transportation & Expressway Authority Membership of Florida, Inc. (TeamFL)
- Past President, TeamFL Helping Advance Neighborhoods, Kids & Schools, Inc.
- The Florida Bar



- Environmental and Land Use Law Section
- Local Government Law Section
- West Orange Chamber of Commerce
- Former Member, Orange County Redistricting Commission
- Former Member, City of Ocoee Code Enforcement Board
- Former Member, City of Ocoee Police Advisory Board
- Former Member, Public School Construction Study Commission

## **RECOGNITION**

- Florida Bar Board Certified in City, County and Local Government Law
- Martindale-Hubbell AV® Preeminent™ Rated 4.9 out of 5.0

**LATHAM, SHUKER, EDEN & BEAUDINE, LLP**  
ATTORNEYS AT LAW

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MICHAEL J. BEAUDINE  
MICHAEL G. CANDIOTTI  
JAN A. CARPENTER  
DANIEL H. COULTOFF  
ANDREW C. D'ADESKY  
MARIANE L. DORRIS  
JENNIFER S. EDEN  
DOROTHY F. GREEN  
JOSHUA D. GROSSHANS  
BRUCE D. KNAPP

111 NORTH MAGNOLIA AVENUE, SUITE 1400  
ORLANDO, FLORIDA 32801  
POST OFFICE BOX 3353  
ORLANDO, FLORIDA 32802  
TELEPHONE: (407) 481-5800  
FACSIMILE: (407) 481-5801  
[WWW.LSEBLAW.COM](http://WWW.LSEBLAW.COM)

PETER G. LATHAM  
JUSTIN M. LUNA  
PATRICIA R. MCCONNELL  
LORI T. MILVAIN  
R. SCOTT SHUKER  
JONATHAN A. STIMLER  
CHRISTINA Y. TAYLOR  
KRISTEN E. TRUCCO  
DANIEL A. VELASQUEZ

August 3, 2018

***Sent via Electronic Mail***

Poinciana CDD Board of Supervisors and  
Poinciana West CDD Board of Supervisors  
c/o GMS-CF, LLC  
135 West Central Boulevard, Suite 320  
Orlando, Florida 32801  
Attention: George Flint


**Re: Latham, Shuker, Eden & Beaudine, LLP regarding Legal Services to  
Poinciana and Poinciana West Community Development Districts.**

Dear Mr. Flint:

We thank you for the opportunity to provide you with information on our firm in regard to legal services for real estate matters for Poinciana and Poinciana West Community Development Districts. We have reviewed the potential representation and do not find any conflict in assisting the two Community Development Districts in the acquisition of certain assets for the developer. With our experience in public finance (particularly with Community Development Districts) and real estate expertise our firm has the unique capability to assist you. Attached to this letter is an overview of our firms' experience and capabilities for your review.

We look forward to working with you. Please feel free to contact us with any questions or requests for additional information.

Very truly yours,

  
Jan A. Carpenter, Esquire  
For the Firm

cc: Andrew C. d'Adesky, Esq.

**GENERAL AND REAL ESTATE EXPERIENCE OF**  
**LATHAM, SHUKER, EDEN & BEAUDINE, LLP**

Latham, Shuker, Eden & Beaudine, LLP ("LSEB") is a midsized, diverse law firm, located in downtown Orlando, Florida, and dedicated to the representation of businesses and governments. The firm consists of 19 Attorneys and all senior partners are Martindale Hubbell AV rated. The firm's primary goal is to provide outstanding legal services for all clients, whether located in Florida or beyond, and to provide a challenging and rewarding work environment and career experience for our professionals.

In addition to our outstanding public finance practice group, the firm has exceptional attorneys practicing in most areas of business and commercial law, in areas that are critical for governmental clients with significant business interests in Central Florida. The firm represents a diverse group of clients from the real estate, public finance, government, securities, construction, manufacturing, bankruptcy insurance, technology, franchising, agriculture, health care, and entertainment industries. Our firms' real estate practice has experience in all areas of land development, acquisition and financing.

In addition to our governmental clients listed herein, the firm represents and has represented a number of private clients. Some clients include: a number of national homebuilders; Universal City Property Management, III; Universal Studios Florida; Buena Vista Development; Buena Vista Corporation; Isleworth Country Club, Inc.; Ocean Reef Club; Prudential Palms Realty; Tavistock Group; Golden Gem Growers, Inc.; Rotadata, Inc.; Emerson International, Inc.; Isolyser, Inc.; Jostens, Inc.; Citrus World, Inc.; Southeast Milk, Inc.; Olympus Media; Kanye West; Sunoco Oil Company; Bill Heard Enterprises; Bill Heard Chevrolet; Sun State Ford; Bob Dance Dodge; Advanced Marketing Int'l., Inc.; Motion Picture Association of America, Inc.; Planet Hollywood; and Priority Transportation, Inc.

Our real estate team handles real estate development for Universal Studios, as an example of the significant capacity and experience we have in real estate matters. The Firm takes real estate projects from concept to completion. Careful planning and experience are required. Our attorneys are well equipped to assist clients in turning proposed land acquisitions and developments into reality. We are experienced in all aspects of real estate development, including commercial and residential real estate development, finance, acquisition, commercial lending and public finance, planning and zoning, local government law, purchase and sale transactions, title matters and commercial leasing. As can be seen by the names of some of the clients listed above, this firm has significant experience in land planning, development, legislative and lobbying efforts as related to real estate development and governmental matters.

We are approved attorneys to write title insurance for real estate and lending transactions for: Fidelity Title Insurance Company; First American Title Insurance Company; and Old Republic Title Insurance Company. We also represent Old Republic Title Insurance Company in litigation claims and related matters.

**LATHAM, SHUKER, EDEN & BEAUDINE, LLP**  
**ATTORNEYS AT LAW**

## **FIRM EXPERIENCE WITH COMMUNITY DEVELOPMENT DISTRICTS**

Latham, Shuker, Eden & Beaudine, LLP ("LSEB") has extensive experience representing governments, both state and local. LSEB provides a vast array of knowledge in such relevant areas as contracts, real estate, public finance, procurement, land use and planning, securities law, as well as the impact of litigation on government. Our firm provides clients with advice that is innovative and individualized to each government entity.

LSEB currently represents numerous community development districts and similar special districts as further listed in the Representative Governmental Client section. In addition to being general counsel for various special districts, our firm is often engaged to provide legal assistance in complex public finance and governmental law matters on a "special counsel" basis.

Jan Albanese Carpenter is Public Finance Chair for LSEB and has worked in the public finance and government area for over 25 years. She is a Martindale Hubbell AV Rated attorney and has extensive experience in representing community development districts, both in good economic times and bad. Ms. Carpenter's government practice is ably assisted by Andrew d'Adesky, the primary public finance associate attorney, as well as three paralegals, one legal assistant and experienced associates and partners from other practice areas.

Clients seek our firm's services on a wide variety of public finance and governmental legal matters, including the following:

- Advise on general legal issues regarding day-to-day governmental operations
- Inform and advise clients on Sunshine Law, Ethics Law and Public Records Law
- Attend government board meetings, workshops and committee and advisory board meetings
- Establish, expand, contract and terminate community development districts
- Issue and refinance tax exempt and taxable bonds (and notes), including bond validation proceedings
- Advise and consult regarding the restructuring of "defaulted" bond issues, and other forbearance and default-related settlement matters
- Negotiate with developers, third party lenders and tax certificate holders
- Develop loan programs for governmental entities
- Participate in rule-making, legislative lobbying efforts and following state legislative sessions to provide advice to clients
- Advise on land use issues related to real estate development
- Handle litigation matters for community development districts, including bond default and foreclosure litigation matters, as well as construction litigation, bankruptcy related issues and other commercial and governmental litigation matters
- Resolving bid protests and administrative challenges

- Review and draft requests for proposals, bid documents, legal contracts and contract amendments
- Process real estate transactions (from contract, through due diligence and closing) for property conveyances
- Finance projects through community redevelopment agencies
- Negotiate with numerous interlocal agreements among special districts and with counties and municipalities
- Address environmental issues for both private and governmental clients from basic real estate issues through cases litigated at the appellate level

In the area of governmental services, particularly in community development district representation, we feel it is essential that LSEB works as a "team" with the District's board of supervisors, bond counsel, district manager, district engineer, underwriters, financial advisors, as well as with other stakeholders in order to ensure a strong community.

Our firm is proud to offer personalized service to our clients and we strive to ensure that all our attorneys are readily accessible and responsive to each of our clients.

## **REPRESENTATIVE GOVERNMENTAL CLIENTS**

### **COMMUNITY DEVELOPMENT DISTRICTS:**

Bella Collina Community Development District – Lake County  
Bonnet Creek Community Development District – Orange County  
Celebration Community Development District – Osceola County  
Dowden West Community Development District – Orange County  
Lake Ashton Community Development District – Polk County  
Lake Ashton II Community Development District – Polk County  
Midtown Community Development District – Orange County (*has been terminated*)  
Overoaks Community Development District – Osceola County  
Paseo Community Development District – Lee County  
Preserve at South Branch Community Development District – Pasco County  
Randal Park Community Development District – Orange County  
Reunion East Community Development District – Osceola County  
Reunion West Community Development District – Osceola County  
Shingle Creek Community Development District – Osceola County  
Stoneybrook South at Championsgate Community Development District –  
Osceola County  
Storey Park Community Development District – Orange County  
Tohoqua Community Development District – Osceola County  
Westside Community Development District – Osceola County  
Windward Community Development District – Osceola County

### **OTHER GOVERNMENTAL ENTITIES:**

Florida Housing Finance Corporation – Tallahassee, FL (includes statewide representation) (State Agency)  
Osceola County Housing Finance Authority (Special District)  
Osceola County Health Facilities Authority (*Special District which has been terminated*)

### **OTHER ENTITIES:**

Latham, Shuker, Eden & Beaudine, LLP serves as Special Counsel to several local cities on employee related matters

**LATHAM, SHUKER, EDEN & BEAUDINE, LLP**  
ATTORNEYS AT LAW



### **PROPOSED ATTORNEY TEAM**

The following listed personnel will be made available to work with the Poinciana Community Development District and Poinciana West Community Development District on a priority basis if LSEB is selected as Special Counsel. Attached are detailed resumes describing the background, qualifications and experience of professionals in our firm that are involved in governmental and public finance matters and would be assigned to this engagement.

The lead attorney for Poinciana and Poinciana West Community Development Districts would be Jan Albanese Carpenter, Partner and Public Finance Chair with over 25 years' experience. Ms. Carpenter oversees all activities of associates who work with her clients.

Andrew d'Adesky, the Associate Attorney in the Public Finance practice area, under the direct supervision of Jan Albanese Carpenter, will be the primary associate working with the Districts, has 3 years' legal experience and 3 years' local governmental management experience as well as a Master's Degree in Public Administration which has provided him with experience well beyond his years as an attorney.

One or both attorneys will attend all meetings as needed. If both attorneys are present, the client is generally only billed for one attorney as a matter of Firm policy.

The Public Finance practice area will be assisted by the following attorneys on our real estate team; Peter G. Latham, Partner and Real Estate Development Chair with over 30 years' experience and Michael Candiotti, Associate in the Public Finance, Real Estate division with 6 years' real estate experience.

We have a number of other partners and associates ready to work with the Poinciana and Poinciana West Community Development Districts, depending on the needs of the client and the experience necessary to complete the work promptly and cost effectively. Importantly our litigation team has attorneys with all experience levels who have worked with our governmental districts in real estate and litigation matters such as foreclosures, bond defaults, motion issues, bid protests, etc. Three paralegals work in the public finance and real estate department and will assist regularly with the districts legal matters. That assistance helps to reduce legal costs for our clients.

Detailed biographies of several of our attorneys are included on the next pages.

**LATHAM, SHUKER, EDEN & BEAUDINE, LLP**  
**ATTORNEYS AT LAW**



**Address:**  
111 N. Magnolia Avenue,  
Suite 1400  
Orlando, FL 32801

**Direct:**  
407-481-5872

**Fax:**  
407-481-5801

**Email:**  
jcarpenter@lseblaw.com

**Web:**  
www.lseblaw.com

**JAN ALBANESE CARPENTER, Partner,** is a Martindale-Hubbell Peer Review rated AV® attorney. Jan practices in the area of public finance, government and real estate law. Jan works primarily in the areas of local government finance and the representation of special districts and has been involved in the issuance of billions of dollars of bond transactions for community development districts, housing authorities and Florida Housing Finance Corporation, among others. Latham, Shuker's public finance attorneys have served as general counsel to housing finance authorities, health facilities authorities and industrial development authorities, at the local and state level, and have represented various local governments, community development districts and public utilities. She has the ability to and has served at various times as issuer's counsel, underwriter's counsel, disclosure counsel and special counsel to state and local governments, and as developer's counsel in public finance transactions. Ms. Carpenter also has experience in general business law, environmental law and counsels clients in corporate and real estate transactions, and has represented lenders in their commercial transactions. Before attending law school, Ms. Carpenter was a financial analyst and controller in the hotel and restaurant industry.

Ms. Carpenter is a member of the National Association of Bond Lawyers and the Florida Association of Local Housing Finance Authorities. Ms. Carpenter is listed in the "Red Book," the Bond Buyer's Municipal Marketplace publication for 2018. Ms. Carpenter was chosen by her peers in the legal community as one of the "2005 and 2008 Legal Elite," by Florida Trend Magazine, a select group of the top two percent of lawyers practicing in Florida. She has been named as one of the "Best of the Bar" by the Orlando Business Journal. Ms. Carpenter is an active member of the Cornell Alumni Admissions Ambassador Network and interviews potential Cornell students during each "recruiting" season.

**Bar Admissions:**  
1988, Florida  
1991, New York

**Education:**  
1981 Cornell University, B.S. with distinction  
1988 Albany Law School, J.D., cum laude

**Professional and Civic:**  
Florida Bar, City, County and Local Government Section  
Legal Aid Society, Guardian Ad Litem;  
Former board member of the Citrus Council of Girl Scouts  
Commercial Real Estate Women (C.R.E.W.)

**Recognition and Honor:**  
AV Preeminent Peer Review rated by Martindale-Hubbell  
Legal Elite, Florida Trend Magazine  
Best of the Bar, Orlando Business Journal

**LATHAM, SHUKER, EDEN & BEAUDINE, LLP**  
**ATTORNEYS AT LAW**



**Address:**

111 N. Magnolia  
Avenue, Suite 1400  
Orlando, FL 32801

**Direct:**

407-481-5876

**Fax:**

407-481-5801

**Email:**

[adadesky@lseblaw.com](mailto:adadesky@lseblaw.com)

**Web:**

[www.lseblaw.com](http://www.lseblaw.com)

**ANDREW C. D'ADESKY** is an associate in the firm's public finance practice group. Andrew primarily focuses on the representation of special districts and local government law, with a focus on representation of community development districts. Andrew also has experience in real estate and counsels' clients on various aspects of real estate transactions. Andrew's background in public administration provides the firm's public finance clients with strong expertise in dealing with formation and establishment, public records and open government issues, statutory compliance, real estate and financing matters. Prior to joining Latham, Shuker, Eden & Beaudine, LLP, Andrew worked with the Lake Junaluska community in North Carolina as a management consultant on various projects including capital improvement, grant funding, public meetings and municipal status. Andrew worked with the Aviation Division of the Broward County Attorney's Office during law school, which granted additional experience with commercial real estate, bidding, procurement, land use and public-private partnerships.

**Bar Admissions:**

2015, Florida.

**Education:**

2008, Florida International University, B.A. in Political Science and Religious Studies  
2010, University of North Carolina at Chapel Hill, M.A. in Public Administration  
2015, University of Florida, Levin College of Law, J.D. cum laude

**Professional and Civic:**

Florida Bar, City, County and Local Government Section  
Florida Bar, Real Property and Probate Law Section  
Orange County Bar Association, Young Lawyers Section

**LATHAM, SHUKER, EDEN & BEAUDINE, LLP**  
**ATTORNEYS AT LAW**



**MICHAEL G. CANDIOTTI** is an Associate in the firm's corporate, land use, real estate, public finance and agribusiness practice group. Michael primarily focuses on real estate transactions and development, financing and commercial leasing transactions, and has he increasing experience with special district governance. Michael's real estate background provides the firm's public finance clients with strong expertise in dealing with real estate development and financing matters. Prior to joining Latham, Shuker, Eden & Beaudine, LLP, Michael worked in-house with First American Title Insurance Company, which experience enables our firm to expedite more complex deals. While at First American, Michael acted as counsel in an array of unique real estate venues, such as sales under 28 USC § 363, HUD financings, and condominium terminations.

**Address:**

111 N. Magnolia  
Avenue, Suite 1400  
Orlando, FL 32801

**Direct:**

407-481-5820

**Fax:**

407-481-5801

**Email:**

[mcandiotti@lseblaw.com](mailto:mcandiotti@lseblaw.com)

**Web:**

[www.lseblaw.com](http://www.lseblaw.com)

**Bar Admissions:**

2012, Florida

**Education:**

2009, Florida State University, College of Business, B.S. in Finance and Real Estate;  
2012, University of Florida, Levin College of Law, J.D. *cum laude*

**Professional and Civic:**

Florida Bar, Real Property and Probate Law Section  
Orange County Bar Association, Young Lawyers Section

**LATHAM, SHUKER, EDEN & BEAUDINE, LLP**  
**ATTORNEYS AT LAW**



**PETER G. LATHAM, Partner**, has practiced law in the Central Florida community since his admission to the bar in 1981. Peter has been involved in all types of real estate development and financing and has gained particular expertise in Resort and Themed development projects from his involvement with "Universal Orlando" and "Hard Rock Cafes". Peter advised Universal on its re-development of approximately 2,400 acres near the Orange County Convention Center into a mixed use development. Peter has also developed an expertise in all phases of agribusiness through his role as counsel to the two largest agricultural cooperatives in Florida; Citrus World, Inc. - makers of Florida's Natural™ juice products, and Southeast Milk, Inc. In this area Peter has counseled on large agricultural developments, cooperative mergers and acquisitions, and trade regulations, as well as franchise distribution and broker agreements.

**Address:**

111 North Magnolia  
Avenue, Suite 1400  
Orlando, FL 32801

**Direct:**

407-481-5830

**Fax:**

407-481-5801

**Email:**

platham@lseblaw.com

**Web:**

www.lseblaw.com

**Bar Admissions:**

1981, Florida

**Education:**

1981, J.D., Stetson University, College of Law, Cum Laude  
1978, B.S.B.A., University of Central Florida

**Professional and Civic:**

Universal Foundation Board 2012  
American Bar Association, Real Estate and Land Use Division  
Florida Bar, Real Estate and Land Use Division  
Orange County Bar  
Legal, Tax and Accounting division of NCFC  
Housing and Neighborhood Development Services of Central Florida,  
Executive Committee 1990 - 1998

**Recognition and Honors:**

AV Preeminent Peer Review Rated by Martindale-Hubbell

### **PROPOSED RATES FOR OUR LEAD ATTORNEY AND TEAM**

We are happy to offer our established (and reduced) "governmental client" rates for the Poinciana and Poinciana West Community Development Districts work. Based on our experience in this market, we believe the rates below are highly competitive for this type of legal work and significantly lower than our regular rates for private organizations.

Senior Partners (Jan Albanese Carpenter) <i>(Current private rate up to \$475)</i>	\$375
Associates (Andrew d'Adesky, Michael Candiotti) <i>(Current private rates up to \$345)</i>	\$265
Paralegals	\$105

### **CONFLICT**

Latham, Shuker, Eden & Beaudine, LLP has no apparent conflict of interest with regard to the proposed work with Poinciana and Poinciana West Community Development Districts.

## SECTION VIII

# SECTION C



# SECTION 1

**Poinciana West CDD**

**ACTION ITEMS**

*as of 8/8/2018*

<b>Item #</b>	<b>Meeting Assigned</b>	<b>Action Item</b>	<b>Assigned To</b>	<b>Date Due</b>	<b>Status</b>	<b>Comments</b>
1	1/17/18	Storm Drain System Repairs	Flint/Scheerer		<b>In Process</b>	Repairs to Ponds P3, P4, P5 & P6 completed. Remaining ponds on the list anticipated to be completed by July/August.

## SECTION 2

# Poinciana West Community Development District

## Summary of Check Register

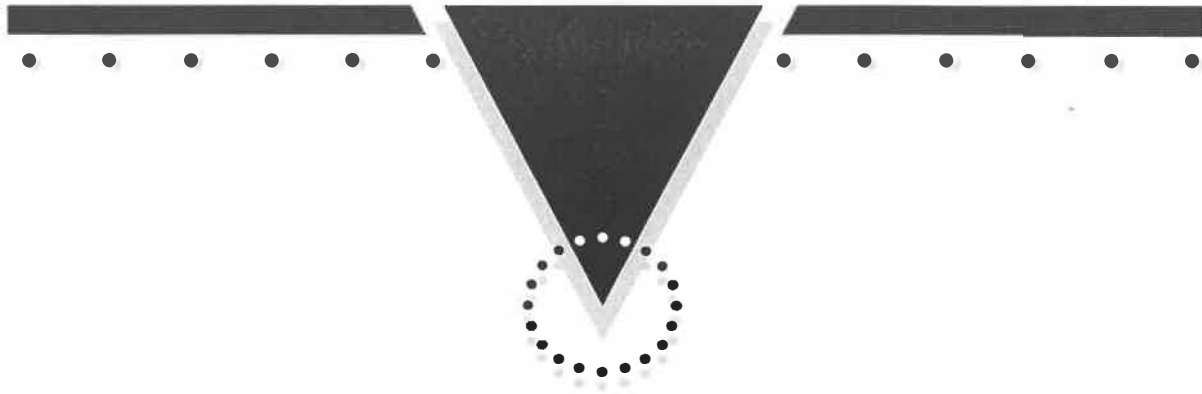
July 1, 2018 to July 31, 2018

Fund	Date	Check No.'s		Amount
General Fund	7/6/18	1461-1463	\$	11,851.02
	7/13/18	1464-1465	\$	2,608.75
	7/20/18	1466	\$	3,420.46
	7/23/18	1467	\$	1,075.00
	7/24/18	1468	\$	2,109.39
	7/25/18	1469	\$	43.16
			\$	21,107.78
Payroll	<u>July 2018</u>			
	Joseph Gecewicz	50024	\$	184.70
	Leonard Vento	50025	\$	134.70
	Shirley Bzdewka	50026	\$	184.70
	William Brown	50027	\$	184.70
	Joseph Gecewicz	50028	\$	184.70
	Leonard Vento	50029	\$	134.70
	Shirley Bzdewka	50030	\$	184.70
			\$	1,192.90
			\$	22,300.68

[illegible]

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# SECTION 3



**Poinciana West**  
**Community Development District**

**Unaudited Financial Reporting**

**July 31, 2018**





# Table of Contents

1	<u>Balance Sheet</u>
2	<u>General Fund Income Statement</u>
3	<u>Debt Service Income Statement</u>
4	<u>Month to Month</u>
5	<u>FY18 Assessment Receipt Schedule</u>

**Poinciana West**  
**COMMUNITY DEVELOPMENT DISTRICT**  
**BALANCE SHEET**  
**July 31, 2018**

	General Fund	Debt Service Fund	Totals 2018
<b><u>ASSETS:</u></b>			
<b><u>CASH</u></b>			
OPERATING ACCOUNT - SUNTRUST	\$144,428	---	\$144,428
MONEY MARKET ACCOUNT	\$485,586	---	\$485,586
<b><u>INVESTMENTS</u></b>			
SERIES 2017			
RESERVE R1	---	\$391,346	\$391,346
RESERVE R2	---	\$121,653	\$121,653
REVENUE	---	\$302,359	\$302,359
REDEMPTION R1	---	\$2,131	\$2,131
REDEMPTION R2	---	\$527	\$527
DUE FROM DEVELOPER	\$292	---	\$292
DUE FROM GENERAL FUND	---	\$17	
<b>TOTAL ASSETS</b>	<b>\$630,305</b>	<b>\$818,032</b>	<b>\$1,448,338</b>
<b><u>LIABILITIES:</u></b>			
ACCOUNTS PAYABLE	\$6,340	---	\$6,340
DUE TO DEBT SERVICE	\$17	---	\$17
<b><u>FUND EQUITY:</u></b>			
FUND BALANCES:			
RESTRICTED FOR DEBT SERVICE 2017	---	\$818,032	\$818,032
OPERATING RESERVE	\$65,156	---	\$65,156
UNASSIGNED	\$558,793	---	\$558,793
<b>TOTAL LIABILITIES &amp; FUND EQUITY</b>	<b>\$630,305</b>	<b>\$818,032</b>	<b>\$1,448,338</b>

# Poinciana West

## COMMUNITY DEVELOPMENT DISTRICT

### GENERAL FUND

#### Statement of Revenues & Expenditures

For The Period Ending July 31, 2018

	ADOPTED BUDGET	PRORATED BUDGET THRU 7/31/18	ACTUAL THRU 7/31/18	VARIANCE
<b><u>REVENUES:</u></b>				
ASSESSMENTS - TAX COLLECTOR	\$291,294	\$291,294	\$292,357	\$1,063
INTEREST	\$3,000	\$2,500	\$5,915	\$3,415
<b>TOTAL REVENUES</b>	<b>\$294,294</b>	<b>\$293,794</b>	<b>\$298,271</b>	<b>\$4,477</b>
<b><u>EXPENDITURES:</u></b>				
<b><u>ADMINISTRATIVE:</u></b>				
SUPERVISOR FEES	\$6,000	\$5,000	\$11,000	(\$6,000)
FICA EXPENSE	\$459	\$383	\$842	(\$459)
ENGINEERING	\$20,000	\$16,667	\$22,535	(\$5,869)
ATTORNEY	\$50,000	\$41,667	\$37,368	\$4,298
ARBITRAGE	\$600	\$600	\$900	(\$300)
DISSEMINATION	\$5,000	\$5,000	\$5,082	(\$82)
ANNUAL AUDIT	\$4,023	\$4,023	\$0	\$4,023
TRUSTEE FEES	\$0	\$0	\$7,004	(\$7,004)
MANAGEMENT FEES	\$50,525	\$42,104	\$39,266	\$2,838
INFORMATION TECHNOLOGY	\$0	\$0	\$1,219	(\$1,219)
TELEPHONE	\$0	\$0	\$24	(\$24)
POSTAGE	\$1,000	\$833	\$2,888	(\$2,054)
PRINTING & BINDING	\$1,500	\$1,250	\$2,431	(\$1,181)
INSURANCE	\$10,883	\$10,883	\$10,074	\$809
LEGAL ADVERTISING	\$2,000	\$1,667	\$8,393	(\$6,726)
OTHER CURRENT CHARGES	\$636	\$530	\$707	(\$177)
OFFICE SUPPLIES	\$200	\$167	\$318	(\$151)
PROPERTY APPRAISER	\$6,198	\$0	\$0	\$0
DUES, LICENSES & SUBSCRIPTIONS	\$175	\$175	\$175	\$0
<b><u>FIELD:</u></b>				
FIELD MANAGEMENT	\$4,371	\$3,643	\$6,551	(\$2,908)
LANDSCAPE MAINTENANCE	\$56,294	\$46,912	\$46,912	\$0
AQUATIC CONTROL MAINTENANCE	\$32,430	\$27,025	\$27,025	\$0
AQUATIC MIDGE MANAGEMENT	\$22,000	\$18,333	\$18,333	\$0
R&M PLANT REPLACEMENT	\$10,000	\$8,333	\$0	\$8,333
STORM STRUCTURES REPAIRS	\$0	\$0	\$2,425	(\$2,425)
CONTINGENCY	\$10,000	\$8,333	\$0	\$8,333
<b>TOTAL EXPENDITURES</b>	<b>\$294,294</b>	<b>\$243,527</b>	<b>\$251,471</b>	<b>(\$7,944)</b>
<b>EXCESS REVENUES (EXPENDITURES)</b>	<b>\$0</b>		<b>\$46,800</b>	
<b>FUND BALANCE - BEGINNING</b>	<b>\$0</b>		<b>\$511,993</b>	
<b>FUND BALANCE - ENDING</b>	<b>\$0</b>		<b>\$558,793</b>	

**Poinciana West**  
**COMMUNITY DEVELOPMENT DISTRICT**

**SERIES 2017**

**DEBT SERVICE FUND**

Statement of Revenues & Expenditures

For The Period Ending July 31, 2018

**REVENUES:**

	ADOPTED BUDGET	PRORATED BUDGET THRU 7/31/18	ACTUAL THRU 7/31/18	VARIANCE
ASSESSMENTS - TAX COLLECTOR	\$1,050,687	\$1,050,687	\$1,054,523	\$3,836
INTEREST	\$100	\$83	\$1,530	\$1,447
<b>TOTAL REVENUES</b>	<b>\$1,050,787</b>	<b>\$1,050,770</b>	<b>\$1,056,053</b>	<b>\$5,282</b>

**EXPENDITURES:**

<b>ADMINISTRATIVE</b>				
PROPERTY APPRAISER	\$22,355	\$0	\$0	\$0
TRUSTEE FEES	\$5,500	\$5,500	\$0	\$5,500

**SERIES 2017 R-1**

INTEREST - 11/1	\$198,166	\$198,166	\$198,166	\$0
PRINCIPAL - 05/1	\$385,000	\$385,000	\$385,000	\$0
INTEREST - 05/1	\$198,166	\$198,166	\$198,166	\$0

**SERIES 2017 R-2**

INTEREST - 11/1	\$77,981	\$77,981	\$77,981	\$0
PRINCIPAL - 05/1	\$80,000	\$80,000	\$80,000	\$0
INTEREST - 05/1	\$77,981	\$77,981	\$77,981	\$0

<b>TOTAL EXPENDITURES</b>	<b>\$1,045,149</b>	<b>\$1,022,794</b>	<b>\$1,017,294</b>	<b>\$5,500</b>
<b>EXCESS REVENUES (EXPENDITURES)</b>	<b>\$5,638</b>		<b>\$38,759</b>	
<b>FUND BALANCE - BEGINNING</b>	<b>\$974,881</b>		<b>\$779,273</b>	
<b>FUND BALANCE - ENDING</b>	<b>\$980,519</b>		<b>\$818,032</b>	

**Poinciana West  
Community Development District**

	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Total
<b>REVENUES:</b>													
ASSESSMENTS - TAX COLLECTOR													
INTEREST	\$1 \$364	\$21,681 \$366	\$242,668 \$874	\$13,816 \$1,442	\$5,193 \$814	\$1,404 \$418	\$4,944 \$403	\$1,130 \$416	\$1,515 \$402	\$4 \$415	\$0 \$0	\$0 \$0	\$292,357 \$5,915
<b>TOTAL REVENUES</b>	<b>\$365</b>	<b>\$22,048</b>	<b>\$243,542</b>	<b>\$15,258</b>	<b>\$6,006</b>	<b>\$1,822</b>	<b>\$5,347</b>	<b>\$1,546</b>	<b>\$1,917</b>	<b>\$420</b>	<b>\$0</b>	<b>\$0</b>	<b>\$298,271</b>
<b>EXPENDITURES:</b>													
<b>ADMINISTRATIVE:</b>													
SUPERVISOR FEES	\$2,000	\$800	\$1,400	\$800	\$1,000	\$600	\$1,200	\$1,000	\$800	\$1,400	\$0	\$0	\$11,000
FICA EXPENSE	\$153	\$61	\$107	\$61	\$77	\$46	\$92	\$77	\$61	\$107	\$0	\$0	\$842
ENGINEERING	\$930	\$879	\$931	\$4,096	\$5,633	\$1,541	\$1,328	\$1,641	\$2,609	\$2,948	\$0	\$0	\$22,535
ATTORNEY	\$3,659	\$5,008	\$4,660	\$6,235	\$1,646	\$3,818	\$5,433	\$3,490	\$3,420	\$0	\$0	\$0	\$37,368
ARBITRAGE	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$900	\$0	\$0	\$0	\$0	\$900
DISSEMINATION	\$0	\$2,500	\$0	\$82	\$417	\$417	\$417	\$417	\$417	\$417	\$0	\$0	\$5,082
ANNUAL AUDIT	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
TRUSTEE FEES	\$0	\$0	\$0	\$0	\$7,004	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$7,004
MANAGEMENT FEES	\$4,210	\$4,210	\$4,210	\$4,135	\$3,750	\$3,750	\$3,750	\$3,750	\$3,750	\$3,750	\$0	\$0	\$39,266
INFORMATION TECHNOLOGY	\$0	\$0	\$0	\$25	\$305	\$125	\$125	\$125	\$389	\$125	\$0	\$0	\$1,219
TELEPHONE	\$0	\$0	\$0	\$0	\$0	\$0	\$15	\$0	\$9	\$0	\$0	\$0	\$24
POSTAGE	\$126	\$98	\$1,979	\$319	\$3	\$2	\$204	\$63	\$41	\$62	\$0	\$0	\$2,888
PRINTING & BINDING	\$146	\$143	\$1,461	\$320	\$19	\$4	\$69	\$38	\$183	\$48	\$0	\$0	\$2,431
INSURANCE	\$10,074	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$10,074
LEGAL ADVERTISING	\$267	\$5,334	\$319	\$744	\$258	\$0	\$291	\$497	\$431	\$253	\$0	\$0	\$8,393
OTHER CURRENT CHARGES	\$44	\$49	\$49	\$47	\$47	\$44	\$50	\$50	\$47	\$278	\$0	\$0	\$707
OFFICE SUPPLIES	\$0	\$88	\$39	\$121	\$0	\$0	\$18	\$18	\$19	\$15	\$0	\$0	\$318
PROPERTY APPRAISER	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
DUES, LICENSES & SUBSCRIPTIONS	\$175	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$175
<b>FIELD:</b>													
FIELD MANAGEMENT	\$364	\$364	\$364	\$458	\$833	\$833	\$833	\$833	\$833	\$833	\$0	\$0	\$6,551
LANDSCAPE MAINTENANCE	\$4,691	\$4,691	\$4,691	\$4,691	\$4,691	\$4,691	\$4,691	\$4,691	\$4,691	\$4,691	\$0	\$0	\$46,912
AQUATIC CONTROL MAINTENANCE	\$2,702	\$2,702	\$2,702	\$2,702	\$2,702	\$2,702	\$2,702	\$2,702	\$2,702	\$2,702	\$0	\$0	\$27,025
AQUATIC MIDGE MANAGEMENT	\$1,833	\$1,833	\$1,833	\$1,833	\$1,833	\$1,833	\$1,833	\$1,833	\$1,833	\$1,833	\$0	\$0	\$18,333
R&M PLANT REPLACEMENT	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
STORM STRUCTURES REPAIRS	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$1,350	\$0	\$1,075	\$0	\$0	\$2,425
CONTINGENCY	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<b>TOTAL EXPENDITURES</b>	<b>\$31,376</b>	<b>\$28,761</b>	<b>\$24,746</b>	<b>\$26,672</b>	<b>\$30,219</b>	<b>\$20,407</b>	<b>\$23,050</b>	<b>\$23,476</b>	<b>\$22,237</b>	<b>\$20,528</b>	<b>\$0</b>	<b>\$0</b>	<b>\$251,471</b>
<b>EXCESS REVENUES/(EXPENDITURES)</b>	<b>(\$31,011)</b>	<b>(\$6,713)</b>	<b>\$218,796</b>	<b>(\$11,413)</b>	<b>(\$24,213)</b>	<b>(\$18,585)</b>	<b>(\$17,703)</b>	<b>(\$21,930)</b>	<b>(\$20,319)</b>	<b>(\$20,108)</b>	<b>\$0</b>	<b>\$0</b>	<b>\$46,800</b>

**Poinciana West  
COMMUNITY DEVELOPMENT DISTRICT**

**SPECIAL ASSESSMENTS FY2018 RECEIPTS**

**MAINTENANCE**

GROSS ASSESSMENTS \$ 309,888.00  
CERTIFIED NET ASSESSMENTS \$ 291,294.72  
100%

DATE	CHECK NO.	GROSS ASSESSMENTS RECEIVED	DISCOUNTS	COMMISSIONS PAID	INTEREST INCOME	NET ASSESSMENTS RECEIVED	GENERAL FUND
10/27/17	ACH	\$ -	\$ -	\$ -	\$ 1.23	\$ 1.23	\$ 1.23
11/15/17	ACH	\$ 2,611.98	\$ 104.44	\$ 50.15	\$ -	\$ 2,457.39	\$ 2,457.39
11/17/17	ACH	\$ 16,418.16	\$ 656.48	\$ 315.23	\$ -	\$ 15,446.45	\$ 15,446.45
11/22/17	ACH	\$ 4,058.56	\$ 203.83	\$ 77.09	\$ -	\$ 3,777.64	\$ 3,777.64
12/6/17	ACH	\$ 31,157.19	\$ 1,245.82	\$ 598.23	\$ -	\$ 29,313.14	\$ 29,313.14
12/13/17	ACH	\$ 53,405.58	\$ 2,134.96	\$ 1,025.41	\$ -	\$ 50,245.21	\$ 50,245.21
12/20/17	ACH	\$ 173,370.13	\$ 6,931.77	\$ 3,328.77	\$ -	\$ 163,109.59	\$ 163,109.59
1/16/18	ACH	\$ 14,365.88	\$ 436.31	\$ 278.59	\$ -	\$ 13,650.98	\$ 13,650.98
1/31/18	ACH	\$ -	\$ -	\$ -	\$ 165.03	\$ 165.03	\$ 165.03
2/15/18	ACH	\$ 5,410.53	\$ 111.91	\$ 105.97	\$ -	\$ 5,192.65	\$ 5,192.65
3/15/18	ACH	\$ 1,445.92	\$ 13.09	\$ 28.66	\$ -	\$ 1,404.17	\$ 1,404.17
4/16/18	ACH	\$ 5,036.83	\$ -	\$ 100.74	\$ -	\$ 4,936.09	\$ 4,936.09
4/27/18	ACH	\$ -	\$ -	\$ -	\$ 7.66	\$ 7.66	\$ 7.66
5/15/18	ACH	\$ 1,153.02	\$ -	\$ 23.06	\$ -	\$ 1,129.96	\$ 1,129.96
6/15/18	ACH	\$ 960.85	\$ -	\$ 19.22	\$ -	\$ 941.63	\$ 941.63
6/21/18	ACH	\$ 584.91	\$ -	\$ 11.70	\$ -	\$ 573.21	\$ 573.21
7/30/18	ACH	\$ -	\$ -	\$ -	\$ 4.48	\$ 4.48	\$ 4.48
TOTAL COLLECTED		\$ 309,979.54	\$ 11,838.61	\$ 5,962.82	\$ 178.40	\$ 292,356.51	\$ 292,356.51
PERCENTAGE COLLECTED		100%					

**DEBT SERVICE**

GROSS ASSESSMENTS \$ 1,117,752.24  
CERTIFIED NET ASSESSMENTS \$ 1,050,687.11  
100%

		GROSS ASSESSMENTS		COMMISSIONS	INTEREST	NET ASSESSMENTS	DEBT SERVICE
DATE	CHECK NO.	RECEIVED	DISCOUNTS	PAID	INCOME	RECEIVED	FUND
10/27/17	ACH	\$ -	\$ -	\$ -	\$ 4.53	\$ 4.53	\$ 4.53
11/15/17	ACH	\$ 8,925.54	\$ 356.98	\$ 171.37	\$ -	\$ 8,397.19	\$ 8,397.19
11/17/17	ACH	\$ 58,359.30	\$ 2,334.12	\$ 1,120.50	\$ -	\$ 54,904.68	\$ 54,904.68
11/22/17	ACH	\$ 14,935.63	\$ 750.17	\$ 283.71	\$ -	\$ 13,901.75	\$ 13,901.75
12/6/17	ACH	\$ 109,166.22	\$ 4,366.14	\$ 2,096.00	\$ -	\$ 102,704.08	\$ 102,704.08
12/13/17	ACH	\$ 189,667.42	\$ 7,584.14	\$ 3,641.67	\$ -	\$ 178,441.61	\$ 178,441.61
12/20/17	ACH	\$ 631,825.18	\$ 25,269.19	\$ 12,131.12	\$ -	\$ 594,424.87	\$ 594,424.87
1/16/18	ACH	\$ 51,492.66	\$ 1,563.82	\$ 998.58	\$ -	\$ 48,930.26	\$ 48,930.26
1/31/18	ACH	\$ -	\$ -	\$ -	\$ 594.49	\$ 594.49	\$ 594.49
2/15/18	ACH	\$ 19,910.82	\$ 411.91	\$ 389.98	\$ -	\$ 19,108.93	\$ 19,108.93
3/15/18	ACH	\$ 5,320.98	\$ 48.09	\$ 105.46	\$ -	\$ 5,167.43	\$ 5,167.43
4/16/18	ACH	\$ 18,536.37	\$ -	\$ 370.73	\$ -	\$ 18,165.64	\$ 18,165.64
4/27/18	ACH	\$ -	\$ -	\$ -	\$ 28.18	\$ 28.18	\$ 28.18
5/15/18	ACH	\$ 4,243.08	\$ -	\$ 84.86	\$ -	\$ 4,158.22	\$ 4,158.22
6/15/18	ACH	\$ 3,535.90	\$ -	\$ 70.72	\$ -	\$ 3,465.18	\$ 3,465.18
6/21/17	ACH	\$ 2,152.44	\$ -	\$ 43.05	\$ -	\$ 2,109.39	\$ 2,109.39
7/30/18	ACH	\$ -	\$ -	\$ -	\$ 16.53	\$ 16.53	\$ 16.53
TOTAL COLLECTED		\$ 1,118,071.54	\$ 42,684.56	\$ 21,507.75	\$ 643.73	\$ 1,054,522.96	\$ 1,054,522.96
PERCENTAGE COLLECTED		100%					

# SECTION 4

**NOTICE OF MEETING DATES  
POINCIANA WEST  
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the *Poinciana West Community Development District* will hold the regularly scheduled public meetings for **Fiscal Year 2019** at **12:30 p.m. in the Starlite Ballroom at 384 Village Drive, Poinciana, Florida 34759** on the third Wednesday each month as follows unless indicated otherwise:

October 17, 2018  
November 21, 2018  
December 19, 2018  
January 16, 2019  
February 20, 2019  
March 20, 2019  
April 17, 2019  
May 15, 2019  
June 19, 2019  
July 17, 2019  
August 21, 2019  
September 18, 2019

The meetings are open to the public and will be conducted in accordance with the provisions of Florida Law for Community Development Districts. A copy of the agenda for a particular meeting may be obtained from the District Manager at 135 W. Central Blvd., Suite 320, Orlando, FL 32801.

A meeting may be continued to a date, time, and place to be specified on the record at that meeting. There may be occasions when one or more Supervisors may participate by telephone.

Any person requiring special accommodations at these meetings because of a disability or physical impairment should contact the District Office at least forty-eight (48) hours prior to the meeting. If you are hearing or speech impaired, please contact the Florida Relay Service by dialing 7-1-1 or 1-800-955-8770, for aid in contacting the District Office.

Each person who decides to appeal any action taken at these meetings is advised that person will need a record of the proceedings and that accordingly, the person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which such appeal is to be based.

George S. Flint  
Governmental Management Services - Central Florida, LLC  
District Manager



# SECTION D

# SECTION 1

# Poinciana West Community Development District



August 9, 2018

Alan Scheerer - Field Services  
Manager

GMS

Poinciana West  
Community Development District

Field Management Report

August 9, 2018

To: George Flint  
District Manager  
From: Alan Scheerer  
Field Services Manager

RE: Poinciana CDD – August 9, 2018

The following is a summary of items related to the field operations and management of the Poinciana West Community Development District.



# Pending Items

## Dry Pond Maintenance



- ✚ Improvements to the maintenance of the dry ponds.
- ✚ Cleaning Unsightly brush and debris from dry ponds.



# Pending Items

## Pond Aquatic Maintenance

- ✚ Spraying and management of aquatic weeds.
- ✚ Contractor performing well.



## Storm Structure Maintenance

- ✚ Repair and maintenance of storm structures and storm systems.





# Pending Items

## Pond Bank Maintenance

- ✚ Create and mulch tree rings on all Poinciana West CDD pond banks.
- ✚ This work will be completed over the next 6 months as budget permits.



## Pond bank Landscape Maintenance



- ✚ Mowing and maintenance of all pond banks.
- ✚ Contractor performing well.

# Conclusion

For any questions or comments regarding the above information, please contact me by phone at 407-398-2890, or by email at [ascheerer@gmscfl.com](mailto:ascheerer@gmscfl.com). Thank you.

Respectfully,  
Alan Scheerer





## PW Monthly Treatment Report

Date between : 7/1/2018 and 7/31/2018

Customer Site ID	Treatment Date	Condition/Weeds Treated
4A	7/2/18	Clean
6A	7/11/18	Clean
P-1	7/2/18	Clean
P-2	7/2/18	Clean
P-3	7/2/18	Clean
P-4	7/2/18	Clean
P-5	7/18/18	Clean
P-6	7/18/18	Clean
Pond 1	7/2/18	Alligator Weed
Pond 1	7/2/18	Pennywort
Pond 1	7/2/18	Shoreline Grasses
Pond 10	7/18/18	Alligator Weed
Pond 10	7/18/18	Filamentous
Pond 10	7/18/18	Pennywort
Pond 10	7/18/18	Shoreline Grasses
Pond 11	7/18/18	Alligator Weed
Pond 11	7/18/18	Filamentous
Pond 11	7/18/18	Pennywort
Pond 11	7/18/18	Shoreline Grasses
Pond 12	7/18/18	Alligator Weed
Pond 12	7/18/18	Filamentous
Pond 12	7/18/18	Pennywort
Pond 12	7/18/18	Planktonic
Pond 12	7/18/18	Shoreline Grasses
Pond 13	7/2/18	Clean
Pond 15	7/19/18	Clean
Pond 16	7/26/18	Clean
Pond 16	7/26/18	Filamentous
Pond 17	7/19/18	Filamentous
Pond 18	7/19/18	Filamentous
Pond 2	7/2/18	Alligator Weed
Pond 2	7/2/18	Cattail
Pond 2	7/2/18	Pennywort
Pond 2	7/2/18	Shoreline Grasses
Pond 20	7/16/18	Filamentous
Pond 21	7/26/18	Alligator Weed
Pond 21	7/26/18	Filamentous
Pond 21	7/26/18	Pennywort
Pond 21	7/26/18	Shoreline Grasses
Pond 22	7/16/18	Filamentous

Pond 3	7/2/18	Alligator Weed
Pond 3	7/2/18	Pennywort
Pond 3	7/2/18	Shoreline Grasses
Pond 4	7/2/18	Alligator Weed
Pond 4	7/2/18	Pennywort
Pond 4	7/2/18	Shoreline Grasses
Pond 5	7/23/18	Alligator Weed
Pond 5	7/23/18	Clean
Pond 5	7/23/18	Pennywort
Pond 5	7/23/18	Shoreline Grasses
Pond 6	7/16/18	Alligator Weed
Pond 6	7/16/18	Cattail
Pond 6	7/16/18	Filamentous
Pond 6	7/16/18	Pennywort
Pond 6	7/16/18	Shoreline Grasses
Pond 7	7/16/18	Alligator Weed
Pond 7	7/16/18	Filamentous
Pond 7	7/16/18	Pennywort
Pond 7	7/16/18	Planktonic
Pond 7	7/16/18	Shoreline Grasses
Pond 8	7/23/18	Filamentous
Pond 9	7/18/18	Alligator Weed
Pond 9	7/18/18	Cattail
Pond 9	7/18/18	Filamentous
Pond 9	7/18/18	Pennywort
Pond 9	7/18/18	Planktonic
Pond 9	7/18/18	Shoreline Grasses



Poinciana West Community Development District  
Monthly Midge Treatment Report

*July 1, 2018- July 31, 2018*

Night Truck Spray

- 8.8 Miles were sprayed

ATV ULV Spray

- 7.9 Miles were sprayed

Backpack Pellet Larvicide

- 5.5 Acres were treated

Boat Larvicide Treatments

- 0 Acres were treated



PWCDD Monthly Midge Treatment Report  
July 2018

Customer	Route	Start Date	End Date	Used Quantity	Unit of Measure	Chemical Used Quantity	Unit of Measure
PWCDD Truck ULV	Ponds 5, 8, & 9	7/2/18	7/2/18	2.2	mi	0.49	gal
PWCDD ATV ULV	Ponds 5, 8, & 9	7/5/18	7/5/18	2	mi	0.3	gal
PWCDD Truck ULV	Ponds 5, 8, & 9	7/9/18	7/9/18	2.2	mi	0.48	gal
PWCDD ATV ULV	Ponds 5, 8, & 9	7/13/18	7/13/18	1.8	mi	0.29	gal
PWCDD Truck ULV	Ponds 5, 8, & 9	7/16/18	7/16/18	2.2	mi	0.48	gal
PWCDD ATV ULV	Ponds 5, 8, & 9	7/19/18	7/19/18	2.2	mi	0.36	gal
PWCDD Truck ULV	Ponds 5, 8, & 9	7/23/18	7/23/18	2.2	mi	0.49	gal
PWCDD ATV ULV	Ponds 5, 8, & 9	7/26/18	7/26/18	1.9	mi	0.29	gal
Total For The Month				16.70	mi	3.18	gal

Abate 5% Pellets Larvicide Ponds	Start Date	End Date	Used Quantity	Unit of Measure	Chemical Used Quantity	Unit of Measure
Pond 5 & 9	7/27/18	7/27/18	5.5	ac	22	lb
Total For The Month			5.50	ac	22.00	lb

Abate 4E Larvicide Ponds	Start Date	End Date	Used Quantity	Unit of Measure	Chemical Used Quantity	Unit of Measure
None for July						
Total For The Month			0.00	ac	0.00	oz

## SECTION 2

Customer Complaint Log Poinciana West CDD

Date	Resident	Address	Pond	Contact	Complaint	Assigned To	Resolution	Date Resolved
7/27/18	Salters Alston	622 Irvine Ranch Road	P-20	585-750-9235	Algae	Alan Scheerer	Contractor Notified	7/27/18
8/7/18	Bruce Menzies	532 Villa Park Road	P-6	863-496-5861	Algae	Alan Scheerer	Contractor Notified	8/7/18
8/7/18	Gale Hallman	124 Indian Wells Ave	P-5	863-852-3698	Algae	Alan Scheerer	Contractor Notified	8/7/18