

**MINUTES OF MEETING
VILLAMAR
COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of the VillaMar Community Development District was held on Thursday, **October 21, 2021** at 10:00 a.m. at the Holiday Inn – Winter Haven, 200 Cypress Gardens Blvd., Winter Haven, Florida.

Present and constituting a quorum:

Lauren Schwenk	Vice Chairman
Patrick Marone	Assistant Secretary
Brian Walsh	Assistant Secretary

Also, present were:

Tricia Adams	District Manager, GMS
Roy Van Wyk <i>via Zoom</i>	KE Law Group
Marshall Tindall	GMS

The following is a summary of the discussions and actions taken at the October 21, 2021 VillaMar Community Development District's Regular Board of Supervisor's Meeting.

FIRST ORDER OF BUSINESS

Roll Call

Ms. Adams called the meeting to order and noted that there were three Supervisors present, constituting a quorum.

SECOND ORDER OF BUSINESS

Public Comment Period

Ms. Adams stated that this is an opportunity for any members of the public to make a statement to the Board of Supervisors regarding any items that are on the agenda and that the Board has adopted public comment policies that require residents to state their first and last name along with their property address for the record. They also asked if residents could limit their remarks to about three minutes each.

- David Colvis (544 Vittorio Drive): An area behind his house with dying grass and other residents use it as a common space. He is concerned about the sewer system and someone who was supposed to come out and check it over a month ago has not. Every time it rains flood waters will come up.

- Desenia Hamlet (421 Corso): A lot of kids are going to the pool who do not belong there.
- Brandon Barham (524 Vittorio): There is a problem with pool security.
- Patty Harrell (609 Victoria): She has also had an issue at the pool, and she confronted three young women at the pool at 9:00 p.m. She has also seen people jumping fences. She also stated that there is an issue with the parking along Cunningham and commercial trucks being parked there for all hours of the day.
- Charlotte Barham (524 Victoria Drive): Called and complained about the lake several weeks ago. She believes outsiders are coming in, parking at the pool area, and using the lake. It is a catch and release lake, and she believes they are not releasing what they catch.
- Rafael Sosina (604 Victoria Drive): He has the same issues that the other residents have stated about the pool and security. His neighbor is retired, and he is confined to a wheelchair, and he is asking if there is anything the CDD can do for him about the mailboxes. He's having a hard time accessing his mailbox.
- David Colvis (544 Vittorio Drive): He would like to know who oversees the sidewalks because they are broken in two different spots. Who will pay for the repair?
- *Name inaudible*: What is the point of having CDD rules if they are not being enforced?
- Darleen Barham (389 Horseo Loop): Wants to know all about the CDD and the costs of everything.
- Andrew Slater (1323 Benevento Drive): He wants to echo what everyone is saying about security. Overall security has been an issue. He also wants to know about the progress on the second entrance.

THIRD ORDER OF BUSINESS

**Approval of Minutes of the September 22, 2021
Board of Supervisors Meeting**

Ms. Adams presented the September 22, 2021 Board of Supervisors meeting minutes. She asked if there were any corrections to the minutes. Hearing none, there was a motion of approval.

On MOTION by Ms. Schwenk, seconded by Mr. Walsh, with all in favor, the Minutes of the September 22, 2021 Board of Supervisors Meeting, were approved.

FOURTH ORDER OF BUSINESS

Consideration of Construction Funding Agreement for Phase 5

Ms. Adams noted that this is a Construction Fund Agreement between VillaMar Community Development District and VillaMar FG. This needs to be changed to Clayton Properties and any approval will be subject to staff revisions to update the Florida LLC. This is an agreement for prefunding construction and infrastructure in accordance with the engineer's report. It was agreed that the entity name is the correct name. All of the spending is subject to being repaid by bond funds.

On MOTION by Ms. Schwenk, seconded by Mr. Walsh, with all in favor, the Construction Funding Agreement for Phase 5, was approved.

FIFTH ORDER OF BUSINESS

Consideration of Temporary Access and Easement Agreement for Phase 5

Ms. Adams stated this addresses the installation and construction of infrastructure and allows construction easement on CDD property and covers the installation of construction of roadway improvements, water, and storm water management facilities, sanitary sewers, utility signage, neighborhood parks and recreational facilities, and similar improvements.

On MOTION by Mr. Walsh, seconded by Ms. Schwenk, with all in favor, the Temporary Access, and Easement Agreement for Phase 5, was approved.

SIXTH ORDER OF BUSINESS

Consideration of Audit Engagement Letter for Fiscal Year 2021 Audit Services

Ms. Adams noted that this was included in the agenda package for Board review. Every year the District is required to have an independent audit. This is an engagement letter that is in accordance with the previously approved process selecting Berger Toombs to perform the audit and the amount is \$3,580.

On MOTION by Mr. Walsh, seconded by Mr. Marone, with all in favor, the Audit Engagement Letter for Fiscal Year 2021 Audit Services, was approved.

SEVENTH ORDER OF BUSINESS

Staff Reports

A. Attorney

Mr. Van Wyk had nothing further for the Board, so the next item followed.

B. Engineer

There being none, the next followed.

C. Field Manager's Report

Mr. Tindall presented the field manager's report to the Board which can be found in the agenda package. He also had a few proposals to present to the Board. Completed items include:

- Aquatic services have begun
- New post for stop sign at Vittorio and Corso has been ordered and will be installed as soon as it arrives
- Monitoring and coordinating with landscaper
- Review of phase 3 complete. Gathering addendum proposal from landscaper and aquatic contractor in process
- Pool entry has completed switched over to key card access
- Pest services have begun
- Recharged fire extinguisher that was used to vandalize the bathroom
- Batteries for the chair lift are being monitored and switched out as needed

Upcoming items include:

- Fence repair and replacements for storm damaged sections along Cherry Blossom – delayed due to material shortages
- Proposal for signage and bollards or delineators to discourage boat launching from amenity parking lot

i. Consideration of Landscape Contract Renewal and Addendum to Add Phase 3 to the Contract Scope

Mr. Tindall reported that they are trying to get the contract started so they can go ahead and start maintaining the area. It is an additional cost per year that will add the Phase 3 common area. Mr. Van Wyk will look over the agreement, so any motion is subject to District counsel's review.

On MOTION by Ms. Schwenk, seconded by Mr. Walsh, with all in favor, the Landscape Contract Renewal and Addendum to Add Phase 3 to the Contract Scope, was approved subject to counsel review.

ii. Consideration of Proposal to Add Signage and Delineators to the Amenity Parking Area

Mr. Tindall presented the proposal to add signage with hopes to address the issue of boat launching out of the amenity parking lot. The front of the parking lot that is closest to the lake will have delineators and signage stating that boat launching is prohibited and not parking of boats with trailers, or they will be towed at the owner's expense. If the Board would like, he can also investigate the consideration of a parking policy and tow away sign at the entrance to get a towing company on Board. Parking rules are expected to come later when the Board can hold a rules and procedures hearing, but this sign would be in preparation for the time when vehicles are subjected to being towed. The proposal is for six delineators plus a sign totaling \$1,074 that includes installation. In talking about future parking policies, often the sheriff's office will come out and do a complimentary survey and give advice for suggested signage locations. Mr. Tidwell will work on that in tandem with District counsel and staff working on a trespass resolution for consideration at a future Board meeting.

On MOTION by Ms. Schwenk, seconded by Mr. Marone, with all in favor, the Proposal to Add Signage and Delineators to the Amenity Parking Area, was approved subject to counsel review.

iii. Consideration of Aquatic Contract Addendum to Add Phase 3 to the Scope (to be provided under separate cover)

Mr. Tindall presented the addendum, and it was provided under separate cover for the Board member's review. It is an increase of \$1,945 annually and does not include the tract in the southeast corner. Any approval will also be subject to counsel review.

On MOTION by Mr. Marone, seconded by Ms. Schwenk, with all in favor, the Aquatic Contract Addendum to Add Phase 3 to Scope, was approved subject to counsel review.

D. District Manager’s Report

Ms. Adams noted that many of the items brought up by residents were security matters. Most of the meetings are open to the public, but the Board does have the ability to discuss certain security matters and proprietary information that is confidential in exempt in a closed session. There are some things in process that Board members and field staff are aware of that District management has been working on in terms of security improvements at the amenity areas. They will plan an offline meeting to further discuss these issues.

i. Approval of the Check Register

Ms. Adams presented the check register. She asked for any questions or comments, and hearing none, asked for a motion to approve.

On MOTION by Mr. Walsh, seconded by Mr. Marone, with all in favor, the Check Register, was approved.

ii. Balance Sheet and Income Statement

Ms. Adams presented the unaudited financials through September 30th and there is no Board action for this item. This closes out the district’s fiscal year.

iii. Ratification of Summary of Series 2020 Requisitions #87 to #97

Ms. Adams stated that these had been verified by staff and District engineer and the total amount is \$274,283,65.

On MOTION by Mr. Walsh, seconded by Ms. Schwenk, with all in favor, the Series 2020 Requisitions #87 through #97, were ratified.

EIGHTH ORDER OF BUSINESS

Other Business

There being no other business, the next item followed.

NINTH ORDER OF BUSINESS

Supervisors Requests and Audience Comments

Ms. Adams asked if there were any supervisors requests or audience comments.

Ms. Schwenk requested a quote for the mailbox access that was requested for better ADA usage. Staff will investigate the area and get a quote for better access.

Mr. Marone noted that a few high-water bills that came in that were negotiated down with the city. Mr. Smith is working to get an irrigation meter at the amenity in case something happens again. He wants to be sure moving forward that staff keeps a close eye on that.

Ms. Schwenk asked about parking on Cunningham Road and Ms. Adams noted that she will do some research on the parking ordinances and report back to the Board.

Ms. Adams opened the meeting up for public comment one last time.

- Bandon Barham (524 Vittorio): He mentioned that the District is under city jurisdiction and the sheriff's office would not be involved. Coming from a 30-year law enforcement and security background, he suggested that all they need is no trespassing signs and lake use for community residents only. He lives on the lake and was under the impression that they would have access to use it. It was stated that it is a public lake without public access.
- Patty Harrel (609 Vittorio): Enquired about lighting for the VillaMar signage at the entrance on Iota.
- Desenia Hamlet (421 Corso): Wants to know if they can get umbrellas for the pool.

TENTH ORDER OF BUSINESS

Adjournment

The meeting was adjourned.

On MOTION by Ms. Schwenk, seconded by Mr. Walsh, with all in favor, the meeting was adjourned.



Secretary/Assistant Secretary



Chairman/Vice Chairman