

*Poinciana West
Community Development District*

Agenda Package

September 20, 2023

AGENDA

Poinciana West

Community Development District

219 E. Livingston Street, Orlando, Florida 32801

Phone: 407-841-5524 – Fax: 407-839-1526

September 13, 2023

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

Dear Board Members:

The Board of Supervisors of Poinciana West Community Development District will meet **Wednesday, September 20, 2023 at 9:00 AM at the Starlite Ballroom, 384 Village Drive, Poinciana, Florida.**

Zoom Information for Members of the Public:

Link: <https://zoom.us/j/94240027437>

Dial-in Number: (646) 876-9923

Meeting ID: 942 4002 7437

Following is the advance agenda for the meeting:

1. Roll Call
2. Pledge of Allegiance
3. Public Comment Period on Agenda Items
4. Organizational Matters
 - A. Acceptance of Resignation of Mayra Skeete effective December 2023
 - B. Review of Resumes and Letters of Interest
 - i. Len Kirschbrown
 - ii. Ed Smith
 - iii. Greg Hindahl
 - iv. Kevin Novak
 - v. Antonio Mendieta
 - C. Appointment of Individual to Fulfill Board Vacancy with Term Ending Nov. 2024 – Effective Now
 - D. Appointment of Individual to Fulfill Board Vacancy with Term Ending Nov. 2024 – Effective Dec. 1, 2023
 - E. Administration of Oath to Newly Appointed Supervisor(s)
 - F. Consideration of Resolution 2023-07 Electing Officers
5. Approval of Minutes of the July 19, 2023 Meeting
6. Consideration of Proposals for Insurance Renewal
 - A. Brown & Brown
7. Review of Pond Acquisition Agreement
 - A. Presentation of Memo from Clark & Albaugh, PLLC
 - B. Review of Acquisition Agreement
 - C. Review of Insurance Confirmation for Proposed Stormwater Parcels
 - D. Review of Proposals for Maintenance of Proposed Stormwater Parcels
 - i. Solitude
 - ii. Floralawn
 - E. Review of Fences on Proposed Stormwater Parcels
8. Consideration of Resolution 2023-06 Approving the Conveyance of Tracts P-19A and P-19B

9. Review of Financial Balances and Investment of Surplus Funds
10. Staff Reports
 - A. Attorney
 - B. Engineer
 - C. District Manager
 - i. Approval of Check Register
 - ii. Balance Sheet and Income Statement
 - D. Field Manager's Report
 - i. Consideration of Solitude Aquatic Maintenance Renewal
 - ii. Consideration of Floralawn Landscape Maintenance Renewal
 - iii. Consideration of Clarke Mosquito Management Renewal
 1. Annual Renewal Breakdown
 2. Annual Renewal Breakdown – ADD Pond 15 Option
 3. Midge Complaint Research
 - iv. Customer Complaint Log
11. Supervisor's Requests
12. General Audience Comments
13. Other Business
14. Next Meeting Date – November 15, 2023
15. Adjournment

Sincerely,

Tricia L. Adams

Tricia L. Adams
District Manager

SECTION 4

SECTION A

Mayra Skeete
467 Bel Air Way
Poinciana, Florida 34759

July 19, 2023

Poinciana West Community Development District
Board of Supervisors
219 E. Livingston Street
Orlando, FL 32801

Dear Board Members:

Please accept my resignation as a board member of Poinciana West C.D.D due to personal reasons.

I am requesting that this resignation become effective as of December 1st, 2023.

Respectfully,

A handwritten signature in cursive script that reads "Mayra Skeete".

Mayra Skeete

Cc: Tricia Adams, District Manager

SECTION B

SECTION I

Leonard Kirschbrown
316 Monterey Street
Poinciana, Florida 34759
704-962-7214
Re: Open PWCDD board position

To whom it may concern

I have lived in Solivita for ten years with a settling pond in my backyard and am very familiar with the environmental drawings associated with the Solivita Construction drawings entered in the environmental data base.

My experience with budgets, design, construction, operation, contract reviews etc. would be a great help in the maintaining and operating of the ponds and storm drain systems found in the Solivita Poinciana West Development District area of responsibility.

Please see attached Resume for experience details

Thank you for you consideration
Leonard (Len) Kirschbrown

Leonard Kirschbrown
316 Monterey Street
Poinciana, Florida 34759
704-962-7214

Background:

Obtained a BSME from the University of South Carolina, Columbia SC June 1981.

Worked for Duke Energy for 37 years and during my employment have been involved in the design, construction, and operation of settling ponds, water basins, underground piping, water treatment systems and pumping stations.

The largest project worked on was a 2.4 billion dollar state of the art environmental power plant where I was initially involved in the design, contract assembly, and bidding review and ended being on the team of field engineers overseeing the construction and startup of the facility.

The last project I worked on was a 350 million dollar retrofit project where I was involved in the design, construction and startup of a massive chiller system at the Hines Power Station in Bartow Florida.

SECTION II

Hello,

I am a 9 year resident of Solivita. I live in the Verona section with a view of a retention basin managed by the CDD.

Prior to moving to Solivita, I was the HOA treasure in my development called Wynnewood in Gibbsboro, NJ.

I am a technology guru, with over 50 years in the business. My video game and computer designs in the 1970s are the highlights of my career. As one of the first African Americans to design a video game and personal computer, I have been recognized by numerous technology publications.

You can view more on my web site - <http://www.imaginethat2.com>.

I bring a strong technology and management skill set to the CDD and trust you find my background in line with your desires.

Cheers,

Ed Smith

Edward L. Smith

609.364.6358 - edsmith114@gmail.com

Experience

Imagine That LLC **Principal Consultant** **Feb 19 – Present**

Development of strategic partner planning, product integration and co-marketing initiatives with software and services firms. Working directly with research firms to provide investor clients with the relevant software and alliance industry knowledge required to make sound investment decisions.

Kronos, Inc. **Global Strategic Alliance Executive** **Dec 13 – Dec 18**

At Kronos, I was responsible for developing the partner ecosystem from scratch in the Public Sector business unit, moving into a global alliance manager role within 2 years

Informatica

Global Strategic Alliance Executive **Jan 13 – Dec 13**

- Working with the VP of alliances to create a new systems integrator partner model that promotes close partner collaboration and execution.
- Engaged key SI partners including Infosys, TCS, Wipro, Accenture, PWC, Cognizant, Deloitte, NTT Data, Cloudera and Knowledgegent

Infosys Technologies **Global and Industry Alliance and Marketing Executive** **Feb 02 – Nov 12**

- Co-developed and executed the Infosys Alliance program by implementing a tiered partner model with specific metrics across all sales, marketing, training, and operational functions both internally and externally.
- Relationship engagement across a number of strategic software firms including IBM, Oracle, SAP, Charles River, Tibco, OpenText, Software AG, Microsoft, Pegasystems, SAS, Kronos, NetApp, Teradata and Informatica.

Fontanus **VP Business Development** **Jan 01 – Jan 02**

- Manage the sales, services, and alliance teams for revenue growth through direct consulting and development services
- Drove revenue to 70% YOY in 1 year, servicing clients in the financial services, healthcare, and manufacturing industries
- Key clients included TIAA-CREF, Florida Hospital, Arvent Bank and JPMC

Novell – General Manager **Alliances & Business Development** **Jun 93 – Nov 00**

As the primary executive for governance across key strategic partners, was responsible for providing business management oversight to global alliance team.

- Negotiated and managed OEM agreements with IBM, LanDesk, Unisys, Tivoli, HP, Epson, CA and others.
- Additional responsibility for partner relationship management with Citrix, Unisys, Sun Microsystems, AT&T, Nortel and Lucent
- Drove Novell direct revenue through a joint sales engagement model that leverage alliances using the CHAMP and Strategic Selling models,
- Maintained partner P&L, direct program management for new solutions development, direct interface with marketing, legal and operations.
- Executive liaison, coordinating all senior executive meetings, proposals to the board of directors and interface with legal teams.

Novell – Manager
Major Accounts, Mid-Atlantic Territory
Jun 90 - Apr 93

Manage the direct sales organization in the growth of Novell technologies, including network OS, network management, directory and network analysis systems at the CxO level

Novell - Regional Sales Manager
Mid-Atlantic Territory
Mar 88 - Jun 90

New market development experience leveraged to devise a strategy that maximized all territory sales and systems engineering teams in growing Novell's strong channel and major account presence.

- Tutored by Ray Noorda in 2-tier channel program management and a tiered reseller model, I leveraged this knowledge to build one of the strongest territories within the company.
- Managed all distribution relationships in the territory, tracking inventory, POS, and AR.
- Responsibilities included managing individual revenue attainment that collectively exceeded 30mm, pre-sales support, reseller recruitment and multi-level authorization, large account assignments, reseller territory assignments and distribution support.

SECTION III

Greg Hindahl, MD
753 San Raphael St.
Poinciana, FL 34759

Attn: Tricia Adams, District Manager Solivita

Dear Ms. Adams,

My name is Greg Hindahl and I'm writing to express interest in the vacated Board of Supervisors seat for the PWCDD. My wife Norma and I and our dog Sandie have been residents of Solivita for a little over a year now and we love it here! One of the things that attracted us to Solivita were the vast natural areas including the lakes, marshes and woods. We also love the wildlife that those areas attract and provide homes for. With all the things going on right now that are negatively impacting our planet, I think it is critical to protect and properly manage these beautiful parts of Solivita. I have served in multiple leadership positions throughout my career. Also my 22 years practicing Family Medicine and Emergency Medicine taught me how to work with all sorts of people and solve, sometimes life threatening problems, many times a day. I also had experience working with budgets in my role as VP and CMIO for BayCare Health System in Tampa Bay. I would be honored if the PWCDD Board of Supervisors would consider me for the open position. Unfortunately, I will be travelling to Indiana, Illinois, and Wisconsin most of September for multiple family events so I will not be available to speak at the next meeting on September 20th. Please let me know if you need more information or have questions about my resume. Thanks again.

Sincerely,

Greg Hindahl

Greg Hindahl, MD
753 Sans Raphael St.
Poinciana, FL 34756
ghindahl@gmail.com
(727)410-4968

Education:

- Undergraduate – Butler University, BS in Chemistry with highest honors, 1979
- Graduate – Indiana University, Doctor of Medicine, 1983
- Postgraduate – Residency in Family Medicine, St. Mary's Medical Center, Evansville, Indiana, 1986
- Certifications PALS, NALS, ACLS, ATLS, Advanced Airway Management

Business Related Education:

- Six Sigma Green Belt, Deaconess Health System, Evansville, Indiana.
- Kelly Partners Leadership Development Course, Kelly School of Business, Indiana University
- BayCare Leadership Development Course, BayCare Health System, Clearwater, Florida

Work Experience:

- 22 years practicing Family Medicine and Emergency Medicine, Jasper and Evansville, Indiana 1986-2008.
- 12 of those years was also Family Medicine Residency Director teaching residents and medical students at Deaconess Health System, Evansville, IN. Was the Director responsible for recruiting and research.
- 5 years as CMIO at Deaconess Health System in Evansville, IN. Responsible for the clinical implementation of Epic's Electronic Medical Record for our hospitals and employed physician offices. 2007-2012
- 7 and ½ years as VP and CMIO at BayCare Health System which is the largest health system in Tampa Bay. 2012-2019. At one point I had 4 Directors, 9 managers and about 250 team members reporting to me. Was responsible for the clinical implementation of Cerner's Electronic Medical Record system in our 15 hospitals and 200+ employed physician offices. Physician Executive responsible for our Telemedicine initiative. Was responsible for the budget for my area. Total annual IT budget was roughly \$40M.

Other Leadership Experience:

- Led 7 Medical Mission trips to rural Jamaica for Deaconess Hospital. Senior high school youth group leader at our church and helped lead 3 church mission trips for our Jr. and Sr. high youth including one from Indiana to Arcadia Florida to work on hurricane damaged homes. Served as Medical Staff President at Memorial Hospital, Jasper, Indiana. Served as Indiana State Medical Association 9th District President. Served on the Indiana Academy of Family Physicians Board of Directors for 4 years.

Interest/Hobbies:

- Golf, cycling, oil painting, private pilot 1997-2017, genealogy, hunting and fishing, kids, grandkids, piano

SECTION IV

For the position of West Poinciana Community Development District (PCDD) board of supervisors opening.

Kevin Novak Ph.D.
679 Irvine Ranch Rd.
Kissimmee, FL. 34759
Phone 630-439-6550

An Ichthyologist and Limnologist consultant and a mechanical Aerospace programming design engineer by profession. With a Ph.D. in Ichthyology and postgraduate studies in Limnology and Aquatic Microbiology, respectively. A professor of AQUATIC microbiology to graduate and undergraduate students. I also have a YouTube channel which teaches aquarium hobbyists how to design correctly and maintain aquariums and ponds that complete the nitrogen cycle in its entirety making N₂ gas. Have written books that are in Apple Book Store and also have many articles and periodicals written about me and the denitrification process that I invented.

A member of IOF and IWLS
International oceanographic foundation
International waterlily Society of America and the United Kingdom

A little bit about my research in AQUATIC microbiology.

The problems met with the growth of plants, and the misunderstanding of biological bacterial processes in the pond and aquarium hobby, resulted in intense research for its causes 35-years ago. Hobbyists not understanding the words “chlorosis” and iron deficiency in plants, and “anoxic” low oxygen levels for microaerophile, a tiny organism for example, a bacterium, that is capable of living in an environment where there are exceptionally low oxygen levels, were the catalyst for his research.

After years of research, in 1989 the chasm was closed, and my first conclusive test results were allowed to be publicly known. A lot of the results were turned over to the government for the purpose of clay capabilities in freshwater systems. Resulting is a synthetic means of filtration, which not only transported iron to the plant roots, but also many other nutrients and trace elements as well do to electrical charges (ions), and in their proper portions. I also revealed a method of filtration implementing anoxic conditions, which uses facultative anaerobic heterotrophic bacteria and how to isolate such bacteria for the cleaning of freshwater systems.

Today 37- years later, I have designed one of the most versatile and easy to maintain filtration system that is now available to all hobbyists. This filtration system keeps pond waters crystal-clear without ever clogging and still maintaining a healthy ecosystem for aquatic animals. This innovative technology, which is now patented, called the “Anoxic Filtration System,” and has exceeded all expectations of any hobbyists using it. In addition, this groundbreaking filtration system has proven to eradicate pathogens and germs in recirculating biotopes. Therefore, outperforming other filtration system presently being sold on today’s market.

Also researched in fish tuberculosis:

Fish tuberculosis, known as fish TB, is a tragic zoonotic illness that is lethal in fish and transferable to humans through contaminated water or open wounds. Fish TB is caused by a group of pathogens belonging to the genus *Mycobacterium*. Since this illness has the potential to be one of several pathogens, it can be passive carriers to at least 10 different *Mycobacterium*. This dangerous illness has been known to transfer from fish to owner through poor handling. A sharp spine from a catfish or nip from a large predatory fish can transfer the illness to your open wounds where lesions have the potential to appear after several months once the bacteria has incubated inside of your system.

This illness can act fast, and your fish will deteriorate rapidly. This disease is highly contagious between different fish and the *Mycobacterium* can stay in the system of a healthy fish for several months without being detected. This makes it easily pass-through quarantine which usually lasts between a week to a month.

Thank you for your consideration.

Kevin Novak

tadams@gmscfl.com

SECTION V

Antonio Mendieta

561 San Joaquin Road, Kissimmee Fl 34759 * 617-306-8989 * cancun13@gmail.com

PROFESSIONAL EXPERIENCE

Summary:

Currently retired

LOWELL FIVE CENT SAVINGS BANK -Lowell, MA. 2005 to 2020

Assistant Vice President Commercial Loan Portfolio Manager

Manage a large portfolio of loans, verifying continued compliance with laws and policies. Underwrite new commercial and construction loans. Oversees the Small Business Lending group and SBA loans.

AVP Risk Management Officer

Assessing, identifying and mitigating risks and potential risks that may damage the reputation, security, safety or financial prosperity of the institution and /or its customers. Implementing generally accepted industry expertise and mitigation procedures to alleviate existing risk and precluding others from developing.

Assistant Vice President and Senior Internal Auditor

Responsible for developing, implementing and managing all internal audits within the organization. Evaluates performance of Staff Auditors, assesses risks and determines the effectiveness of controls regarding the reliability and integrity of financial GLBA and operational information, risk managing and compliance with applicable rules and regulations such as BSA/AML, SOX, and others. Develops recommendations to address improvement opportunities and prepares reports to senior management.

Federal Reserve Bank of Boston - 1984 to 2004

Manager and Senior Trainer, Regional Customer Support Call Center -

Developed strategic business plans in compliance of Federal Reserve System goals and objectives for customer support initiatives.

EDUCATION

MIS Training Institute

IT Auditing and Controls certification
2010

Certificate, Management Studies

Sloan School of Management - Massachusetts Institute of Technology, Cambridge, Massachusetts
1994

BS, Financial Management and International Economics

University of Massachusetts, Boston, Massachusetts
1984

100% Bilingual: English - Spanish

BOARDS

Alternative House of Lowell - Board of Directors - 2010 - Present

Ironstone Farm Lowell, Ma - Board of Directors - 2020 - 2022

SECTION F

RESOLUTION 2023-07

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE
POINCIANA WEST COMMUNITY DEVELOPMENT DISTRICT
ELECTING THE OFFICERS OF THE DISTRICT AND
PROVIDING FOR AN EFFECTIVE DATE**

WHEREAS, the Poinciana West Community Development District (the “District”) is a local unit of special purpose government created and existing pursuant to Chapter 190, Florida Statutes; and

WHEREAS, the Board of Supervisors of the District (“Board”) desires to elect the Officers of the District.

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

Section 1. _____ is elected Chairperson.

Section 2. _____ is elected Vice-Chairperson.

Section 3. _____ is elected Secretary.

Section 4. _____ is elected Assistant Secretary.
_____ is elected Assistant Secretary.
_____ is elected Assistant Secretary.
_____ is elected Assistant Secretary.

Section 5. _____ is elected Treasurer.

Section 6. _____ is elected Assistant Treasurer.

Section 7. This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED this 20th day of September, 2023.

ATTEST:

**POINCIANA WEST COMMUNITY
DEVELOPMENT DISTRICT**

Secretary/Assistant Secretary

Chairperson/Vice-Chairperson

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 19, 2023** at 9:00 a.m. via Zoom Communication Media Technology and in the Starlite Ballroom, 384 Village Drive, Poinciana, Florida.

Present and constituting a quorum were:

Peggy Gregory	Chair
Roy LaRue	Vice Chairman
Dr. Maneck Master	Assistant Secretary
Mayra Skeete	Assistant Secretary

Also present were:

Tricia Adams	District Manager
Scott Clark (<i>via Zoom</i>)	District Counsel
Kathy Leo	District Engineer
Clayton Smith (<i>via Zoom</i>)	Field Manager
Cherrief Jackson	Clarke Midge Control
Don Gordon	Resident
Residents (<i>Present & via Zoom</i>)	

The following is a summary of the discussions and actions taken at the July 19, 2023 Poinciana West Community Development District's Board of Supervisors Meeting.

FIRST ORDER OF BUSINESS

Roll Call

Ms. Adams called the meeting to order at 9:04 a.m. and called the roll. A quorum was present.

SECOND ORDER OF BUSINESS

Pledge of Allegiance

The Pledge of Allegiance was recited.

THIRD ORDER OF BUSINESS

Public Comment Period on Agenda Items

Ms. Adams opened the public comment period. Resident George Muller (Jasmine Creek Road) addressed the buildup of the funds, which was projected to increase with the budget, but assessments per unit remained the same. The undesignated funds per the Balance Sheet increased from \$494,283 in 2019 to \$586,234 in 2022. The net position for unrestricted funds increased from \$571,439 in 2019 to \$656,390 in 2022, yet the District was still budgeting the same amounts. At some point in time, there should be reductions. There being no further comments, Ms. Adams closed the public comment period.

Mr. Clayton Smith joined the meeting.

FOURTH ORDER OF BUSINESS

Organizational Matters

A. Acceptance of Resignation of Joseph Clark

Ms. Adams received a resignation letter from Mr. Joseph Clark, since he moved out of the District.

B. Appointment of Individual to Fulfill Board Vacancy with Term Ending November 2024

Ms. Adams explained when there was a vacancy on the Board, the seated Board Members can appoint a qualified elector to the vacant seat. They must be someone who was 18 years or older, a citizen of the United States and the State of Florida, living within the boundaries of the District and a registered voter with Polk Elections office. The Board could direct District Management to announce the vacancy via e mail blast and that resumes or Statements of Interest be submitted by a deadline. Mr. Scott Clark clarified that the only legal requirement was the qualification and selection by a majority vote of the remaining Board Members. Regardless of how the Board wanted to proceed, the Board must declare the seat vacant by officially accepting the resignation of Mr. Joseph Clark.

On MOTION by Dr. Master seconded by Ms. Gregory with all in favor accepting Mr. Joseph Clark’s resignation effective immediately was approved.

Ms. Adams received a resignation letter from Ms. Skeete effective December 1, 2023, but the Board should consider an appointment soon. The Board could function with four members;

however, there must be a quorum of three Board members present at each meeting. Mr. Scott Clark recommended that the Board declare the vacancy of Ms. Skeete at the September meeting. Dr. Master preferred an announcement of both vacancies, with the Board filling Mr. Joseph Clark’s seat at the next meeting and Ms. Skeete’s seat after December 1st. Mr. Scott Clark concurred. *There was Board consensus.*

C. Administration of Oath of Office to Newly Appointed Board Member

D. Consideration of Resolution 2023-07 Electing Officers

These items were deferred.

FIFTH ORDER OF BUSINESS

Approval of Minutes of the May 17, 2023 Meeting

Mr. LaRue noted on Page 14, Mr. Scott Clark suggested that Taylor Morrison (TM) pay \$15,000 in fees for one-year of maintenance and questioned whether TM agreed to this. Ms. Adams pointed out that the Board would be considering the conveyance for Tracts P-19A and P-19B later in the agenda and the matter could be discussed at that time instead of during review of the meeting minutes. Dr. Master asked if Board Members that were not present needed to approve the minutes. Ms. Adams explained that all Board Members present are required to vote unless there is a financial conflict. Mr. Scott Clark pointed out that failure to vote was registered as a no vote.

On MOTION by Dr. Master seconded by Mr. LaRue with all in favor the Minutes of the May 17, 2023 Meeting as presented were approved.

SIXTH ORDER OF BUSINESS

Public Hearing

On MOTION by Mr. LaRue seconded by Ms. Skeete with all in favor the public hearings for the Fiscal Year 2024 budget adoption were opened.

A. Consideration of Resolution 2023-02 Adopting the Fiscal Year 2024 Budget and Relating to the Annual Appropriations

Ms. Adams presented Resolution 2023-02, Adopting the Fiscal Year 2024 budget, which starts on October 1, 2023 and runs through September 30, 2024. The proposed budget was properly conveyed to the local Government, posted on the District's website and the public hearing noticed in a newspaper of general circulation in accordance with Florida Statutes. The resolution included approving the budget, appropriations and a process for handling budget amendments. The Proposed Budget for Fiscal Year 2024 was attached to the resolution, which was updated to include actuals through May 31, 2023. The majority of revenues come from special assessments, which were added to the non-ad valorem section of the Polk County Property Tax Bill. The assessment was \$186.57, which was the same amount as the prior year. The budget recognized interest income and a money market account that the District had with Bank United. As of the end of June, the money market interest rate was 5.15%. It also recognized a portion of *Carry Forward Surplus*, in order to balance the budget. The total proposed revenue for Fiscal Year 2024 was \$337,571. In Fiscal Year 2023, the total administrative expenses to operate the District was \$131,388 and \$115,651 was proposed for Fiscal Year 2024. There was a decrease in professional legal and engineering fees related to property conveyance. Six meetings were proposed for Fiscal Year 2024, at the direction of the Board. There was a proposed increase in *Management Fees* of \$1,200 from \$40,000 to \$41,200.

Ms. Gregory recalled in March, the insurance premium was budgeted at \$41,098, but according to the minutes, there was supposed to be a Request for Proposal (RFP) to get the premium down to where it needed to be. Ms. Adams explained that the current budget was based on industry estimates. Ms. Adams reached out to three insurance providers that handled CDD insurance to get proposals for FY2024. Two vendors; the current provider and prior provider indicated they would provide proposals to be reviewed by the Board at the September meeting. Ms. Gregory had an issue with the *Other Current Charges* budget of \$2,400, which were based on bank charges. Ms. Adams recalled that the Board ratified the actions of the Chair to reduce bank fees, which were an ongoing challenge for accounting staff to ensure that bank fees were refunded and did not re-appear on the bank statement. The District was required to deposit their funds in the General Fund in a public depository, in accordance with Florida Statutes to safeguard the District's funds. Ms. Gregory requested that minimizing bank fees be a priority. Dr. Master recalled that \$10,000 was budgeted in *Annual Interest* beginning in October, but it should be in excess of \$25,000 based on the investments. Ms. Adams stated that all of the

July 19, 2023

investment funds were earning more than 5% interest and there was more than \$500,000 invested, but actual earnings could be higher or lower if market conditions change. Ms. Gregory felt that they should earn as much interest as they can.

Regarding the expenses related to the maintenance of the stormwater system and tunnels, Ms. Adams noted *Field Expenses* for Fiscal Year 2023 was \$576,830 and \$662,247 was proposed for Fiscal Year 2024. Additional expenses were anticipated for the stormwater parcels to be conveyed by TM. Staff recommended keeping assessments level. Dr. Master questioned the percentage of field expenses once the two ponds were conveyed to the District. Ms. Leo confirmed that the two ponds were the last ones that the District acquired. There were wetlands, but there was no maintenance cost associated with them other than trimming back the buffer line. Ms. Gregory recalled that \$50,000 was budgeted by the HOA for invasive species to maintain the wetlands. Along with the General Fund Budget, there was a Projected Fund Balance Analysis and a budget for the Debt Service Fund, for the bond that was refunded in 2017. There were interest and principal payments due in November and May in accordance with the Amortization Schedule. Ms. Gregory questioned *Landscape Maintenance*, if the contingency was for two ponds. Ms. Adams explained that Mr. Smith worked with the District's service providers for aquatic maintenance, mowing and midge management to provide estimates for the two ponds, which were included in the budget as a contingency. Ms. Gregory stated there would be further discussion on this matter when Mr. Scott Clark presented the Acquisition Agreement, but before it was finalized, they needed something in writing. Ms. Adams pointed out that insurance costs would not change based on the addition of the two ponds. Ms. Gregory stated it either needed to be added or marked not applicable.

Ms. Adams opened the public comment period. Resident George Muller (Jasmine Creek Road) would like any excessive funds to be used to reduce assessments. There being no further comments, Ms. Adams closed the public comment period.

On MOTION by Dr. Master seconded by Ms. Skeete with all in favor Resolution 2023-02 Adopting the Fiscal Year 2024 Budget and Relating to the Annual Appropriations was adopted.

B. Consideration of Resolution 2023-03 Imposing Special Assessments and Certifying an Assessment Roll

Ms. Adams presented Resolution 2023-03, which allowed the District to use the uniform tax collection method to impose special assessments on residents' property Tax Bills. Attached to this resolution was the Adopted Budget for Fiscal Year 2024 and Assessment Roll.

There were no public comments.

On MOTION by Ms. Gregory seconded by Mr. LaRue with all in favor Resolution 2023-03 Imposing Special Assessments and Certifying an Assessment Roll was adopted.

On MOTION by Dr. Master seconded by Mr. LaRue with all in favor the public hearings for the Fiscal Year 2024 budget adoption were closed.

SEVENTH ORDER OF BUSINESS

**Consideration of Resolution 2023-04
Appointing an Assistant Treasurer**

Ms. Adams presented Resolution 2023-04, appointing Mr. Darrin Mossing, Sr. as Assistant Treasurer. Mr. Mossing was the owner of GMS and served as an accountant by trade. Having him appointed as Assistant Treasurer, would allow him to assist Accounting Staff during the busiest times of year to process the District's financial and banking records. It was being recommended to all Districts as an administrative matter. Dr. Master questioned who served as Treasurer. Ms. Adams stated that Ms. Jill Burns served as Treasurer and Ms. Katie Costa as Assistant Treasurer. All Districts managed by GMS were taking this action in order to operate as efficiently as possible.

On MOTION by Dr. Master seconded by Ms. Skeete with all in favor Resolution 2023-04 Appointing Mr. Darrin Mossing, Sr. as Assistant Secretary of the District was adopted.

EIGHTH ORDER OF BUSINESS

**Consideration of Resolution 2023-05 Re-
Designating Bank Account Signatories**

Ms. Adams presented Resolution 2023-05, appointing the District's Treasurer, Assistant Treasurer and Secretary as signatories on the District's local bank account.

On MOTION by Mr. LaRue seconded by Dr. Master with all in favor Resolution 2023-05 Re-Designating Bank Account Signatories as stated above was adopted.

NINTH ORDER OF BUSINESS Consideration of Resolution 2023-06 Approving the Conveyance of Tracts P-19A and P-19B

Ms. Adams presented Resolution 2023-06, Approving the Conveyance of Tracts P-19A and P-19B. Ms. Gregory requested this item be deferred as there were scrivener’s errors in the resolution. Solivita was misspelled in two places and Westridge CDD should be Poinciana West CDD. Mr. Scott Clark recalled that the Board approved an Acquisition Agreement at the March meeting and directed the developer to make a deposit of \$15,000 and within 60 days, District Counsel and the District Engineer would bring back a recommendation to the Board. The title documents for the conveyance and title commitment were in order subject to the delivery of documents, affidavits and estoppel letters. Mr. Scott Clark recommended that the Board consider the acquisition of the two parcels, which were platted and designed to be owned and maintained by the District.

Ms. Leo pointed out that Ponds 19A and 19B were on the northeast corner of the District, along Cypress Parkway. The District did not own them, but they were well maintained and it was in the District’s best interest to take them over. Information was conveyed to the District for the master files with the permit information from the South Florida Water Management District (SFWMD). In Ms. Leo’s opinion, from an engineering perspective, things were in good working order and there were no concerns. At the last meeting, the Board directed Mr. Clark to request a contribution of a year’s expenses for the pond maintenance from TM. Yesterday evening their counsel responded that they had not heard anything from TM regarding that request. Ms. Leo indicated after conveyance, there would be an application with the District conveying the permit to the CDD. Ms. Gregory requested this item be deferred until there was a revision to the resolution and something in writing from TM regarding the requested \$15,000 in maintenance fees. Mr. LaRue requested that the agreement be included so that the terms were known. Ms. Gregory questioned the expense that was charged to the District for copy charges. Ms. Leo explained that there were 89 pages of permits as part of the permit research for the conveyance of the parcels. Ms. Gregory requested a change in the acquisition agreement for the estimated annual insurance cost, which should either be added or marked not applicable. After further discussion, there was Board consensus to defer this matter and for staff to provide a revised

resolution and a statement in writing from Taylor Morrison regarding the maintenance fees at the next available meeting.

TENTH ORDER OF BUSINESS**Review of Status of Investment Funds**

Ms. Adams recalled that this item was included on the agenda at the request of the Board. In March, the Board directed staff to utilize the State Board of Administration (SBA) Fund, due to the money market earning low interest in 2022. The Board previously adopted Investment Guidelines, and the SBA is an intergovernmental investment pool and is one of the four authorized investment options. There was currently \$500,000 in a Florida Prime SBA account, earning interest of 5.33% and approximately \$200,000 in a money market account, which was adjusted to 4% in 2023. However, there would be another adjustment as the Bank United money market interest rate was currently earning 5.15% as of July 13, 2023. Dr. Master recommended that a portion of the \$500,000 or \$200,000 be placed in a competitive CD money market for six or 12 months or 18 months. Ms. Gregory wanted to ensure that the District in a good financial position and asked if the money market at Bank United that paid 5% was for a specific money market. Ms. Adams would confirm it was money market account in a qualified public depository.

Ms. Gregory voiced concern that funds with Florida Prime were not insured. Dr. Master recommended US Treasuries but if Florida Prime was allowed by Statute as an investment, they should invest in it to earn more than what the money market account was earning. Ms. Adams pointed out that investing in US Treasuries required a custody account because the District was unable to directly purchase from the US Treasury but staff did provide a path forward if the Board chose to invest in US Treasuries. Ms. Gregory recalled that US Bank wanted \$1,500 for an annual custody account. Ms. Gregory questioned the portfolio items in the SBA as it included a \$77 million City Furniture demand note and other demand notes that make up about 10% of the portfolio. Dr. Master questioned how Florida Prime is an approved investment institution with their portfolio? Mr. Scott Clark explained that the SBA had their own rules and he was concerned that there were many overseas banks involved. Mr. LaRue asked if the District voted on Florida Prime and was advised the Board did take action or direct staff regarding the SBA account. Ms. Adams stated it was not uncommon for CDDs to utilize Florida Prime because it was one of the four investment authorized opportunities. Dr. Master recalled that there was a

July 19, 2023

way for the District to purchase US Treasuries as a municipal corporation and wanted to speak to various banks about it. Ms. Gregory preferred to get a fixed rate on a 12-month CDD. Ms. Gregory reiterated she is unhappy with Truist because of fees. Ms. Gregory wanted to do further research on products out there. Dr. Maneck wanted to set up a free account with Fidelity. Ms. Gregory and Dr. Master did not want to engage a government investment advisor.

After further discussion, there was Board consensus to leave the funds in Florida Prime and Ms. Adams would work with the Chair regarding CD options. The item would be reviewed at the September meeting.

ELEVENTH ORDER OF BUSINESS

Staff Reports

A. Attorney

Mr. Scott Clark was looking at other options with Mr. Mossing for the investment of the debt service funds, as the monies that the Trustee had in the Debt Service Fund earned .05%.

B. Engineer

i. Review and Acceptance of Annual Engineer's Report

Ms. Adams reported as part of the Trust Indenture for the 2017 refunded bond, the District was required to provide an engineer's report on the maintenance, insurance and budgeting for District assets to the Trustee by July 1st of each year. Ms. Leo explained that the Annual Engineer's Report was self-explanatory and was completed every year. A separate report could be provided on field conditions of the stormwater system at a later time.

On MOTION by Ms. Gregory seconded by Mr. LaRue with all in favor the Annual Engineer's Report was accepted.

Ms. Leo felt that Mr. Smith was taking good care of the District assets.

C. District Manager

i. Approval of Check Register

Ms. Adams presented the Check Register for April 1, 2023 through July 7, 2023 totaling \$113,110.27. It included the register for the General Fund and payroll, as well as detailed invoices and a Check Run Summary. Mr. LaRue questioned how the invoice for SOLitude Lake Management was itemized. Ms. Adams explained that Mr. Smith reviewed the invoices to ensure

compliance with the contracted amount. Mr. Smith indicated he is working with SOLitude to improve the presentation of the invoices as well as how they report services in general. Mr. LaRue asked if a subcontractor was used for mosquito control. Mr. Smith reported that SOLitude acquired the Clarke aquatic service portion of the company, but confirmed Clarke continued to service the midge management portion of the contract. Mr. LaRue requested that SOLitude clarify their invoices. Dr. Master questioned disclosure services. Ms. Adams explained that the Amortization Schedule was revised when there was a special call for lump sum payoffs. Ms. Gregory questioned the accounts included on the US Bank invoice. Ms. Adams would confirm that it related to the trust accounts. Ms. Gregory asked why the general ledger debits for US Bank trustee fees were split. Ms. Adams confirmed that the fees covered two different fiscal years; 2023 and 2024. Charges for October 2023 through January 2024 would be recognized in Fiscal Year 2024.

On MOTION by Dr. Master seconded by Mr. LaRue with all in favor the Check Register as stated above was approved.

ii. Balance Sheet and Income Statement

Ms. Adams presented Unaudited Financials through May 31, 2023. No Board action was required. Interest earnings were reported on the Combined Balance Sheet. The money market was with Bank United and the General Fund was with Truist. The Board did an excellent job controlling expenses and there were no issues to report to the Board. The payments due in May occurred for the Debt Service Fund. Ms. Adams noted where the debt service fund interest revenue was reported.

iii. Approving the Proposed Fiscal Year 2024 Meeting Dates

Ms. Adams presented the Fiscal Year 2024 meeting schedule, which was consistent with the prior year's meeting schedule. Meetings would be held on the third Wednesday of every other month at 9:00 a.m. in the Starlight Ballroom starting on October 1, 2023 and ending September 30, 2024.

On MOTION by Dr. Master seconded by Ms. Gregory with all in favor the Fiscal Year 2024 meeting schedule as presented was approved.

D. Field Manager’s Report

Mr. Smith presented the Field Manager’s Report. It was the rainy season and there were times when the landscaping company did not able to mow all the way to the edge to preserve the bank and diminish further erosion to the pond bank edge when it was wet. Overall, there was satisfactory landscaping to the pond banks. Regarding aquatic maintenance, the ponds were well maintained. Shorelines looked good and plantings were doing well. There were algae blooms in some ponds due to the temperature of the water and nutrients, which were treated along with shoreline grasses. The contractor was allowing edge grasses to grow to preserve pond banks and decrease nutrient load in the water. Clearing of dry pond bleeder pipes and all action items presented at the last meeting were completed. A Conveyance Report for two ponds to be conveyed to the District was provided. Overall, the ponds were in good shape. Some algae had to be treated. There were also some edge grasses, but nothing of concern. Regarding a question at the last meeting on how midge complaints were handled by the HOA, the HOA did not retain a complaint log or provide midge services on two ponds owned by the HOA, but during their onsite review, there were no major midge issues.

i. Customer Complaint Log

Mr. Smith presented the Customer Complaint Log. There was one complaint from May 12 regarding an algae bloom on a pond that was treated.

TWELFTH ORDER OF BUSINESS

Supervisor’s Requests

There being no comments the next item followed.

THIRTEENTH ORDER OF BUSINESS

General Audience Comments

There being no comments the next item followed.

FOURTEENTH ORDER OF BUSINESS

Other Business

There being no comments the next item followed.

FIFTEENTH ORDER OF BUSINESS

Next Meeting Date – September 20, 2023

The next meeting was scheduled for September 20, 2023 at 9:00 a.m.

SIXTEENTH ORDER OF BUSINESS

Adjournment

On MOTION by Dr. Master seconded by Ms. Skeete with all in favor the meeting was adjourned at 11:04 a.m.

Secretary / Assistant Secretary

Chairman / Vice Chairman

SECTION 6

SECTION A



From: Monica Virgen mvirgen@gmscfl.com
Subject: Fwd: Poinciana West CDD - Renewal Request
Date: September 13, 2023 at 4:37 PM
To:

From: **Robin Russell** <Robin.Russell@bbrown.com>
Date: Wed, Sep 13, 2023 at 4:03 PM
Subject: RE: Poinciana West CDD - Renewal Request
To: Tricia Adams <tadams@gmscfl.com>

Good afternoon Tricia,

The biggest part of the increase from last year is a result in an error made last year. When we received your bind order last year, the District rejected the Cyber Liability and Auto Liability. We reached out to Preferred at the time to confirm what the premium would be without those lines of coverage because they reserve the right to adjust their premium if policy is not bound as quoted. We received confirmation from Preferred that the premium would be bound at \$3,650 (the quoted premium minus the premium for the Cyber and Auto Liabilities).

After we bound the policy, Preferred contacted us letting us know that they made an error and the premium should have actually been adjusted to reflect their program minimum premium, which at the time was \$5,000. I pushed backed reminding them that we had asked if the premium would change prior to binding and they confirmed it wouldn't so they honored their original premium of \$3,650, with the understanding that it would be corrected this year. This year's quote is \$5,899, a \$2,249 increase over expiring. However, most of the \$2,249 increase is bringing the policy up to Preferred's minimum premium.

In addition to the above, the insurance market as a whole, is seeing drastic increases in both the property and liability lines of coverage. The increases are ranging anywhere from 15%-100% depending on the lines of coverage and loss experience.

Please let me know if you have any additional questions regarding the renewal.

Kind regards,

Robin Russell, ARM-P, CISR, CSRM
Director of Operations

Robin.Russell@bbrown.com

O (386) 239-4044 | F (386) 239-4049

300 North Beach Street
Daytona Beach, FL 32114

BBrown.com | NYSE: BRO



PUBLIC SECTOR

Insurance Proposal

2023/2024

POINCIANA WEST COMMUNITY DEVELOPMENT DISTRICT



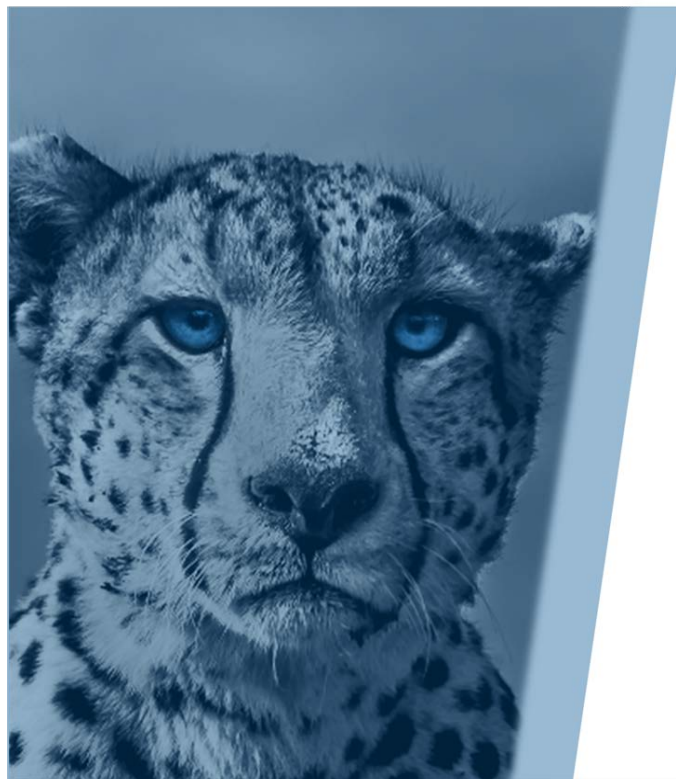
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Our Story

The Brown & Brown, Public Sector team is a highly-specialized unit of insurance advisors 100% trained to deliver industry-leading services to public entities in the State of Florida. Since 1992, we have continuously refined that specialization and enhanced our services, while becoming the largest public entity brokerage in Florida. Our team provides Property & Casualty and Employee Benefits services to governments from Key West to the Panhandle and represents more than 200 clients.

We have built our reputation by empowering our governmental clients to outperform their industry peers, lower their cost of risk, and enhance their insurance programs - all while staying within their annual budgetary constraints. Our team is committed to serve those who serve the public - and provide superior service to our clients, their staff, and their employees.



- Dedicated service team working exclusively for Florida local governments in all capacities surrounding risk and human resources
- Access to highly experienced public entity resources including Claims Team, Panel Counsel, Loss Control, Disaster Planning and Recovery, and Risk Management Specialists.
- Only retail office in Florida 100% committed to Florida's public entities
- Brown & Brown, Public Sector currently represents over 200 of Florida's governmental entities
 - 22 Counties
 - 70 Cities
 - 20 Public Airports
 - 7 Public School Districts
 - State of Florida

An Introduction to Your Service Team

Account Executives

Matt Montgomery Executive Vice President	(386) 239-7245	Matt.Montgomery@bbrown.com
Robin Russell, ARM-P, CISR, CSR Director of Operations	(386) 239-4044	Robin.Russell@bbrown.com
Paul Dawson, ARM-P Senior Vice President / Public Risk Advisor	(386) 239-4045	Paul.Dawson@bbrown.com
Michelle Martin, CIC Senior Vice President / Public Risk Advisor	(386) 239-4047	Michelle.Martin@bbrown.com
Kyle Stoekel, ARM-P, CIC Public Risk Advisor	(386) 944-5805	Kyle.Stoekel@bbrown.com
Bill Wilson Public Risk Advisor	(386) 333-6058	Bill.Wilson@bbrown.com
Molly Grande, CPCU, ARM, CISR Account Executive	(386) 333-6084	Molly.Grande@bbrown.com
Victoria "Tori" Reedy Executive Coordinator	(386) 239-4043	Tori.Reedy@bbrown.com

Service Representatives

Emily Bailey Public Risk Specialist	(386) 333-6085	Emily.Bailey@bbrown.com
Melody Blake, ACSR Senior Public Risk Specialist	(386) 239-4050	Melody.Blake@bbrown.com
Taylor Brodeur Public Risk Specialist	(386) 361-5225	Taylor.Brodeur@bbrown.com
Alexa Gray, AIC Public Risk & Claims Specialist	(386) 333-6068	Alexa.Gray@bbrown.com
Schylar Howard Public Risk Specialist	(386) 265-6117	Schylar.Howard@bbrown.com
Patricia "Trish" Jenkins, CPSR Senior Public Risk Specialist	(386) 239-4042	Trish.Jenkins@bbrown.com
Nicholas "Nick" Van Nostrand Public Risk Specialist	(321) 214-2377	Nicholas.VanNostrand@bbrown.com

Certificate Requests: 179.certificates@bbrown.com

Claim Reporting: 179.claims@bbrown.com

Our Service Team philosophy focuses on accountability at all levels of account management. Our goal is not simply to meet your service needs, but to exceed them. All the employees at Brown & Brown are dedicated to achieving this goal and distinguishing ourselves from the competition.

Preferred Governmental Insurance Trust (*Preferred*) Overview

Several hundred members and millions in premiums prove that the *Preferred* Governmental Insurance Trust® fulfills what Florida needs: an insurance program exclusively customized and dedicated to the public sector. *Preferred* stays on the forefront of specialized insurance for property, casualty and workers' compensation because it is non-profit and self-governed with a membership comprised solely of Florida public entities.

Preferred's history dates back to 1999. Its robust membership and financial strength, including consistent growth of surplus, stem from its conservative platform of managed risk. *Preferred* is just that: ***preferred*** for unmatched public entity experience, innovation, stability and personalized service.

Preferred's Member Types

Municipalities	Counties	Special Districts
Public Schools	Charter Schools	Sheriff Departments
Housing Authorities	Aviation Authorities	Transit, Port & Utility Authorities

Preferred's Comprehensive Coverages

Property	Workers' Compensation	General Liability
Automobile Liability	Automobile Physical Damage	Law Enforcement Liability
Public Officials Liability	Employment Practices Liability	Educators' Legal Liability

The Power of Groups and People

What does a specialized insurance trust do for you? In the case of *Preferred*, it gives you the purchasing power of a very large trust with billions of covered property values—far more financial negotiating power than a single public entity can muster. As a *Preferred* member, you are part of a formidable Florida insurance trust.

The trust also transfers risks from any one public entity to the larger group. This provides all members of the trust better rating structures with less volatility. *Preferred's* sole focus on government ensures that members' unique needs are met.

Underwriting and Administration

Behind *Preferred's* underwriting platform are decades of success built on integrity and market relationships. Our team of underwriters' vast insurance expertise enhances the actuarial and scientific data used to underwrite individual risks within the trust. Services delivered are both broad and precise. Reliability is assured. The administrator for *Preferred* is Public Risk Underwriters of Florida, Inc.® (PRU), Florida's premier public entity specialist of its kind. *Preferred's* claims administrator is PGCS Claim Services. With more than 25 years in claims experience, PGCS is Florida's foremost governmental third-party administration company.



Underwriting Highlights

- **Diverse risk financing options:** guaranteed cost, deductible, self-insured retention, all lines aggregate
- **Competitive premium discounts** based on favorable experience and sound safety practices
- **Flexibility of coverage design**, including mono-line or package basis
- **Dynamic financial analysis** conducted periodically to validate the trust's superior financial standing

Administration

- **General counsel, defense counsel and litigation services** by specialists in governmental law
- **Membership relations** for networking and professional development
- **Legislative Pulse newsletter** from Tallahassee-based law firm
- **Professional marketing** that guarantees local agent support, governmental knowledge and an ever-growing group of members
- **Preferred News**—a quarterly publication covering the spectrum of government insurance issues
- **State filing, accounting and independent CPA audited financials** as needed

Preferred's Expert Boards Know Your Business

Preferred is governed and guided by people working daily in all segments of Florida's public sector – from municipalities to counties to schools to special taxing districts.

The Board of Trustees is comprised of elected public officials who work wisely and diligently to set policy, keeping *Preferred* as the premier public entity insurer of its kind.

Preferred Claims Administration

Preferred Governmental Claim Solutions, Inc. ® (PGCS) is the premier governmental third-party claims administrator in the state of Florida and administers the claims for Preferred Governmental Insurance Trust (*Preferred*). Since its founding in 1956, PGCS has provided claims administration services exclusively to over 450 governmental entities including schools, cities, towns, counties, community development districts, and fire districts. Therefore, PGCS's adjusters are extremely qualified to handle governmental tort liability and public sector workers' compensation claims. They are experts at investigating and handling police and firefighters presumption claims. PGCS is sensitive to the politics involved in the handling of public entity claims.

PGCS's claims administration program consists of workers' compensation, general liability, bodily injury, personal injury, property, auto liability, auto physical damage, employment practices liability, school leaders/educators liability and public officials liability. Their claims staff has over 630 years of combined insurance experience and each has been with PGCS an average of 8 years. Claims are handled under strict supervision in accordance with the PGCS workers' compensation and liability claim handling procedure manuals and the PGCS claim best practices manual. A random sampling of each adjuster's claim files are audited on a monthly basis by a Quality Assurance Manager to ensure compliance.

PGCS provides their clients with a dedicated Subrogation Unit to pursue reimbursements from at-fault third parties. Their current recovery rate is fifty-nine (59) percent of the claim costs expended. PGCS also has a dedicated excess reporting and recovery unit for communication to and securing reimbursement from the excess and/or reinsurance carriers. In addition, PGCS provides a state-approved Special Investigation Unit (SIU) to prevent and pursue fraudulent claims. PGCS offers rewards up to \$10,000.00 for the arrest and conviction of persons committing workers' compensation fraud. This service is provided via a twenty-four hour seven day a week hotline.

PGCS utilizes the RiskMaster system for claims processing. This system captures a wide variety of data and allows the adjuster to enter an unlimited number of claim notes, process reserve changes, and issue claim payments. Customized reports can be obtained from PGCS's on-line system containing a multitude of data parameters that a client may choose to analyze. The system can be accessed by clients via their website at www.pgcs-tpa.com.

Communication with PGCS's clients is the cornerstone of their claims administration program. Professional adjusters, nurses, management, quarterly in-depth claim review meetings, 24/7 claim reporting, utilization of attorneys specializing in public entity defense, litigation management, and return to work programs are just a sample of how PGCS has set the standard for the industry.

PGCS is committed to partnering with their clients to provide professional and aggressive claim management programs. While they are recognized as the leader in the industry, PGCS is always striving to improve the quality of their programs and expand the services that they offer.

Preferred Safety and Risk Management Services

The success of any public sector community is tied to its ability to protect and preserve its human physical assets. This basic premise serves as the cornerstone of an effective Safety Management program and underscores the importance of Safety and Risk Control to the community. *Preferred's* Safety and Risk Management Department is very aware of the valuable contribution a comprehensive safety and risk control program makes to the bottom-line of any organization.

At *Preferred*, Safety consultations originate with one basic thought—to recommend specific measures to minimize or eliminate the exposures that cause accidents. This does not mean that the workplace become no-risk utopias, but we expect our consultants to recommend measures to control and minimize all types of accidents, injuries and illnesses to our *Preferred* members' operations and premises.

Preferred is dedicated to meeting the challenge of the complex issues facing public sector organizations. Disarming these issues and converting them into solutions which work to the advantage of our goal. *Preferred's* approach to risk control incorporates the following elements:

- **Exposure Identification** – Assist management in determining areas where a chance of loss might exist through cause trend analysis, work site evaluations, and facility inspections.
- **Exposure Measurement and Loss Analysis** – Loss analysis and a review of the consequences of the exposures will be considered to develop alternative methods of control.
- **Determination and Selection of Appropriate Risk Control Methods** – Based on measurement and analysis, specific recommendations and/or custom designed risk control plan will be formulated. OSHA, as well as other Agency Standards will be applied and/or used as a “Best Practice” measure when designing and formulating safety and risk control plans.
- **Training and Safety Management Consulting** – After considering client needs specific services and/or training will be formulated and initiated to fit the client's need. Key Personnel or specialty consulting services with the knowledge and skills needed to meet those identified needs will be provided.
- **Additional Consulting Services Available** – *Preferred's* Safety & Risk Management has other services available that may benefit our clients. These services include security evaluations and review of existing safety and risk programs.

Preferred's Safety and Risk Management Department evaluates the unique needs to each client, ultimately designing a program that is capable of being integrated into the overall safety and risk control efforts of each client. *Preferred's* dedication to the problem-solving approach is the foundation of their Safety and Risk Management Service.

General Liability

Term: October 1, 2023 to October 1, 2024

Company: Preferred Governmental Insurance Trust (*Preferred*)

Form: Occurrence

Coverage	Limit	Deductible
General Liability		
Bodily Injury and Property Damage, per Occurrence	\$1,000,000	\$0 Per Occurrence
Personal Injury and Advertising Injury, per Person/Occurrence	Included	
Products/Completed Operations, Aggregate	Included	
Fire Damage, per Occurrence	Included	
Medical Payments	\$2,500	
Employee Benefits Liability, per Occurrence	\$1,000,000	
Sublimits		
Vicarious Law Enforcement Liability, per Occurrence	\$1,000,000	Same as General Liability
Principle of Eminent Domain Including Inverse Condemnation, "Bert J. Harris, Jr., Private Property Rights Protection Act" per Occurrence / Annual Aggregate.	\$100,000	
Sewer Backup and Water Damage: Non-Negligent Claims Negligent Claims.	\$10,000/\$200,000 \$200,000/\$200,000	
Herbicide and Pesticide, per Occurrence	\$1,000,000	

Additional Coverages Included:

1. EMT/Paramedic Professional Services
2. Premises Operations
3. "Insured" Contracts
4. Host Liquor Liability
5. Broad Form Property Damage Subject to \$2,500 Personal Property of Others Sublimit
6. Watercraft Liability (under 52 feet). See policy form for limitations
7. Limited Worldwide Coverage
8. Failure to Supply Water
9. Communicable Disease (Correctional Facilities and Health Care Facilities - \$300,000 Limit)

Notes of Importance:

1. Premium is not audited.
2. Defense Costs are paid in addition to policy limits.
3. In the event an occurrence, accident or offense continues beyond the policy period, the applicable deductible would apply separately to each policy period in which the occurrence, accident or offense was committed or was alleged to have been committed.
4. Limits of Liability are subject to Florida Statute 768.28.
5. Deductible does not apply to claims expense.

General Liability

Exclusions, include but not limited to:

- Expected or intended injury
- Contractual Liability
- Liquor Liability
- Workers' Compensation and similar laws
- Employer's Liability
- Pollution
- Aircraft, Auto or Watercraft
- Mobile Equipment
- War
- Damage to Your Property, Product or Work
- Damage to Impaired Property or Property Not Physically Injured
- Recall of Products, Work or Impaired Property
- Racketeering
- Law Enforcement, except for vicarious liability arising out of an act or omission by a law enforcement agency that is not owned, operated or controlled by the "Covered party" if there is a contract with an outside agency to provide law enforcement for your entity.
- Asbestos, Mold, Fungi, or Bacteria
- Liability arising out of or caused or contributed to by any ownership, maintenance, operation, use, loading, unloading or control of or responsibility for any airfield, airport, aircraft, runway, hangar, building or other property or facility designed for, used, connected, associated or affiliated with or in any way related to aviation or aviation activities; this exclusion does not apply to premises exposure for those common areas open to the public including but not limited to parking areas, sidewalks, and terminal buildings.
- Failure or inability to supply or any interruption of any adequate quantity of power, steam, pressure, or fuel
- Subsidence, erosion or earth movement.
- Hospital / Clinic Medical Malpractice or Health Care Facilities
- Professional Health Care Services, but not including emergency medical services for first aid performed by emergency medical technicians, paramedics or Medical Director while in the course and scope of their duties.
- ERISA
- Actual or alleged illegal discrimination
- Injunctive, declaratory or equitable relief
- Actual or alleged deterioration, bursting breaking, leaking, inadequacy, design of, control of, maintenance of, or any other alleged responsibility for any structure device, or water course, natural or man-made, including, but not limited to: dams, reservoirs, levees, banks, embankments, gates, canals, ditches, gutters, sewers, aqueducts, channels, culvert, retaining walls, drains, tanks, watershed, or drains, a purpose of which is the containing, carrying, impeding, channeling, diverting, or draining of water or other liquid. Does not apply only as to the bursting or failure of man-made sewer, storm water, grey water or potable water supply pipes owned and maintained by Covered Party.
- Sexual abuse after initial discovery

Public Officials Liability/Employment Practices Liability

Term: October 1, 2023 to October 1, 2024

Company: Preferred Governmental Insurance Trust (*Preferred*)

Form: Claims Made – Duty to Defend / Occurrence

Coverage	Limit	Deductible
Public Officials Liability Retroactive Date: Full Prior Acts		
Per Claim	\$1,000,000	\$0 Per Claim
Employment Practices Liability Retroactive Date: Full Prior Acts		
Per Claim	\$1,000,000	\$0 Per Claim
Sublimits		
Employee Pre-Termination Legal Consultation Services		
Per Employee	\$2,500	
Aggregate	\$5,000	
Non-Monetary Claims Defense Costs, Aggregate	\$100,000	

Notes of Importance:

1. Defense Costs are paid in addition to policy limits.
2. Deductible does not apply to claims expense.
3. Broadened definition of "Who is an Insured."
4. Limits of Liability are subject to Florida Statute 768.28.

Public Officials Liability/Employment Practices Liability

Exclusions, include but not limited to:

- Criminal Acts
- Non-Monetary relief except as provided in the Supplementary Payments
- Bodily Injury, Personal Injury, Property Damage, Advertising Injury
- Damages arising out of Inverse Condemnation, Eminent Domain, Temporary or Permanent taking, Adverse Possession, Dedication by adverse Use, Condemnation Proceedings, or claims brought under Florida Statute 70.001 the "Bert J. Harris Jr., Private Property Rights Protection Act" or any similar claim by whatever named called.
- War, Invasion, Acts of foreign enemies, hostiles or warlike operations, strike, lock-out, riot, civil war, rebellion, revolution, insurrection or civil commotion
- Failure to effect and maintain insurance
- Fiduciary Liability
- Pollution
- Workers' Compensation, Employers Liability and similar laws
- Nuclear
- ERISA of 1974, any similar state or local laws, and any rules and regulations promulgated thereunder and amendments thereto.
- Infringement of copyright, trademark, plagiarism, piracy or misappropriation of any ideas or other intellectual property
- Contractual Liability
- Health Care Professional or Health Care Facilities
- Prior and Pending claims
- Workers' Adjustment and Retraining Notification Act, OSHA, RICO, or ADA
- Law Enforcement Activities
- Insured vs. Insured
- Bonds, Taxes or Construction contracts
- Collective Bargaining Agreements
- Capital Improvement to make property more accessible or accommodating to disabled persons
- Punitive Damages
- Return or improper assessment of taxes, assessments, penalties, fines, fees
- Activities of any attorney-at-law, medical personnel, architect, engineer or accountant, in the scope of their professional duties, except for claims made against them as Public Officials or Employees
- Media Wrongful Act
- Access or Disclosure of Confidential or Personal Information and Data-related Liability

Public Officials Liability/Employment Practices Liability

Claims Made Policy:

When a policy is on a claims-made basis, coverage triggers based on the actual filing date or receipt of the claim, in addition to the date of loss or injury. It handles any insured loss or claim filed during the policy period, regardless of when the actual loss or injury occurred, subject to the retroactive date on the declarations. Claims-made coverage applies only to covered losses that occur after the retroactive date.

Extended Reporting Periods:

Preferred provides the following Extended Reporting Periods options in the event coverage is cancelled or non-renewed:

Automatic Extended Reporting Period – continued coverage granted for a period of 60 days following the effective date of termination or nonrenewal, but only for Claims first made during the 60 days and arising from Wrongful Acts taking place prior to the effective date of the termination or nonrenewal.

Optional Extended Reporting Period – The Public Entity shall have the right, upon payment of up to 200% of the expiring premium, to purchase an Optional Extended Reporting Period, for the period of 12 months following the effective date of the cancellation or nonrenewal, but only for Claims first made during the Optional Extended Reporting Period and arising from Wrongful Acts taking place prior to the effective date of the termination or nonrenewal.

Premium Recapitulation

	<u>Annual Premium</u>	<u>Check Option</u>	
		<u>Accept</u>	<u>Reject</u>
<i>Preferred Package</i>			
General Liability	\$4,000.00	<input type="checkbox"/>	<input type="checkbox"/>
Public Officials / Employment Practices Liability	\$1,899.00	<input type="checkbox"/>	<input type="checkbox"/>
Package Payment Plan:	Annual	<input type="checkbox"/>	<input type="checkbox"/>

I authorize Brown & Brown to request the underwriters to bind coverage on the items indicated above and acknowledge receipt of the Compensation and Financial Condition Disclosure(s) provided in this proposal.



(Signature)

(Name & Title)

(Date)

Notes of Importance:

1. Quotes provided in the proposal are valid until 10/1/2023. After this date terms and conditions are subject to change by the underwriters.
2. *Preferred* is not subject to the Florida Insurance Guaranty Act, in the event it becomes unable to meet its claims payment obligations. However, insured is named on excess of loss policies.
3. Some of the Carriers of the *Preferred* excess of loss policies are issued pursuant to the FL Surplus Lines laws. Entities insured by surplus lines carriers do not have the protection of the FL Insurance Guaranty Act to the extent of any right of recovery for the obligation of an insolvent, unlicensed insurer.
4. Quote is subject to review and acceptance by *Preferred* Board of Trustees.
5. Premiums are subject to change if all lines of coverage quoted are not bound. **Premiums are subject to 25% minimum premium upon binding.**
6. Not all coverages requested may be provided in this quotation.
7. Flood quotes from NFIP may be available. Please advise your agent if you have property located in zones A or V and would like to have separate NFIP quotes.
8. Property values are based on information supplied by you. You should have reviewed your property schedule and as you deem necessary have appraisals done to verify your reported values are accurate based on current market conditions.
9. The Trust requires all Members to maintain valid and current certificates of workers' compensation insurance for all work performed by persons other than its employees.
10. **With the exception of Workers' Compensation, the total premium is due within 30 days of inception. Premium financing can be arranged if needed.**
11. Quote is not bound until written orders to bind are received from the insured and the Trust subsequently accepts the risk.
12. Should signed application reveal differing details/data than original application received, the entire quote/binder is subject to revision and possible retraction.
13. Higher limits of liability may be available. Please consult with your agent.
14. This proposal is based upon exposures to loss made known to the Brown & Brown. Any changes in exposures (i.e. new operations, new acquisitions of property or change in liability exposure) need to be promptly reported to us in order that proper coverage may be put into place.
15. **This proposal is intended to give a brief overview. Please refer to coverage agreements for complete information regarding definition of terms, deductibles, sub-limits, restrictions and exclusions that may apply. In the event of any differences, the policy will prevail.**

Retail Compensation Disclosure

In addition to the commissions or fees received by us for assistance with the placement, servicing, claims handling, or renewal of your insurance coverages, other parties, such as excess and surplus lines brokers, wholesale brokers, reinsurance intermediaries, underwriting managers and similar parties, some of which may be owned in whole or in part by Brown & Brown, Inc., may also receive compensation for their role in providing insurance products or services to you pursuant to their separate contracts with insurance or reinsurance carriers. That compensation is derived from your premium payments. Additionally, it is possible that we, or our corporate parents or affiliates, may receive contingent payments or allowances from insurers based on factors which are not client-specific, such as the performance and/or size of an overall book of business produced with an insurer. We generally do not know if such a contingent payment will be made by a particular insurer, or the amount of any such contingent payments, until the underwriting year is closed. That compensation is partially derived from your premium dollars, after being combined (or "pooled") with the premium dollars of other insureds that have purchased similar types of coverage. We may also receive invitations to programs sponsored and paid for by insurance carriers to inform brokers regarding their products and services, including possible participation in company-sponsored events such as trips, seminars, and advisory council meetings, based upon the total volume of business placed with the carrier you select. We may, on occasion, receive loans or credit from insurance companies. Additionally, in the ordinary course of our business, we may receive and retain interest on premiums you pay from the date we receive them until the date of premiums are remitted to the insurance company or intermediary. In the event that we assist with placement and other details of arranging for the financing of your insurance premium, we may also receive a fee from the premium finance company.

If an intermediary is utilized in the placement of coverage, the intermediary may or may not be owned in whole or part by Brown & Brown, Inc. or its subsidiaries. Brown & Brown entities operate independently and are not required to utilize other companies owned by Brown & Brown, Inc., but routinely do so. In addition to providing access to the insurance company, the Wholesale Insurance Broker/Managing General Agent may provide additional services including, but not limited to: underwriting; loss control; risk placement; coverage review; claims coordination with insurance company; and policy issuance. Compensation paid for those services is derived from your premium payment, which may on average be 15% of the premium you pay for coverage, and may include additional fees charged by the intermediary.

Questions and Information Requests. Should you have any questions, or require additional information, please contact this office at (386) 252-6176 or, if you prefer, submit your question or request online at <http://www.bbinsurance.com/customerinquiry/>.

***PREFERRED* Compensation Disclosure**

We appreciate the opportunity to assist with your insurance needs. Information concerning compensation paid to other entities for this placement and related services appears below. Please do not hesitate to contact us if any additional information is required.

Our office is owned by Brown & Brown, Inc. Brown & Brown entities operate independently and are not required to utilize other companies owned by Brown & Brown, Inc., but routinely do so.

For the 2023 – 2024 policy year, your insurance was placed with Preferred Governmental Insurance Trust (*Preferred*). *Preferred* is an insurance trust formed by Florida public entities through an Interlocal Agreement for the purpose of providing its members with an array of insurance coverages and services. *Preferred* has contracted with entities owned by Brown & Brown, Inc. to perform various services. As explained below, those Brown & Brown entities are compensated for their services.

Preferred has contracted with Public Risk Underwriters (PRU), a company owned by Brown & Brown, Inc., to administer *Preferred's* operations. The administrative services provided by PRU to *Preferred* include:

- Underwriting
- Coverage review
- Marketing
- Policy Review
- Accounting
- Issuance of *Preferred* Coverage Agreements
- *Preferred* Member Liaison
- Risk Assessment and Control

Pursuant to its contract with *Preferred*, Public Risk Underwriters of Florida, Inc. (PRU) receives an administration fee, based on the size and complexity of the account, of up to 10% of the *Preferred* premiums billed and collected.

Preferred has also contracted with Preferred Governmental Claims Solutions (PGCS), a company owned by Brown & Brown, Inc., for purposes of administering the claims of *Preferred* members. The services provided by PGCS to *Preferred* may include:

- Claims Liaison with Insurance Company
- Claims Liaison with *Preferred* Members
- Claims Adjustment

Pursuant to its contract with *Preferred*, PGCS receives a claims administration fee for those accounts which PGCS services of up to 5% of the non-property portion of the premiums you pay to *Preferred*.

Preferred also utilizes wholesale insurance brokers, some of which (such as Peachtree Special Risk Brokers and Apex Insurance Services) are owned by Brown & Brown, Inc., for the placement of *Preferred's* insurance policies. The wholesale insurance broker may provide the following services:

- Risk Placement
- Coverage review
- Claims Liaison with Insurance Company
- Policy Review
- Current Market Intelligence

The wholesale insurance broker's compensation is largely dictated by the insurance company. It typically ranges between 10% and 17% of the premiums you pay to *Preferred* for your coverage.

Notice of Carrier Financial Status

Risk Management Associates, Inc., and its parent company, Brown & Brown, Inc. (collectively “Brown & Brown”) do not certify, warrant or guarantee the financial soundness or stability of any insurance carrier or alternative risk transfer or pooling entity. We endeavored to place your coverage with an insurance carrier with an AM Best Company financial rating of “A-” or better.* While Brown & Brown cannot certify, warrant or guarantee the financial soundness or stability of any insurance carrier or alternative risk transfer or pooling entity or otherwise predict whether the financial condition of any such entity might improve or deteriorate, we are hereby providing you with notice and disclosure of financial condition so that you can make an informed decision regarding the placement of coverage. Accordingly, with receipt of this notice you acknowledge the following with regard to the placement and any subsequent renewal of the coverage indicated below:

- Brown & Brown may have other options for your insurance placement, including quotations with insurance carriers holding an “A-” or better rating from AM Best Company. Alternative quotes may be available with an A- or better rated carrier upon your request.
- Coverage is being renewed through **Preferred Governmental Insurance Trust (“Preferred”)**, which is as a Florida local government self-insurance fund established pursuant to Section 624.4622, Florida Statutes, as such **Preferred** is not rated by the AM Best Company.
- **Preferred** is not subject to the protections afforded by any state guaranty fund or association.
- The financial condition of insurance companies and other coverage providers including local government self-insurance funds like **Preferred** may change rapidly and that such changes are beyond the control of Brown & Brown.
- You should review the financial and membership information from **Preferred** and agree to abide by the conditions of membership established by **Preferred**.
- You should consider the information provided, including the **Preferred** coverage quote and coverage placement and review it with your accountants, legal counsel and advisors.

Named Insured: Poinciana West Community Development District
Line of Coverage(s): General Liability & Public Officials and Employment Practices
Policy Number(s): PK FL1 0534023 23-02
Policy Period(s): 10/1/23 – 10/1/24
Date of Notice: 8/15/23

* AM Best Rating Guide: **Rating for Stability: A++ to F = Highest to lowest rating**
Financial Size Category: XV to I - Largest to smallest rating

Guide to Bests Ratings		
Best Category	Rating	Description
Secure	A++	Superior
Secure	A+	Superior
Secure	A	Excellent
Secure	A-	Excellent
Secure	B++	Very Good
Secure	B+	Very Good
Vulnerable	B	Fair
Vulnerable	B-	Fair
Vulnerable	C++	Marginal
Vulnerable	C+	Marginal
Vulnerable	C	Weak
Vulnerable	C-	Weak
Vulnerable	D	Poor
Vulnerable	E	Under Regulatory Supervision
Vulnerable	F	In Liquidation
Vulnerable	S	Rating Suspended
Not Rated	NR-1	Insufficient Data
Not Rated	NR-2	Insufficient Size and/or operating experience
Not Rated	NR-3	Rating Procedure Inapplicable
Not Rated	NR-4	Company Request
Not Rated	NR-5	Not Formally Followed
Rating Modifier	u	Under Review
Rating Modifier	q	Qualified
Affiliation Code	g	Group
Affiliation Code	p	Pooled
Affiliation Code	r	Reinsured

Guide to Best's Financial Size Categories		
Reflects size of insurance company based on their capital, surplus and conditional reserve funds in U.S. dollars.	I	Less than \$1,000,000
	II	\$1,000,000 - \$2,000,000
	III	\$2,000,000 - \$5,000,000
	IV	\$5,000,000 - \$10,000,000
	V	\$10,000,000 - \$25,000,000
	VI	\$25,000,000 - \$50,000,000
	VII	\$50,000,000 - \$100,000,000
	VIII	\$100,000,000 - \$250,000,000
	IX	\$250,000,000 - \$500,000,000
	X	\$500,000,000 - \$750,000,000
	XI	\$750,000,000 - \$1,000,000,000
	XII	\$1,000,000,000 - \$1,250,000,000
	XIII	\$1,250,000,000 - \$1,500,000,000
	XIV	\$1,500,000,000 - \$2,000,000,000
	XV	Greater than \$2,000,000,000

Brown & Brown always strives to place your coverage with highly secure insurance companies. We cannot, however, guarantee the financial stability of any carrier.

Named Covered Party: Poinciana West Community Development District

Effective: 10/01/2023

Termination: 10/01/2024

I hereby confirm that the limits/coverages as shown here, corresponding with the Coverage Agreement, are correct:

N/A	Property TIV: Not Included
N/A	Inland Marine Blanket Unscheduled IM: Not Included Scheduled Inland Marine: Not Included Total All Inland Marine: Not Included
N/A	Property TRIA (Terrorism Risk Insurance Act) coverage
N/A	Crime
X	General Liability Ratable Payroll: Not Included
N/A	Law Enforcement Liability Officers: Not Included
X	Professional Liability Employees: Not Included
N/A	Automobile 0 Units - Auto Liability 0 Units - Comprehensive 0 Units - Collision
N/A	Stop Loss Aggregate: Not Included Applies to:
N/A	Excess Workers' Compensation Payroll: Not Included
N/A	I confirm that I have received a copy of Preferred's Current Interlocal Agreement (last amended October 1, 2004) and Amendment A (effective October 1, 2013).
N/A	I confirm having read and agreed to the terms as laid out in the attached Preferred Participation Agreement (which also requires a signature).

A signed copy of the following is also required where applicable: First Page of Preferred Application; Professional Liability Application; Uninsured Motorist Rejection/Election Form; SIR Signature Page.

SIGN HERE

Signature _____ Title _____

Name _____ Date _____

Coverage is provided by Preferred Governmental Insurance Trust

The brief description of coverage contained in this document is being provided as an accommodation only and is not intended to cover or describe all Coverage Agreement terms. For more complete and detailed information relating to the scope and limits of coverage, please refer directly to the Coverage Agreement documents. Specimen forms are available upon request.

SECTION 7

SECTION A



CLARK & ALBAUGH, LLP

SCOTT D. CLARK, ESQ.

M E M O R A N D U M

From: Clark & Albaugh, PLLC
To: Poinciana West Community Development District
Date: September 13, 2023
Subject: Acceptance of Developer Conveyance

The agenda for the September 20, 2023 meeting contains a consideration on acceptance of Ponds 19-A and 19-B in Solavita Phase 7F. The item is carried over from the July meeting. This memorandum discusses the history of the request and the legal considerations that apply. Minutes of the prior discussions of this topic are included for context.

History

On December 2, 2021, Taylor Morrison contacted the CDD and requested that it consider accepting a conveyance of three tracts, which include the two under consideration here and an additional tract, LD-1 of Solavita Phase 7A. A copy of this request is attached as Exhibit “1.” The Board discussed the request at its January 19, 2022 meeting and agreed to review a procedure for handling the request at its March meeting. An excerpt of the January, 2022 minutes is attached as Exhibit “2.” A draft procedure was presented at the March meeting and substantial discussion occurred at that time. The discussion included many topics, including a desire to know what other parcels would be requested for conveyance, a desire to create a standard for evaluation of all future conveyance requests, a request that the CDD obtain a cost deposit of \$5,000 per parcel request and a consideration that the CDD not accept conveyance on October 1, 2022 but wait another year. An excerpt of the minutes of this discussion is attached as Exhibit “3.”

Discussion of the conveyance request continued at the May meeting. Prior to that meeting, counsel for the developer drafted and submitted a form of Acquisition Agreement for consideration. The agreement reflected that the developer was willing to follow the procedure that the CDD has set forth, but, for the first time, it included a request for the CDD to accept conveyance of 50 separate parcels, including many conservation areas. In discussion with the developer counsel, he indicated that the developer opposed payment of a \$250,000 deposit under the agreement (\$5,000 for each of the parcels). Because of the uncertainties with this new request and the cost issue, the Board deferred consideration of the acquisition at the May, 2022 meeting. (May 2022 minutes are Exhibit “4”). A draft agreement containing the 50 parcels was reviewed by the Board at the July, 2022, but the agreement was not satisfactory to the Board or counsel. The agreement was subsequently revised based on discussions at the July meeting. (July 2022 minutes are Exhibit “5”). Revisions included in the discussion were presented to the Board at its September, 2022 meeting (Exhibit “6”). These included changes in the language setting forward the standard for acceptance and a change in the target date to October 1, 2023 from October 1, 2022. The Board reviewed the agreement at the September, 2022 meeting and had additional questions and suggested changes, including a request that the developer provide additional detail and breakdown of the 50 parcels.

After the September, 2022 meeting, the developer revised the draft agreement to include only Ponds 19-A and 19-B in the conveyance request. An additional draft of the acquisition agreement was presented to the Board at its March, 2023 meeting (Minutes at Exhibit “7”) that reflected this request. The agreement as presented called for a \$15,000 cost deposit to enable District Counsel and District Engineer to investigate acquisition of the ponds. The agreement called for District Counsel and District Engineer to investigate and report back to the Board on their findings and recommendations. The Board revised the agreement to specify that the developer was required to deliver as-built plans in addition to the other submittals. If District Counsel and District Engineer recommended acquisition of the ponds, the Board was then to review the matter and determine “in its reasonable discretion” whether to acquire the ponds based upon the staff recommendation. The acquisition agreement was thereafter signed by the developer and CDD and a cost deposit of \$15,000 was made by the developer. At the May, 2023 meeting (Exhibit “8”), District Counsel and District Engineer reviewed their investigation of the two stormwater ponds and spoke in favor of acceptance. A formal recommendation was to be made at July meeting accompanied by a resolution authorizing acceptance of the parcels. The Board requested that counsel request an additional year of maintenance be contributed by the developer in the amount of \$15,000. The developer’s counsel has indicated that developer did not agree to that request.

Legal Considerations

By statute, community development districts exist to carry out very specific and limited functions. The powers and duties of a CDD related to infrastructure are set forth in Fla. Stat. §190.012, which provides, in part:

190.012 Special powers; public improvements and community facilities.—The district shall have, and the board may exercise, subject to the regulatory jurisdiction and permitting authority of all applicable governmental bodies, agencies, and special districts having authority with respect to any area included therein, any or all of the following special powers relating to public improvements and community facilities authorized by

this act:

- (1) To finance, fund, plan, establish, acquire, construct or reconstruct, enlarge or extend, equip, operate, and maintain systems, facilities, and basic infrastructures for the following:
 - (a) Water management and control for the lands within the district and to connect some or any of such facilities with roads and bridges.

Pursuant to the powers of Chapter 190, the District undertook in 2007 to acquire and construct an infrastructure project using the proceeds of the 2007 Special Assessment Bonds to construct its 2007 Project. As a requirement of issuance of the Bonds, the District entered into a Master Trust Indenture dated October 1, 2007. The Master Indenture includes certain covenants that the District agreed to perform. In particular, the District agreed:

SECTION 9.10. Construction to be on Issuer Lands. Except for off site improvements which are outside the District Lands and are required in order for the District Lands to be developed, the Issuer covenants that no part of a Project will be constructed on, over or under lands other than (i) lands good and marketable title to which is owned by the Issuer or other appropriate entity in fee simple, (ii) lands on, over or under which the Issuer or other appropriate entity shall have acquired perpetual easements for the purposes of the Project, or (iii) lands, including public streets and highways, the right to the use and occupancy of which for such purposes shall be vested in the Issuer or other appropriate entity by law or by valid franchises, licenses, easements or rights of way or other legally effective permissions or approval.

SECTION 9.11. Operation, Use and Maintenance of Project. The Issuer shall establish and enforce reasonable rules and regulations governing the use of the Project owned by the Issuer, and the operation thereof, such rules and regulations to be adopted in accordance with the Act, and the Issuer shall operate, use and maintain the Project owned by the Issuer in accordance with the Act and all other applicable laws, rules and regulations; the Issuer shall maintain and operate the Project owned by the Issuer in an efficient and economical manner, shall at all times maintain the same in good repair and in sound operating condition and shall make all necessary repairs, renewals and replacements.

“Project” is a defined term that relates to the improvements that were to be constructed using bond funds. Improvements included in the Project are required to be constructed on lands that the District owns or will acquire or upon which it has easement rights. Once built, the District agreed to “maintain and operate the Project owned by the Issuer” and to “maintain the same in good repair and in sound operating condition and . . . make all necessary repairs, renewals and replacements.”

The Project subject to these requirements was defined in a Supplemental Engineer’s Report by PBS&J, Inc. dated September 10, 2007. The Engineer’s Report is attached as Exhibit “9.” The ponds in question are located within what the Engineer’s Report describes as Phase VII F. The Engineer’s Report anticipated and recommended that the improvements constructed be owned and maintained by the District.

In furtherance of this plan, Phase 7F of Solavita was platted in Plat Book 161, Page 7, Official Records of Polk County, Florida. The Plat includes the following language:

“Tract P-19A and P-19B are Retention Pond Tracts and are hereby dedicated to the Poinciana West Community Development District, a local unit of special purpose government.”

Recommendation

The Acquisition Agreement laid out a process for the Board to evaluate properties that the developer desires to convey to the District. That process includes a legal evaluation and an engineering evaluation. It also includes the execution of legal documents to effectuate the conveyance and resolve title concerns, if any. From our perspective, the design of the capital infrastructure project that has become Poinciana West specifically contemplated that the District would take title to the stormwater ponds. If the engineering review finds that the ponds have been constructed according to plans and specifications and are functioning properly, we recommend that the District complete the process of acquiring the two ponds in question. Different questions may arise with respect to the conservation tracts or other parcels that were contained in the developer’s prior request, and the District’s decision to acquire Tracts 19-A and 19-B does not establish a precedent for those properties. These two ponds stand on their own, and we believe that it is appropriate and proper for the District to acquire them, subject to proper closing procedures and completion of the documents necessary to transfer operational responsibility for the ponds to the District with the South Florida Water Management District.

From: Maribel G. Pila MGarciaPila@taylormorrison.com 
Subject: Poinciana West Community Development District
Date: December 2, 2021 at 11:03 AM
To: Tricia Adams tadams@gmscf.com, sclark@winterparklawyers.com
Cc: George Flint gflint@gmscf.com, Ruben Pereira RPereira@taylormorrison.com



Good morning,

We are ready to proceed with the conveyance of the attached tracts to the Poinciana West CDD. Please review and advise what is needed for us to proceed.

Thank you.

Maribel G. Pila

Senior Paralegal

T: +16026984846

MGarciaPila@taylormorrison.com
www.taylormorrison.com

TaylorMorrison.



This message may contain confidential information and is intended only for the named addressee. If you are not the named addressee you should not distribute or copy this e-mail. If you have received this e-mail by mistake please delete it from your system.



Poinciana West
CDD -...ion.doc

**LEGAL DESCRIPTION OF TRACTS TO BE CONVEYED
TO THE POINCIANA WEST CDD**

Tract LD-1 of Solivita Phase 7A, according to the plat thereof, as recorded in Plat Book 134 at Page 20, of the Public Records of Polk County, Florida; and

Tracts P19A and P19B of Solivita Phase 7F, according to the plat thereof, as recorded in Plat Book 161 at Page 7, of the Public Records of Polk County, Florida.

Tax Parcel ID Nos.:

282722.933912.002710 (LD-1)

282715.933577.000960 (P19A)

282715.933577.000970 (P19B)





Parcel ID:

Website last

Parcel Detail

PDR:

PRM:

Owner1:

Site Address

Short Desc:

Property

EXHIBIT "2"**THIRD ORDER OF BUSINESS****Public Comment Period on Agenda Items**

There were no public comments.

FOURTH ORDER OF BUSINESS**Approval of Minutes of the January 19, 2022 Meeting**

Ms. Adams presented the minutes for the January 19 Board of Supervisors meeting. She noted it has circulated to Board members via electronic mail for review. No comments or corrections were received.

On MOTION by Mr. Joseph Clark seconded by Dr. Master with all in favor the Minutes of the January 19, 2022 Meeting as presented were approved.

FIFTH ORDER OF BUSINESS**Consideration of Stormwater Needs Analysis Report**

**The meeting recording started at this time.*

Ms. Gregory recalled that a proposal from GAI Consultants (GAI) for a Stormwater Needs Analysis was approved subject to further cost review at the last meeting and placed this matter on hold as she wanted to do further research on the legalities of whether a licensed engineer needed to prepare the Stormwater Needs Analysis. Mr. Clark reviewed the documents and confirmed that it did not need to be prepared and certified by a licensed engineer and all that was required was an inventory of stormwater facilities and a projection of future needs. Ms. Gregory volunteered to prepare the Stormwater Needs Analysis utilizing District Engineer's Reports that were on the CDD website as well as asking the Field Manager questions. No funds would be expended. Mr. LaRue was disappointed that the District Engineer did not state that the report did not have to be signed off by a certified engineer.

On MOTION by Mr. Joseph Clark seconded by Mr. LaRue with all in favor authorizing the Chair to prepare the Stormwater Needs Analysis was approved.

SIXTH ORDER OF BUSINESS**Discussion of Property Conveyance Checklist/Procedures**

Ms. Adams presented Procedures for Acquisition and Acceptance of Common Area Property from Developers as requested by the Board at the last meeting. The developer would be responsible for any professional fees associated with the evaluation of the parcels, preparation of legal documents and document review by District Counsel and the District Engineer. Mr. Clark advised the developer that the Board was preparing a methodology and recommended that the District have a process for property conveyed from the developer to ensure that the title was good and all costs were paid. Discussion ensued and the Board addressed the following:

- Ms. Gregory asked whether the CDD had to take property upon request. Mr. Clark advised that the District did not have to unless the property was an integral part of the stormwater system as the District was obligated to maintain the stormwater and should either own or have easement rights.
- Dr. Master voiced concern about the warranty in the event of an unforeseen circumstance. Mr. Clark recommended that the taking of all properties be accompanied by a new budget year to ensure that the maintenance costs were budgeted. Ms. Leo confirmed that there would be documentation to ensure that the project was built in accordance with plans, specs, contracts and warranties as part of their application.
- Mr. LaRue asked if the developer agreed to pay all costs. Ms. Adams believed that they would as it was not uncommon for the developer to pay for expenses associated with property conveyance. If the Board was satisfied from a policy perspective, staff would notify Taylor Morrison about the procedures so they could gather the information with the likely conveyance date of October 1, 2022 to sync with the Fiscal Year 2023 budget.
- Ms. Gregory asked why this conveyance needed by October 1, 2022 versus next year. Mr. Clark explained that conveyances occur according to the progress of the construction and there was no legal requirement. It was simply a practical matter.
- Dr. Master wanted to ensure that the transfer conformed with any new codes or changes in codes. Ms. Leo advised that what was in the ground was built per code and there have not been substantial changes to stormwater facilities. The code was not as important as the inspection.

- Mr. LaRue recalled that the HOA stopped treating a pond behind an existing parcel off of Glendale because they thought that it was transferred to the CDD. Ms. Adams explained that there was some confusion by the HOA, but they were informed that they own it and were responsible for maintenance.
- Dr. Master questioned the amount of funds to be budgeted for maintenance. Ms. Adams stated that Mr. Clayton Smith would provide an estimate for aquatic vegetation control, midge management and landscape maintenance.
- Ms. Gregory voiced concern about expending funds and time without having an agreement from Taylor Morrison. Ms. Adams explained if the Board approved the procedures in substantial form, they would be provided to Taylor Morrison with the caveat that the general acceptance date would be October 1, 2022 and one year of maintenance expenses should accompany the final compensation to the District before this item was placed on the agenda.
- Mr. LaRue asked if the District would be paying all professional bills until the property was turned over. Ms. Adams replied that Taylor Morrison would pay a deposit of \$2,500 and any costs would be netted against that amount. Mr. LaRue felt that \$2,500 was minimal and would not cover those bills. Ms. Adams stated that in the documents was a caveat that any costs in excess of the deposit amount must be paid in full before the property was conveyed. The \$2,500 was the anticipated fee and it could be increased to \$5,000. Ms. Gregory proposed setting the deposit at \$2,500 per parcel and that District Counsel and the District Engineer separate their costs into general matters and parcel turnover. Mr. LaRue requested that each party provide an estimate of costs. Ms. Leo and Mr. Clark confirmed that \$2,500 per parcel was sufficient.
- Mr. LaRue asked how many parcels Taylor Morrison was turning over. Ms. Adams stated that they requested the turnover of three parcels and asked Taylor Morrison to confirm the number of future parcels. Ms. Leo believed that the last parcels to be conveyed were the wetland conservation areas.
- Ms. Skeete asked when Taylor Morrison was expected to leave. Ms. Adams replied that it depended on residential real estate market conditions. They recently provided a replat for their last phase of development at PCDD. Ms. Gregory

suggested waiting to see what the next year presented and addressing everything at one time. Mr. LaRue agreed.

- Dr. Master wanted to speak with the builder, explaining the Board's preference to receive all parcels together.
- Ms. Skeete felt that the Board was not ready to make a decision at this time as they did not understand what they were voting on.
- Ms. Gregory requested a revised document, total price and number of parcels for the May meeting.

After further discussion, there was Board consensus to change the Procedures for Acquisition and Acceptance of Common Area Property from Developers to reflect the deposit amount of \$5,000 per parcel, including one year of maintenance funding to accompany each parcel and a notation on the bottom that all parcels pending conveyance would be presented at the same time and the developer would be made aware that the general target date for acceptance was October 1, 2022 or later. A revised document would be provided to the Board at the May meeting for further discussion.

SEVENTH ORDER OF BUSINESS

Staff Reports

A. Attorney

There being none, the next item followed.

B. Engineer

There being none, the next item followed.

C. District Manager

i. Approval of Check Register

Ms. Adams presented the Check Register for January 12, 2022 through March 7, 2022 totaling \$220,729.08. There was one revision regarding engineering hours that were inadvertently billed to the Poinciana West CDD that should be billed to the Poinciana CDD. Ms. Adams noted the large transfers of funds as Solivita residents pay their tax bills to the District's account and there is a transfer to the Trustee's account in order to make bond payments.

EXHIBIT "3"**THIRD ORDER OF BUSINESS****Public Comment Period on Agenda Items**

There were no public comments.

FOURTH ORDER OF BUSINESS**Approval of Minutes of the January 19, 2022 Meeting**

Ms. Adams presented the minutes for the January 19 Board of Supervisors meeting. She noted it has circulated to Board members via electronic mail for review. No comments or corrections were received.

On MOTION by Mr. Joseph Clark seconded by Dr. Master with all in favor the Minutes of the January 19, 2022 Meeting as presented were approved.

FIFTH ORDER OF BUSINESS**Consideration of Stormwater Needs Analysis Report**

**The meeting recording started at this time.*

Ms. Gregory recalled that a proposal from GAI Consultants (GAI) for a Stormwater Needs Analysis was approved subject to further cost review at the last meeting and placed this matter on hold as she wanted to do further research on the legalities of whether a licensed engineer needed to prepare the Stormwater Needs Analysis. Mr. Clark reviewed the documents and confirmed that it did not need to be prepared and certified by a licensed engineer and all that was required was an inventory of stormwater facilities and a projection of future needs. Ms. Gregory volunteered to prepare the Stormwater Needs Analysis utilizing District Engineer's Reports that were on the CDD website as well as asking the Field Manager questions. No funds would be expended. Mr. LaRue was disappointed that the District Engineer did not state that the report did not have to be signed off by a certified engineer.

On MOTION by Mr. Joseph Clark seconded by Mr. LaRue with all in favor authorizing the Chair to prepare the Stormwater Needs Analysis was approved.

SIXTH ORDER OF BUSINESS**Discussion of Property Conveyance Checklist/Procedures**

Ms. Adams presented Procedures for Acquisition and Acceptance of Common Area Property from Developers as requested by the Board at the last meeting. The developer would be responsible for any professional fees associated with the evaluation of the parcels, preparation of legal documents and document review by District Counsel and the District Engineer. Mr. Clark advised the developer that the Board was preparing a methodology and recommended that the District have a process for property conveyed from the developer to ensure that the title was good and all costs were paid. Discussion ensued and the Board addressed the following:

- Ms. Gregory asked whether the CDD had to take property upon request. Mr. Clark advised that the District did not have to unless the property was an integral part of the stormwater system as the District was obligated to maintain the stormwater and should either own or have easement rights.
- Dr. Master voiced concern about the warranty in the event of an unforeseen circumstance. Mr. Clark recommended that the taking of all properties be accompanied by a new budget year to ensure that the maintenance costs were budgeted. Ms. Leo confirmed that there would be documentation to ensure that the project was built in accordance with plans, specs, contracts and warranties as part of their application.
- Mr. LaRue asked if the developer agreed to pay all costs. Ms. Adams believed that they would as it was not uncommon for the developer to pay for expenses associated with property conveyance. If the Board was satisfied from a policy perspective, staff would notify Taylor Morrison about the procedures so they could gather the information with the likely conveyance date of October 1, 2022 to sync with the Fiscal Year 2023 budget.
- Ms. Gregory asked why this conveyance needed by October 1, 2022 versus next year. Mr. Clark explained that conveyances occur according to the progress of the construction and there was no legal requirement. It was simply a practical matter.
- Dr. Master wanted to ensure that the transfer conformed with any new codes or changes in codes. Ms. Leo advised that what was in the ground was built per code and there have not been substantial changes to stormwater facilities. The code was not as important as the inspection.

- Mr. LaRue recalled that the HOA stopped treating a pond behind an existing parcel off of Glendale because they thought that it was transferred to the CDD. Ms. Adams explained that there was some confusion by the HOA, but they were informed that they own it and were responsible for maintenance.
- Dr. Master questioned the amount of funds to be budgeted for maintenance. Ms. Adams stated that Mr. Clayton Smith would provide an estimate for aquatic vegetation control, midge management and landscape maintenance.
- Ms. Gregory voiced concern about expending funds and time without having an agreement from Taylor Morrison. Ms. Adams explained if the Board approved the procedures in substantial form, they would be provided to Taylor Morrison with the caveat that the general acceptance date would be October 1, 2022 and one year of maintenance expenses should accompany the final compensation to the District before this item was placed on the agenda.
- Mr. LaRue asked if the District would be paying all professional bills until the property was turned over. Ms. Adams replied that Taylor Morrison would pay a deposit of \$2,500 and any costs would be netted against that amount. Mr. LaRue felt that \$2,500 was minimal and would not cover those bills. Ms. Adams stated that in the documents was a caveat that any costs in excess of the deposit amount must be paid in full before the property was conveyed. The \$2,500 was the anticipated fee and it could be increased to \$5,000. Ms. Gregory proposed setting the deposit at \$2,500 per parcel and that District Counsel and the District Engineer separate their costs into general matters and parcel turnover. Mr. LaRue requested that each party provide an estimate of costs. Ms. Leo and Mr. Clark confirmed that \$2,500 per parcel was sufficient.
- Mr. LaRue asked how many parcels Taylor Morrison was turning over. Ms. Adams stated that they requested the turnover of three parcels and asked Taylor Morrison to confirm the number of future parcels. Ms. Leo believed that the last parcels to be conveyed were the wetland conservation areas.
- Ms. Skeete asked when Taylor Morrison was expected to leave. Ms. Adams replied that it depended on residential real estate market conditions. They recently provided a replat for their last phase of development at PCDD. Ms. Gregory

suggested waiting to see what the next year presented and addressing everything at one time. Mr. LaRue agreed.

- Dr. Master wanted to speak with the builder, explaining the Board's preference to receive all parcels together.
- Ms. Skeete felt that the Board was not ready to make a decision at this time as they did not understand what they were voting on.
- Ms. Gregory requested a revised document, total price and number of parcels for the May meeting.

After further discussion, there was Board consensus to change the Procedures for Acquisition and Acceptance of Common Area Property from Developers to reflect the deposit amount of \$5,000 per parcel, including one year of maintenance funding to accompany each parcel and a notation on the bottom that all parcels pending conveyance would be presented at the same time and the developer would be made aware that the general target date for acceptance was October 1, 2022 or later. A revised document would be provided to the Board at the May meeting for further discussion.

SEVENTH ORDER OF BUSINESS

Staff Reports

A. Attorney

There being none, the next item followed.

B. Engineer

There being none, the next item followed.

C. District Manager

i. Approval of Check Register

Ms. Adams presented the Check Register for January 12, 2022 through March 7, 2022 totaling \$220,729.08. There was one revision regarding engineering hours that were inadvertently billed to the Poinciana West CDD that should be billed to the Poinciana CDD. Ms. Adams noted the large transfers of funds as Solivita residents pay their tax bills to the District's account and there is a transfer to the Trustee's account in order to make bond payments.

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THIRD ORDER OF BUSINESS

Public Comment Period on Agenda Items

There were no public comments.

FOURTH ORDER OF BUSINESS

Approval of Minutes of the March 16, 2022 Meeting

Any Board corrections to the minutes were included in the draft minutes, which were presented in the agenda package.

On MOTION by Ms. Gregory seconded by Ms. Skeete with all in favor the Minutes of the March 16, 2022 Meeting as presented were approved.

FIFTH ORDER OF BUSINESS

Discussion of Property Conveyance Checklist/Procedures

Ms. Adams recalled that the District was contacted by Taylor Morrison (TM) regarding the property conveyance of stormwater to the District. The Board discussed procedures and tasks to be assigned to staff, as well as requirements and documentation that the Board would like to see to ensure the smooth transition of property. Comments from the Board regarding potential fees at last month's meeting, were incorporated in the revised draft of the Procedures for Acquisition and Acceptance of Common Area Property from Developers, which was included in the agenda package and circulated to TM for review and input. According to TM's attorney, Mr. Jere Earlywine, Mr. Scott Clark stated that TM now wanted to convey 50 parcels to the District, from the original three parcels and for the Board to consider an Acquisition Agreement at this meeting. TM agreed with most of the procedures, with the exception of the deposit of \$5,000 per parcel, which would amount to \$250,000 for what they were proposing. Mr. Scott Clark recommended that the Board review the parcels and discuss at the next meeting.

Mr. LaRue questioned the engineering costs for the 50 parcels, as the costs for the three parcels discussed at the last meeting, was \$15,000. Mr. Scott Clark suggested developing a cost estimate. Ms. Gregory agreed, but preferred that the attorneys negotiate the fees, as this would be the last turnover of parcels to Poinciana West CDD. Dr. Master questioned the priorities. Ms. Adams explained that the District Engineer would perform a thorough review of all the parcels and related documentation such as permits. Dr. Master questioned how three parcels turned into 50. Ms. Leo stated that the three parcels were ponds and the 50 parcels were conservation areas;

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however, some parcels may or may not need to belong to the District. Ms. Leo suggested providing a not-to-exceed amount for engineering services based on a time and material basis. Ms. Gregory did not want to do anything until Mr. Scott Clark provided the go ahead. Ms. Gregory asked for separate costs for attorney and engineering, broken out by parcel ID numbers. Mr. LaRue wanted a project definition. Dr. Master requested clarification on the October 1st date for acceptance of the parcels in the agreement so there were no misconceptions. Mr. Scott Clark believed that the intent was October 1st of a specific year, not October 1st of this year to match the budget cycle, which he would incorporate into the final agreement.

After further discussion, there was Board consensus to defer this matter until District Counsel provided the agreement for Board consideration.

SIXTH ORDER OF BUSINESS

Consideration of Resolution 2022-01 Approving the Proposed Fiscal Year 2023 Budget and Setting a Public Hearing

Ms. Adams stated that all Districts were required by statute to approve a proposed budget by June 15th and transmit it to the county and post the budget in accordance with Florida Statutes. Resolution 2022-01 approved the proposed budget for Fiscal Year 2023, starting on October 1, 2022 and running through September 30, 2023 and sets the public hearing for June 20, 2022 at 9:00 a.m. at this location.

Mr. LaRue questioned the increase in *Engineering*. Ms. Adams explained that it was based on the annual engineer's inspection and other historical expenses. Mr. LaRue requested the insertion of a column to the left of the budgeted amount for the actual amount for 2020 and 2021. Mr. Smith expected spending \$15,000 for engineering next year due to all of the conveyance work for reviewing and coordinating with the developer. Dr. Master and Mr. LaRue preferred separate line items for the engineering and attorney work for the property conveyance for tracking purposes. Ms. Gregory suggested using \$5,000 as a starting point. Ms. Leo cautioned against reducing the \$15,000 for engineering as there was a learning curve to maintain the wetland and conservation. After further discussion, there was Board consensus to leave Engineering at \$15,000.

Ms. Gregory worked with the auditor to negotiate *Trustee Fees* from \$7,050 to \$4,256. US Bank was charging a percentage fee for two different bonds and incidentals, which US Bank

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On MOTION by Ms. Gregory seconded by Dr. Master with all in favor Accepting the Fiscal Year 2021 audit was approved.

SIXTH ORDER OF BUSINESS

Consideration of First Amendment to Agreement for Engineering Service

Mr. Clark presented the First Amendment to Agreement for Engineering Services, which he was directed to prepare at the Chair’s request and provide to the District Engineer for consideration. Ms. Leo requested that the agreement be for 12 months instead of 24 months and provided for Zoom attendance when possible.

On MOTION by Mr. LaRue seconded by Ms. Skeete with all in favor the First Amendment to Agreement for Engineering Services with GAI Consultants, Inc. was approved.

Mr. Clark would revise the agreement and provide to Ms. Adams for signature.

SEVENTH ORDER OF BUSINESS

Discussion of Acquisition Agreement with Avatar Properties

Ms. Adams presented a draft Acquisition Agreement with Avatar Properties, which was prepared by Taylor Morrison’s (TM’s) counsel, Mr. Jere Earlywine. Mr. Clark recalled that the Board wanted TM to pay the cost of reviewing the parcels, but TM would only pay the cost if the CDD agreed in advance to accept the parcels barring any engineering, title, or legal issues. However, the way the agreement was written, it delegated to the District Engineer and District Counsel to make recommendations within fairly narrow frameworks and accept the parcels, which Mr. Clark did not agree with as it was a Board decision based on staff recommendations. In Ms. Leo’s opinion, it was the intent of Avatar not to own anything in perpetuity as far as wetlands and they were intended to be part of the CDD at some point. It would take time to provide a cost estimate due to the disconnect with Taylor Morrison as the data was fragmented.

Discussion ensued. Mr. LaRue questioned the number of actual parcels coming to the District. Ms. Adams explained that Taylor Morrison was proposing to convey 50 parcels to the District. The Board had voiced a concern about taking the parcels piecemeal and wanted to know everything that would be conveyed to the District. Mr. LaRue asked if it was normal to own wetlands instead of ponds. Mr. Clark confirmed that it was not unusual for the District to own

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wetlands. Ms. Gregory noted no date on the contract and questioned where the 50 wetlands came from as only 29 wetlands were owned by Avatar. Ms. Leo explained that the distinction was in how it was platted and the 50 wetlands were based on the Property Appraiser platted tracts. Ms. Adams stated that the District Engineer would carefully review the parcels for the Board to consider and would identify open space or areas that lie between residential property and conservation tracts or stormwater tracts. She noted if the District accepted the property, the District would be compelled to maintain it. Staff would not make a determination on if the property is acceptable until the Board directed staff to work on it. Ms. Gregory wanted the Board to know exactly what they were getting involved in and asked Mr. Tony Reed to work with the South Florida Water Management District (SFWMD) to walk through the areas and provide permit numbers and report on areas of responsibility.

Ms. Gregory recommended further research because TM did not pay their bills and the District did not have the budget to maintain the property. It would take 12 months or more to receive all of the information and her concern was the agreement not having a specific definition and overall cost of maintenance. Ms. Adams noted that Exhibit B to the Acquisition Agreement would provide the estimated annual maintenance costs. Ms. Leo suggested having work sessions with TM to discuss these issues. Mr. LaRue recalled that the District wanted to collect \$5,000 per pond to cover any District expenses when there were three to five parcels, but now there were 50 parcels and questioned what an appropriate amount would be. Mr. Clark estimated \$10,000 on the legal side based on the types of documents. Ms. Leo estimated between \$2,500 for engineering, if all documentation was submitted and there were no questions and \$10,000 if there were issues. Ms. Gregory did not care about the amount as long as the conveyance was complete and correct and preferred that TM provide the money upfront prior to the process commencing, unless TM agreed to pay a deposit and pay the balance when the documents were ready and reviewed by District Counsel and the District Engineer.

Ms. Adams asked if Mr. Clark had enough information and direction from the Board to take the next step. Mr. Clark did not want the Board to agree in advance to accept anything and requested direction from the Board on how to proceed. Ms. Adams suggested that Mr. Clark revise the agreement and provide it at the next meeting for Board review. Mr. LaRue was in favor of Ms. Leo's idea of having a working meeting and bringing a sample of a complete acquisition package to show to TM. Ms. Leo recommended including the HOA as the long-term

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entity. Based on input from Ms. Gregory, Mr. Clark would suggest language that might be acceptable to the Board and bring back to the next meeting. Dr. Master was in favor of Mr. Clark informing Mr. Earlywire that the current agreement did not make sense to the Board. After further discussion, there was Board consensus for Mr. Clark to communicate with Mr. Earlywire on the agreement and bring back a revised agreement at the September meeting for Board discussion and input.

EIGHTH ORDER OF BUSINESS

Public Hearing for Fiscal Year 2023 Budget Adoption

Ms. Adams stated that the public hearing was published in accordance with Florida Statutes in the newspaper and on the CDD website.

A. Open Public Hearings

On MOTION by Dr. Master seconded by Ms. Skeete with all in favor the public hearing on the Fiscal Year 2023 budget was opened.

B. Presentation of Fiscal Year 2023 Budget

Ms. Adams presented the proposed budget for Fiscal Year 2023, which was included in the agenda package, starting on October 1, 2022, and running through September 30, 2023, and highlighted the following:

- Under *Revenues, Property Conveyance Fees* of \$15,000 were added.
- At the Board's request, *Actuals* were through the end of June 30, 2022, September 2021, and September 2020 and *Total Projected* was through the end of this fiscal year. For comparison, the adopted budget for next fiscal year was compared to the current fiscal year.
- At the Board's request, engineering and expenses were documented for the property conveyance in separate line items.
- *Information Technology* and *Website Maintenance* increased by 10%.
- *Telephone* decreased from \$100 to \$50, *Postage* decreased from \$1,250 to \$1,000, *Printing and Binding* decreased from \$1,000 to \$800, *Insurance* decreased from \$6,778 to \$6,025 and *Office Supplies* decreased from \$300 to \$200.

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agreement was beneficial to the CDD and did not know the HOA's motivation to cancel the agreement.

Dr. Master asked if the agreement had a five-year renewal. Ms. Gregory noted under Section 4, there was an automatic renewal for additional five-year periods after September 30, 2022 unless either party provided 180 days written intent to not renew. In her opinion, the HOA wanted to divest themselves of things they did not want to be responsible for and get every expense off of their budget that they felt was unnecessary. Under the agreement, the HOA was responsible for staffing, budgeting, financing, billing, collection of fees, assessments and service charges to perform the inspection operation and maintenance responsibilities of the agreement. If the HOA walked away, the District must find a company to take over this responsibility and preferred keeping the agreement between the Poinciana and Poinciana West CDDs and the HOA and amending the agreement 160 days from today, eliminating the \$10 and having each party be responsible for their own pro-rata share. Ms. Leo noted that the systems were integrated between the irrigation and reclaimed mains and suggested educating the HOA on the purpose of the lines. Mr. LaRue suggested that the Board to schedule a meeting with the HOA to discuss this matter. *There was Board consensus.* Mr. LeBrun would inform Ms. Adams to schedule the meeting.

SEVENTH ORDER OF BUSINESS**Consideration of Property Conveyance Agreement with Avatar**

Mr. Clark presented an Acquisition Agreement between the District and Avatar Properties, Inc. (Avatar), which was included in the agenda package. At the last meeting, a draft was presented to the Board, which was prepared by developer's counsel, Mr. Jere Earlywine; however, there were some issues with it and the Board directed Mr. Clark to have Mr. Earlywine revise the agreement. Mr. Clark did not agree with the revisions and provided edits. Mr. Earlywine included in the agreement that the District would take the property on or before October 1st, but Mr. Clark changed it to 2023, in order to budget for the maintenance costs. There was agreement for Avatar to provide a deposit of \$15,000, but if it exceeded that amount, they had the obligation to pay the balance and the District would hold the turnover hostage until they paid.

Mr. LaRue requested that the markups include the date so the Board could keep track. Ms. Gregory had changes to the agreement, which she would submit to Mr. Clark and requested the following:

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- Taylor Morrison (TM) provide the tract name, legal description, book and page for every individual pond and wetland in Exhibit A. Ms. Leo would be specific about the legal descriptions under the developer items as well as state, *“Anything else deemed required by the District Engineer.”*
- A separate page with all ponds and wetlands. Mr. LaRue requested that it be in a map style format with each pond and wetland marked.
- Correct typos in Exhibits B and C.
- In Exhibit B, change *“Avatar agrees to pay the reasonable attorney’s and engineer’s fees”* to *“Avatar agrees to pay all attorney’s, engineer’s fees and costs of the District.”*
- Change the deposit that Avatar pays from \$15,000 to \$30,000.
- Change, *“At the time of closing on the property conveyance, Avatar shall pay any remaining Fees and Costs,”* to *“At the time of closing on the property conveyance and prior to the District completing the execution and/or deliverance of executed documents, Avatar shall pay any remaining Fees and Costs.”*
- Clarification on the estimated annual maintenance cost.

Discussion ensued regarding the purpose of the ponds. Ms. Leo explained that the District was required by law to treat the water and runoff from yards and roads and the ponds treat stormwater from the community. Mr. LaRue believed that the ponds originally were used to provide backfill to build homes. Dr. Master understood that the ponds were for water management to prevent flooding from occurring in the community. Ms. Gregory questioned the amount to charge TM for maintenance as the District must pay for midge and pond maintenance for the ponds that were turned over. Ms. Leo indicated that the unit owners in these tracts were paying CDD assessments. Dr. Master questioned how many ponds were critical to the water management and how many were in place because the developer needed some backfill. Ms. Leo believed that the ponds had a drainage purpose and would provide a copy of the interconnections that were in the Master Plan. Mr. Clark would inform TM that the agreement was still under consideration, there were additional changes to the agreement and request maps and descriptions of what ponds the parcel corresponds to in advance of the next meeting. Ms. Leo requested one complete turnover package for both the CDDs.

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investment funds and the savings accounts. She stated that they recommended right now to keep six months of operating expenses in their general fund Truist public depository account, and then move any remaining funds to SBA. After further Board discussion of all the options, the Board agreed to go with opening an SBA account.

Mr. LaRue asked specifically how much funding would be transferred. Ms. Adams responded that she didn't know the exact dollar amount, but she explained that if they looked at their financials, they would be looking at their total unassigned balance, which she would address when they present their unaudited financials. She further explained that out of that, they would look at what they needed for six months of operating expenses, which would be an easy calculation because they have their month-to-month expenses, which they could average. She stated that six months of their operating expenses would stay in their general fund Truist public depository account. The remainder of the funds will be moved to SBA to start earning more interest. Mr. LaRue asked Ms. Adams if she had an approximate amount. Dr. Master responded that it would be about \$500,000 plus or minus. Ms. Adams reviewed the unassigned balance, which at the end of February was \$836,719. She clarified that Dr. Master was correct and \$500,000 was a conservative number.

On MOTION by Dr. Master seconded by Mr. Joseph Clark with all in favor Moving Surplus Funds to the SBA Account was approved.

A. Consideration of Custody Agreement

This item was not approved.

EIGHTH ORDER OF BUSINESS

Consideration of Acquisition Agreement with Avatar Properties for Pond Conveyance

Ms. Adams stated that on page 47 of the agenda package was an introduction of the Acquisition Agreement with Avatar Properties for pond conveyance. She explained that about a year ago there was some initial discussion about the policies and procedures for accepting the improved ponds from the developer. She stated that this District was established in particular for the purpose of owning and operating the stormwater system in perpetuity. There were tax exempt bonds that were issued in order to raise the construction funds to build and improve these ponds.

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She further explained that historically once the ponds have been improved, they are then turned over to the District through a formal process and then the District starts to maintain that property. Currently, the developer has that property. There were questions initially when they requested the District to consider a couple of ponds about accepting them piecemeal or accepting them all. Then, the Board reviewed a list of all the ponds, which was voluminous. The Board directed District Counsel to work on this matter and all along the Board has made comments about the policies and the procedures for what is going to be required on behalf of the developer for the Board to consider accepting the property. She explained that much of that has been incorporated into an agreement and this agreement has previously been presented; however, there were some changes from the last time that the Board reviewed it. Ms. Adams turned this presentation over to District Counsel.

Mr. Scott Clark stated that they had come full circle with this after starting with a proposal about 2 years ago for three ponds and then they sent them an agreement with about 50 parcels of land that included a lot of conservation areas and wetlands. The last time they discussed this, they had a lot of discussion about the amount of money that they wanted them to put up as a deposit for cost to review that. They started with \$5,000 a parcel when there were fewer parcels. It became a lot of money that they were going to ask them to put up. Since the last time that they talked about this, they have gone back to the proposal of two ponds. He explained that this agreement included a couple of ponds. The deposit fee has been set in Exhibit B as \$15,000, which is a number that the developer has agreed to. He noted that they changed the prior agreement to specify that they were looking at acquiring these things on or just prior to October 1, 2023 instead of doing them immediately because they have to figure out the cost of this and get it into the budget. He noted that as Ms. Adams said, it was desirable that they obtain the ponds that they were obligated to maintain under the permit conditions. He stated that the big concern was the unknown of all the conservation areas. He felt like they pulled back because of all the questions and concerns. Now, they are requesting that the CDD accept a couple of ponds effective October 1, 2023. He stated that he brought this back to the Board for discussion. He noted that the developer was very persistent about this topic, but it was up to the Board. Dr. Master asked if this helps them set a precedent for the future. Mr. Scott Clark responded that he thought it did, which was part of the intent of this to develop a process. Ms. Gregory asked for clarification that they were going back to the two ponds only. Mr. Scott Clark confirmed and

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stated that the two ponds were 19A and 19B. He also pointed out that previously the initial draft required them to pretty much take the ponds unless they found a title problem. This is a little bit more discretionary. He stated that they would come back to the next Board meeting to give a report and a recommendation to the Board on the final acceptance. Ms. Leo noted that there was no request for plans or as-builts. She also noted that on the last two bullets on page 53 of the agenda package it showed the maintenance proposals and the estimated annual insurance costs. She further explained that if they knew that they were going to come on October 1, they would want to do that themselves to have it budgeted anyway. Lastly, she noted that they wanted to make sure that ownership with the other miscellaneous parcels were within Solivita whether it was the CDD or the HOA. She stated that she felt like that was the intent of the longer list, and it might be a broader conversation for later if they can get these two ponds off the plate. She noted that there was a lot in there that needed deeper conversation.

Ms. Adams commented that Exhibit 'B' was taken from the procedure document that they started with, and the developer has made some changes to it. She explained that since the time that this was created, they were running into a few issues identifying the value of the improved property that was conveyed to the District. She stated that she would send a note to add to this and it would be something that their District Engineer would have on the transmittal documents. She noted that one of the documents needed to include the estimated value of the improvements because otherwise they don't have anything for the auditor to quantify when they are working on the audit. Mr. Scott Clark stated that this agreement was intended to be signed in advance so that they can put up the deposit so that they could do the investigation that they need to do in advance of October 1. He recommended to approve and execute this agreement with the inclusion of the as-built plans of the list on Exhibit 'B'. He stated that they would go ahead and put the money up so that by the next meeting when they look at the budget, they can develop some maintenance cost and give the Board the information to decide on accepting these parcels. Ms. Gregory asked what if it is more than they thought it would be on an annual basis and it becomes unreachable after they sign it and put the money up. Mr. Scott Clark responded that the language had been changed in the original draft that they gave them. They have agreed to take it under any circumstances if the title was good. He explained that it now says that the engineer and counsel would make a recommendation and that the District would use its reasonable discretion to determine whether these parcels are suitable for ownership. Mr. Scott Clark stated that he felt

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like they were adequately protected in the agreement. Ms. Leo stated that they would not recommend the Board to accept the ponds if any problems or repairs were needed. She noted that they would be doing a field investigation and if there is a problem, they will bring it back to the Board and will not recommend going forward until the repairs are made. Mr. LaRue asked Ms. Leo if she prepared the drawings herself in the situation that she can't find the as-builts. Ms. Leo responded that she does not. She explained that they have been able to find either permits or as-builts on other things that they have been researching with the water management District. She further explained that there were varying degrees of quality and scale, but they were usually able to find what they need.

On MOTION by Ms. Gregory seconded by Dr. Master with all in favor the Acquisition Agreement with Avatar Properties for Pond Conveyance and for Exhibit 'B' to include As-Built Plans. was approved as amended.

NINTH ORDER OF BUSINESS

Ratification of Action Taken to Cancel Truist Bank Positive Pay and Treasury Manager Services

Ms. Adams stated that back in November Ms. Gregory, as Chairperson of the Board, was reviewing the bank statements. Ms. Gregory has an expertise and a professional background in banking. One of the bank fees that caught her attention was Truist, which has a positive pay and treasury manager fee associated with the public depository account with the Poinciana West CDD. She noted that positive pay was an extra step that an account holder can take to prevent fraud. She explained that if they had positive pay, they also must have a treasury manager to go online and manage the positive pay. She stated that there was \$48 a month in bank fees associated with positive pay and treasury manager. She noted that because of the background of the Chairman with the banking industry, she understood that even if the District accounts were victims of fraud, eventually that money would be restored and that they were not responsible for the fraudulent funds. She noted that it was a recommendation from GMS that they have those protections on the account because even if fraudulent funds were eventually restored, that process was labor intensive and can take months to get restored. She added that this District was not in a particular disadvantage if they go about recovery of funds. Ultimately, the Chairman

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documents and recommended acceptance of the parcels, as the documents appeared to be in order. Ms. Leo pointed out that Ponds 19A and 19B were at the front entrance and reviewed the as-builts and permits, pursuant to the Acquisition Agreement and performed a visual inspection this morning. Everything looked good and Ms. Leo recommended acceptance. Ms. Gregory questioned the extent of a visual inspection. Ms. Leo explained with a visual inspection they did not observe underwater structures, but looked at the structures and if the banks were in good shape. Ms. Gregory did not have a problem, as long as everything was in order and questioned whether it would be finalized in October for the new budget year. Mr. Scott Clark would come back to the Board at the July meeting with a formal recommendation and transfer as of October 1st. Mr. LaRue asked if the two ponds were being treated for midge and aquatic control. Mr. Smith confirmed that they were being mowed and aquatically treated, but there were no midge services. As soon as they were conveyed to the District, they would be added to the landscape maintenance, aquatic control and midge management contracts. It should be an easy transition. Mr. LaRue questioned whether there were any midge complaints. Mr. Smith would ask Clarke.

Mr. Scott Clark reported that the Florida Legislature was active this year and a summary would be provided to the Board at the July meeting. Ms. Gregory recalled discussion at several meetings about the amount to pay the District in advance to maintain the ponds but did not see any estimates and suggested that Taylor Morrison (TM) pay \$15,000 in fees for one-year of maintenance. Ms. Leo indicated that it was at Mr. Smith's discretion on how the maintenance was performed on ponds that the District owned and suggested that the District own the assets sooner than later. Mr. LaRue was comfortable with TM performing one year of maintenance. Mr. Clark would speak to TM and report back at the July meeting.

B. Engineer

Ms. Leo noted there were other assets owned by other entities such as the wetlands and requested that the District not lose sight of long-term maintenance. They had several conversations in the field with Mr. Smith about looking at how the edges were maintained. Maintenance staff did a great job of shifting the maintenance of the curvature at the water to soften the edge so the effects of erosion were not experienced over time by including plantings. It was a different look for the ponds, but the healthy vegetation was coming back on its own. Mr. LaRue asked if it would be mowed at all. Mr. Smith stated that it would be mowed to the dry

May 17, 2023

Page 15 of 128
Poinciana West CDD

portion and once it goes out into the water, it would be lightly sprayed to keep it under control and allow foliage to flow into the water. Mr. LaRue asked if there would be shaving to provide the contour that they wanted. Mr. Smith pointed out there would be a gradual slope all the way to the water by allowing grasses to grow into the water to provide a clean transition between the water and the pond bank and prevent a shelf from forming. On the west side, there were no ponds that had a major issue and the idea for this approach would be to keep it from getting to that point.

Mr. LaRue received a request from a resident about a pond with an extremely low water level and whether they could pump from one pond to another. Ms. Leo explained that there was no pumping in their system and the pumps were filled from rainfall. It was designed like a tier system that outflows to discharge points, mainly wetlands. In the early part of the year when there was no rain, there would be a fluctuation in levels, which was not unusual this time of year.

C. District Manager

i. Approval of Check Register

Ms. Adams presented the Check Register for March 1, 2023 through March 31, 2023 totaling \$85,372.38. It included the General Fund, payroll, detailed invoices and Check Run Summary.

On MOTION by Ms. Gregory seconded by Mr. LaRue with all in favor the March Check Register as stated above was approved.

ii. Balance Sheet and Income Statement

Ms. Adams presented the Unaudited Financial Statement through March 31, 2023. No Board action was required. The Board did a good job controlling expenses as expenses were \$172,208. Mr. LaRue questioned why there were no expenditures under *Supervisor Fees*. Ms. Adams confirmed that the only meeting was in March and would be reflected in the next set of financials.

iii. Presentation of Number of Registered Voters – 2,561

Ms. Adams reported according to the Polk County Supervisor of Elections, as of April 15th, there were 2,561 registered voters within the boundaries of the District. No action was

EXHIBIT "9"

**SUPPLEMENTAL
ENGINEER'S REPORT**

**POINCIANA WEST
COMMUNITY DEVELOPMENT DISTRICT
(PWCDD)**

Prepared for:

**Poinciana West
Community Development District**

Prepared by:



**482 South Keller Road
Orlando, Florida 32810**

September 10, 2007

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Section 1

INTRODUCTION

1.1 INTRODUCTION

SOLIVITA is a planned mixed-use development in northeast Polk County along the Polk and Osceola County border. SOLIVITA is a self-contained portion of the overall Poinciana Planned Development in Osceola and Polk Counties, which was master-planned in the 1970s and has been under continuous development since. There are over 50,000 residents now living in Poinciana. Location map shown in Figure 1-1.

SOLIVITA is now being developed as an active adult community consisting of single- and multi-family dwellings, a town center, golf course, and numerous parks and recreation facilities. Solivita is comprised of two villages; i.e., Solivita and Solivita West. SOLIVITA is being constructed in several phases spanning approximately 10 years. The current Solivita Master Plan is illustrated in Figure 1-2.

SOLIVITA has 4,187.56 acres and is comprised of two separate and distinct Community Development Districts, namely, Poinciana Community Development District or PCDD (3,240.65 acres) and Poinciana West Community Development District or PWCDD (949 acres). The PCDD further comprised of Solivita Proper, herein after called “Solivita” and Solivita East which is also known as Phase 6 or the Boundary Amendment.

The Poinciana West Community Development District (PWCDD) is the subject of this report and was established by ordinance of Polk County effective October 6, 2006 and pursuant to the provisions of Chapter 190, Florida Statutes. Creation of the PWCDD, also known as Solivita West provides an efficient mechanism for financing, developing, and managing the public infrastructure associated with its various phases of development.

This Engineering Report provides a general description of the infrastructures proposed as part of the Solivita West Improvement Plan. This report also certifies the estimated project construction costs for the: wetlands mitigation; stormwater treatment; potable water; sewage (wastewater); and reclaimed water. The various federal, state, and local permits for Solivita West and their respective status are also presented herein.



Walt Disney World

KISSIMMEE

To Tampa



Poinciana Blvd.

Pleasant Hills Rd.



ST. CLOUD

Lake Tohopekaliga



Marigold Ave.

PROJECT SITE

Cypress Pky.

Pleasant Hills Rd.

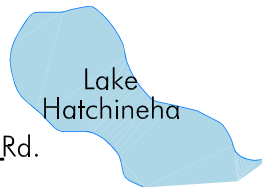
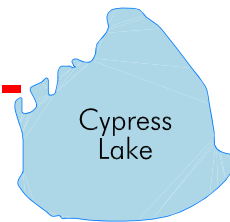
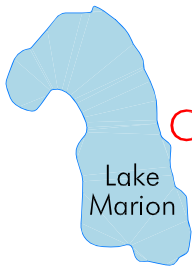


To Miami



OSCEOLA COUNTY

POLK COUNTY



Hatchineha Rd.



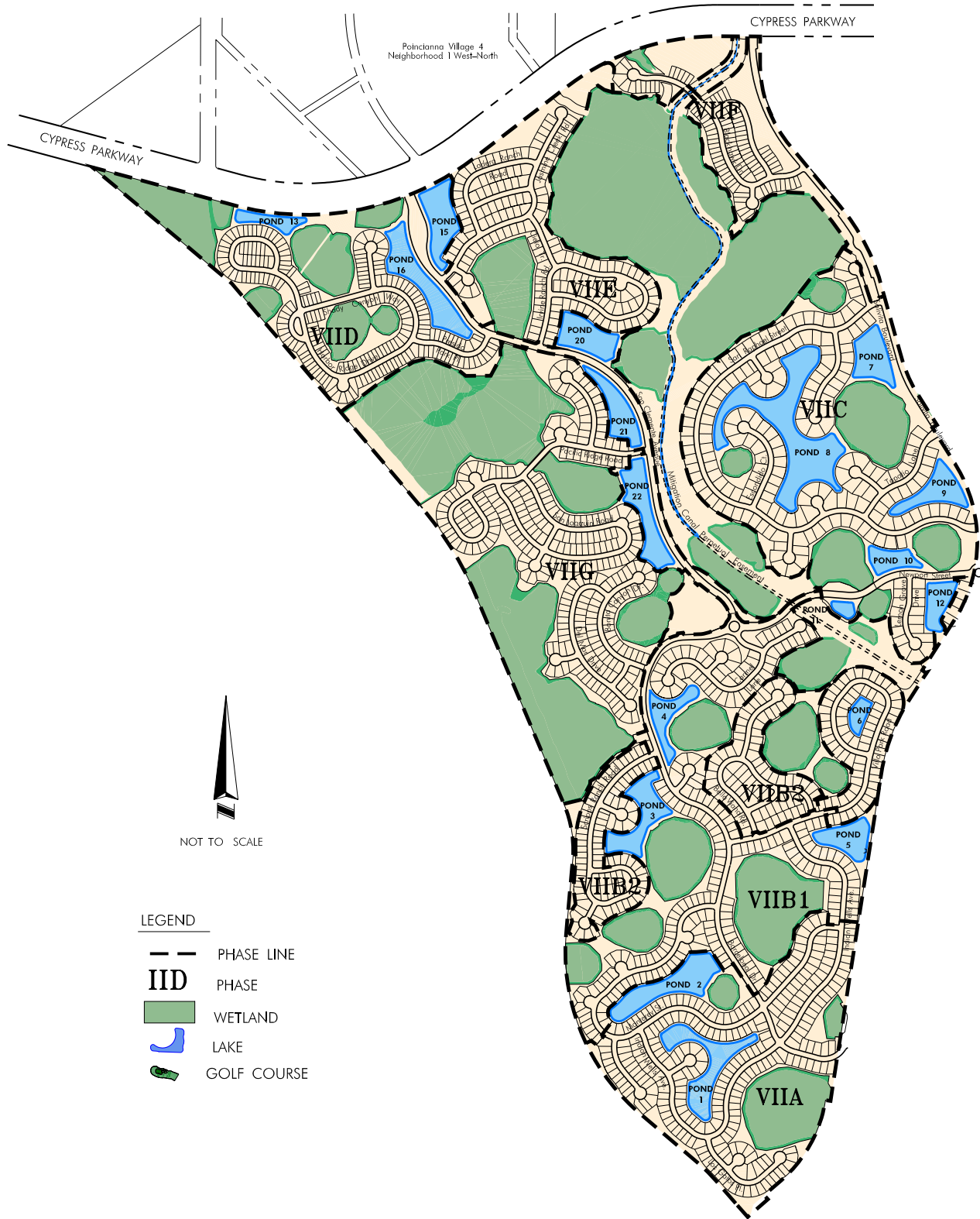
NOT TO SCALE

SOLIVITA






SOLIVITA WEST LOCATION MAP



Figure 1-1



LEGEND

-  PHASE LINE
-  PHASE
-  WETLAND
-  LAKE
-  GOLF COURSE

SOLIVITA
SOLIVITA WEST
MASTER PLAN

Figure 1-2



Section 2

PROJECT DESCRIPTION

2.1 GENERAL

SOLIVITA is located within the overall Poinciana master planned community in Polk and Osceola Counties. The 4,187.56-acre mixed-use active adult community consists of several villages inspired by community based design principles and includes single and multi-family residences, a central community recreation complex, neighborhood recreation areas, a commercial town center area, a golf course, and various biking and pedestrian trails. SOLIVITA's overall development program may include as many as 6,500 single-family units, two 18-hole golf courses and 140,000 square feet of other non-residential space. The proposed absorption schedule for Solivita West is provided in Table 2-1.

2.2 POINCIANA WEST

The SOLIVITA Development (please see Figure 1-2) is comprised at present of two distinct Community Development Districts, namely Poinciana Community Development District (PCDD) and the Poinciana West Community Development District (PWCDD), herein after referred to as Poinciana West. The entire SOLIVITA development has 4,187.56 acres with approximately 5,665 single family residential units.

The PWCDD is comprised of 949 acres with 1,650 single family units (sfu) planned. The development has 22 wet water detention and 6 dry water detention treatment ponds. In addition, it has 31 preserved or enhanced wetland areas and 1.5 miles of enhanced Southern Canal. The development is broken down into seven (7) construction phases; namely phases VIIA through VIIG. For regulatory agencies' permitting purposes, the construction phases have been grouped into six phases, namely phases IA, IB-IC, IIA, IIB, IIC and VIIF (Please see Figure 2-1). For the purpose of this report we will only use the construction phases.

Phases VIIA and VIIB, VIIC, VIID and VIIG, including the Spine Road that connects all phases have been permitted and have been completed. These areas have 461 acres, 10 wetlands and 6 wet water detention treatment ponds.

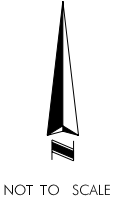
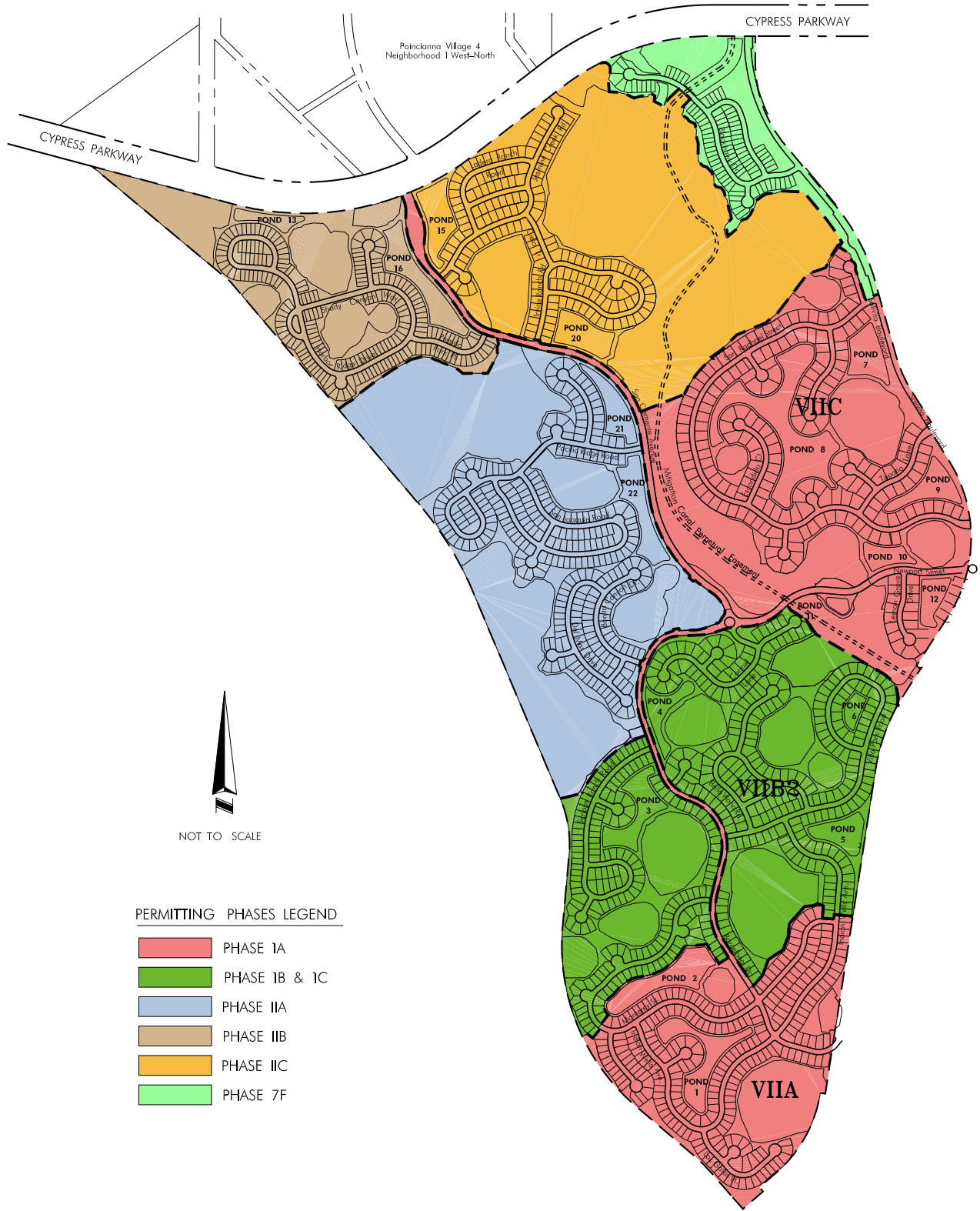
Summary for all the Solivita West Phases is as follows:

- Area = 949 Acres;
- Single family units = 1,650 in 409.78 Acres;
- Stormwater management ponds = 22 Wet Water and 6 Dry Detention for a Total of 28 Water Detention Treatment Ponds with a Total Area of 96.39 Acres;
- Preserved or enhanced wetland acres = 31 with a Total Area of 411.88 Acres;
- Southern/mitigation canal project (southern canal) = 1.5 miles with a Total of 2.41 Acres;
- The remainder, 26.45 Acres are for Open Areas and Landscape.

For comparison of permitting phases and construction phases please see Table 2-1 and Table 2-2.

**Table 2-1
Projected Schedule of Number of Units By Phase and Product Type**

PHASE								
	VII A	VII B	VII C	VII D	VII E	VII F	VII G	
Lot Type	Lot Count							Total
40' Lots	--	--	--	203	--	92	--	295
55' Lots	179	151	--		--	--	236	566
65' Lots	80	295	--	--	165	--	42	582
85' Lots	--	--	202	5	--	--	--	207
TOTAL	259	446	202	208	165	92	278	1650



PERMITTING PHASES LEGEND

- PHASE 1A
- PHASE 1B & 1C
- PHASE 2A
- PHASE 2B
- PHASE 2C
- PHASE 7F

SOLIVITA
SOLIVITA WEST
PERMITTING PHASES

Figure 2-1



**Table 2-2
Comparison of Permitting and Construction Phases**

Permitting Phase	Construction Phase
IA South	VII A
IA North	VII C
IA	Spine Road
IB	VII B
IC	VII B
II A	VII G
II B	VII D
II C	VII E
VII F	VII F

Note: For the purpose of this report, we are going to use only the construction phases. The permitting phases are given for information purpose only.

Section 3

PROPOSED IMPROVEMENTS

3.1 GENERAL

The PWCDD proposes the construction of major infrastructure as part of Solivita West. This includes but may not be necessarily limited to the following:

- Stormwater management serving the Spine Road and all construction phases;
- Wetlands mitigation/environmental compliance, including the Southern Canal Project;
- Domestic water distribution;
- Sewage (wastewater/sanitary sewer) collection and forcemain; and
- Re-use/reclaimed water distribution systems based on a Master Utilities Plan (MUP).

These infrastructure improvements are described in more detail in the following section.

3.2 POINCIANA WEST

3.2.1 Infrastructure:

In accordance with the Solivita West Master Plan and the Solivita West Master Utility Plan, the proposed Solivita West infrastructure is planned and designed with sufficient capacity to support all the proposed construction phases. The major infrastructures proposed to be constructed as part of Solivita West are described in greater detail below.

A. Stormwater Management Facilities:

In 1998, Avatar Retirement Communities, Inc. authorized preparation of a Stormwater Master Plan for Solivita. The purpose of the Solivita Stormwater Master Plan is to assure that adequate stormwater management facilities are available to provide sufficient capacity for a complete build-out of Solivita and to meet the requirements of the following regulatory agencies:

1. U. S. Environmental Protection Agency (EPA);
2. U. S. Army Corps of Engineers (ACOE);
3. South Florida Water Management District (SFWMD);
4. Florida Department of Environmental Protection (FDEP); and
5. Polk County, Florida

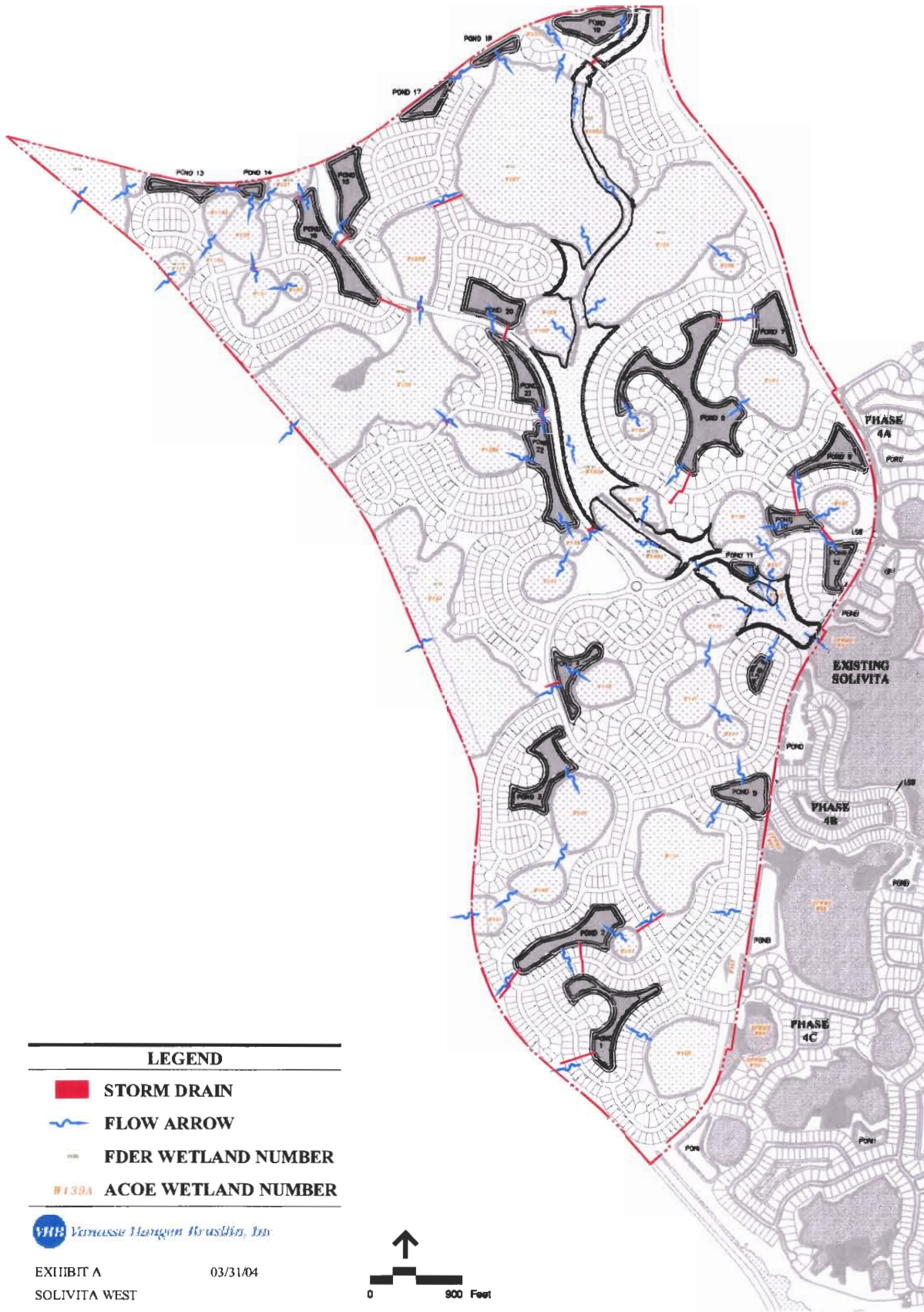
The Solivita Stormwater Master Plan (Figure 3-1) identifies peak discharge rates, water quality requirements, 100-year floodplain elevations, and groundwater flows. More specifically, the Plan includes:

- Location and size of ponds and lakes required for stormwater management facilities;
- Control elevations of ponds and lakes, including required water quality treatment volumes;

- Peak flow rates, flow volumes, and stages for flood events determined within each basin and within major conveyance areas;
- Compensating storage requirements to mitigate for encroachments into the 100-year floodplain in the basins where encroachments occur;
- Wetland evaluations to show that hydroperiods and the viability of wetlands are being maintained; and
- Groundwater impacts quantified as to the effects on flow rates and wetland impacts.

Design of the proposed stormwater management system for Solivita West Phases VIIA, VIIB, VIID, VIIE and VIIG and Spine Road was submitted to SFWMD and Polk County approved. All regulatory agency permits for these phases were received. All other phases are under design and permits from all regulatory agencies will be obtained prior to going to construction. The drainage system is consistent with the Solivita Stormwater Master Plan and maintains the existing drainage patterns to the greatest extent possible. The stormwater detention ponds will be wet and dry detention biological treatment facilities designed to provide for the treatment of stormwater according to *Chapter 40E-4 of the Florida Administrative Code*.

In accordance with the overall Solivita's SFWMD Stormwater Permit, mitigation for environmental impacts will be provided as part of the 1.51-mile Southern/Mitigation Canal Project. This project requires improvements to an existing canal and wetland plantings for enhancement within the environmental areas.



LEGEND





-  **STORM DRAIN**
-  **FLOW ARROW**
-  **FDER WETLAND NUMBER**
-  **ACOE WETLAND NUMBER**



EXHIBIT A
SOLIVITA WEST

03/31/04



MASTER STORMWATER PLAN

The collection of surface runoff from the roadways will be accomplished via typical storm drainage systems, including curb and gutter, inlets, and reinforced concrete pipes along each side of the roadways. Via these systems and grassed spreader swales, all runoff will be conveyed to lined and un-lined stormwater treatment ponds located along the Spine Roadway. The Marion Creek Basin and the Mitigation/Southern Canal both serve as the ultimate outfalls.

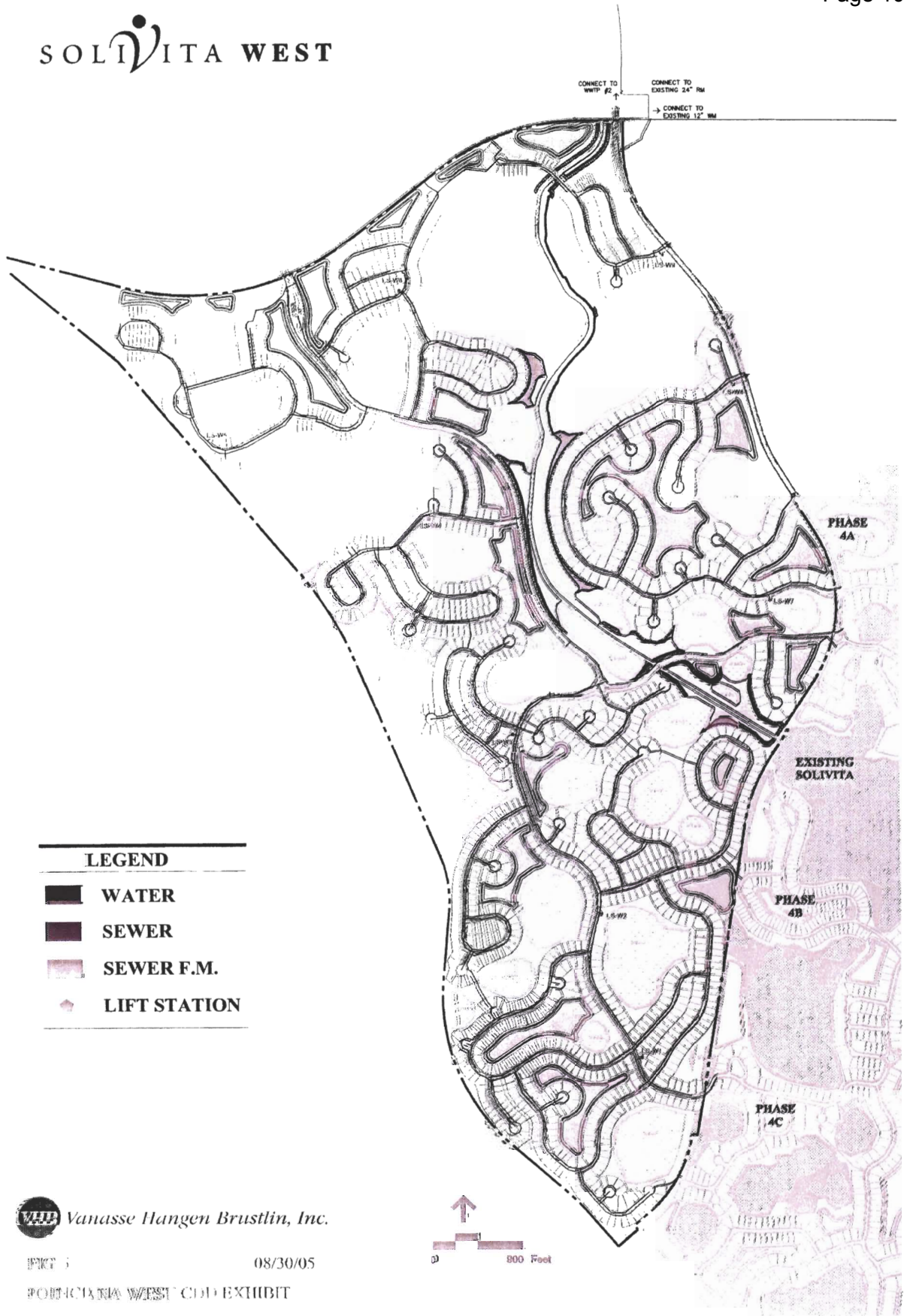
Site work for Solivita West includes but is not limited to: approximately 38,000 LF of sock dewatering, clearing and grubbing, 1.5 million cubic yards of excavation, grading, seeding and sodding, silt fences, and turbidity barriers. The stormwater systems will require over 46,000 LF of reinforced concrete pipe ranging between 18-in. and 72-in. in diameter and an estimated 330 curb inlets, 98 manholes, and 14 control structures.

B. Utilities:

The Solivita West Master Utility Plan (MUP) provides the utility demands for potable water, sewage (wastewater), and reclaim/reuse water systems for the full build-out of Solivita West. The reclaimed/reuse water system is to be constructed by the Poinciana West CDD with reclaimed water supplied by the Toho Water Authority (TWA). The master utility mains are shown in Figure 3-2.

The reclaim/reuse water system generally consists of 12-in. diameter PVC pipe and appurtenant fittings, valves, and tapping sleeve will deliver reuse water for irrigation to Solivita West via a looped distribution system located within the roadway rights of way. The system has been designed and is being constructed to accommodate the peak irrigation demands according to the Solivita West Master Utility Plan (MUP).

SOLIVITA WEST



LEGEND	
	WATER
	SEWER
	SEWER F.M.
	LIFT STATION

Vanasse Hangen Brustlin, Inc.

PKT 1 08/30/05

POINCIANA WEST CDD EXHIBIT



MASTER UTILITIES PLAN

Additional potable water supply and gravity sewer transmission and force mains will be required to maintain the development program in accordance with the anticipated lot development schedule (Table 2-1). The Poinciana West CDD will construct these improvements, acquire them from third parties and/or acquire the right to the required capacities from the Toho Water Authority.

3.2.2 Ownership and Maintenance:

The ownership and maintenance responsibilities for the Poinciana West CDD infrastructure improvements are outlined in the following table:

**Table 3-1
Ownership and Maintenance Responsibilities**

<i>Improvement</i>	<i>Constructed or Acquired By</i>	<i>Ownership & Maintenance</i>
Stormwater Management System	Poinciana West CDD	Solivita West CDD
Reclaimed Water Distribution System	Poinciana West CDD	Toho Water Authority

3.2.3 Improvement Costs:

The proposed infrastructure improvements for Solivita West Phases VIIA, VIIB, and VIIC may be accomplished under separate construction/acquisition packages, which may call for a separation of the site dewatering, site and canal earthwork, and roadway construction under one contract and all utilities work under another. The costs associated with these operations have been estimated and are presented in Table 3-1, which shows the total construction cost at an estimated \$25,460,630.

**Table 3-2
Engineers Estimate of Probable Cost**

ITEMS	PHASES				TOTALS
	VII A & VII C	VII B	VII D, VII E, VII F & VII G	ENTRANCE IMPR.	
EARTHWORK (PONDS)	\$3,669,376	\$190,573	\$409,187	\$0	\$4,269,136
MASTER STORMWATER SYSTEM	\$5,223,987	\$2,270,381	\$5,934,412	\$52,000	\$13,480,780
IRRIGATION	\$7,679,520	\$31,194	\$0	\$0	\$7,710,714
TOTALS	\$16,572,883	\$2,492,148	\$6,343,599	\$52,000	\$25,460,630

NOTES:

1. COST ASSOCIATED WITH UTILITY CAPACITY AND ANY ELECTRICAL WORK ARE NOT INCLUDED IN THIS ESTIMATE.

3.3 PERMITTING

Regulatory agency permits for Phases VIIA, VIIB, VIIC, VIID, VIIE, VIIG, Spine Road (Private), and VIIF are in hand. The permit applications for the remaining phases are being prepared and will be submitted to the respective regulatory agencies in due time (see Table 3-3). Any permits not issued to date which are necessary to effect the improvements described herein will be obtained during the ordinary course of development.

3.4 CONSTRUCTION STATUS

Poinciana West Community Development District Phases VIIA, VIIB, VIIC and the Spine Road are complete. For the estimated time of completion, please see Table 3-4.

**Table 3-3
Permitting Status**

PHASE	AGENCY	PERMIT	STATUS
Master Permits	ACOE	Environmental	Permit No. 199801377
	SFWMD	Stormwater	Permit No. 49-00094-31-S
Phase IA, IB & IC	Polk County	Residential Development	Approved Date June 29, 2005
	FDEP	Wastewater	Permit No. CS53-0241065-003 Dated August 26, 2005
	FDEP	Water	Permit No. WD53-0116367-063 Dated August 9, 2006
	SFWMD	Stormwater	Permit No. 49-00094-S Dated October 3, 2005
Phase II	Polk County	Residential Development	Approved Date November 11, 2005
	FDEP	Wastewater	Permit No. CS53-0241065-002 Dated November 3, 2005
	FDEP	Water	Permit No. WD53-0116367-066 Dated September 22, 2006
	SFWMD	Stormwater	Permit No. 49-00094-S-31 Dated November 8, 2005
Phase VIIF	Polk County	Residential Development	Approved Dated December 29, 2005
	FDEP	Wastewater	Permit No. CS53-0206539 Dated December 15, 2005
	FDEP	Water	Permit No. WD53-0116367-069 Dated November 16, 2006
	SFWMD	Stormwater	Permit No. 49-00094-S-31 Dated December 14, 2005

Table 3-4
Estimated Time of Completion

<u>PHASE</u>	<u>START CONSTRUCTION</u>	<u>FINISH CONSTRUCTION</u>
7A	Dec-04	Complete
7B	Sep-05	Complete
7C	Dec-04	Complete
7D	Nov-05	Complete
7E	Nov-05	Oct-07
7F	Apr-06	May-09
7G	Nov-05	Complete

Section 4

ENGINEER'S CERTIFICATION

4.1 ENGINEER'S CERTIFICATION

The infrastructure improvements as detailed herein are necessary for the functional development of Solivita West as required by the applicable independent unit of local government. The planning and design of the infrastructure is in accordance with current governmental regulatory requirements. The infrastructure will provide the intended function so long as the construction is in substantial compliance with the design and permits. Poinciana West Community Development District (CDD) will need funding to acquire a portion of the improvements included in this report. The Engineer recommends that in addition to the annual non-ad valorem assessments to be levied and collected to pay debt service on the proposed bonds, Poinciana West CDD should levy and collect an annual "Operating and Maintenance Fee". Said fee is to be determined, assessed and levied by the Poinciana West CDD's Board of Supervisors upon the assessable real property within Solivita West for the purpose of defraying the cost and expenses of maintaining Poinciana West CDD-owned improvements.

It is my professional opinion that the costs provided herein for the Poinciana West Community Development District's proposed infrastructure improvements are reasonable to complete the construction of the proposed infrastructure improvements described herein and that these infrastructure improvements will benefit and add value to the Poinciana West Community Development District as more fully detailed in the Assessment Methodology Report. All such proposed infrastructure costs are public improvements or community facilities as set forth in Section 190-012(1) and (2) of the Florida Statutes.

The estimate of infrastructure construction costs is only an estimate and not a guarantee maximum price. A portion of the costs are based on actual construction bids received by Avatar Holdings, Inc. Where necessary, historical costs, information from other professional or utility consultants and contractors have been used in preparation of this report. Consultants and contractors who have contributed in providing the cost data included in this report are reputable entities within the area. It is therefore our opinion that the construction of the proposed Development can be completed at the costs stated.

The labor market, future costs of equipment and materials, increased regulatory actions and the actual construction process are all beyond control. Due to this inherent opportunity for fluctuation in cost, the total final cost may be more or less than estimated.

Kathy Leo, P.E.
Vice President
State of Florida Registration No. 51419

SECTION B

ACQUISITION AGREEMENT

THIS ACQUISITION AGREEMENT (“Agreement”) is made and entered into, by and between:

AVATAR PROPERTIES INC., a Florida corporation, with an address of 2600 Lake Lucien Drive, Suite 350, Maitland, FL 32751 (“**Developer**”); and

POINCIANA WEST COMMUNITY DEVELOPMENT DISTRICT, a local unit of special-purpose government established pursuant to Chapter 190, *Florida Statutes*, and located in Polk County, Florida, and with an address of 219 E. Livingston St. Orlando, FL 32801 (“**District**”).

RECITALS

WHEREAS, the District was established by ordinance enacted by the Board of County Commissioners of Polk County, Florida, pursuant to the Uniform Community Development District Act of 1980, Chapter 190, *Florida Statutes*, as amended (“**Act**”), and is validly existing under the Constitution and laws of the State of Florida; and

WHEREAS, the Developer was a developer of certain lands within the boundaries of the District, and now desires to convey certain stormwater ponds, and related operational permit(s), to the District, which are described in **Exhibit A (“Property”)**; and

WHEREAS, the District desires to acquire the Property, which is part of the District’s overall capital improvement plan described in the District’s *Engineering Report*, dated November 2006, as amended from time to time; and

WHEREAS, accordingly, the Developer and the District desire to enter into this Agreement in order to facilitate the transfer of the Property to the District from the Developer;

OPERATIVE PROVISIONS

NOW THEREFORE, in consideration of the mutual covenants herein contained, and for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, and subject to the terms and conditions hereof, the parties agree as follows:

1. **ACCEPTANCE OF DEDICATION OR CONVEYANCE.** The District and Developer agree to follow the procedures outlined in **Exhibit B**, and in order to convey the Property to the District for ownership and maintenance. The Developer agrees to provide the “**Developer Items**” identified in **Exhibit B**, and provide the “**Fees and Costs**” on the terms set forth in **Exhibit B**. Upon receipt of the “**Written Request**,” as described in **Exhibit B**, the District agrees to cause its staff to review the Written Request and supporting materials. Within 60 days thereafter, the District Engineer shall provide a written recommendation (“**Written Recommendation**”) to the District opining whether in his or her reasonable discretion the Property and any improvements thereon are suitable for ownership by the District, are able to provide their intended function as conservation areas and stormwater ponds, and are in compliance with any required permit conditions (“**Engineer Turnover Conditions**”). As part of the Written Recommendation, the District’s Counsel shall also opine whether in his or her reasonable discretion that there is nothing in the title work provided as part of the Written Request, any property information reports otherwise obtained by District’s Counsel or any information contained in the District Engineer’s

report that would materially and negatively affect the District's ability or desirability to own and maintain the Property ("**Counsel Turnover Conditions**," together with the Engineer Turnover Conditions, the "**Turnover Conditions**"). In the event that the Written Recommendation indicates that the Turnover Conditions are met, and the District agrees in its reasonable discretion to move forward with the transfer of the Property from the Developer to the District, the Developer and the District shall, on the date determined by the District as being the effective turnover date ("**Closing Date**") execute and record the deed attached hereto as **Exhibit C**. At or about the time of Closing Date, the Developer shall also take any steps reasonably necessary to effect the transfer of any operations permits included in **Exhibit A** to the District, and the District shall promptly and reasonably cooperate in that regard.

The Developer shall pay the cost for recording fees and documentary stamps required, if any, for the conveyance of the Property, as well as any fees in connection with the transfer of any permits. The Developer also shall be responsible for all taxes levied on the Property through the Closing Date.

2. **AMENDMENTS.** Amendments to and waivers of the provisions contained in this Agreement may be made only by an instrument in writing which is executed by both the District and the Developer.

3. **AUTHORIZATION.** The execution of this Agreement has been duly authorized by the appropriate body or official of the District and the Developer; both the District and the Developer have complied with all the requirements of law; and both the District and the Developer have full power and authority to comply with the terms and provisions of this instrument.

4. **NOTICES.** All notices, requests, consents and other communications under this Agreement ("**Notices**") shall be in writing and shall be delivered, mailed by First Class Mail, postage prepaid, or overnight delivery service, to the parties, at the addresses first set forth above. Except as otherwise provided in this Agreement, any Notice shall be deemed received only upon actual delivery at the address set forth above. Notices delivered after 5:00 p.m. (at the place of delivery) or on a non-business day, shall be deemed received on the next business day. If any time for giving Notice contained in this Agreement would otherwise expire on a non-business day, the Notice period shall be extended to the next succeeding business day. Saturdays, Sundays, and legal holidays recognized by the United States government shall not be regarded as business days. Counsel for the District and counsel for the Developer may deliver Notice on behalf of the District and the Developer, respectively. Any party or other person to whom Notices are to be sent or copied may notify the other parties and addressees of any change in name or address to which Notices shall be sent by providing the same on five (5) days written notice to the parties and addressees set forth herein.

5. **ARM'S LENGTH TRANSACTION.** This Agreement has been negotiated fully between the District and the Developer as an arm's length transaction. Both parties participated fully in the preparation of this Agreement and received the advice of counsel. In the case of a dispute concerning the interpretation of any provision of this Agreement, both parties are deemed to have drafted, chosen, and selected the language, and the doubtful language will not be interpreted or construed against either the District or the Developer.

6. **THIRD PARTY BENEFICIARIES.** This Agreement is solely for the benefit of the District and the Developer and no right or cause of action shall accrue upon or by reason, to or for the benefit of any third party not a formal party to this Agreement. Nothing in this Agreement expressed or implied is intended or shall be construed to confer upon any person or corporation other than the District and the Developer any right, remedy, or claim under or by reason of this Agreement or any of the provisions or

conditions of this Agreement; and all of the provisions, representations, covenants, and conditions contained in this Agreement shall inure to the sole benefit of and shall be binding upon the District and the Developer and their respective representatives, successors, and assigns.

7. **ASSIGNMENT.** Neither the District nor the Developer may assign this Agreement without the prior written approval of the other.

8. **APPLICABLE LAW AND VENUE.** This Agreement and the provisions contained herein shall be construed, interpreted and controlled according to the laws of the State of Florida. Each party agrees that the venue for any litigation arising out of or related to this Agreement shall be in Polk County, Florida.

9. **PUBLIC RECORDS.** The Developer understands and agrees that all documents of any kind provided to the District in connection with this Agreement may be public records and treated as such in accordance with Florida law.

10. **SEVERABILITY.** The invalidity or unenforceability of any one or more provisions of this Agreement shall not affect the validity or enforceability of the remaining portions of this Agreement, or any part of this Agreement not held to be invalid or unenforceable.

11. **LIMITATIONS ON GOVERNMENTAL LIABILITY.** Nothing in this Agreement shall be deemed as a waiver of immunity or limits of liability of the District beyond any statutory limited waiver of immunity or limits of liability which may have been adopted by the Florida Legislature in Section 768.28, *Florida Statutes*, or other law, and nothing in this Agreement shall inure to the benefit of any third party for the purpose of allowing any claim which would otherwise be barred by sovereign immunity or by other operation of law.

12. **HEADINGS FOR CONVENIENCE ONLY.** The descriptive headings in this Agreement are for convenience only and shall not control nor affect the meaning or construction of any of the provisions of this Agreement.

13. **COUNTERPARTS.** This Agreement may be executed in any number of counterparts, each of which when executed and delivered shall be an original; however, all such counterparts together shall constitute, but one and the same instrument. Signature and acknowledgment pages, if any, may be detached from the counterparts and attached to a single copy of this document to physically form one document.

[CONTINUED ON NEXT PAGE]

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date first above-written.

AVATAR PROPERTIES INC.



By: Brian Brinkley
Its: Vice President

POINCIANA WEST COMMUNITY DEVELOPMENT DISTRICT



By: Peggy Gregory
Its: Chairman

- Exhibit A:** Legal Description
- Exhibit B:** Procedures
- Exhibit C:** Quit Claim Deed

Exhibit A

**LEGAL DESCRIPTION OF POND TRACTS TO BE
CONVEYED TO THE POINCIANA WEST CDD**

Tracts P-19A and P-19B of **Solivita Phase 7F**, according to the plat thereof, as recorded in Plat Book 161 at Page 7, of the Public Records of Polk County, Florida, less and except any portions replatted and/or vacated by resolutions.

282715.933577.000960 (P19A)

282715.933577.000970 (P19B)

Together with any applicable operational permit(s) related thereto

Exhibit B**Poinciana West Community Development District
Procedures for Acquisition and Acceptance of
Common Area Property from Avatar Properties, Inc.**

Poinciana West Community Development District Board of Supervisors is requesting that all parcels to be conveyed to the District are aggregated into one request. Avatar Properties, Inc. (“Avatar”) should submit a written request to the District Manager as outlined herein. It is the intention of the District’s Board to accept parcels for conveyance prior to October 1, 2023 in order to allow for proper planning and budgeting in line with the District’s fiscal year.

Fees and Costs – Avatar agrees to pay the reasonable attorney’s and engineer’s fees and costs of the District associated with the property conveyance (“**Fees and Costs**”). Avatar shall provide a deposit of \$15,000 (“**Initial Deposit**”), and the District shall bill its Fees and Costs against the Initial Deposit. After the Initial Deposit is spent, Avatar on a monthly basis and within 10 days written request from the District Manager shall pay the District’s actual Fees and Costs for that month. At the time of closing on the property conveyance, Avatar shall pay any remaining Fees and Costs.

Developer Items – As part of the Developer’s written request, the Developer shall provide:

- Developer name & contact information
- The Initial Deposit for Fees and Costs
- Evidence that the permit is in good standing and final certifications have been delivered and include documentation necessary to reflect a transfer of maintenance under the permit
- Estimated annual maintenance cost
- Title work and title insurance commitment
- Affidavit of No Liens (may be provided by District Counsel)
- Copies of as-built plans for any improvements on the Property
- Other applicable documents reasonably required by the District Engineer to determine the acceptability of the common area property

Procedure – Upon receipt of the written request, the District Manager shall promptly distribute the written request and documents to District Counsel, District Engineer, Field Management staff for verification of documentation and inspection of property and improvements under the provisions of the Acquisition Agreement. Upon successful completion of review process, and satisfaction of all required costs associated with conveyance in accordance with the Acquisition Agreement, and subject to the District’s reasonable discretion, the District shall accept the Property for ownership and maintenance, and provide an executed deed substantially in the form provided in the Acquisition Agreement.

Additional information provided by District Manager and Field Management to the District’s Board:

- Maintenance proposals
- Estimated annual insurance costs

Exhibit C

This instrument was prepared by:

|

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED is made to be effective as of the ____ day of _____ 2023, by and between:

AVATAR PROPERTIES INC., a Florida corporation, with an address of 2600 Lake Lucien Drive, Suite 350, Maitland, FL 32751 ("**Grantor**"); and

POINCIANA WEST COMMUNITY DEVELOPMENT DISTRICT, a local unit of special-purpose government established pursuant to Chapter 190, *Florida Statutes*, and located in Polk County, Florida ("**Grantee**").

(Wherever used herein, the terms "Grantor(s)" and "Grantee" include all of the parties to this instrument, the heirs, legal representatives and assigns of individuals, and the successors and assigns of trustees, partnerships, limited liability companies, governmental entities, and corporations.)

WITNESSETH

Grantor, for good and valuable consideration to it in hand paid by Grantee, the receipt and sufficiency whereof are hereby acknowledged, has granted, bargained and conveyed to Grantee, and Grantee's successors and assigns, forever, the land lying and being in the County of Polk, State of Florida, as more particularly described in **Exhibit 1** attached hereto (together, "**Property**");

SUBJECT, HOWEVER, to the following encumbrances and restrictions: (i) all applicable governmental regulations; and (ii) all matters, restrictions, easements, limitations, reservations and covenants of record, if any, but this reference shall not operate to re-impose same;

TOGETHER, with all tenements, hereditaments, and appurtenances thereto belonging or in any way appertaining;

TO HAVE AND TO HOLD unto Grantee and Grantee's successors and assigns in fee simple forever.

Grantor hereby covenants with Grantee that Grantor is lawfully seized of the Property in fee simple, that Grantor has good right and lawful authority to sell and convey the Property and hereby warrants the title to the Property, subject to the foregoing encumbrances and restrictions, and that Grantor will defend the same against the lawful claims of all persons claiming by, through, or under Grantor.

IN WITNESS WHEREOF, Grantor has caused these presents to be executed to be effective as of the day and year first above written.

WITNESSES:

GRANTOR:

AVATAR PROPERTIES INC., a Florida corporation

By: _____
Name: _____

By: _____
Name: _____

By: _____
Name: _____
Title: _____

STATE OF _____
COUNTY OF _____

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this ____ day of _____, 2023, by _____, as _____ of **Avatar Properties Inc., a Florida corporation**, who appeared before me this day in person, and who is either personally known to me, or produced _____ as identification.

NOTARY PUBLIC, STATE OF _____

(NOTARY SEAL)

Name: _____
(Name of Notary Public, Printed, Stamped or
Typed as Commissioned)

[SIGNATURE PAGE FOR SPECIAL WARRANTY DEED]

WITNESSES:

GRANTEE:

POINCIANA WEST COMMUNITY
DEVELOPMENT DISTRICT

By: _____
Name: _____

By: _____
Name: _____
Title: _____

By: _____
Name: _____

STATE OF _____
COUNTY OF _____

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this ____ day of _____, 2023, by _____, as _____ of **Poinciana West Community Development District**, who appeared before me this day in person, and who is either personally known to me, or produced _____ as identification.

NOTARY PUBLIC, STATE OF _____

(NOTARY SEAL)

Name: _____
(Name of Notary Public, Printed, Stamped or
Typed as Commissioned)

Note to Examiner: This instrument evidences a conveyance of an interest in unencumbered real estate as a gift and is exempt from Florida documentary stamp tax pursuant to Rule 12B-4.014(2)(a), Florida Administrative Code.

SECTION C

From: Monica Virgen mvirgen@gmscfl.com
Subject: Fwd: Insurance Coverage at Poinciana West Community Development District FY2024
Date: September 13, 2023 at 5:00 PM
To:

MV

From: **Schylar Bentley** <Schylar.Bentley@bbrown.com>
Date: Wed, Jul 26, 2023 at 4:24 PM
Subject: RE: Insurance Coverage at Poinciana West Community Development District FY2024
To: Tricia Adams <tadams@gmscfl.com>

Hi Tricia,

I ran this past the underwriter so I could get a definite answer for you – please see below.

The stormwater ponds would not be used as the rating exposure for the liability coverages of the CDD. However, any claim that occurred because of the ponds would have a negative impact on the premium charged in the future.

The Trust has experienced claims involving ponds, like:

- claimant is walking close to the edge of the pond and suffers an injury due to a slip/fall and claims the pond edge was not maintained properly and caused the fall
- claimant walking their small dog close to the edge of the pond, an alligator grabs and kills their dog
- toddler wanders from their yard and falls in the pond and drowns

Hopefully these things will never happen, but the District should be aware of the exposure and install proper signage about no swimming, warnings about wild life etc.

Please note my last day before maternity leave is 9/6/23.

Sincerely,

Schylar Bentley

Public Risk Specialist

she/her

Schylar.Bentley@bbrown.com

O (386) 265-6117 | F (386) 239-4049

300 North Beach Street

Daytona Beach, FL 32114

BBrown.com | NYSE: BRO



[Privacy Notice](#) | [Legal Notice](#)

CONFIDENTIALITY NOTICE: The information contained in this communication, including attachments, may contain privileged and confidential information that is intended only for the exclusive use of the addressee. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us by telephone immediately.

PLEASE NOTE: Insurance cannot be bound, altered or cancelled via the email or voicemail system. Coverage confirmation must be communicated through a licensed Brown & Brown Representative.

When Brown & Brown has processed an add, termination or change of status on your behalf, please remember to check your carrier invoices to ensure that all requested adds, terminations & changes were processed correctly.

From: Tricia Adams <tadams@gmscfl.com>
Sent: Wednesday, July 26, 2023 1:28 PM
To: Schylar Bentley <Schylar.Bentley@bbrown.com>
Subject: Insurance Coverage at Poinciana West Community Development District FY2024

[External]

Hi Schylar,

The Board of Supervisors is considering the conveyance of two stormwater ponds from the land developer to the CDD in October. Can you kindly confirm in writing that the acceptance of these stormwater ponds will not have an impact on the CDD insurance policy?

All the best,

Tricia L. Adams
District Manager
Governmental Management Services - Central Florida, LLC
219 E Livingston St

SECTION D

SECTION I

ADDENDUM TO AN ANNUAL SERVICES CONTRACT

CUSTOMER NAME: Poinciana West CDD
SUBMITTED TO: Clayton Smith
CONTRACT SUBMISSION DATE: September 6, 2023
SUBMITTED BY: Stephen AmRhein
SERVICES: Addition of Ponds 19A and 19B

This agreement (the "Agreement") is an Addendum to the current Services Contract by and between SOLitude Lake Management, LLC ("SOLitude" or the "Company") and the customer identified above (the "Customer") and will begin on the first of the month following acceptance by the Customer, under the same terms and conditions for the same period as the current Services Contract except as amended here.

1. The Services. SOLitude will provide services at the Customer's property as described in Schedule A attached hereto:
2. PAYMENT TERMS. The Contract Addendum Price is **\$4,200.00**. SOLitude shall invoice Customer **\$350.00 per month** for the Services to be provided under this Addendum. The price indicated in this Addendum shall be billed in addition to the regular monthly contract invoice amount and shall renew with the same terms and for the same time period as the existing contract.

Competitively Sensitive & Proprietary Materials – The information contained herein is the intellectual property of SOLitude Lake Management. Recipient may not disclose to any outside party any proprietary information, processes, or pricing contained in this document or any of its attachments without the prior written consent of SOLitude Lake Management. This document is provided to the recipient in good faith and it shall be the responsibility of the recipient to keep the information contained herein confidential.



ACCEPTED AND APPROVED:

SOLITUDE LAKE MANAGEMENT, LLC.

Poinciana West CDD

Signature: _____

Signature: _____

Name: _____

Name: _____

Title: _____

Title: _____

Date: _____

Date: _____

Please Remit All Payments to:

**1320 Brookwood Drive Suite H
Little Rock AR 72202**

Customer's Address for Notice Purposes:

Please Mail All Contracts to:

**2844 Crusader Circle, Suite 450
Virginia Beach, VA 23453**

Competitively Sensitive & Proprietary Materials – The information contained herein is the intellectual property of SOLitude Lake Management. Recipient may not disclose to any outside party any proprietary information, processes, or pricing contained in this document or any of its attachments without the prior written consent of SOLitude Lake Management. This document is provided to the recipient in good faith and it shall be the responsibility of the recipient to keep the information contained herein confidential.



SCHEDULE A - SERVICES

Addition of Ponds 19A and 19B

Service Reporting:

1. Customer will be provided with a monthly service report detailing all of the work performed as part of this contract.

Customer Responsibilities:

1. Customer will be responsible for the following:
 - a. Providing information required for the permit application process upon request.
 - b. Providing Certified Abutters List for abutter notification where required.
 - c. Perform any public filings or recordings with any agency or commission associated with the permitting process, if required.
 - d. Compliance with any Order of Conditions or other special requirements or conditions required by the local municipality.
 - e. Compliance and enforcement of temporary water-use restrictions where applicable.

General Qualifications:

1. Company is a licensed pesticide applicator in the state in which service is to be provided.
2. Individual Applicators are Certified Pesticide Applicators in Aquatics, Public Health, Forestry, Right of Way, and Turf/Ornamental as required in the state in which service is to be provided.
3. Company is a SePRO Preferred Applicator and dedicated Steward of Water. Each individual applicator has been trained and educated in the water quality testing and analysis required for prescriptive site-specific water quality management and utilizes an integrated approach that encompasses all aspects of ecologically balanced management. Each applicator has received extensive training in the proper selection, use, and application of all aquatic herbicides, algaecides, adjuvants, and water quality enhancement products necessary to properly treat our Customers' lakes and ponds as part of an overall integrated pest management program.
4. Company guarantees that all products used for treatment are EPA registered and labeled as appropriate and safe for use in lakes, ponds, and other aquatic sites, and are being applied in a manner consistent with their labeling.
5. All pesticide applications made directly to the water or along the shoreline for the control of algae, aquatic weeds, or other aquatic pests as specified in this contract will meet or exceed all of the Company's legal regulatory requirements as set forth by the EPA and related state agencies for NPDES and FIFRA. Company will perform treatments that are consistent with NPDES compliance standards as applicable in and determined by the specific state in which treatments are made. All staff will be fully trained to perform all applications in compliance with all federal, state, and local law.
6. Company will furnish the personnel, vehicles, boats, equipment, materials, and other items required to provide the foregoing at its expense.

Competitively Sensitive & Proprietary Materials – The information contained herein is the intellectual property of SOLitude Lake Management. Recipient may not disclose to any outside party any proprietary information, processes, or pricing contained in this document or any of its attachments without the prior written consent of SOLitude Lake Management. This document is provided to the recipient in good faith and it shall be the responsibility of the recipient to keep the information contained herein confidential.



Competitively Sensitive & Proprietary Materials – The information contained herein is the intellectual property of SOLitude Lake Management. Recipient may not disclose to any outside party any proprietary information, processes, or pricing contained in this document or any of its attachments without the prior written consent of SOLitude Lake Management. This document is provided to the recipient in good faith and it shall be the responsibility of the recipient to keep the information contained herein confidential.

SECTION II



Poinciana West CDD

% Clayton Smith
Governmental Management Services

September 11, 2023
Proposal valid for 60 days

We sincerely appreciate the opportunity to propose how Floralawn can help enhance the quality of your landscape. Our proposal includes integrating a custom maintenance plan to meet the needs and demands of your property while considering service expectations and community budget.

We hereby propose the following for your review:

Landscape Management

Service	Monthly	Yearly
Landscape Maintenance	\$788	\$9,456

Turf Care

Mowing

Perform mowing services on non-Irrigated Bahia Turf on ponds 19A, 19B and LD-1 located in the PWCDD. These areas will be mowed **21 times a year** consistent with weekly mowing July-September, Bi-weekly mowing May, June and October, and once a month November-April.

Trimming

Turf areas inaccessible to mowers, areas adjacent to buildings, trees, fences, etc. will be controlled by a string trimmer. When string trimming, a continuous cutting height will be maintained to prevent scalping.

SECTION E









SECTION 8

RESOLUTION 2023-06

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE POINCIANA WEST COMMUNITY DEVELOPMENT DISTRICT APPROVING AND ACCEPTING THE CONVEYANCE OF TRACTS P-19A AND P-19B OF SOLIVITA PHASE 7F, FROM AVATAR PROPERTIES, INC., TO THE DISTRICT, IN ACCORDANCE WITH SECTIONS 190.011(1) AND 190.011(7)(A), FLA. STAT.; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, pursuant to the Plat of Solivita Phase 7F, recorded in Plat Book 161, Page 7, of the Public Records of Polk County, Florida, Tracts P-19A and P-19B (the “Tracts”) are to be dedicated for stormwater purposes to the District; and

WHEREAS, Grantor has requested that the District accept the conveyance of title to Tracts; and

WHEREAS, the Board of Supervisors deems it to be in the District’s best interests to accept the conveyance of title to such parcels from the Grantor, in accordance with Sections 190.011(1) and 190.011(7)(a), Fla. Stat.

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

SECTION 1. The recitals set forth above are hereby adopted as true and correct and incorporated herein.

SECTION 2. The District hereby approves and accepts the conveyance of title to the property identified in the Special Warranty Deed substantially in the form attached hereto as Exhibit “A.” Acceptance of the conveyance shall be subject to satisfaction of title requirements and other closing requirements as may be reasonable and customary in similar transactions. The District hereby authorizes the execution and delivery of all documents deemed necessary, desirable or appropriate to carry out the intent of this Resolution and authorizes the District Manager, Chairperson and staff to execute and deliver such documents.

SECTION 3. This Resolution shall take effect immediately upon adoption, except that the effective date of the conveyance shall be October 1, 2023.

PASSED AND ADOPTED THIS 20th day of September, 2023.

ATTEST:

**POINCIANA WEST COMMUNITY
DEVELOPMENT DISTRICT**

Secretary/Assistant Secretary

Chairperson, Board of Supervisors

Exhibit "A"

This instrument was prepared by:

|

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED is made to be effective as of the ____ day of _____ 2023, by and between:

AVATAR PROPERTIES INC., a Florida corporation, with an address of 2600 Lake Lucien Drive, Suite 350, Maitland, FL 32751 ("**Grantor**"); and

POINCIANA WEST COMMUNITY DEVELOPMENT DISTRICT, a local unit of special-purpose government established pursuant to Chapter 190, *Florida Statutes*, and located in Polk County, Florida ("**Grantee**").

(Wherever used herein, the terms "Grantor(s)" and "Grantee" include all of the parties to this instrument, the heirs, legal representatives and assigns of individuals, and the successors and assigns of trustees, partnerships, limited liability companies, governmental entities, and corporations.)

WITNESSETH

Grantor, for good and valuable consideration to it in hand paid by Grantee, the receipt and sufficiency whereof are hereby acknowledged, has granted, bargained and conveyed to Grantee, and Grantee's successors and assigns, forever, the land lying and being in the County of Polk, State of Florida, as more particularly described in **Exhibit 1** attached hereto (together, "**Property**");

SUBJECT, HOWEVER, to the following encumbrances and restrictions: (i) all applicable governmental regulations; and (ii) all matters, restrictions, easements, limitations, reservations and covenants of record, if any, but this reference shall not operate to re-impose same;

TOGETHER, with all tenements, hereditaments, and appurtenances thereto belonging or in any way appertaining;

TO HAVE AND TO HOLD unto Grantee and Grantee's successors and assigns in fee simple forever.

Grantor hereby covenants with Grantee that Grantor is lawfully seized of the Property in fee simple, that Grantor has good right and lawful authority to sell and convey the Property and hereby warrants the title to the Property, subject to the foregoing encumbrances and restrictions, and that Grantor will defend the same against the lawful claims of all persons claiming by, through, or under Grantor.

IN WITNESS WHEREOF, Grantor has caused these presents to be executed to be effective as of the day and year first above written.

WITNESSES:

GRANTOR:

AVATAR PROPERTIES INC., a Florida corporation

By: _____

Name: _____

By: _____

Name: _____

Title: _____

By: _____

Name: _____

STATE OF _____
COUNTY OF _____

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this ____ day of _____, 2023, by _____, as _____ of **Avatar Properties Inc., a Florida corporation**, who appeared before me this day in person, and who is either personally known to me, or produced _____ as identification.

NOTARY PUBLIC, STATE OF _____

(NOTARY SEAL)

Name: _____
(Name of Notary Public, Printed, Stamped or Typed as Commissioned)

[SIGNATURE PAGE FOR SPECIAL WARRANTY DEED]

WITNESSES:

GRANTEE:

POINCIANA WEST COMMUNITY
DEVELOPMENT DISTRICT

By: _____
Name: _____

By: _____
Name: _____
Title: _____

By: _____
Name: _____

STATE OF _____
COUNTY OF _____

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this ____ day of _____, 2023, by _____, as _____ of **Poinciana West Community Development District**, who appeared before me this day in person, and who is either personally known to me, or produced _____ as identification.

NOTARY PUBLIC, STATE OF _____

(NOTARY SEAL)

Name: _____
(Name of Notary Public, Printed, Stamped or
Typed as Commissioned)

Note to Examiner: This instrument evidences a conveyance of an interest in unencumbered real estate as a gift and is exempt from Florida documentary stamp tax pursuant to Rule 12B-4.014(2)(a), Florida Administrative Code.

EXHIBIT 1

**LEGAL DESCRIPTION OF POND TRACTS TO BE
CONVEYED TO THE POINCIANA WEST CDD**

Tracts P-19A and P-19B of **Solivita Phase 7F**, according to the plat thereof, as recorded in Plat Book 161 at Page 7, of the Public Records of Polk County, Florida, less and except any portions replatted and/or vacated by resolutions.

282715.933577.000960 (P19A)

282715.933577.000970 (P19B)

Together with any applicable operational permit(s) related thereto

SECTION 9

*This item will be provided under
separate cover*

SECTION 10

SECTION C

SECTION I

Poinciana West Community Development District

Summary of Check Register

July 8, 2023 through September 8, 2023

Fund	Date	Check No.'s	Amount
General Fund	7/10/23	1970	\$ 200,000.00
	7/13/23	1971 - 1972	\$ 9,678.54
	7/25/23	1973	\$ 2,144.97
	8/1/23	1974 - 1975	\$ 15,480.86
	8/9/23	1976 - 1981	\$ 25,096.00
	8/21/23	1982 - 1985	\$ 21,847.21
SBA	7/13/23	1	\$ 300,000.00
Payroll	July 2023		
	Maneck Master	ACH	\$ 184.70
	Mayra Skeete	ACH	\$ 184.70
	Peggy Gregory	ACH	\$ 184.70
	Roy LaRue	ACH	\$ 184.70
Total Amount			\$ 574,986.38

AP300R YEAR-TO-DATE ACCOUNTS PAYABLE PREPAID/COMPUTER CHECK REGISTER RUN 9/13/23
 *** CHECK DATES 07/08/2023 - 09/08/2023 *** POINCIANA WEST - GENERAL FUND
 BANK A GENERAL FUND

CHECK DATE	VEND#	INVOICE DATE	INVOICE	EXPENSED TO YRMO	DPT	ACCT#	SUB	SUBCLASS	VENDOR NAME	STATUS	AMOUNT	CHECK AMOUNT	CHECK #
7/10/23	00042	7/10/23	07102023	202307	300	15100	10000		TRSNFR FUNDS TO SBA	*	200,000.00		
									STATE BOARD OF ADMINISTRATION			200,000.00	001970
7/13/23	00001	7/01/23	157	202307	310	51300	34000		MANAGEMENT FEES JULY 23	*	3,333.33		
		7/01/23	157	202307	310	51300	35200		WEBSITE ADMIN JULY 23	*	68.75		
		7/01/23	157	202307	310	51300	35100		INFORMATION TECH JULY 23	*	103.17		
		7/01/23	157	202307	310	51300	31300		DISSEMINATION SVC JULY 23	*	291.67		
		7/01/23	157	202307	310	51300	51000		OFFICE SUPPLIES JULY 23	*	.27		
		7/01/23	157	202307	310	51300	42000		POSTAGE JULY 23	*	31.57		
		7/01/23	158	202307	320	53800	12000		FIELD MANAGEMENT JULY 23	*	858.33		
									GOVERNMENTAL MANAGEMENT SERVICES-CF			4,687.09	001971
7/13/23	00041	7/01/23	PSI-9217	202307	320	53800	47000		AQUATIC MAINT JULY 23	*	4,991.45		
									SOLITUDE LAKE MANAGEMENT, LLC			4,991.45	001972
7/25/23	00005	7/17/23	00103017	202307	320	53800	47100		MOSQUITO MAINT JULY 23	*	2,144.97		
									CLARKE ENVIRONMENTAL MOSQUITO			2,144.97	001973
8/01/23	00008	7/18/23	8-195-94	202307	310	51300	42000		FEDEX 6 DELIVERIES	*	70.86		
									FEDEX			70.86	001974
8/01/23	00041	5/25/23	PSI-7768	202305	320	53800	49000		PLANTINGS	*	15,410.00		
									SOLITUDE LAKE MANAGEMENT, LLC			15,410.00	001975
8/09/23	00033	8/01/23	18443	202307	310	51300	31500		GENERAL COUNSEL JULY 23	*	1,085.00		
		8/01/23	18444	202307	310	51300	31500		TRSNFR OF TRACTS JULY 23	*	1,023.00		
									CLARK & ALBAUGH, LLP			2,108.00	001976
8/09/23	00007	8/01/23	9607	202308	320	53800	46200		LANDSCAPE MAINT AUG 23	*	4,904.37		
									FLORALAWN 2, LLC			4,904.37	001977

POIW POIN WEST CDD KCOSTA

AP300R YEAR-TO-DATE ACCOUNTS PAYABLE PREPAID/COMPUTER CHECK REGISTER RUN 9/13/23
 *** CHECK DATES 07/08/2023 - 09/08/2023 *** POINCIANA WEST - GENERAL FUND
 BANK A GENERAL FUND

CHECK DATE	VEND#	.....INVOICE..... DATE INVOICE	...EXPENSED TO... YRMO DPT ACCT# SUB SUBCLASS	VENDOR NAME	STATUS	AMOUNT	....CHECK..... AMOUNT #
8/09/23	00008	8/01/23 8-210-20	202307 310-51300-48000	FEDEX DELIVERY 7/27/23 FEDEX	*	6.48	6.48 001978
8/09/23	00016	8/04/23 2191569	202307 310-51300-31100	ENGINEER SVCS JULY 23 GAI CONSULTANTS, INC	*	750.00	750.00 001979
8/09/23	00013	8/08/23 08082023	202308 300-20700-10000	FY23 DS ASSESSMENTS POINCIANA WEST CDD C/O USBANK	*	12,335.70	12,335.70 001980
8/09/23	00041	8/01/23 PSI00301	202308 320-53800-47000	AQUATIC MAINT AUG 23 SOLITUDE LAKE MANAGEMENT, LLC	*	4,991.45	4,991.45 001981
8/21/23	00036	7/31/23 00057482	202307 310-51300-48000	NOT FY24 BUDGET 6/26 7/6 CA FLORIDA HOLDINGS, LLC	*	823.98	823.98 001982
8/21/23	00020	8/15/23 00103085	202308 320-53800-47100	MOSQUITO MAINT AUG 23 CLARKE AQUATIC SERVICES, INC	*	2,144.97	2,144.97 001983
8/21/23	00001	8/01/23 159	202308 310-51300-34000	MANAGEMENT FEES AUG 23	*	3,333.33	
		8/01/23 159	202308 310-51300-35200	WEBSITE ADMIN AUG 23	*	68.75	
		8/01/23 159	202308 310-51300-35100	INFORMATION TECH AUG 23	*	103.17	
		8/01/23 159	202308 310-51300-31300	DISSEMINATION SVC AUG 23	*	291.67	
		8/01/23 159	202308 310-51300-51000	OFFICE SUPPLIES AUG 23	*	20.15	
		8/01/23 159	202308 310-51300-42000	POSTAGE AUG 23	*	29.39	
		8/01/23 160	202308 320-53800-12000	FIELD MANAGEMENT AUG 23 GOVERNMENTAL MANAGEMENT SERVICES-CF	*	858.33	4,704.79 001984
8/21/23	00023	8/09/23 4652031	202308 310-51300-49100	DEBT 1% ADMIN FEE	*	11,074.54	
		8/09/23 4652032	202308 310-51300-49100	MAINT 1% ADMIN FEE POLK COUNTY PROPERTY APPRAISER	*	3,098.93	14,173.47 001985
TOTAL FOR BANK A						274,247.58	
POIW POIN WEST CDD KCOSTA							

AP300R YEAR-TO-DATE ACCOUNTS PAYABLE PREPAID/COMPUTER CHECK REGISTER RUN 9/13/23
 *** CHECK DATES 07/08/2023 - 09/08/2023 *** POINCIANA WEST - GENERAL FUND
 BANK A GENERAL FUND

CHECK DATE	VEND#INVOICE..... DATE INVOICE	...EXPENSED TO... YRMO DPT ACCT# SUB SUBCLASS	VENDOR NAME	STATUS	AMOUNTCHECK..... AMOUNT #
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POIW POIN WEST CDD KCOSTA

AP300R YEAR-TO-DATE ACCOUNTS PAYABLE PREPAID/COMPUTER CHECK REGISTER RUN 9/13/23
 *** CHECK DATES 07/08/2023 - 09/08/2023 *** POINCIANA WEST - GENERAL FUND
 BANK B MONEY MARKET

CHECK DATE	VEND#	.....INVOICE..... DATE INVOICE	...EXPENSED TO... YRMO DPT ACCT# SUB	SUBCLASS	VENDOR NAME	STATUS	AMOUNT	....CHECK..... AMOUNT #
7/13/23	00042	7/12/23 07122023	202307 300-10100-10100		TSFR FUNDS TO SBA	*	300,000.00	
STATE BOARD OF ADMINISTRATION								300,000.00 000001

TOTAL FOR BANK B							300,000.00	
TOTAL FOR REGISTER							574,247.58	

CHECK REQUEST FORM

DISTRICT/ASSOCIATION: Poinciana West CDD **DATE:** 6/29/23

PAYABLE TO: Poinciana West CDD c/o SBA

AMOUNT REQUESTED: \$200,000.00

REQUESTED BY: Katie Costa

ACCOUNT # 001-300-581-100

DESCRIPTION OF NEED: Transfer Funds to SBA

GMS-Central Florida, LLC

1001 Bradford Way
Kingston, TN 37763

Invoice

Invoice #: 157
Invoice Date: 7/1/23
Due Date: 7/1/23
Case:
P.O. Number:

Bill To:

Poinciana West CDD
219 E. Livingston St.
Orlando, FL 32801

1-1

Description	Hours/Qty	Rate	Amount
Management Fees - July 2023	310 573 34	3,333.33	3,333.33
Website Administration - July 2023	352	68.75	68.75
Information Technology - July 2023	351	103.17	103.17
Dissemination Agent Services - July 2023	313	291.67	291.67
Office Supplies	51	0.27	0.27
Postage	42	31.57	31.57

RECEIVED

JUL 12 2023

Total \$3,828.76

Payments/Credits \$0.00

Balance Due \$3,828.76

GMS-Central Florida, LLC

1001 Bradford Way
Kingston, TN 37763

Invoice

Invoice #: 158
Invoice Date: 7/1/23
Due Date: 7/1/23
Case:
P.O. Number:

Bill To:

Poinclana West CDD
219 E. Livingston St.
Orlando, FL 32801

1-1

Description	Hours/Qty	Rate	Amount
Field Management - July 2023 <i>320 538 12</i>		858.33	858.33

RECEIVED

JUL 12 2023

Total	\$858.33
Payments/Credits	\$0.00
Balance Due	\$858.33

1-41
320 538 47

INVOICE

Please Remit Payment to:

Solitude Lake Management, LLC
1320 Brookwood Drive
Suite H
Little Rock, AR 72202
Phone #: (888) 480-5253
Fax #: (888) 358-0088

Page: 1

Invoice Number: PSI-92174
Invoice Date: 7/1/2023

Bill
To: Poinciana West Community Dev. Dist.
135 W. Central Blvd., Suite 320
Orlando, 32801-2430

Ship
To: Poinciana West Community Dev. Dist.
135 W. Central Blvd., Suite 320
Orlando, FL 32801-2430

Ship Via
Ship Date 7/1/2023
Due Date 7/31/2023
Terms Net 30

Customer ID 17634
P.O. Number
P.O. Date 7/1/2023
Our Order No.

Item/Description	Unit	Order Qty	Quantity	Unit Price	Total Price
Annual Maintenance		1	1	4,991.45	4,991.45
July Billing					
7/1/2023 - 7/31/2023					
Poinciana West Community Dev. Dist. 00-01					
Poinciana West Community Dev. Dist. 00-02					
Poinciana West Community Dev. Dist. 00-03					
Poinciana West Community Dev. Dist. 00-04					
Poinciana West Community Dev. Dist. 00-05					
Poinciana West Community Dev. Dist. 00-06					
Poinciana West Community Dev. Dist. 00-07					
Poinciana West Community Dev. Dist. 00-08					
Poinciana West Community Dev. Dist. 00-09					
Poinciana West Community Dev. Dist. 00-10					
Poinciana West Community Dev. Dist. 00-11					
Poinciana West Community Dev. Dist. 00-12					
Poinciana West Community Dev. Dist. 00-13					
Poinciana West Community Dev. Dist. 00-15					
Poinciana West Community Dev. Dist. 00-16					
Poinciana West Community Dev. Dist. 00-16A					
Poinciana West Community Dev. Dist. 00-17					
Poinciana West Community Dev. Dist. 00-18					
Poinciana West Community Dev. Dist. 00-20					
Poinciana West Community Dev. Dist. 00-21					
Poinciana West Community Dev. Dist. 00-22					
Poinciana West Community Dev. Dist. 00-4A					
Poinciana West Community Dev. Dist. 01-01					
Poinciana West Community Dev. Dist. 01-02					
Poinciana West Community Dev. Dist. 01-03					
Poinciana West Community Dev. Dist. 01-04					

RECEIVED

JUL 5 2023



Please Remit Payment to:

Solitude Lake Management, LLC
 1320 Brookwood Drive
 Suite H
 Little Rock, AR 72202
 Phone #: (888) 480-5253
 Fax #: (888) 358-0088

INVOICE

Page: 2

Invoice Number: PSI-92174
 Invoice Date: 7/1/2023

Bill
 To: Poinciana West Community Dev. Dist.
 135 W. Central Blvd., Suite 320
 Orlando, 32801-2430

Ship
 To: Poinciana West Community Dev. Dist.
 135 W. Central Blvd., Suite 320
 Orlando, FL 32801-2430

Ship Via
 Ship Date 7/1/2023
 Due Date 7/31/2023
 Terms Net 30

Customer ID 17634
 P.O. Number
 P.O. Date 7/1/2023
 Our Order No.

Item/Description	Unit	Order Qty	Quantity	Unit Price	Total Price
Poinciana West Community Dev. Dist. 01-05					
Poinciana West Community Dev. Dist. 01-06					
Poinciana West Community Dev. Dist. 01-07					
Poinciana West Community Dev. Dist. 01-08					
Poinciana West Community Dev. Dist. 01-09					
Poinciana West Community Dev. Dist. 0P-01					
Poinciana West Community Dev. Dist. 0P-02					
Poinciana West Community Dev. Dist. 0P-03					
Poinciana West Community Dev. Dist. 0P-04					
Poinciana West Community Dev. Dist. 0P-05					
Poinciana West Community Dev. Dist. 0P-06					

RECEIVED

JUL 12 2023

Amount Subject to Sales Tax 0.00
 Amount Exempt from Sales Tax 4,991.45

Subtotal: 4,991.45
 Invoice Discount: 0.00
 Total Sales Tax: 0.00
 Payment Amount: 0.00
Total: 4,991.45

1-5
320 538 471



INVOICE

www.clarke.com
TOLL-FREE: 800-323-5727
PHONE: 630-894-2000
AR Email: accountsreceivable@clarke.com,
AR Dept. Ext.: 3139

Payment Instructions: Clarke Environmental Mosquito Management, Inc.
ACH Banking: Bank of America - Account: 8666607231 - Routing: 071000039
Payment Online: Visit our website at <https://www.clarke.com/billpay>
Paper Check: 16300 Collections Center Drive, Chicago, IL 60693

Customer #: P07800
Customer PO #: N/A

Invoice #: 001030175
Invoice Date: 07/17/23
Terms: Net 30 Days
Due Date: 08/16/23

B
I
L
L
T
O
Poinciana West Community Dev. Dist.
6200 Lee Vista Blvd.
Suite 300
Orlando, FL 32822-5149
Stacie Vanderfilt

Agreement no 1000002502 Consultant Cherrief Jackson

Description	Total
CLARKE ENVIRONMENTAL MOSQUITO MANAGEMENT SERVICE	
W9's can be found on our website at www.clarke.com	
Service July 2023	
Order total	2,144.97

RECEIVED

JUL 18 2023

Clarke Environmental Mosquito Management, Inc. is a Clarke Company

** Fraud Alert: Our banking details have not changed. Please call 800-323-5727 x3139 if you are asked to change banking information.	Total:	2,144.97
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Clarke will charge applicable sales taxes unless a valid exemption certificate is Emailed to: accountsreceivable@clarke.com or faxed to: 630-672-7439

Helping make communities around the world more livable, safe and comfortable.



Invoice Number	Invoice Date	Account Number	Page 1 of 4
8-195-94260	Jul 18, 2023	7630-6931-1	

FedEx Tax ID: 71-0427007

Billing Address:

POINCIANA WEST CDD
6200 LEE VISTA BLVD STE 300
ORLANDO FL 32822-5149

Shipping Address:

POINCIANA WEST CDD
POINCIANA WEST CDD
ORLANDO FL 32801

Invoice Questions?

Contact FedEx Revenue Services

Phone: 800.645.9424

M-F 7-5 (CST)

Internet: fedex.com/usgovt

Invoice Summary

FedEx Express Services

Total Charges	USD	\$70.86
TOTAL THIS INVOICE	USD	\$70.86

Other discounts may apply.

To pay your FedEx invoice, please go to www.fedex.com/payment. Thank you for using FedEx.

Account Summary as of Jul 18, 2023

Previous Balance	0.00
Payments	0.00
Adjustments	0.00
New Charges	70.86

New Account Balance \$70.86



Detailed descriptions of surcharges can be located at fedex.com

To ensure proper credit, please return this portion with your payment to FedEx. Please do not staple or fold. Please make check payable to FedEx.

Invoice Number	Invoice Amount	Account Number	Account Balance
8-195-94260	USD \$70.86	7630-6931-1	USD \$70.86

Remittance Advice

Your payment is due by Sep 01, 2023

RECEIVED

819594260500000708627630693112000007086200000708620

JUL 25 2023

0024840 01 AB 0.507 **AUTO T1 0 1199 32822-514975 -C01-P24864-11



POINCIANA WEST CDD
6200 LEE VISTA BLVD STE 300

ORLANDO FL 32822-5149



FedEx
P.O. Box 371461
Pittsburgh PA 15250-7461



63318990016799

Invoice Number 8-195-94260	Invoice Date Jul 18, 2023	Account Number 7630-6931-1	Page 2 of 4
--------------------------------------	-------------------------------------	--------------------------------------	-----------------------

FedEx Express Shipment Detail By Payor Type (Original)

Ship Date: Jul 13, 2023 **Cust. Ref.:** Poinciana West CDD **Ref.#2:**
Payor: Third Party **Ref.#3:**

- Fuel Surcharge - FedEx has applied a fuel surcharge of 14.00% to this shipment.
- Distance Based Pricing, Zone 2
- Package Delivered to Recipient Address - Release Authorized

Automation	INET	Sender	Recipient	
Tracking ID	772733315489	George Flint	Peggy Gregory	
Service Type	FedEx Standard Overnight	GMS - CF, LLC	742 SAN RAPHAEL ST	
Package Type	FedEx Pak	219 E Livingston Street	KISSIMMEE FL 34759 US	
Zone	02	ORLANDO FL 32801 US		
Packages	1			
Rated Weight	2.0 lbs, 0.9 kgs	Transportation Charge		7.50
Delivered	Jul 14, 2023 12:07	Fuel Surcharge		0.90
Svc Area	A3	Residential Delivery		5.30
Signed by	see above	Third Party Billing		0.00
FedEx Use	000000000/161333/02	Total Charge	USD	\$13.70

Ship Date: Jul 13, 2023 **Cust. Ref.:** Poinciana West CDD **Ref.#2:**
Payor: Third Party **Ref.#3:**

- Fuel Surcharge - FedEx has applied a fuel surcharge of 14.00% to this shipment.
- Distance Based Pricing, Zone 2
- Package Delivered to Recipient Address - Release Authorized

Automation	INET	Sender	Recipient	
Tracking ID	772733336101	George Flint	Roy LaRue	
Service Type	FedEx Standard Overnight	GMS - CF, LLC	211 SAN VICENTE LN	
Package Type	FedEx Pak	219 E Livingston Street	KISSIMMEE FL 34759 US	
Zone	02	ORLANDO FL 32801 US		
Packages	1			
Rated Weight	2.0 lbs, 0.9 kgs	Transportation Charge		7.50
Delivered	Jul 14, 2023 12:12	Fuel Surcharge		0.90
Svc Area	A3	Residential Delivery		5.30
Signed by	see above	Third Party Billing		0.00
FedEx Use	000000000/161333/02	Total Charge	USD	\$13.70

FedEx® Billing Online

FedEx Billing Online allows you to efficiently manage and pay your FedEx invoices online. It's free, easy and secure. FedEx Billing Online helps you streamline your billing process. With all your FedEx shipping information available in one secure online location, you never have to worry about misplacing a paper invoice or sifting through reams of paper to find information for past shipments. Go to fedex.com to sign up today!



Invoice Number	Invoice Date	Account Number	Page
8-195-94260	Jul 18, 2023	7630-6931-1	3 of 4

Ship Date: Jul 13, 2023**Cust. Ref.:** Poinclana West CBD**Ref.#2:****Payor:** Third Party**Ref.#3:**

- Fuel Surcharge - FedEx has applied a fuel surcharge of 14.00% to this shipment.
- Distance Based Pricing, Zone 2
- Package Delivered to Recipient Address - Release Authorized

Automation INET
 Tracking ID 772733353229
 Service Type FedEx Standard Overnight
 Package Type FedEx Pak
 Zone 02
 Packages 1
 Rated Weight 2.0 lbs, 0.9 kgs
 Delivered Jul 14, 2023 15:23
 Svc Area A3
 Signed by see above
 FedEx Use 00000000/161333/02

Sender
 George Flint
 GMS - CF, LLC
 219 E Livingston Street
 ORLANDO FL 32801 US

Recipient
 Mayra Skeete
 467 BEL AIR WAY
 KISSIMMEE FL 34759 US

Transportation Charge 7.50
 Fuel Surcharge 0.90
 Residential Delivery 5.30
 Third Party Billing 0.00
Total Charge USD \$13.70

Ship Date: Jul 13, 2023**Cust. Ref.:** Poinclana West CBD**Ref.#2:****Payor:** Third Party**Ref.#3:**

- Fuel Surcharge - FedEx has applied a fuel surcharge of 14.00% to this shipment.
- Distance Based Pricing, Zone 2
- Package Delivered to Recipient Address - Release Authorized

Automation INET
 Tracking ID 772733364785
 Service Type FedEx Standard Overnight
 Package Type FedEx Pak
 Zone 02
 Packages 1
 Rated Weight 2.0 lbs, 0.9 kgs
 Delivered Jul 14, 2023 12:09
 Svc Area A3
 Signed by see above
 FedEx Use 00000000/161333/02

Sender
 George Flint
 GMS - CF, LLC
 219 E Livingston Street
 ORLANDO FL 32801 US

Recipient
 Maneck Master
 759 SAN RAPHAEL ST
 KISSIMMEE FL 34759 US

Transportation Charge 7.50
 Fuel Surcharge 0.90
 Residential Delivery 5.30
 Third Party Billing 0.00
Total Charge USD \$13.70

Ship Date: Jul 13, 2023**Cust. Ref.:** Poinclana West CBD**Ref.#2:****Payor:** Third Party**Ref.#3:**

- Fuel Surcharge - FedEx has applied a fuel surcharge of 14.00% to this shipment.
- Distance Based Pricing, Zone 2
- Package Delivered to Recipient Address - Release Authorized

Automation INET
 Tracking ID 772733379950
 Service Type FedEx Standard Overnight
 Package Type FedEx Pak
 Zone 02
 Packages 1
 Rated Weight 2.0 lbs, 0.9 kgs
 Delivered Jul 14, 2023 15:18
 Svc Area A1
 Signed by see above
 FedEx Use 00000000/161333/02

Sender
 George Flint
 GMS - CF, LLC
 219 E Livingston Street
 ORLANDO FL 32801 US

Recipient
 Scott Clark
 Clark & Albaugh, LLP
 700 W MORSE BLVD STE 101
 WINTER PARK FL 32789 US

Transportation Charge 7.50
 Fuel Surcharge 0.53
 Third Party Billing 0.00
Total Charge USD \$8.03

Ship Date: Jul 13, 2023**Cust. Ref.:** PCW CBD**Ref.#2:****Payor:** Third Party**Ref.#3:**

- Fuel Surcharge - FedEx has applied a fuel surcharge of 14.00% to this shipment.
- Distance Based Pricing, Zone 2
- Package Delivered to Recipient Address - Release Authorized

Automation INET
 Tracking ID 772733398923
 Service Type FedEx Standard Overnight
 Package Type FedEx Pak
 Zone 02
 Packages 1
 Rated Weight 2.0 lbs, 0.9 kgs
 Delivered Jul 14, 2023 12:01

Sender
 George Flint
 GMS - CF, LLC
 219 E Livingston Street
 ORLANDO FL 32801 US

Recipient
 Kathy Leo
 GAI Consultants
 618 E SOUTH ST
 ORLANDO FL 32801 US

Transportation Charge 7.50

Continued on next page

Invoice Number	Invoice Date	Account Number	Page
8-195-94260	Jul 18, 2023	7630-6931-1	4 of 4

Tracking ID: 772733398923 continued

Svc Area	A1	Fuel Surcharge	0.53
Signed by	see above	Third Party Billing	0.00
FedEx Use	000000000/161333/02	Total Charge	USD \$8.03

Third Party Subtotal	USD	\$70.86
Total FedEx Express	USD	\$70.86





Please Remit Payment to:

Solitude Lake Management, LLC
 1320 Brookwood Drive
 Suite H
 Little Rock, AR 72202
 Phone #: (888) 480-5253
 Fax #: (888) 358-0088

INVOICE

Page: 1

Invoice Number: PSI-77683
 Invoice Date: 5/25/2023

Bill
 To: Poinciana West Community Dev. Dist.
 135 W. Central Blvd., Suite 320
 Orlando, 32801-2430

Ship
 To: Poinciana West Community Dev. Dist.
 135 W. Central Blvd., Suite 320
 Orlando, FL 32801-2430

Ship Via
 Ship Date 5/25/2023
 Due Date 6/24/2023
 Terms Net 30

Customer ID 17634
 P.O. Number
 P.O. Date 5/25/2023
 Our Order No.

Item/Description	Unit	Order Qty	Quantity	Unit Price	Total Price
Subcontract (Dredge, BMP Repair, Etc.) One-Time Service Poinciana West Community Dev. Dist. 00-01 PLANTINGS (SUBCONTRACT) Planting at District 00-01		1	1	15,410.00	15,410.00

RECEIVED

JUL 26 2023

Amount Subject to Sales Tax 0.00
 Amount Exempt from Sales Tax 15,410.00

Subtotal: 15,410.00
 Invoice Discount: 0.00
 Total Sales Tax: 0.00
 Payment Amount: 0.00
Total: 15,410.00

Clark & Albaugh, PLLC
 219 Shiloh Cove
 Heathrow, Florida 32746

Phone: (407) 647-7600

Fax: (407) 647-7622

Poinciana West Community Development District
 6200 Lee Vista Blvd., Suite 300
 Orlando, FL 32822

August 1, 2023

RECEIVED

AUG 07 2023

Attention: George S. Flint, District Manager

File # 7784-001
 Invoice # 18443

RE: General matters

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Jul-07-23	review of preliminary agenda and related correspondence	0.20	62.00	SDC
Jul-11-23	review of draft agenda and related correspondence	0.30	93.00	SDC
Jul-14-23	review of budget materials	0.30	93.00	SDC
Jul-19-23	attendance at board meeting; review of debt service account status and balances and correspondence with Darrin Mossing	2.50	775.00	SDC
Jul-21-23	communications with Darrin Mossing regarding interest earnings on debt service deposits	0.20	62.00	SDC
	Totals	3.50	\$1,085.00	
	Total Fee & Disbursements			\$1,085.00
	Previous Balance			1,475.00
	Previous Payments			1,475.00
	Balance Now Due			\$1,085.00

**Send PAYMENTS ONLY to:
Clark & Albaugh, PLLC
219 Shiloh Cove
Heathrow, FL 32746**

**Our physical address for all other correspondence is:
1800 Town Plaza Court
Winter Springs, FL 32708**

TAX ID Number 92-2830590

Clark & Albaugh, PLLC
219 Shiloh Cove
Heathrow, Florida 32746

RECEIVED

AUG 07 2023

Phone: (407) 647-7600

Fax: (407) 647-7622

Poinciana West Community Development District
6200 Lee Vista Blvd., Suite 300
Orlando, FL 32822

August 1, 2023

Attention: George S. Flint, District Manager

File # 7784-002
Invoice # 18444

RE: Transfer of tracts to District

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Jul-11-23	review of status of documentation regarding turnover; correspondence to developer's counsel	0.40	124.00	SDC
Jul-12-23	review of title requirements and plat language; correspondence with developer counsel; draft of resolution regarding conveyance; correspondence with staff regarding agenda and matters pending affecting conveyance	2.30	713.00	SDC
Jul-13-23	review of acquisition agreement terms; video conference with engineer	0.30	93.00	SDC
Jul-14-23	telephone call with developer counsel	0.30	93.00	SDC
	Totals	3.30	\$1,023.00	

Total Fee & Disbursements

\$1,023.00

Previous Balance

1,302.00

Previous Payments

1,302.00

Balance Now Due

\$1,023.00

**Send PAYMENTS ONLY to:
Clark & Albaugh, PLLC
219 Shiloh Cove
Heathrow, FL 32746**

**Our physical address for all other correspondence is:
1800 Town Plaza Court
Winter Springs, FL 32708**

TAX ID Number 92-2830590



P.O. Box 91597
Lakeland, FL 33804

Invoice

Date	Invoice #
8/1/2023	9607

Bill To
Poinciana West Community Development Dist c/o Governmental Management Services Central Florida, LLC 9145 Narcoossee Road Suite A206 Orlando, Fl 32827

P.O. No.	Terms	Project
	Due on receipt	

Quantity	Description	Rate	Amount
1	Monthly Lawn Maintenance per original contract - November 2016 - Poinciana West CDD	4,904.37	4,904.37
	Billing for Augut 2023		
<p>RECEIVED JUL 26 2023</p>			
Thank you for your business.		Total	\$4,904.37

Corporate Office	Solivita Fax	E-mail	Web Site
(863) 668-0494	(863) 225-9565	info@floralawn.com	www.floralawn.com



Invoice Number 8-210-20268	Invoice Date Aug 01, 2023	Account Number 7630-6931-1	Page 1 of 2
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FedEx Tax ID: 71-0427007

Billing Address:
POINCIANA WEST CDD
6200 LEE VISTA BLVD STE 300
ORLANDO FL 32822-5149

Shipping Address:
POINCIANA WEST CDD
POINCIANA WEST CDD
ORLANDO FL 32801

Invoice Questions?
Contact FedEx Revenue Services
Phone: 800.645.9424
M-F 7-5 (CST)
Internet: fedex.com/usgovt

Invoice Summary

FedEx Express Services

Total Charges	USD	\$6.48
TOTAL THIS INVOICE	USD	\$6.48

Other discounts may apply.

To pay your FedEx invoice, please go to www.fedex.com/payment. Thank you for using FedEx.

Account Summary as of Aug 01, 2023

Previous Balance	70.86
Payments	0.00
Adjustments	0.00
New Charges	6.48
New Account Balance	\$77.34



Detailed descriptions of surcharges can be located at fedex.com

To ensure proper credit, please return this portion with your payment to FedEx. Please do not staple or fold. Please make check payable to FedEx.

Invoice Number 8-210-20268	Invoice Amount USD \$6.48	Account Number 7630-6931-1	Account Balance USD \$77.34
--------------------------------------	-------------------------------------	--------------------------------------	---------------------------------------

Remittance Advice

Your payment is due by Sep 15, 2023

821020268800000064867630693112000007734700000064860

RECEIVED
AUG 08 2023

0021156 01 AB 0.507 **AUTO T3 0 1212 32822-514975 -C01-P21177-11



POINCIANA WEST CDD
6200 LEE VISTA BLVD STE 300

ORLANDO FL 32822-5149



FedEx
P.O. Box 371461
Pittsburgh PA 15250-7461



63329120017093

Invoice Number 8-210-20268	Invoice Date Aug 01, 2023	Account Number 7630-6931-1	Page 2 of 2
--------------------------------------	-------------------------------------	--------------------------------------	----------------

FedEx Express Shipment Detail By Payer Type (Original)

Ship Date: Jul 27, 2023 **Cust. Ref.:** RTS 772733379950 **Ref.#2:**
Payer: Third Party **Ref.#3:**

- Fuel Surcharge - FedEx has applied a fuel surcharge of 14.75% to this shipment.
- Distance Based Pricing, Zone 2
- Package Delivered to Recipient Address - Release Authorized

Automation	CAFE	Sender	Recipient
Tracking ID	637776875832	HUGH HAGIN	GMS CF LLC
Service Type	FedEx Express Saver	950 BENNET RD	219 E LIVINGSTONE ST
Package Type	FedEx Pak	ORLANDO FL 32803 US	ORLANDO FL 32801 US

Zone	02		
Packages	1		
Rated Weight	2.0 lbs, 0.9 kgs		
Delivered	Jul 28, 2023 09:20	Transportation Charge	6.06
Svc Area	A1	Fuel Surcharge	0.42
Signed by	see above	Third Party Billing	0.00
FedEx Use	000000000/163928/02	Total Charge	USD \$6.48

Third Party Subtotal	USD	\$6.48
Total FedEx Express	USD	\$6.48



FedEx® Billing Online

FedEx Billing Online allows you to efficiently manage and pay your FedEx invoices online. It's free, easy and secure. FedEx Billing Online helps you streamline your billing process. With all your FedEx shipping information available in one secure online location, you never have to worry about misplacing a paper invoice or sifting through reams of paper to find information for past shipments. Go to fedex.com to sign up today!



INVOICE

Orlando
618 E. South Street, Suite 700
Orlando, FL 32801

T 407.423.8398
F 407.843.1070

Tricia Adams
Governmental Management Services
6200 Lee Vista Blvd Ste 300
Orlando, FL 32822

August 04, 2023
Project No: A171207.00
Invoice No: 2191569

Project A171207.00 Poinciana West Community Development District Engineering Services

Professional Services Through July 22, 2023

Task 008 2023 General Support

Professional Personnel

	Hours	Rate	Amount	
Principal				
Leo, Kathleen	1.50	300.00	450.00	
Totals	1.50		450.00	
Total Labor				450.00
				Total this Task
				\$450.00

Task 009 Pond Turnover

Professional Personnel

	Hours	Rate	Amount	
Principal				
Leo, Kathleen	1.00	300.00	300.00	
Totals	1.00		300.00	
Total Labor				300.00
				Total this Task
				\$300.00
				Total this Invoice
				\$750.00

Project A171207.00 Poinciana West Community Development Dis Invoice 2191569

Billing Backup

Friday, August 4, 2023

GAI Consultants, Inc.

Invoice 2191569 Dated 8/4/2023

9:10:39 AM

Project A171207.00 Poinciana West Community Development District Engineering Services

Task 008 2023 General Support

Professional Personnel

			Hours	Rate	Amount		
Principal							
04136	Leo, Kathleen meetings	7/19/2023	1.50	300.00	450.00		
	Totals		1.50		450.00		
	Total Labor						450.00
						Total this Task	\$450.00

Task 009 Pond Turnover

Professional Personnel

			Hours	Rate	Amount		
Principal							
04136	Leo, Kathleen calls on acquisition	7/13/2023	1.00	300.00	300.00		
	Totals		1.00		300.00		
	Total Labor						300.00
						Total this Task	\$300.00
						Total this Project	\$750.00
						Total this Report	\$750.00

CHECK REQUEST FORM

DISTRICT/ASSOCIATION: Poinciana West CDD **DATE:** 8/8/23

PAYABLE TO: Poinciana West CDD c/o USBank

AMOUNT REQUESTED: \$12,335.70

REQUESTED BY: Katie Costa

ACCOUNT # 001-300-207-100

DESCRIPTION OF NEED: FY23 Debt Service Assessments

Poinciana West
Community Development District
Special Assessment Receipts
Fiscal Year 2023

MAINTENANCE ASSESSMENTS

Gross Assessments \$ 309,892.74
 Certified Net Assessments \$ 288,200.25

100.00%

Date	Distribution	Gross Assessments				Net Assessments	
		Received	Discounts/Penalties	Commissions Paid	Interest Income	Received	General Fund
11/10/22	10/21/22	\$4,132.79	(\$203.19)	(\$78.59)	\$0.00	\$3,851.01	\$3,851.01
11/16/22	10/1/22-10/31/22	\$5,597.10	(\$223.80)	(\$107.47)	\$0.00	\$5,265.83	\$5,265.83
11/21/22	11/1/22-11/6/22	\$26,866.08	(\$1,074.24)	(\$515.83)	\$0.00	\$25,276.01	\$25,276.01
11/25/22	11/7/22-11/13/22	\$24,813.81	(\$992.18)	(\$476.43)	\$0.00	\$23,345.20	\$23,345.20
12/12/22	11/14/22-11/23/22	\$83,023.65	(\$3,319.70)	(\$1,594.08)	\$0.00	\$78,109.87	\$78,109.87
12/21/22	11/24/22-11/30/22	\$122,763.06	(\$4,908.68)	(\$2,357.09)	\$0.00	\$115,497.29	\$115,497.29
12/23/22	12/1/22-12/15/22	\$9,726.46	(\$538.28)	(\$183.76)	\$0.00	\$9,004.42	\$9,004.42
01/13/23	12/16/22-12/31/22	\$9,907.27	(\$302.94)	(\$192.09)	\$0.00	\$9,412.24	\$9,412.24
02/16/23	01/01/23-01/31/23	\$8,072.89	(\$173.12)	(\$158.00)	\$0.00	\$7,741.77	\$7,741.77
03/17/23	2/1/23-2/28/23	\$2,985.12	(\$33.64)	(\$59.03)	\$0.00	\$2,892.45	\$2,892.45
04/11/23	3/1/23-3/31/23	\$8,094.48	\$0.00	(\$161.89)	\$0.00	\$7,932.59	\$7,932.59
05/11/23	4/1/23-4/30/23	\$2,927.27	\$0.00	(\$58.54)	\$0.00	\$2,868.73	\$2,868.73
05/24/23	10/1/22-3/31/23	\$0.00	\$0.00	\$0.00	\$497.10	\$497.10	\$497.10
						\$0.00	\$0.00
						\$0.00	\$0.00
						\$0.00	\$0.00
Total Collected		\$ 308,909.98	\$ (11,769.77)	\$ (5,942.80)	\$ 497.10	\$ 291,694.51	\$ 291,694.51
Percentage Collected							101%

DEBT SERVICE ASSESSMENTS

Gross Assessments \$ 1,108,826.70
 Certified Net Assessments \$ 1,031,208.83

100%

Date	Distribution	Gross Assessments				Net Assessments	
		Received	Discounts/Penalties	Commissions Paid	Interest Income	Received	Debt Service Fund
11/10/22	10/22/22	\$15,208.84	(\$747.88)	(\$289.22)	\$0.00	\$14,171.74	\$14,171.74
11/16/22	10/1/22-10/31/22	\$17,851.08	(\$713.99)	(\$342.74)	\$0.00	\$16,794.35	\$16,794.35
11/21/22	11/1/22-11/6/22	\$91,315.14	(\$3,652.24)	(\$1,753.26)	\$0.00	\$85,909.64	\$85,909.64
11/25/22	11/7/22-11/13/22	\$86,509.08	(\$3,460.06)	(\$1,660.98)	\$0.00	\$81,388.04	\$81,388.04
12/12/22	11/14/22-11/23/22	\$297,975.72	(\$11,918.07)	(\$5,721.15)	\$0.00	\$280,336.50	\$280,336.50
12/21/22	11/24/22-11/30/22	\$444,217.26	(\$17,767.17)	(\$8,529.00)	\$0.00	\$417,921.09	\$417,921.09
12/23/22	12/1/22-12/15/22	\$34,420.33	(\$1,926.01)	(\$649.89)	\$0.00	\$31,844.43	\$31,844.43
01/13/23	12/16/22-12/31/22	\$35,772.28	(\$1,093.80)	(\$693.57)	\$0.00	\$33,984.91	\$33,984.91
02/16/23	01/01/23-01/31/23	\$29,708.34	(\$637.14)	(\$581.42)	\$0.00	\$28,489.78	\$28,489.78
03/17/23	2/1/23-2/28/23	\$10,985.28	(\$123.61)	(\$217.23)	\$0.00	\$10,644.44	\$10,644.44
04/11/23	3/1/23-3/31/23	\$29,101.12	\$0.00	(\$582.02)	\$0.00	\$28,519.10	\$28,519.10
05/11/23	4/1/23-4/30/23	\$10,772.46	\$0.00	(\$215.45)	\$0.00	\$10,557.01	\$10,557.01
05/24/23	10/1/22-3/31/23	\$0.00	\$0.00	\$0.00	\$1,778.69	\$1,778.69	\$1,778.69
						\$0.00	\$0.00
						\$0.00	\$0.00
Total Collected		\$ 1,103,836.93	\$ (42,039.97)	\$ (21,235.93)	\$ 1,778.69	\$ 1,042,339.72	\$ 1,042,339.72
Percentage Collected							101%

	Net Amount Assessed	Assessments Collected	Assessments Transferred	Amount To be Trans.
O & M	\$288,200.25	\$ 291,694.51	(\$291,694.51)	\$0.00
Debt Service 2017	\$1,031,208.83	\$ 1,042,339.72	(\$1,030,004.02)	\$ 12,335.70
Total	\$1,319,409.08	\$1,334,034.23	(\$1,321,698.53)	\$12,335.70

TRANSFERS TO DEBT SERVICE 2017		
DATE	CHECK#	AMOUNT
1/26/23	1928	\$928,365.79
3/16/23	1941	\$ 62,474.69
4/26/23	1952	\$ 39,163.54
TOTAL		\$1,030,004.02



Please Remit Payment to:

Solitude Lake Management, LLC
 1320 Brookwood Drive
 Suite H
 Little Rock, AR 72202
 Phone #: (888) 480-5253
 Fax #: (888) 358-0088

INVOICE

Page: 1

Invoice Number: PSI003014
 Invoice Date: 8/1/2023

Bill
 To: Poinciana West Community Dev. Dist.
 135 W. Central Blvd., Suite 320
 Orlando, FL 32801

Ship
 To: Poinciana West Community Dev. Dist.
 135 W. Central Blvd., Suite 320
 Orlando, FL 32801

Ship Via
 Ship Date 8/1/2023
 Due Date 8/31/2023
 Terms Net 30

Customer ID 17634
 P.O. Number
 P.O. Date 8/1/2023
 Our Order No.

Item/Description	Unit	Order Qty	Quantity	Unit Price	Total Price
Annual Maintenance		1	1	4,991.45	4,991.45
August Billing					
8/1/2023 - 8/31/2023					
Poinciana West Community Dev. Dist. 00-01					
Poinciana West Community Dev. Dist. 00-02					
Poinciana West Community Dev. Dist. 00-03					
Poinciana West Community Dev. Dist. 00-04					
Poinciana West Community Dev. Dist. 00-05					
Poinciana West Community Dev. Dist. 00-06					
Poinciana West Community Dev. Dist. 00-07					
Poinciana West Community Dev. Dist. 00-08					
Poinciana West Community Dev. Dist. 00-09					
Poinciana West Community Dev. Dist. 00-10					
Poinciana West Community Dev. Dist. 00-11					
Poinciana West Community Dev. Dist. 00-12					
Poinciana West Community Dev. Dist. 00-13					
Poinciana West Community Dev. Dist. 00-15					
Poinciana West Community Dev. Dist. 00-16					
Poinciana West Community Dev. Dist. 00-16A					
Poinciana West Community Dev. Dist. 00-17					
Poinciana West Community Dev. Dist. 00-18					
Poinciana West Community Dev. Dist. 00-20					
Poinciana West Community Dev. Dist. 00-21					
Poinciana West Community Dev. Dist. 00-22					
Poinciana West Community Dev. Dist. 00-4A					
Poinciana West Community Dev. Dist. 01-01					
Poinciana West Community Dev. Dist. 01-02					
Poinciana West Community Dev. Dist. 01-03					
Poinciana West Community Dev. Dist. 01-04					



Please Remit Payment to:

Solitude Lake Management, LLC
 1320 Brookwood Drive
 Suite H
 Little Rock, AR 72202
 Phone #: (888) 480-5253
 Fax #: (888) 358-0088

INVOICE

Page: 2

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 135 W. Central Blvd., Suite 320
 Orlando, FL 32801

Ship Via
 Ship Date 8/1/2023
 Due Date 8/31/2023
 Terms Net 30

Customer ID 17634
 P.O. Number
 P.O. Date 8/1/2023
 Our Order No.

Item/Description	Unit	Order Qty	Quantity	Unit Price	Total Price
Poinciana West Community Dev. Dist. 01-05					
Poinciana West Community Dev. Dist. 01-06					
Poinciana West Community Dev. Dist. 01-07					
Poinciana West Community Dev. Dist. 01-08					
Poinciana West Community Dev. Dist. 01-09					
Poinciana West Community Dev. Dist. 0P-01					
Poinciana West Community Dev. Dist. 0P-02					
Poinciana West Community Dev. Dist. 0P-03					
Poinciana West Community Dev. Dist. 0P-04					
Poinciana West Community Dev. Dist. 0P-05					
Poinciana West Community Dev. Dist. 0P-06					

Amount Subject to Sales Tax 0.00
 Amount Exempt from Sales Tax 4,991.45

Subtotal: 4,991.45
 Invoice Discount: 0.00
 Total Sales Tax: 0.00
 Payment Amount: 0.00
Total: 4,991.45

LOCALiQ

FLORIDA

ACCOUNT NAME		ACCOUNT #	PAGE #
Poinciana West Cdd		534838	Page 182 of 241
INVOICE #	BILLING PERIOD	PAYMENT DUE DATE	
0005748294	Jul 1- Jul 31, 2023	August 20, 2023	
PREPAY (Memo Info)	UNAPPLIED (included in amt due)	TOTAL CASH AMT DUE*	
\$0.00	\$0.00	\$1,224.93	

BILLING ACCOUNT NAME AND ADDRESS

Poinciana West Cdd
6200 Lee Vista Blvd. Ste. 300
Orlando, FL 32822-5149



Legal Entity: Gannett Media Corp.
Terms and Conditions: Past due accounts are subject to interest at the rate of 18% per annum or the maximum legal rate (whichever is less). Advertiser claims for a credit related to rates incorrectly invoiced or paid must be submitted in writing to Publisher within 30 days of the invoice date or the claim will be waived. Any credit towards future advertising must be used within 30 days of issuance or the credit will be forfeited.
 All funds payable in US dollars.

BILLING INQUIRIES/ADDRESS CHANGES 1-877-736-7612 or smb@ccc.gannett.com **FEDERAL ID** 47-2390983

To sign-up for E-mailed invoices and online payments please contact abgspecial@gannett.com. Previous account number: **CFL_758309**

Date	Description	Amount
7/1/23	Balance Forward	\$1,252.61
7/7/23	PAYMENT - THANK YOU	-\$426.31
7/17/23	PAYMENT - THANK YOU	-\$431.10
7/31/23	Finance Charge	\$5.75

Package Advertising:

Start-End Date	Order Number	Description	PO Number	Package Cost
6/29/23-7/6/23	8982965	Legal		\$823.98

RECEIVED

AUG 15 2023

RECEIVED

By Apple at 2:55 pm, Aug 15, 2023

As an incentive for customers, we provide a discount off the total invoice cost equal to the 3.99% service fee if you pay with Cash/Check/ACH. Pay by Cash/Check/ACH and Save!

Total Cash Amount Due	\$1,224.93
Service Fee 3.99%	\$48.87
*Cash/Check/ACH Discount	-\$48.87
*Payment Amount by Cash/Check/ACH	\$1,224.93
Payment Amount by Credit Card	\$1,273.80

PLEASE DETACH AND RETURN THIS PORTION WITH YOUR PAYMENT

ACCOUNT NAME		ACCOUNT NUMBER		INVOICE NUMBER		AMOUNT PAID
Poinciana West Cdd		534838		0005748294		
CURRENT DUE	30 DAYS PAST DUE	60 DAYS PAST DUE	90 DAYS PAST DUE	120+ DAYS PAST DUE	UNAPPLIED PAYMENTS	TOTAL CASH AMT DUE*
\$829.73	\$11.71	\$383.49	\$0.00	\$0.00	\$0.00	\$1,224.93
REMITTANCE ADDRESS (Include Account# & Invoice# on check)				TO PAY WITH CREDIT CARD PLEASE FILL OUT BELOW:		TOTAL CREDIT CARD AMT DUE
CA Florida Holdings, LLC PO Box 631244 Cincinnati, OH 45263-1244				<input type="checkbox"/> VISA <input type="checkbox"/> MASTERCARD <input type="checkbox"/> DISCOVER <input type="checkbox"/> AMEX		\$1,273.80
				Card Number _____		
				Exp Date ____/____/____	CVV Code _____	
				Signature _____		Date _____

0000534838000000000000000057482940012249367177

LOCALIQ

The Gainesville Sun | The Ledger
Daily Commercial | Ocala StarBanner
News Chief | Herald-Tribune

PO Box 631244 Cincinnati, OH 45263-1244

PROOF OF PUBLICATION

Poinciana West Cdd
Poinciana West Cdd
6200 Lee Vista BLVD # 300
Orlando FL 32822-5149

STATE OF WISCONSIN, COUNTY OF BROWN

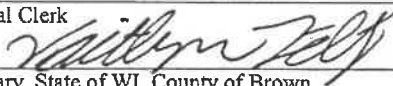
Before the undersigned authority personally appeared, who on oath says that he or she is the Legal Coordinator of The Ledger-News Chief, published in Polk County, Florida; that the attached copy of advertisement, being a Public Notices, was published on the publicly accessible website of Polk County, Florida, or in a newspaper by print in the issues of, on:

06/29/2023, 07/06/2023

Affiant further says that the website or newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.

Subscribed and sworn to before me, by the legal clerk, who is personally known to me, on 07/06/2023

Legal Clerk



Notary, State of WI, County of Brown

3/7/27

My commission expires

Publication Cost: \$823.98

Order No: 8982965

Customer No: 534838

of Copies:

1

PO #:

THIS IS NOT AN INVOICE!

Please do not use this form for payment remittance.

POINCIANA WEST COMMUNITY DEVELOPMENT DISTRICT NOTICE OF PUBLIC HEARING TO CONSIDER THE ADOPTION OF THE FISCAL YEAR 2023/2024 BUDGET; AND NOTICE OF REGULAR BOARD OF SUPERVISORS MEETING.

The Board of Supervisors ("Board") of the Poinciana West Community Development District ("District") will hold a public hearing on July 19, 2023 at 9:00 a.m. at Starlite Ballroom, 384 Village Drive, Poinciana, Florida 34739, for the purpose of hearing comments and objections on the adoption of the proposed budget ("Proposed Budget") of the District for the fiscal year beginning October 1, 2023 and ending September 30, 2024 ("Fiscal Year 2023/2024"). A regular board meeting of the District will also be held at that time where the Board may consider any other business that may properly come before it. A copy of the agenda and Proposed Budget may be obtained at the offices of the District Manager, Governmental Management Services - Central Florida, LLC, 219 East Livingston Street, Orlando, Florida 32801, (407) 841-5524 ("District Manager's Office"), during normal business hours, or by visiting the District's website at <https://poincianaocdd.org>. The public hearing and meeting are open to the public and will be conducted in accordance with the provisions of Florida law. The public hearing and meeting may be continued to a date, time, and place to be specified on the record at the meeting. There may be occasions when Board Supervisors or District Staff may participate by speaker telephone.

The District recommends that any member of the public interested in listening to and participating in the meeting remotely do so by logging into Zoom via their computer at <https://zoom.us/j/94240027437> and entering the meeting ID of 942 4002 7437 or by dialing in telephonically at (407) 876-9923 and entering the meeting ID of 942 4002 7437. Questions and comments can be submitted to the District Manager at tdadams@omscfl.com by Tuesday, July 18, 2023 at 3:00 p.m. in advance of the meeting to facilitate the Board's consideration and/or discussion of such questions and comments during the meeting.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the District Manager's 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 1-800-955-8771 (TTY) / 1-800-955-8770 (Voice), for aid in contacting the District Manager's Office.

Each person who decides to appeal any decision made by the Board with respect to any matter considered at the public hearing or meeting is advised that person will need a record of 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.

Tricia L. Adams
Governmental Management Services - Central Florida, LLC
District Manager
June 29, July 6, 2023 8982965

RECEIVED

JUL 19 2023

KAITLYN FELTY
Notary Public
State of Wisconsin



INVOICE

TOLL-FREE: 800-323-5727

PHONE: 630-894-2000

AR Email: accountsreceivable@clarke.com,

AR Dept. Ext.: 3139

Payment Instructions: Clarke Environmental Mosquito Management, Inc.
ACH Banking: Bank of America - Account: 8666607231 - Routing: 071000039
Payment Online: Visit our website at <https://www.clarke.com/billpay>
Paper Check: 16300 Collections Center Drive, Chicago, IL 60693

Customer #: P07800
Customer PO #: N/A

Invoice #: 001030854
Invoice Date: 08/15/23
Terms: Net 30 Days
Due Date: 09/14/23

B
I
L
L
L
T
O
Poinciana West Community Dev. Dist.
6200 Lee Vista Blvd.
Suite 300
Orlando, FL 32822-5149
Stacie Vanderfilt

Agreement no 1000002502 Consultant Cherrief Jackson

Description	Total
CLARKE ENVIRONMENTAL MOSQUITO MANAGEMENT SERVICE	
W9's can be found on our website at www.clarke.com	
Service Aug 2023	
Order total	2,144.97

RECEIVED
By Apple at 10:02 am, Aug 16, 2023

Clarke Environmental Mosquito Management, Inc. is a Clarke Company

** Fraud Alert: Our banking details have not changed. Please call 800-323-5727 x3139 if you are asked to change banking information.	Total:	2,144.97
---	---------------	----------

Clarke will charge applicable sales taxes unless a valid exemption certificate is Emailed to: accountsreceivable@clarke.com or faxed to: 630-672-7439

GMS-Central Florida, LLC

1001 Bradford Way
Kingston, TN 37763

Invoice

Invoice #: 159
Invoice Date: 8/1/23
Due Date: 8/1/23
Case:
P.O. Number:

Bill To:

Poinciana West CDD
219 E. Livingston St.
Orlando, FL 32801

Description	Hours/Qty	Rate	Amount
Management Fees - August 2023		3,333.33	3,333.33
Website Administration - August 2023		68.75	68.75
Information Technology - August 2023		103.17	103.17
Dissemination Agent Services - August 2023		291.67	291.67
Office Supplies		20.15	20.15
Postage		29.39	29.39
Total			\$3,846.46
Payments/Credits			\$0.00
Balance Due			\$3,846.46

GMS-Central Florida, LLC

1001 Bradford Way
Kingston, TN 37763

Invoice

Invoice #: 160
Invoice Date: 8/1/23
Due Date: 8/1/23
Case:
P.O. Number:

Bill To:

Poinciana West CDD
219 E. Livingston St.
Orlando, FL 32801

Description	Hours/Qty	Rate	Amount
Field Management - August 2023		858.33	858.33
Total			\$858.33
Payments/Credits			\$0.00
Balance Due			\$858.33

Polk County Property Appraiser

MARSHA FAUX PROPERTY APPRAISER
 255 N WILSON AVE
 BARTOW FL 33830-3951
 Phone: (863)534-4775

INVOICE: 4652031

***** CUSTOMER *****

POINCIANA WEST CDD
 1408 HAMLIN AVE UNIT E
 ST CLOUD FL 34771

Invoice Date	Due Date	Ship Via	FOB	Terms	Reference	
08/09/2023	08/09/2023			Net Upon Rpt	1% ADM FEE	
Contact		Customer No	Phone	Fax	For	
Darrin Mossing Jr		458	(407)347-4103		1% ADMIN FEE	
Quantity	UOM	Description			Unit Price	Extended
1.00	EA	POINCIANA WEST CDD DEBT 1% ADMIN FEE			11,074.5400	11,074.54
					SUBTOTAL:	11,074.54
					TOTAL DUE:	11,074.54

Detach and Return With Payment

Send Payment To:

Invoice: 4652031
 Customer: 458
 POINCIANA WEST CDD
 1408 HAMLIN AVE UNIT E
 ST CLOUD FL 34771

Polk County Property Appraiser
 MARSHA FAUX PROPERTY APPRAISER
 255 N WILSON AVE
 BARTOW FL 33830-3951

TOTAL DUE: \$11,074.54
 AMOUNT PAID: _____

Polk County Property Appraiser

MARSHA FAUX PROPERTY APPRAISER
 255 N WILSON AVE
 BARTOW FL 33830-3951
 Phone: (863)534-4775

INVOICE: 4652032

***** CUSTOMER *****

POINCIANA WEST CDD
 1408 HAMLIN AVE UNIT E
 ST CLOUD FL 34771

Invoice Date	Due Date	Ship Via	FOB	Terms	Reference	
08/09/2023	08/09/2023			Net Upon Rpt	1% ADM FEE	
Contact		Customer No	Phone	Fax	For	
Darrin Mossing Jr		458	(407)347-4103		1% ADMIN FEE	
Quantity	UOM	Description			Unit Price	Extended
1.00	EA	POINCIANA WEST CDD MAINT 1% ADMIN FEE			3,098.9300	3,098.93
					SUBTOTAL:	3,098.93
					TOTAL DUE:	3,098.93

Detach and Return With Payment

Send Payment To:

Invoice: 4652032
 Customer: 458
 POINCIANA WEST CDD
 1408 HAMLIN AVE UNIT E
 ST CLOUD FL 34771

Polk County Property Appraiser
 MARSHA FAUX PROPERTY APPRAISER
 255 N WILSON AVE
 BARTOW FL 33830-3951

TOTAL DUE: \$3,098.93
 AMOUNT PAID: _____

CHECK REQUEST FORM

DISTRICT/ASSOCIATION: Poinciana West CDD

DATE: 7/12/23

PAYABLE TO: State Board of Administration #42

AMOUNT REQUESTED: \$300,000.00

REQUESTED BY: Katie Costa

ACCOUNT # 001-300-101-101

DESCRIPTION OF NEED: Transfer Funds to SBA

SECTION II

Poinciana West
Community Development District

Unaudited Financial Reporting
August 31, 2023



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Poinciana West
Community Development District
Combined Balance Sheet
August 31, 2023

	<i>General Fund</i>	<i>Debt Service Fund</i>	<i>Totals Governmental Funds</i>
Assets:			
Cash			
Operating Account	\$ 23,483	\$ -	\$ 23,483
Money Market Account	\$ 198,957	\$ -	\$ 198,957
SBA	\$ 503,483	\$ -	\$ 503,483
Investments			
Series 2017R-1 & R-2			
Reserve R-1	\$ -	\$ 393,711	\$ 393,711
Reserve R-2	\$ -	\$ 122,252	\$ 122,252
Revenue	\$ -	\$ 274,755	\$ 274,755
Prepayment R-1	\$ -	\$ 558	\$ 558
Prepayment R-2	\$ -	\$ 2,945	\$ 2,945
Due from Debt Service	\$ 6,336	\$ -	\$ 6,336
Due from Other	\$ 2,145	\$ -	\$ 2,145
Total Assets	\$ 734,404	\$ 794,221	\$ 1,528,625
Liabilities:			
Accounts Payable	\$ 2,422	\$ -	\$ 2,422
Due to General Fund	\$ -	\$ 6,336	\$ 6,336
Total Liabilities	\$ 2,422	\$ 6,336	\$ 8,759
Fund Balance:			
Restricted for:			
Debt Service	\$ -	\$ 787,885	\$ 787,885
Unassigned	\$ 731,981	\$ -	\$ 731,981
Total Fund Balances	\$ 731,981	\$ 787,885	\$ 1,519,866
Total Liabilities & Fund Balance	\$ 734,404	\$ 794,221	\$ 1,528,625

Poinciana West
Community Development District
General Fund
Statement of Revenues, Expenditures, and Changes in Fund Balance
For The Period Ending August 31, 2023

	Adopted Budget	Prorated Budget Thru 08/31/23	Actual Thru 08/31/23	Variance
Revenues:				
Assessments - Tax Roll	\$ 291,294	\$ 291,294	\$ 292,982	\$ 1,688
Interest	\$ 500	\$ 458	\$ 8,428	\$ 7,970
Property Conveyance Fees	\$ 15,000	\$ 15,000	\$ 15,000	\$ -
Miscellaneous Revenue	\$ -	\$ -	\$ 314	\$ 314
Total Revenues	\$ 306,794	\$ 306,752	\$ 316,724	\$ 9,972
Expenditures:				
General & Administrative:				
Supervisors Fees	\$ 6,000	\$ 5,500	\$ 2,400	\$ 3,100
FICA Expense	\$ 459	\$ 421	\$ 184	\$ 237
Engineering	\$ 15,000	\$ 13,750	\$ 4,515	\$ 9,235
Engineering - Property Conveyance	\$ 7,500	\$ 6,875	\$ -	\$ 6,875
Attorney	\$ 20,000	\$ 18,333	\$ 7,379	\$ 10,954
Attorney - Property Conveyance	\$ 7,500	\$ 6,875	\$ 2,356	\$ 4,519
Arbitrage	\$ 450	\$ 450	\$ 450	\$ -
Dissemination	\$ 3,500	\$ 3,208	\$ 3,458	\$ (250)
Annual Audit	\$ 3,410	\$ 3,410	\$ 3,425	\$ (15)
Trustee Fees	\$ 4,256	\$ 4,256	\$ 4,256	\$ -
Assessment Administration	\$ 5,000	\$ 5,000	\$ 5,000	\$ -
Management Fees	\$ 40,000	\$ 36,667	\$ 36,667	\$ 0
Information Technology	\$ 1,238	\$ 1,135	\$ 1,135	\$ (0)
Website Maintenance	\$ 825	\$ 756	\$ 756	\$ -
Telephone	\$ 50	\$ 46	\$ -	\$ 46
Postage	\$ 1,000	\$ 917	\$ 544	\$ 373
Printing & Binding	\$ 800	\$ 733	\$ 581	\$ 152
Insurance	\$ 6,025	\$ 6,025	\$ 3,650	\$ 2,375
Legal Advertising	\$ 2,500	\$ 2,292	\$ 2,199	\$ 93
Other Current Charges	\$ 2,400	\$ 2,200	\$ 819	\$ 1,381
Office Supplies	\$ 200	\$ 183	\$ 37	\$ 146
Property Appraiser	\$ 3,100	\$ 3,100	\$ 3,099	\$ 1
Dues, Licenses & Subscriptions	\$ 175	\$ 175	\$ 175	\$ -
Total General & Administrative:	\$ 131,388	\$ 122,307	\$ 83,085	\$ 39,222

Poinciana West
Community Development District
General Fund
Statement of Revenues, Expenditures, and Changes in Fund Balance
For The Period Ending August 31, 2023

	Adopted Budget	Prorated Budget Thru 08/31/23	Actual Thru 08/31/23	Variance
<i>Operations & Maintenance</i>				
Field Services	\$ 10,300	\$ 9,442	\$ 9,442	\$ 0
Landscape Maintenance	\$ 63,882	\$ 58,558	\$ 54,166	\$ 4,393
Aquatic Control Maintenance	\$ 64,963	\$ 59,549	\$ 54,906	\$ 4,643
Aquatic Midge Maintenance	\$ 30,000	\$ 27,500	\$ 24,125	\$ 3,375
R&M Plant Replacement	\$ 3,000	\$ 2,750	\$ -	\$ 2,750
Storm Structure Repairs	\$ 10,000	\$ 9,167	\$ -	\$ 9,167
Contingency	\$ 20,000	\$ 18,333	\$ 15,410	\$ 2,923
Capital Outlay	\$ 10,000	\$ 9,167	\$ -	\$ 9,167
Total Operations & Maintenance:	\$ 212,144	\$ 194,465	\$ 158,048	\$ 36,418
Total Expenditures	\$ 343,532	\$ 316,773	\$ 241,133	\$ 75,639
Excess (Deficiency) of Revenues over Expenditures	\$ (36,738)		\$ 75,591	
Fund Balance - Beginning	\$ 36,738		\$ 656,390	
Fund Balance - Ending	\$ -		\$ 731,981	

Poinciana West
Community Development District
Debt Service Fund - Series 2017R-1 & 2017R-2
Statement of Revenues, Expenditures, and Changes in Fund Balance
For The Period Ending August 31, 2023

	Adopted Budget	Prorated Budget Thru 08/31/23	Actual Thru 08/31/23	Variance
Revenues:				
Assessments - Tax Roll	\$ 1,042,297	\$ 1,042,297	\$ 1,047,078	\$ 4,781
Interest	\$ -	\$ -	\$ 2,755	\$ 2,755
Total Revenues	\$ 1,042,297	\$ 1,042,297	\$ 1,049,833	\$ 7,536
Expenditures:				
Property Appraiser	\$ 11,200	\$ 11,200	\$ 11,075	\$ 125
Series 2017R-1				
Interest - 11/1	\$ 171,789	\$ 171,789	\$ 171,789	\$ -
Special Call - 11/1	\$ -	\$ -	\$ 20,000	\$ (20,000)
Principal - 5/1	\$ 435,000	\$ 435,000	\$ 435,000	\$ -
Interest - 5/1	\$ 171,789	\$ 171,789	\$ 171,381	\$ 408
Series 2017R-2				
Interest - 11/1	\$ 62,272	\$ 62,272	\$ 62,272	\$ -
Special Call - 11/1	\$ -	\$ -	\$ 5,000	\$ (5,000)
Principal - 5/1	\$ 100,000	\$ 100,000	\$ 100,000	\$ -
Interest - 5/1	\$ 62,272	\$ 62,272	\$ 62,129	\$ 143
Special Call - 5/1	\$ -	\$ -	\$ 40,000	\$ (40,000)
Total Expenditures	\$ 1,014,323	\$ 1,014,323	\$ 1,078,646	\$ (64,324)
Excess (Deficiency) of Revenues over Expenditures	\$ 27,975		\$ (28,814)	
Fund Balance - Beginning	\$ 285,740		\$ 816,699	
Fund Balance - Ending	\$ 313,715		\$ 787,885	

Poinciana West
Community Development District
Month to Month

	Oct	Nov	Dec	Jan	Feb	March	April	May	June	July	Aug	Sept	Total
Revenues:													
Assessments - Tax Collector	\$ -	\$ 57,738	\$ 202,612	\$ 9,412	\$ 7,742	\$ 2,892	\$ 7,933	\$ 3,366	\$ 1,276	\$ 12	\$ -	\$ -	\$ 292,982
Interest	\$ 43	\$ 42	\$ 49	\$ 52	\$ 41	\$ 45	\$ 44	\$ 719	\$ 1,601	\$ 2,571	\$ 3,222	\$ -	\$ 8,428
Property Conveyance Fees	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 15,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 15,000
Miscellaneous Revenue	\$ -	\$ 96	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 218	\$ -	\$ -	\$ -	\$ 314
Total Revenues	\$ 43	\$ 57,877	\$ 202,660	\$ 9,464	\$ 7,783	\$ 2,938	\$ 22,976	\$ 4,085	\$ 3,094	\$ 2,583	\$ 3,222	\$ -	\$ 316,724
Expenditures:													
General & Administrative:													
Supervisors Fees	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,000	\$ 600	\$ -	\$ 800	\$ -	\$ -	\$ 2,400
FICA Expense	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 77	\$ 46	\$ -	\$ 61	\$ -	\$ -	\$ 184
Engineering	\$ 300	\$ 150	\$ -	\$ -	\$ -	\$ 900	\$ -	\$ 2,415	\$ -	\$ 750	\$ -	\$ -	\$ 4,515
Engineering - Property Conveyance	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Attorney	\$ 248	\$ 1,194	\$ 310	\$ -	\$ 403	\$ 1,362	\$ -	\$ 2,777	\$ -	\$ 1,085	\$ -	\$ -	\$ 7,379
Attorney - Property Conveyance	\$ 93	\$ 279	\$ -	\$ 62	\$ -	\$ 744	\$ -	\$ -	\$ -	\$ -	\$ 1,178	\$ -	\$ 2,356
Arbitrage	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 450	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 450
Dissemination	\$ 292	\$ 292	\$ 292	\$ 292	\$ 292	\$ 292	\$ 542	\$ 292	\$ 292	\$ 292	\$ 292	\$ -	\$ 3,458
Annual Audit	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 3,425	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 3,425
Trustee Fees	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 4,256	\$ -	\$ -	\$ -	\$ -	\$ 4,256
Assessment Administration	\$ 5,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 5,000
Management Fees	\$ 3,333	\$ 3,333	\$ 3,333	\$ 3,333	\$ 3,333	\$ 3,333	\$ 3,333	\$ 3,333	\$ 3,333	\$ 3,333	\$ 3,333	\$ -	\$ 36,667
Information Technology	\$ 103	\$ 103	\$ 103	\$ 103	\$ 103	\$ 103	\$ 103	\$ 103	\$ 103	\$ 103	\$ 103	\$ -	\$ 1,135
Website Maintenance	\$ 69	\$ 69	\$ 69	\$ 69	\$ 69	\$ 69	\$ 69	\$ 69	\$ 69	\$ 69	\$ 69	\$ -	\$ 756
Telephone	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Postage	\$ 1	\$ 82	\$ 212	\$ (9)	\$ 9	\$ 16	\$ 3	\$ 90	\$ 9	\$ 102	\$ 29	\$ -	\$ 544
Printing & Binding	\$ 231	\$ -	\$ 45	\$ 1	\$ -	\$ 4	\$ 170	\$ -	\$ 130	\$ -	\$ -	\$ -	\$ 581
Insurance	\$ 3,650	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 3,650
Legal Advertising	\$ -	\$ 426	\$ -	\$ -	\$ -	\$ 516	\$ -	\$ 426	\$ -	\$ 830	\$ -	\$ -	\$ 2,199
Other Current Charges	\$ 347	\$ 131	\$ 138	\$ 100	\$ 103	\$ 98	\$ 109	\$ (321)	\$ 109	\$ 32	\$ (29)	\$ -	\$ 819
Office Supplies	\$ 15	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 20	\$ -	\$ 37
Property Appraiser	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 3,099	\$ -	\$ 3,099
Dues, Licenses & Subscriptions	\$ 175	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 175
Total General & Administrative:	\$ 13,856	\$ 6,060	\$ 4,502	\$ 3,951	\$ 4,312	\$ 7,887	\$ 8,831	\$ 14,087	\$ 4,046	\$ 7,458	\$ 8,095	\$ -	\$ 83,085

Poinciana West
Community Development District
Month to Month

	Oct	Nov	Dec	Jan	Feb	March	April	May	June	July	Aug	Sept	Total
<i>Operation and Maintenance</i>													
Field Services	\$ 858	\$ 858	\$ 858	\$ 858	\$ 858	\$ 858	\$ 858	\$ 858	\$ 858	\$ 858	\$ 858	\$ -	\$ 9,442
Landscape Maintenance	\$ 4,977	\$ 4,977	\$ 4,977	\$ 4,904	\$ 4,904	\$ 4,904	\$ 4,904	\$ 4,904	\$ 4,904	\$ 4,904	\$ 4,904	\$ -	\$ 54,166
Aquatic Control Maintenance	\$ 4,991	\$ 4,991	\$ 4,991	\$ 4,991	\$ 4,991	\$ 4,991	\$ 4,991	\$ 4,991	\$ 4,991	\$ 4,991	\$ 4,991	\$ -	\$ 54,906
Aquatic Midge Maintenance	\$ 2,675	\$ 2,145	\$ 2,145	\$ 2,145	\$ 2,145	\$ 2,145	\$ 2,145	\$ 2,145	\$ 2,145	\$ 2,145	\$ 2,145	\$ -	\$ 24,125
R&M Plant Replacement	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Storm Structure Repairs	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Contingency	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 15,410	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 15,410
Capital Outlay	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Operations & Maintenance:	\$ 13,502	\$ 12,972	\$ 12,972	\$ 12,899	\$ 12,899	\$ 28,309	\$ 12,899	\$ 12,899	\$ 12,899	\$ 12,899	\$ 12,899	\$ -	\$ 158,048
Total Expenditures	\$ 27,358	\$ 19,031	\$ 17,473	\$ 16,851	\$ 17,212	\$ 36,197	\$ 21,730	\$ 26,986	\$ 16,945	\$ 20,357	\$ 20,994	\$ -	\$ 241,133
Excess (Deficiency) of Revenues over Expenditures	\$ (27,314)	\$ 38,845	\$ 185,187	\$ (7,386)	\$ (9,429)	\$ (33,259)	\$ 1,247	\$ (22,902)	\$ (13,850)	\$ (17,775)	\$ (17,772)	\$ -	\$ 75,591

SECTION D



Poinciana West Community Development District



July 19, 2023

Clayton Smith - Field Services Manager

GMS

Site Items

Contracted Services



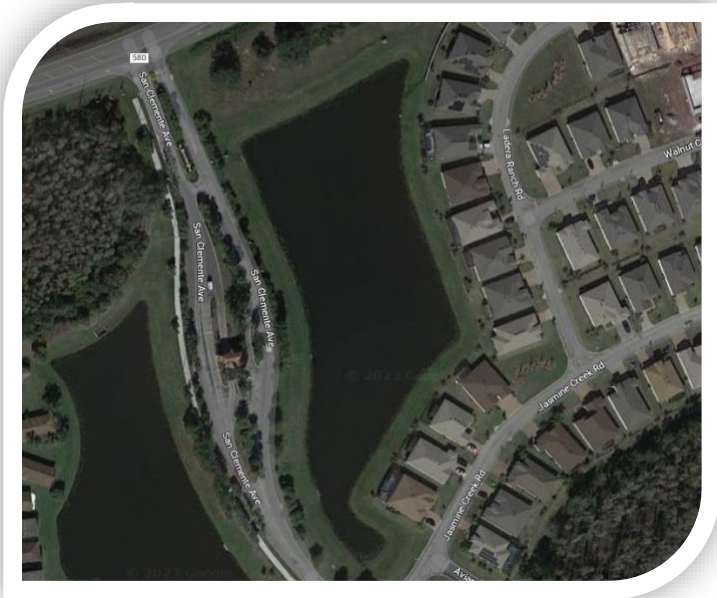
- ✚ Contracted services for aquatic maintenance and landscape maintenance appear to be performing satisfactorily.
- ✚ Ponds were inspected to be mostly free from algae and other issues.
- ✚ Ponds are being mowed at contracted intervals and the vendor is trimming the edge when needed due to wet conditions.
- ✚ The dry ponds were recently serviced and are in good shape.
- ✚ There are some minor items being worked on by the vendors such as some algae in areas and edge grasses.
- ✚ Lastly midge activity appears to be minimal.

Conveyance 19A/19B



- ✚ Ponds were reviewed.
- ✚ The ponds being considered for conveyance appear to be in good condition.
- ✚ They both already have the presence of beneficial aquatics.
- ✚ There is some minor algae present on the ponds.
- ✚ Ponds are ready for turnover from a maintenance and operations standpoint.
- ✚ There is some fencing located on the tracks that appears to be connected to community security and don't serve a purpose for stormwater management.

Midge Management – Pond 15



- + Data indicates pond 15 has received several complaints over the last year.
- + Consider adding to midge contract.
- + No recent complaints.

Conclusion

For any questions or comments regarding the above information, please contact me by phone at 407-201-1514, or by email at csmith@gmscfl.com. Thank you.

Respectfully,
Clayton Smith

SECTION I



Restoring Balance. Enhancing Beauty.

Customer #: 17634

Property Name: Poinciana West Community Dev. Dist.

Notice of 2023 Budget

Hello :

Thank you for your budget request inquiry.

Contract Effective Date: October 1, 2023 through September 30, 2024

- Your contract will renew at an estimated 3% increase. Please use this as an estimated budget. for the following:

\$5,569.63 Monthly

\$66,835.52 Annually

An updated renewal contract will be prepared for your signature and sent to you very soon.

The Company reserves the right to annually increase the amount charged for the services beyond the escalation percentage stated in the TERM AND EXPIRATION above, which shall be communicated by written notice to the Customer, which notice may be by invoice.

We appreciate your business and look forward to another successful year ahead!

Kevin Wilt (DM) / Alan Wilson (OM)

kevin.wilt@solitudelake.com / alan.wilson@solitudelake.com

SECTION II



**Landscape Maintenance Addendum
Poinciana West Community Development District**

September 11, 2023

Poinciana West Community Development District ("Poinciana West CDD") and Floralawn2, LLC mutually desire to enter into this third extension in which Contractor will provide Services (as more specifically described in Agreement) of the original Agreement dated October 1, 2018, on the property known as Poinciana West CDD for a one year term beginning October 1, 2023 (the "Fifth Extension").

Price Increase: An annual price increase for Contractor's Services, related directly to minimum wage increases for employees of Contractor, of three percent (1.5%) will be received by Contractor for the Fourth Extension, beginning with invoicing for Contractor's Services completed during the month of October and each consecutive month thereafter of each of the stated year.

Defined Terms: Capitalized terms used herein and not otherwise defined herein shall have the meanings given to them in the original Landscape Service Agreement as further described above.

Contractor:
Floralawn2, LLC, a Florida limited liability company

Association:
Poinciana West CDD

Signature Date

Name: Rob Averitt
Title: President


Signature Date

Print Name

Its

On behalf of the Poinciana West Community
Development District

Exhibit A

			
Exhibit A: Poinciana West CDD October 2023 Price Increases	Current Annual Price as of September 2023 Annual Price	October 2023 Annual Price Increase - 1.5%	October 2023 Annual FY24 Price
Poinciana West CDD	\$58,852.48	\$882.78	\$59,735.23

Contractor

Date

Association

Date

SECTION III



3036 Michigan Ave
Kissimmee, FL 34744
(P) 630.671.3067
(C) 407.212.0892

June 8, 2023

Poinciana West Community Development District
219 E. Livingston Street
Orlando, FL 32801

RE: PWCDD 2023-24 Contract

Dear PWCDD Board Members,

It is truly our pleasure to provide the Poinciana West Community Development District midge control services. On behalf of the entire Clarke team, I would like to thank the Board and Governmental Management Services for your continued business and trust.

In response to the increase in costs of the resources needed to provide service to the community, Clarke is requesting that the current contract be renewed for an additional year with a fee adjustment of 3%. This adjustment brings the current monthly service cost from \$2,144.97 to \$2,209.32, an increase of \$64.35 monthly, totaling an annual increase of \$772.19. Therefore, the yearly cost of \$25,739.66 increases to \$26,511.85.

I have also included a second proposal for your review that includes the addition of Pond 15 which was shown to be a consistent place of midge hatch offs in 2022 based on our service request report.

We have enjoyed being your vendor for many years. Thank you in advance for your consideration, as we look forward to serving Poinciana West Community Development District for years to come.

Sincerely,

Cherrief Jackson
Control Consultant

SECTION 1



Clarke Environmental Mosquito Management, Inc.

2023-24 Midge Service Agreement | Poinciana West Community

Development District, 219 East Livingston Street, Orlando, FL 32801

Part I. General Service

- A. Computer System and Record Keeping Database
- B. Public Relations and Educational Brochures
- C. Midge Hotline Citizen Response – (800) 443-2034
- D. Comprehensive Insurance Coverage Poinciana West Community Development District
- E. Program Consulting and Quality Control Staff
- F. Monthly Operational Reports, Periodic Advisories, and Annual Report
- G. Regulatory compliance on local, state, and federal levels

Part II. Larval Midge Control

- A. Prescription Larval Control will be performed with Natular G30 or other granular larvicide as described in the following sections.
 1. Larval Control: The program provides for backpack pre-hatch treatments of Ponds P-5, P-6, P8, and P9 as needed up to 21 acres. Larval treatments scheduled as needed to maximize effectiveness of aquatic midge control services.

Part III. Adult Midge Control

- A. Adulticiding in mosquito harborage areas:
 1. At least forty (40) scheduled truck and ATV Ultra Low Volume (ULV) treatments of up to 3 miles, of any Poinciana West CDD ponds as needed, with a synthetic pyrethroid insecticide to maximize effectiveness of aquatic midge control services.
 2. Up to 10 backpack barrier treatments as needed to reduce re-infestation using a pyrethroid insecticide for residual control of adult mosquitoes.
- B. Adulticiding Operational Procedures
 1. Notification of community contact.
 2. Weather limit monitoring and compliance.
 3. ULV particle size evaluation.
 4. Insecticide dosage and quality control analysis.

EMM Payment Total Cost for Parts I, II, III

\$26,511.85



Clarke Environmental Mosquito Management, Inc.
2023-24 Midge Service Agreement | Poinciana West Community
Development District, 219 East Livingston Street, Orlando, FL 32801

I. Program Payment Plan: For Parts I, II, III as specified in the 2023-24 Professional Services Cost Outline, the total for the program is \$26,911.85. The payments will be due on according to the payment schedule below. Any additional treatments beyond the core program will be invoiced when the treatment is completed.

II.

PROGRAM PAYMENT PLAN

Month	2023-24
October	\$2,209.32
November	\$2,209.32
December	\$2,209.32
January	\$2,209.32
February	\$2,209.32
March	\$2,209.32
April	\$2,209.32
May	\$2,209.32
June	\$2,209.32
July	\$2,209.32
August	\$2,209.32
September	\$2,209.33
TOTAL	\$26,511.85

III. Approved Contract Period and Agreement

Please check one of the following contract periods:

2023-24 Season

For Poinciana West Community Development District:

Sign Name: _____ Title: _____ Date: _____

For Clarke Environmental Mosquito Management, Inc.:

Name: _____ Title: Control Consultant Date: _____
 Cherrief Jackson

SECTION 2



Clarke Environmental Mosquito Management, Inc.

2023-24 Midge Service Agreement | Poinciana West Community

Development District, 219 East Livingston Street, Orlando, FL 32801

Part I. General Service

- A. Computer System and Record Keeping Database
- B. Public Relations and Educational Brochures
- C. Midge Hotline Citizen Response – (800) 443-2034
- D. Comprehensive Insurance Coverage Poinciana West Community Development District
- E. Program Consulting and Quality Control Staff
- F. Monthly Operational Reports, Periodic Advisories, and Annual Report
- G. Regulatory compliance on local, state, and federal levels

Part II. Larval Midge Control

- A. Prescription Larval Control will be performed with Natular G30 or other granular larvicide as described in the following sections.
 1. Larval Control: The program provides for backpack pre-hatch treatments of Ponds P-5, P-6, P-8, P-9, and P-15 as needed up to 23.47 pond acres. Larval treatments scheduled as needed to maximize effectiveness of aquatic midge control services.

Part III. Adult Midge Control

- A. Adulticiding in mosquito harborage areas:
 1. At least forty (40) scheduled truck and ATV Ultra Low Volume (ULV) treatments of up to 3.5 miles, of any Poinciana West CDD ponds as needed, with a synthetic pyrethroid insecticide to maximize effectiveness of aquatic midge control services.
 2. Up to 10 backpack barrier treatments as needed to reduce re-infestation using a pyrethroid insecticide for residual control of adult mosquitoes.
- B. Adulticiding Operational Procedures
 1. Notification of community contact.
 2. Weather limit monitoring and compliance.
 3. ULV particle size evaluation.
 4. Insecticide dosage and quality control analysis.

EMM Payment Total Cost for Parts I, II, III

\$27,913.70



Clarke Environmental Mosquito Management, Inc.

2023-24 Midge Service Agreement | Poinciana West Community

Development District, 219 East Livingston Street, Orlando, FL 32801

I. Program Payment Plan: For Parts I, II, III as specified in the 2023-24 Professional Services Cost Outline, the total for the program is \$27,913.70. The payments will be due on according to the payment schedule below. Any additional treatments beyond the core program will be invoiced when the treatment is completed.

II.

PROGRAM PAYMENT PLAN

Month	2023-24
October	\$2,326.14
November	\$2,326.14
December	\$2,326.14
January	\$2,326.14
February	\$2,326.14
March	\$2,326.14
April	\$2,326.14
May	\$2,326.14
June	\$2,326.14
July	\$2,326.14
August	\$2,326.14
September	\$2,326.16
TOTAL	\$27,913.70

III. Approved Contract Period and Agreement

Please check one of the following contract periods:

2023-24 Season

For Poinciana West Community Development District:

Sign Name: _____ Title: _____ Date: _____

For Clarke Environmental Mosquito Management, Inc.:

Name: _____ Title: Control Consultant Date: _____
 Cherrief Jackson

SECTION 3



Poinciana West Community Development District 2022 Midge Service Request Summary Report

Submitted by:
Clarke Environmental Mosquito Management

Prepared by:
Cherrief Jackson

3036 Michigan Ave.
Kissimmee, FL 34744
www.clarke.com



SUMMARY

In an integrated midge management (IMM) program, it is important to evaluate the success of the program in minimizing the frequency and size of midge hatch offs. Other than visual inspections, resident service requests throughout the year can be a key indicator of which ponds are having more issues than others.

Each year Clarke conducts an analysis based on the addresses from which service requests were received, which ponds are nearest that address, and historical data of the environment of those ponds. The goal is to determine which ponds are having more midge issues than others and if additional steps are needed to mitigate the issues, be it changes in the treatment plan, management of the pond, or resident behaviors.

Please see below our findings from the 2022 service request list.

- There were 20 service request calls and only 3 complaints were received from ponds that are on the contract for treatment.
- Based on the dates, we can see that sometimes multiple calls came in regarding the same pond during the same hatch off.
- The largest number of requests to come from one pond was the 11 that came from Pond 15 which is not on the contract for treatment. Four calls came from Pond 16 which is directly across from 15 and also not on the contract.

RECOMMENDATIONS

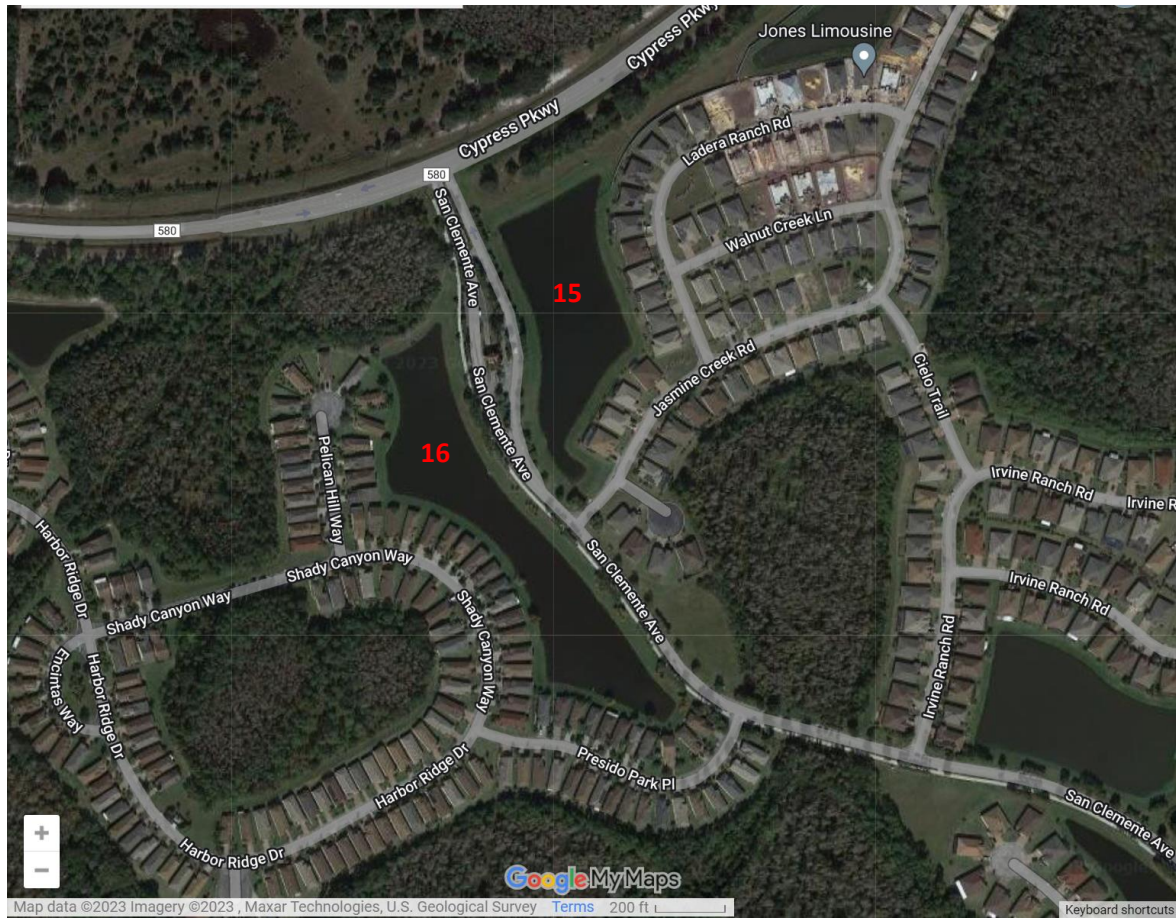
Pond 15, and potentially 16, would be good candidates for larvicide treatments if they continues to have issues. Pond 15 and 16 are close enough to each other that midges from one could lay eggs at the other and perpetuate the issues.

We also recommend that the ponds at Bella Cortina Drive and Treviso Drive be added to the contract for full service for at least one year. The activity is increasing and could cause infestation to spread to nearby ponds.

It is always our recommendation that landscapers make efforts to reduce runoff of fertilizer products and grass clippings into the pond. Additionally, residents should make an effort to reduce light coming from their homes in the evening, which would attract the midges.



Ponds 15 and 16



PCDD 2022 Service Request Log

Date	Last Name	First Name	Street Address	CDD	On Contract	Pond #
4/4/22	Virgen	Monica	657 Villa Park Rd	West	Yes	C-12
4/26/22	Quinn	Rochelle	586 Villa Park	West	Yes	C-12
7/25/22	Shiner	Jim	935 Ladera Ranch Rd	West	No	15
8/4/22	Shiner	Jim	935 Ladera Ranch Rd	West	No	15
8/9/22	Hallinen	Ken	911 Ladera Ranch Rd	West	No	15
8/26/22			1854 Pelican Hill Way & neighbor	West	No	16
9/19/22	Morales	Rosa	1842 Pelican Hill Way	West	No	16
9/19/22	Baker	Sheila	1854 Pelican Hill Way	West	No	16
9/20/22	Jones	Bea	816 Jasmine Creek Rd	West	No	15
9/20/22	Rosario	Anthony	428 Bel Air Way	West	No	21
9/23/22	Dillon	Carol	811 Jasmine Creek Rd	West	No	15
9/23/22	Hall	Derek	815 Jasmine Creek Rd.	West	No	15
9/23/22	Snyder	Cindy	432 Bell Air Way	West	No	15
9/26/22		Elsa	923 Ladera Ranch Rd	West	No	15
9/30/22	Patterson	Dave	807 Jasmine Creek Rd.	West	No	15
10/4/22	Wake	Ronald	803 Jasmine Creek Rd.	West	No	15
10/14/22	Patterson	Lorraine	807 Jasmine Creek Rd.	West	No	15
11/14/22	Morales	Rosa	1842 Pelican Hill Way	West	No	16
11/21/22			940 San Raphael St	West	Yes	9
11/21/22			594 San Joaquin Rd	West	No	22



SECTION IV

Customer Complaint Log Poinciana West CDD

Date	Resident	Address	Pond	Complaint	Assigned To	Resolution	Resolved
7/18/23	Julie Fox	959 Ladera Ranch Rd	17	algae	Clayton	Treated. Revisit scheduled	21-Jul
7/21/23	Carol Rosario	428 Belair Way	P21	Mosquitos	Clayton		
7/26/23	Drew Makovec	109 Crystal Cove	P8	Grass, Algae, midges	Clayton		
7/28/23	Walter Strickland	3636 Via Rizzoli	Tract A	Algae	sent to HOA		
8/4/23	No Name	256 Escondido Ct	P8	weeds	Clayton	Treated week of 7/31	
8/8/23	No Name			Venezia Tunnel Ground Plate Lifted	Clayton		
8/13/23	Ann Frye	654 Irving Ranch Rd	20	Mowing not close enough to pond	Clayton/Vendor	vendor to trim edges	8/14/23