

**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, **March 17, 2022** 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:

Jill Burns	District Manager, GMS
Jake Whealdon	KE Law Group
Marshall Tindall	GMS

The following is a summary of the discussions and actions taken at the March 17, 2022 VillaMar Community Development District's Regular Board of Supervisor's Meeting.

FIRST ORDER OF BUSINESS

Roll Call

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

SECOND ORDER OF BUSINESS

Public Comment Period

Ms. Burns stated there were no members of the public present or joining via Zoom.

**THIRD ORDER OF BUSINESS
2022 Board of Supervisors Meeting**

Approval of Minutes of the February 17,

Ms. Burns presented the February 17, 2022 Board of Supervisors meeting. She asked if there were any corrections to the minutes. Hearing none, she asked for a motion of approval.

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On MOTION by Mr. Walsh, seconded by Ms. Schwenk, with all in favor, the Minutes of the February 17, 2022 Board of Supervisors Meeting, were approved.

FOURTH ORDER OF BUSINESS

Consideration of Resolution 2022-06 Supplemental Assessment Resolution

Ms. Burns noted this resolution sets forth the term of the bonds that are being issued by the District, scheduled for tomorrow. This applies the Special Assessment Methodology to the actual scope of the project that is going to be completed.

Mr. Walsh asked if this was Phase 3 or Phase 4. Ms. Burns answered that this is Phase 4 and 5. Ms. Burns asked if there were any other questions on the resolution. Hearing none, she asked for motion to approve.

On MOTION by Mr. Walsh, seconded by Mr. Marone, with all in favor, Resolution 2022-06 Supplemental Assessment Resolution, was approved.

FIFTH ORDER OF BUSINESS

Consideration of Developer Funding Agreements for Series 2022:

A. Phase 3

i. True-Up Agreement

Ms. Burns noted that under this agreement, the landowner for each of those phases is entering into the agreement to confirm their intention and obligation, if required, to make any true-up payments necessary related to the assessment for their phase.

ii. Acquisition Agreement

Ms. Burns noted this is under the agreement in order to avoid delays in commencing the construction of the improvements, the landowner has advanced funds or they have completed certain work or infrastructure. In the terms of the agreement, the District is agreeing to acquire some of that infrastructure or reimburse the developer for any funds that were advanced.

iii. Completion Agreement

Ms. Burns stated that under the terms of this agreement, the landowner and the District are agreeing that the District will be obligated to issue \$3,040,000 for Phase 3 to fund the project for that phase. The landowner will complete or provide the funds for the District to complete the remainder of the project, if needed.

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iv. Collateral Assignment Agreement

Ms. Burns noted in the event of the default on the payment of those special assessments for each of the particular phases, the landowner is agreeing to assign certain development rights to the District so that the district would be able to complete the project or to have a third party complete the project on the Districts we have.

v. Declaration of Consent

Ms. Burns stated that the landowner in this agreement is confirming and agreeing that the special assessments that the Board has adopted and all of the proceedings are in accordance with Florida law and that the District has taken all action necessary to levy and impose assessments on that particular phase.

Ms. Burns asked for any questions on any of the forms of agreement. Hearing none, she asked for motion to approve Phase 3 Clayton Properties documents in substantial form.

On MOTION by Ms. Schwenk, seconded by Mr. Walsh, with all in favor, the Developer Funding Agreements for Series 2022 Phase 3, were approved in substantial form.

B. Phase 4

- i. True-Up Agreement**
- ii. Acquisition Agreement**
- iii. Completion Agreement**
- iv. Collateral Assignment Agreement**
- v. Declaration of Consent**

Ms. Burns noted that the Phase 4 VMAR DEV agreements are the same as described for Phase 3 above.

On MOTION by Ms. Schwenk, seconded by Mr. Walsh, with all in favor, the Developer Funding Agreements for Series 2022 Phase 4, were approved in substantial form.

Mr. Whealdon asked for clarification that the imposition and supplemental assessments will be consistent with the Master. Ms. Burns answered yes.

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SIXTH ORDER OF BUSINESS

Consideration of Notice of Special Assessments for Phase 3 and 4

Ms. Burns stated she was looking for motion to authorize counsel to record these to put potential property owners on notice of the assessments that are going to be levied on the property.

On MOTION by Mr. Walsh, seconded by Ms. Schwenk, with all in favor, the Notice of Special Assessments for Phase 3 and 4, was approved.

SEVENTH ORDER OF BUSINESS

Consideration of Resolution 2022-07 Authorizing the Use of Electronic Documents and Signatures

Ms. Burns stated that this will allow the use of DocuSign for the majority of the District's agreements and resolutions. The Board had no questions.

On MOTION by Ms. Schwenk, seconded by Mr. Walsh, with all in favor, the Equipment Lease Purchase Agreement for Pool Shade, was approved subject to counsel review.

EIGHTH ORDER OF BUSINESS

Staff Reports

A. Attorney

Mr. Whealdon had nothing to report for the Board, so the next item followed.

B. Engineer

There being none, the next item followed.

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C. Field Manager's Report

Mr. Tindall presented the field manager's report to the Board. Ms. Burns stated that they are getting daily complaints from residents about the state of the ponds. She stated they are treating them on a regular schedule, as they can. She noted that the ponds do look pretty rough and the water levels are really low. She stated that hopefully the rain will help these water levels. Ms. Burns noted they are responding to the complaints and letting residents know they are being treated. They are on a schedule and it will take some time for them to go through.

The Board discussed having the cattails cut and discussed the price of that service. Mr. Tindall noted that there were a couple of vandalism issues, so the bathrooms have been locked.

D. District Manager's Report**i. Approval of the Check Register**

Ms. Burns presented the check register through February 28th, 2022 for \$15,971.99. She asked for any questions or comments, and hearing none, asked for a motion to approve.

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

ii. Balance Sheet and Income Statement

Ms. Burns presented the unaudited financials through January 31st, 2022 and there was no Board action for this item.

iii. Ratification of Kearney CO #11 for Phase 4

Ms. Burns stated that these had been verified by staff and the District engineer and asked for a motion to ratify.

On MOTION by Mr. Walsh, seconded by Mr. Marone, with all in favor, the Series 2020 Requisitions #114 and #115, was ratified.
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NINTH ORDER OF BUSINESS**Other Business**

There being no other business, the next item followed.

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TENTH ORDER OF BUSINESS

**Supervisors Requests and Audience
Comments**

Ms. Burns asked if there were any Supervisor's requests or audience comments. Hearing none,

ELEVENTH ORDER OF BUSINESS

Adjournment

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

Jill Burns

Secretary/Assistant Secretary

Rennie Heath

Chairman/Vice Chairman