

## **MINUTES OF MEETING CELEBRATION COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of the Celebration Community Development District was held Tuesday, May 25, 2021, at 6:30 p.m. at the District Office, 313 Campus Street, Celebration, Florida 34747.

Present and constituting a quorum were:

Greg Filak	Chairman
Paul Collins	Vice Chairman
Cassandra Starks	Secretary
Cliff Akey	Treasurer
Jack McLaughlin	Supervisor

Also present, either in person or via Zoom Video Communications, were:

Gary Moyer	Manager: Moyer Management Group
Jan Carpenter	Attorney: Latham, Luna, Eden & Beaudine
Mark Vincutonis	Engineer: Hanson Walter & Associates
Brenda Burgess	Moyer Management Group
Natasha Cruz Millheim	Inframark, Field Services
Patrick Dumé	CROA
Brian Kensil	CROA
Angel Montagna	Inframark, Management Services
Russ Simmons	Inframark, Field Services
Residents and Members of the Public	

*This is not a certified or verbatim transcript but rather represents the context and summary of the meeting. The full meeting is available in audio format upon request. Contact the District Office for any related costs for an audio copy.*

### **FIRST ORDER OF BUSINESS**

#### **Call to Order**

Mr. Filak called the meeting to order at 6:30 p.m.

### **SECOND ORDER OF BUSINESS**

#### **Roll Call**

Mr. Moyer called the roll and stated a quorum was present for the meeting.

### **THIRD ORDER OF BUSINESS**

#### **Pledge of Allegiance**

Mr. Filak led the *Pledge of Allegiance*.

### **FOURTH ORDER OF BUSINESS**

#### **Public Comment Period**

Mr. Filak indicated public comments are three minutes per speaker and are provided at the beginning and the end of the meeting.

There being no public comments, the next order of business followed.

**FIFTH ORDER OF BUSINESS**

**Administrative Matters and Announcements**

There being none, the next order of business followed.

**SIXTH ORDER OF BUSINESS**

**Approval of the Meeting Agenda**

Mr. Filak reviewed the meeting agenda and requested additions or changes.

Mr. Akey made a MOTION to approve the meeting agenda, as presented.  
Mr. McLaughlin seconded the motion.

Discussion ensued to add item 7C for a report from the mosquito control contractor.

Mr. McLaughlin amended the MOTION to approve the meeting agenda, as amended.  
Mr. Akey seconded the amendment.

Upon individual VOICE VOTE, with all in favor, unanimous approval was given to the meeting agenda, as amended.

**SEVENTH ORDER OF BUSINESS**

**Contractor and Third-Party Reports**

**A. Celebration Residential Owners Association (CROA) Representative and Liaison**

Mr. Kensil raised the following issues, which were further discussed by the Board: management RFP process with a final decision made mid August.

**B. Safety/Security/Traffic**

The safety/security/traffic report is included in the agenda package and available in the District Office for public review during normal business hours.

**C. Clarke Mosquito Control**

Ms. Cherrief Jackson discussed their national day of caring as a company and requested service ideas to address needs in the community, an electronic mosquito trap that provides count data electronically, and how these traps will impact spraying efforts.

Discussion ensued regarding Clarke's service projects performed as a company on September 2 as well as a local project in June to perform community service, which is about 25 staff people. Suggested groups to contact included the Foundation and the PTA.

**EIGHTH ORDER OF BUSINESS**

**Consent Agenda**

**A. Minutes of the April 27, 2021, Regular Meeting**

Mr. Filak reviewed the minutes, which are included in the agenda package and are available for public review in the District Office during normal business hours, and requested additions, corrections, or deletions.

Mr. McLaughlin made a MOTION to approve the minutes of the April 27, 2021, regular meeting, as presented.

Mr. Akey seconded the motion.

Mr. Filak corrected the vote on item 9A for his vote to be “no” on the motion.

Mr. Akey amended the MOTION to approve the minutes of the April 27, 2021, regular meeting, as amended.

Mr. McLaughlin seconded the amendment.

Upon individual VOICE VOTE, with all in favor, unanimous approval was given to the minutes of the April 27, 2021, regular meeting, as amended.

### **B. Check Register and Invoices**

Mr. Filak reviewed the check register and invoices, which are included in the agenda package and are available for public review in the District Office during normal business hours, and requested approval.

Mr. Akey made a MOTION to approve the check register and invoices, as presented.

Mr. McLaughlin seconded the motion.

Upon individual VOICE VOTE, with all in favor, unanimous approval was given to the check register and invoices, as presented.

## **NINTH ORDER OF BUSINESS**

### **Action Items for Approval**

#### **A. *Celebration News* Article for July**

Mr. Akey made a MOTION to approve the article provided for the July edition of the *Celebration News*.

Ms. Starks seconded the motion.

Discussion ensued regarding the previous article for June not being submitted to the *Celebration News*, recommendation to provide the June article for the July edition and the July article for the August edition, preferred language regarding incorporation to say a referendum will be held, and the request for legal counsel to provide changes to the July article to be provided at the next meeting.

Mr. Akey amended the MOTION to direct staff to include the previous article on management staff in the July edition of the *Celebration News*.

Ms. Starks seconded the amendment.

Upon individual VOICE VOTE, with all in favor, unanimous approval was given to direct staff to include the previous article on management staff in the July edition of the *Celebration News*.

### **B. Quotes for Town Center LED Display**

Discussion ensued regarding clarification what Mr. Collins requested related to the second sign that Lexin uses to promote downtown, making that second sign more of a community sign, maintenance of the sign being Lexin's responsibility if it promotes downtown, purchase of the sign with CROA updating and maintaining it with community information, possibility of having a digital sign, the proposals provided for the green sign in Town Center, no advertising in the signs but informational only, touchscreen options, removing the white wooden sign and keeping the green community sign, importance of a sign being for the community and being maintained, the green sign was cleaned up but has no information in it, proposals are for that sign to be refurbished to include a digital sign in that structure, Lexin's position changed from maintaining it if they can use it to not maintaining it because they do not own it, information that can be included in the refurbished sign, white sign needs an updated map to include Island Village, option to upgrade the green sign to digital or keep it as is with community information, interest in a digital sign, questions related to the proposals regarding a computer being included and its sturdiness in a hurricane or fading in sunlight, recommendation to include in the fiscal year 2022 capital projects budget to allow time for more research, CROA's position for the District to purchase the digital sign and CROA will maintain it and update the information, recommendation for the two liaisons to discuss further, future uses for the white sign, option for Lexin to use the sign for their purpose and pay the District a monthly fee for said use, history of Lexin's use of the sign over the past 22 years, apportionment of benefits paid by the District as a governmental entity, clarification needed from The Celebration Company if promoting a downtown business or including a map constitutes advertising, example of newsracks installed on U.S. Hwy 192, comments received from residents not to spend the money on a digital sign, and the previously adopted signage policy related to informational and not for marketing or advertising.

Mr. Filak made a MOTION to table consideration of proposals to potentially be included as a capital project in the fiscal year 2022 budget, pending discussions between the liaisons for the District and CROA regarding an operations plan and CROA's interest, pending a discussion with Lexin regarding remuneration for the second sign, and clarification of no advertising in any sign.

Mr. McLaughlin seconded the motion.

Upon individual VOICE VOTE, with all in favor, unanimous approval was given to table consideration of proposals to potentially be included as a capital project in the fiscal year 2022 budget, pending discussions between the liaisons for the District and CROA regarding an operations plan and CROA's interest, pending a discussion with Lexin regarding remuneration for the second sign, and clarification of no advertising in any sign.

## **TENTH ORDER OF BUSINESS**

### **Regular Reports**

#### **A. District Manager**

##### **i. Financial Statements**

Mr. Moyer reviewed the financial statements included in the agenda package and available in the District Office for public review during normal business hours.

##### **ii. Number of Registered Voters (7,406)**

Mr. Moyer reviewed the reason for requesting the number of registered voters from the supervisor of elections annually as of April 15, 2021, converting from landowner elections to general elections when thresholds are met, and the information still being required even after the District has converted to general elections.

#### **B. Field Operations**

##### **i. Monthly Field Management Report**

Mr. Simmons reviewed the field management report included in the agenda package and available in the District Office for public review during normal business hours.

Mr. Simmons reported on completing Mr. McLaughlin's landscaping items within two weeks, staff changes, and maintenance problems with the mules.

Discussion ensued regarding options for maintaining mules, utilizing various staff members in the field, two new mules included in the budget for fiscal year 2022, issues with Kawasaki having backordered parts, suggestion for using John Deere, concrete replacements, staff replacing boards on boardwalks, tree trimming done by staff versus hiring BrightView, moving staff members to different maintenance areas, possibilities for staff to get caught up on various tasks, sidewalk grinding by Carlyle, future panel

replacements by street trees, Duke Energy panels, number of resident comments and complaints, Cyclone machine repair and current productivity, continued monitoring of the Cyclone for another 30 days, Celebration Boulevard sidewalk panel replacement progress, video example of emptying the Cyclone after cleaning the sidewalk on Westpark Drive, staff providing mechanical equipment repairs, reserve study, ensuring monies are budgeted for replacements, maintenance at the District facility, and pressure washing the middle school sidewalk.

Mr. McLaughlin made a MOTION to pressure wash the sidewalk at the middle school one time.  
Mr. Filak seconded the motion.

Discussion ensued regarding continued conversations with the school, the District having previously pressure washed the school's sidewalks, and the District cleaning the sidewalk this time and requesting the school clean it in the future.

Upon individual VOICE VOTE, with all in favor, unanimous approval was given to pressure wash the sidewalk at the middle school one time.

## **ii. Action Items List**

Ms. Cruz Millheim reviewed the action items list included in the agenda package and available in the District Office for public review during normal business hours.

Discussion ensued regarding an email thread related to maintenance of an easement in front of 719 and 723 Bloom Street across from the hotel, CNOA working with the appropriate entity to maintain it, other CNOA easement areas not being kept up, and follow up occurring with CNOA and The Celebration Company.

## **iii. Resident Requests**

Mr. Simmons reviewed the resident requests included in the agenda package and available in the District Office for public review during normal business hours.

Ms. Cruz Millheim discussed request #1 for times be changed in the contract for the street sweeping machine to begin no earlier than 7:00 a.m. downtown, noting no other complaints have been received regarding noise in this area, street sweeper being willing to begin later during the summer but probably not possible during the winter due to vehicles parked in the street and the heavier leaf falls.

Further discussion ensued regarding the suggestion that the Board be careful doing something, such as this, that may be detrimental to the rest of the community, and making considerations for school buses and related traffic. The District is exempt from noise regulations being it is a local governmental entity.

Mr. Filak made a MOTION to deny request #1 for amending the street sweeping contract for sweeping to begin no earlier than 7:00 a.m. downtown.  
Mr. Collins seconded the motion.

Discussion ensued regarding being willing to try to accommodate this resident, but no guarantees can be made.

Upon individual VOICE VOTE, with all in favor, unanimous approval was given to deny request #1 for amending the street sweeping contract for sweeping to begin no earlier than 7:00 a.m. downtown.

Comments were made that the emailed conversation was abusive, the Board will not accept that kind of behavior, and staff and management addressed that with the resident.

**C. Attorney**

The attorney's monthly report is included in the agenda package and available in the District Office for public review during normal business hours.

**i. Status of Island Village**

**a. Bond Issue**

Ms. Carpenter reported the engineer's report was not ready for today's meeting, which will be on the next meeting agenda as well as the assessment report.

**b. Celebration Boulevard Turnover**

Ms. Carpenter reported Mattamy Homes is ready to turnover Celebration Boulevard at the August Board meeting, area probably from the high school to the bridge, the turnover process and what is required was provided to Mattamy Homes, suggestion for the Board to consider appointing someone in addition to the engineer to review, questions about the second lift of asphalt, discussion with the underwriter related to the timing of issuing bonds, and reimbursing Mattamy Homes for the infrastructure.

**ii. Status of Proposals for Incorporation Special Counsel**

Ms. Carpenter reported both proposals will be available at the next meeting.

**iii. Public Speaking Policy and Rules of Procedure**

Ms. Carpenter reported rules of procedure not being updated in some time, various policies, public speaking policy adopted about 2013 or 2014, issues with crowd control in other districts, providing the public speaking policy and signage policy to the Board.

Discussion ensued on elements included in the public speaking policy, such as three minutes per speaker, minutes can be assigned to another speaker, Chairman can extend or reduce time periods, comments are directed to the Board and not staff, asking for a speaking request form, the form is on the website but not the policy, and staff will confirm both are on the website.

**iv. Unicorp/Celebration Pointe Access Road**

Ms. Carpenter reported their design had a retaining wall needing a change, staff is awaiting their engineering drawings, their legal description has been cleaned up, and staff will continue to review their documents prior to sale and turnover of the District's property to them.

**v. Other Signage**

Discussion ensued regarding the directional signs needing to be updated, having empty slots, and including Island Village in one of the slots which they will pay for. No other agreements or action should be required from the Board.

**vi. Agreements**

Ms. Carpenter reported on negotiating the Inframark contract and others should be done in conjunction with the budget cycle. Mr. Moyer clarified the contract includes language regarding the fee to be a set amount or whatever is adopted in the annual budget, so amendments are not necessary. The management services contract expires February 2022. Any contracts requiring RFPs should be done now in order to have numbers to include in the budget. Mr. Filak would like to negotiate the management services budget numbers, which would allow enough time to issue an RFP if the numbers are not negotiated satisfactorily.

Discussion ensued regarding contracted services with Inframark and the related dollar amounts.

**vii. Supervisor Training**

Ms. Carpenter counseled Board members not to participate in social media or text others about District business since there is no way to keep a public record of texts, which is a violation of the public records law. Any response to a social media post is expressing views on a topic that may come before the Board, which is a Sunshine Law



violation as well as a public records law violation. More detailed training will be scheduled for the beginning of the next workshop.

**D. Engineer**

The engineer's monthly report is included in the agenda package and available in the District Office for public review during normal business hours.

Mr. Vincutonis reported on the Unicorp retaining wall discussed previously at a workshop related to the District's ability to access and maintain the pond, proposed landscaping in the shoulder tract by Mattamy Homes which tracts the District typically does not maintain, Unicorp's proposed landscaping, dissimilar theme of landscaping than what is on Celebration Boulevard, the District should own the shoulder tract but can have an easement agreement where another will maintain it, maintenance responsibilities, and K-5 school issues.

**E. District Liaison Updates**

**i. West U.S. 192 Improvement District**

Mr. Collins reported on conversations and activities during the month with the West U.S. 192 improvement district, including the latest meeting, seven hotels wanting to convert to apartments, and standards for said apartments.

**ii. Commissioner Peggy Choudhry**

Ms. Starks reported on communications during the month with Commissioner Choudhry, and will attend the Osceola Economic and Legislative update to be held next Wednesday.

**iii. County Staff and Sheriff**

Mr. Akey reported on conversations and activities during the month with County staff and the sheriff's office, further discussed by the Board, including call reports, where various calls show up on the report, providing more information on the report to be more understandable, County safety meeting discussing crosswalks and pedestrian crossings, Best Foot Forward program, additional details during the summer months, any graffiti or damages in the community should be called in and reported, using details for more than traffic enforcement, and using unmarked vehicles or other details to patrol for other crimes and stake out certain areas depending on incidents that are reported.

**iv. CROA**

The liaison report is included in the agenda package and available in the District Office for public review during normal business hours.

Mr. McLaughlin also discussed including the USA Seal & Stripe schedule included in the *Friday Flash*,

**v. Management**

Mr. Filak reported on conversations and activities during the month with management, including the incorporation study, beginning to explain incorporation and the process to the community, getting the report to show the requirements are met to hold a referendum, the suggestion to wait to write any articles on incorporation until the report is received, the Cyclone machine, and the transition from Mr. Moyer to Ms. Montagna.

**vi. Island Village**

There being no further updates, the next order of business followed.

**ELEVENTH ORDER OF BUSINESS**

**Other Business, Updates, and Supervisor Comments**

**A. Fiscal Year 2022 Proposed Budget**

Mr. Moyer reviewed the budget hearing being set for the July meeting, requested additional items to be included in the budget, and a decision will need to be made at the June meeting if non-ad valorem assessments will be increasing.

Discussion ensued regarding additions for Island Village notably from Capital Land Management which were reasonable numbers, still need an estimate for mosquito control, RFP will be done for mosquito control later in the year, increase in the Inframark contract which included additional personnel and salary, sidewalk cleaner and salary increase, Cyclone training for the employee in Arizona, request for details on the adjustments made for the Inframark contract, salary increase for existing staff, porter services provided by Capital Land Management that was moved to Inframark at an increased cost for daily service, staff hours split 90%-10% between Celebration CDD and Enterprise CDD, staff will clarify the dollars for porter services and budgeted salaries and the 90%-10% split, the management portion of the Inframark contract being relatively constant, the field portion based on current staff, the detailed organizational chart, following the State constitution regarding salaries, management services contract term, history of hiring staff, level of service and staff's responsiveness, and a request for a competitive load rate.

**B. Other Discussion Items and Comments**

**i. Status of Proposals for Incorporation**

Mr. Justin Miller from University of Central Florida provided an update on the proposal they are developing for the feasibility study, where the data will be coming from, and the proposal to be complete by June 18.

Discussion ensued regarding two proposals being received, information will be coming primarily from management or the State of Florida, formulas for revenue and gas tax sharing and others, putting the figures into the model to provide necessary services, discussing fire and sheriff services with Osceola County if they want to continue providing them and what the charges will be, having discussions with Commissioner Peggy Choudhry, emails sent to Mr. Dave Tomek and the County attorney.

Mr. Miller further discussed they will review incorporation requirements outlined in Florida Statutes, provide the feasibility study, assist the District in preparing for the referendum, and will break out the services to be provided so there is no overlap with special counsel the District will engage.

**C. Audit Committee Member**

Mr. McLaughlin nominated Mr. Kensil to serve in the vacant position on the audit committee.

The record will reflect there were no audience comments.

Mr. McLaughlin made a MOTION to nominate Mr. Brian Kensil to serve in the vacant position on the audit committee.  
Mr. Filak seconded the nomination.

Upon individual VOICE VOTE, with all in favor, unanimous approval was given to nominate Mr. Brian Kensil to serve in the vacant position on the audit committee.

**TWELFTH ORDER OF BUSINESS**

**Public Comment Period**

Mr. Simmons reported Mr. Jim Parker from The Celebration Company is back in town Tuesdays and Thursdays, 10 hours a week, primarily for Island Village.

**THIRTEENTH ORDER OF BUSINESS**

**Adjournment**

- *The next meeting is scheduled for Tuesday, June 22, 2021, at 6:30 p.m.*
- *The next workshop is scheduled for Tuesday, July 13, 2020, at 3:00 p.m.*

On MOTION by Mr. McLaughlin, seconded by Mr. Akey, with all in favor, the meeting was adjourned at 8:55 p.m.