

**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, **July 21, 2022** at 10:24 a.m. at the Holiday Inn – Winter Haven, 200 Cypress Gardens Blvd., Winter Haven, Florida.

Present and constituting a quorum:

Rennie Heath	Chairman
Lauren Schwenk	Vice Chairman
Eric Lavoie	Assistant Secretary

Also, present were:

Jill Burns	District Manager, GMS
Lauren Gentry	KE Law Group
Marshall Tindall	GMS

The following is a summary of the discussions and actions taken at the July 21, 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 that there were two Supervisors present because they had three supervisors that resigned from the Board. After being sworn into the Board of Supervisors, Eric Lavoie changed the number of Supervisors present to three, constituting a quorum.

SECOND ORDER OF BUSINESS

Public Comment Period

Ms. Burns opened the public comment period to the public. A member of the public asked about the sewer. Mr. Tindall stated that he was waiting to hear back from Highland homes on that. He stated that as soon as he found out more, he would let them know. Mr. Tindall noted that he believed that the drains tied into the dry pond off from Cunningham. The member of the public also asked about the sidewalk. Mr. Tindall stated that he would check it. They also asked

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if they would be getting another pool. Ms. Schwenk responded that there was a plan in the future phases. The member of the public asked if they were going to get trees. After discussion, Ms. Burns stated that she didn't think that there were any plans for any additional trees to be planted in areas that were already completed at this time. This member of the public also asked about a roundabout that was behind where they lived. Mr. Tindall stated that there was no landscaping there and that it was just a roundabout that was right before Phase 4. Mr. Heath suggested to get someone to give them a quote for adding some landscaping to that. Ms. Burns asked if it would be installed as part of that next phase if it was by Phase 4. Mr. Tindall stated that it was in Phase 2. The member of the public stated that the problem was that people were parking in the grass near the roundabout. After discussing some options to help keep people from parking in the grass, Ms. Burns stated that they would come up with some options and would bring them back to the next meeting.

THIRD ORDER OF BUSINESS Organizational Matters

A. Acceptance of Resignations from Patrick Marone, Joel Adams, and Brian Walsh.

Ms. Burns stated that they received letters of resignation from Patrick Marone, Joel Adams, and Brian Walsh. She asked for a motion to accept these letters of resignations.

On MOTION by Ms. Schwenk, seconded by Mr. Heath, with all in favor, Accepting the Letters of Resignation from Patrick Marone, Joel Adams, and Brian Walsh, were approved.

B. Appointment to Fill the Vacant Board Seats

Ms. Burns stated that Mr. Adams was in seat two. She asked the Board if they had an appointment to fill this vacant seat. Ms. Schwenk nominated Eric Lavoie.

On MOTION by Ms. Schwenk, seconded by Mr. Heath, with all in favor, Appointing Eric Lavoie to Seat 2 of the Board of Supervisors, was approved.

Ms. Burns stated that the other vacant seat was seat 4. Ms. Schwenk nominated Milton Andrade to fill this seat.

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On MOTION by Ms. Schwenk, seconded by Mr. Heath, with all in favor, Appointing Milton Andrade to Seat 4 of the Board of Supervisors, was approved.

Ms. Burns stated that there was one more vacant seat for seat 3 and that it would remain vacant, and the Board could fill that at a later time.

C. Administration of Oath to Newly Appointed Supervisors

Ms. Burns administered the oath to Eric Lavoie. Ms. Burns stated that Milton wasn't present, so he would be sworn in at the next meeting.

D. Consideration of Resolution 2022-09 Appointing Assistant Secretaries

Ms. Burns suggested tabling this resolution until the next meeting in case the Board wanted to add someone at that time. She noted that the two that they would be appointing as Assistant Secretaries were not present on this day.

FOURTH ORDER OF BUSINESS

**Approval of Minutes of the April 21, 2022
Board of Supervisors Meeting**

Ms. Burns presented the April 21, 2022 Board of Supervisors meeting. She asked if there were any corrections to the minutes. Hearing none, she asked for a motion of approval.

On MOTION by Mr. Heath, seconded by Ms. Schwenk, with all in favor, the Minutes of the April 21, 2022 Board of Supervisors Meeting, were approved.

FIFTH ORDER OF BUSINESS

Public Hearings

A. Public Hearing on the Adoption of the Fiscal Year 2023 Budget

Ms. Burns stated that this public hearing had been advertised in the paper. She asked for a motion to open.

On MOTION by Ms. Schwenk, seconded by Mr. Heath, with all in favor, Opening the Public Hearing, was approved.

i. Consideration of Resolution 2022-10 Adopting the District's Fiscal Year 2023 Budget and Appropriating Funds

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Ms. Burns stated that Fiscal Year 2023 started on October 1, 2022 and went through September 30, 2023. She stated that this resolution was included in their package. She stated that this budget had not changed much since the Board approved the preliminary budget back in April. She noted that the overall admin had went up a little and was a result of trustee fees increasing because they had the additional bond issuances. She noted that they had two of those last year. She stated that the trustee fees were the largest increase to their admin portion. She stated that for the field items for field expenditures, they had increases to landscape maintenance, landscape improvements, pond maintenance, streetlights, general repairs and maintenance, and contingency, which was to allow for the next Phase that was coming online. She noted that it should be based on develop timelines enough to maintain all the ponds and landscaping in that area. She stated that the amenity expenditures also had increases. She noted that the biggest increase there was to the water. She noted that the water overall for the site went down, but the water for the amenity increased, so overall it was close. She stated that they were using more water at the amenity and less for the rest of the site. She stated that they allocated those differently. She stated that another increase was for the playground and furniture lease in order to get the shade structure that the community had requested. She stated that was added for the upcoming year as well. She added that security services were also included. She noted that they had a lot of requests from residents to do some security at that amenity facility to help take care of some of those issues. They included funds that would allow for security on a limited basis. She stated that they also increased the amenity repair and maintenance. She noted that the current per lot assessment was \$586.80 and if this budget was approved as is, the total amount would be \$756.84 and would be an increase of \$170.04 for each of the platted lots. She opened for public comments. Hearing none,

On MOTION by Mr. Heath, seconded by Ms. Schwenk, with all in favor, Closing the Public Hearing, was approved.

On MOTION by Mr. Heath, seconded by Ms. Schwenk, with all in favor, Resolution 2022-10 Adopting the District's Fiscal Year 2023 Budget and Appropriating Funds, was approved.

B. Public Hearing on the Imposition of Operations and Maintenance Special Assessments

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Ms. Burns stated that this public hearing was advertised in the paper and a mailed notice was sent to the landowners within the community. She asked for a motion to open the public hearing.

On MOTION by Mr. Heath, seconded by Ms. Schwenk, with all in favor, Opening the Public Hearing, was approved.

i. Consideration of Resolution 2022-11 Imposing Special Assessments and Certifying an Assessment Roll

Ms. Burns stated that this certified the assessments for collection, operations and maintenance for the budget that was just adopted, and then the debt assessments as well for each of those series. She referred to the tax bill that was under the assessment rolls included for all the properties within the community. Ms. Burns asked for any public comments on the assessment roll or the imposing O&M assessments. Hearing none, she asked for a motion to close the public hearing.

On MOTION by Mr. Heath, seconded by Ms. Schwenk, with all in favor, Closing the Public Hearing, was approved.

Ms. Burns asked if anyone had any questions on Resolution 2022-11. Hearing none,

On MOTION by Ms. Schwenk, seconded by Mr. Heath, with all in favor, Resolution 2022-11 Imposing Special Assessments and Certifying an Assessment Roll, was approved.

SIXTH ORDER OF BUSINESS

**Consideration of Resolution 2022-12
Ratifying Series 2022 Bonds**

Ms. Burns stated that this resolution was included in the agenda package. She stated that they had issued bonds on March 18, 2022. She stated that this resolution ratified, confirmed, and approved all the actions that were taken by District officers and staff in the closing of the series 2022 bonds. She asked for a motion to approve this Resolution 2022-12.

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On MOTION by Mr. Heath, seconded by Ms. Schwenk, with all in favor, Resolution 2022-12 Ratifying Series 2022 Bonds, was approved.

SEVENTH ORDER OF BUSINESS**Ratification of Second Amended and Restated Disclosure of Public Financing**

Ms. Burns stated that this had already been recorded. She noted that it put potential property owners on notice of the newest series of bonds, so this had been updated to add the Series 2022 bonds.

On MOTION by Mr. Heath, seconded by Ms. Schwenk, with all in favor, the Second Amended and Restated Disclosure of Public Financing, was ratified.

EIGHTH ORDER OF BUSINESS**Consideration of Resolution 2022-13 Declaring Series 2019 Project Complete**

Ms. Burns stated that the Board issued bonds for the Series 2019 project back in 2019 and that all those areas had been completed for the engineer's report. She stated that they had a certificate from the District engineer saying that the project had been completed to the scope as well as the other exhibits such as the engineer's report and methodology that was lined up with that assessment area. Ms. Gentry stated that there was only \$.89 left of the acquisition and construction fund. She noted that it would be transferred to the redemption sub account. Ms. Burns asked for any questions. Hearing none,

On MOTION by Ms. Schwenk, seconded by Mr. Heath, with all in favor, Resolution 2022-13 Declaring Series 2019 Project Complete, was approved.

Ms. Burns noted that they would be looking at the Series 2020 assessment area to see if that's all wrapped up as well. She stated that they would probably be doing that soon.

NINTH ORDER OF BUSINESS**Consideration of Proposal from AMTEC for Arbitrage Rebate Services for Series 2022 Phase 3 and Phase 4 Projects**

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Ms. Burns stated that the proposal amount was \$450 annually per issuance. She noted that this was a required report from the Trust Indenture.

On MOTION by Mr. Heath, seconded by Mr. Lavoie, with all in favor, the Proposal from AMTEC for Arbitrage Rebate Services for Series 2022 Phase 3 and Phase 4 Projects, was approved.

TENTH ORDER OF BUSINESS**Rejection of Bid Received for Offsite Improvements Request for Proposals**

Ms. Burns stated that they received one proposal. She noted that after discussion with Mr. Heath, they were interested in getting additional proposals. Mr. Lavoie asked if this was the offsite of the intersections. Ms. Burns responded it was Phase 6. After Board discussion, it was decided to reject the bid.

On MOTION by Mr. Heath, seconded by Mr. Lavoie, with all in favor, Rejecting the Bid Received for Offsite Improvements, was approved.

ELEVENTH ORDER OF BUSINESS**Consideration of RFP for Construction Services for Offsite Improvements**

Ms. Burns stated that the RFP was included in the agenda package. She noted that they had a pickup date on Wednesday, but that she suggested to go with the route that they had discussed to delegate the authority to the Chair to approve the RFP based on the information that they had received from the District engineer.

On MOTION by Ms. Schwenk, seconded by Mr. Heath, with all in favor, Authorization for the Chairman to Reissue the Request for Proposals, was approved.

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TWELFTH ORDER OF BUSINESS**Consideration of Resolution 2022-14
Designation of Regular Monthly Meeting
Date, Time, and Location for Fiscal Year
2023**

Ms. Burns stated that they had proposed to move this meeting to the first Tuesday at 11:00 a.m. at the hotel. She noted that they did this based on the schedule and that it was on one center of this block, which was the ones that had no future developments. She noted that there were no boundary amendments and no more future bond issuances and that they were totally built out. She further explained the location was in the area of Scenic Highway and Highland Meadows west. She also stated that if they didn't want to be on them, then they had a block that they could coordinate with other people. She noted that they blocked VillaMar, North Powerline, Hammock Reserve, and Forest Lake as a separate block. She stated that this block was on Tuesday at 11:00 a.m. at the hotel. She noted that because there were residents, they did every 30 minutes. She continued stating that ones that didn't have residents, they did the meetings every 15 minutes. She stated that if that worked for everyone, she would ask for a motion to approve.

On MOTION by Mr. Heath, seconded by Ms. Schwenk, with all in favor, Resolution 2022-14 Designation of Regular Monthly Meeting Date, Time, and Location for Fiscal Year 2023, was approved.

THIRTEENTH ORDER OF BUSINESS**Consideration of Arbitrage Rebate
Report for Series 2019 Bonds**

Ms. Burns stated that the District was required to make sure that it did not pay more interests than it earned. She referred to page 4 of the report stating that it outlined that they were not earning more interest.

On MOTION by Mr. Heath, seconded by Mr. Lavoie, with all in favor, Accepting the Arbitrage Rebate Report for Series 2019 Bonds, was approved.

FOURTEENTH ORDER OF BUSINESS**Staff Reports****A. Attorney**

Ms. Gentry had nothing to report for the Board.

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B. Engineer**i. Ratification of Stormwater and Wastewater Management Analysis Report**

Ms. Burns stated that the stormwater and wastewater management report was included in the agenda package. She stated that this was completed and submitted to the county by the June 30th deadline.

On MOTION by Mr. Heath, seconded by Mr. Lavoie, with all in favor, the Stormwater and Wastewater Management Analysis Report, was ratified.

C. Field Manager's Report

Mr. Tindall reviewed the completed items stating that the increased empties by janitorial for the mail/playground area trash had helped considerably with the amount of garbage that was being generated there. He noted that they installed a "No Lifeguard" sign on entrance based on the direction from the insurance adjuster. He stated that the playground shade was installed and appeared to be completed. He explained that there were a couple of minor sod gaps that were repaired by the landscaper and plant replacements that had been completed. He stated that they were caught up on the mows and everything seemed to be taken care of now. He noted that three of the palms were replaced near the playground and that they were monitoring those.

Mr. Tindall reviewed the in-progress items stating that there were some plant replacements, and that they were gathering a proposal from Prince, which they would discuss further into this meeting. He explained that some of the cypresses were stolen after they were installed by Stewart. He stated that the mailbox lighting was another item that he would further discuss soon. He noted that there was an erosion spot in Phase 1 that was being assessed and that they were working to coordinate a repair plan as soon as possible. Mr. Heath asked what was causing this erosion. Mr. Tindall responded that it appeared that the water was trapped in the whole creating a swell and on the back side of the fence, there was a weak spot, which was where it was going out. He stated that he hoped that it was stabilized for now, and that they were going to work on some repair options in the meantime and would keep monitoring it.

Mr. Tindall updated the Board on the pond 2 treatments stating that they had a lot of complaints about this pond 2 and pond 6. He stated that pond 6 was his parameter for the whole project. He stated that currently the treatment options with the contract were to spray once a month and to apply an enzyme to help with the dead cattails as they decomposed. He stated that

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the proposal was presented, and that it was considered too expensive to proceed with. So, they maintained the current contract. He referred to photos that were presented to the Board from September when things were started with the contractor and then he also presented current photos from July. He noted that it was not as green as it used to be, but there was significant reduction in the amount of invasive vegetation with cattails, etc. He noted that pond 6 was basically clean minus the few odds and ends. He stated that they expected that pond 2 would hopefully be at an esthetically pleasing state by the end of the year. He noted that they had cleaned up the woody trees that were approved along the corner, which was on page 236 of the agenda.

Mr. Tindall reviewed the road repairs stating that they were completed in Phase 2. He stated that they were monitoring the sidewalks missing ADA truncated dome mats on the sidewalks of Cunningham. He stated that he had not seen that those had went in yet, but he believed that those were supposed to go in by contract. He added that they were assessing some flooding complaints on Vittorio. He stated that in Phase 3 there was some hog activity that was noted in the very back. He had only saw one instance so far, and that he had not saw anything additional since then. He noted that they would keep an eye on that and see if they needed to get a tracker out there.

i. Consideration of Proposal for Landscape Contract Addendum to Add Phase 4 and New Landscaping *(to be provided under separate cover)*

Mr. Tindall presented the proposal for the cypress that were stolen along Cunningham near the entrance. Mr. Heath asked if the insurance would cover that. Ms. Burns responded that they did not cover landscaping on any insurance. Mr. Tindall stated that if the Board thought that was too expensive, he could reach out to do an NTE.

On MOTION by Ms. Schwenk, seconded by Mr. Heath, with all in favor, Proposal for Landscape Contract Addendum to Add Phase 4 and New Landscaping, was approved.

ii. Consideration of Proposal to Add Solar Lighting to Mailboxes *(to be provided under separate cover)*

Mr. Tindall presented the proposal to the Board on the solar light at the mailboxes. He stated that there was a streetlight right next to the mailbox. He stated that originally when the

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lighting was reported, the streetlight was out. He stated that it should be fixed now. He presented the proposal to the Board and suggested to do at least 2 solar lights. After Board discussion, they agreed that two would be funding sufficient.

On MOTION by Mr. Heath, seconded by Ms. Schwenk, with all in favor, the Proposal to Add Solar Lighting to Mailboxes, was approved.

Mr. Tindall stated that the only other thing to touch on was that they were working on getting a proposal from Prince for the areas in Phase 4 with parcel Phase 5 for landscaping. He stated that they would also reach out to Solitude and would get proposals for the additional maintenance on the last pond on Phase 3 and Phase 4. Ms. Burns asked if anyone had any field questions for Mr. Tindall.

D. District Manager's Report

i. Approval of the Check Register

Ms. Burns presented the check register from June 11, 2022 through July 12, 2022 for \$15,103.72. She asked for any questions or comments. Hearing none, asked for a motion to approve.

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

ii. Balance Sheet and Income Statement

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

iii. Presentation of Number of Registered Voters – 360

Ms. Burns stated that they were required to determine the number of registered voters within the District and that there were 360 within VillaMar as of April 15th. She stated that they hit the 250 threshold, but the District had not been established for at least six years. She noted that once they hit the six years of establishment and 250 registered voters, then they would start the process to turn over the Board to residents within the District.

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FIFTEENTH ORDER OF BUSINESS

Other Business

There being no other business, the next item followed.

SIXTEENTH ORDER OF BUSINESS

Supervisors Requests and Audience Comments

Ms. Burns asked if there were any Supervisor’s requests or audience comments. A member of the public asked about adding something over the mailboxes too in addition to the solar lights because the mailman or mailwoman had to be there putting mail in the mailboxes in the pouring rain. Ms. Burns responded that there were no immediate plans to do that at this time. She explained that it would take a large shade structure to do that. The member of the public responded that there were 600 mailboxes there. Ms. Burns stated that they manage probably 30 CDDs in Polk County and she didn’t know of one mailbox bank that was covered. Ms. Burns stated that it was not in budget at this point because the shade structures were usually at least \$60,000. Ms. Schwenk stated that they would monitor this to see if it became an issue that residents wanted to increase assessments for to cover the shade. Ms. Burns stated that at this point they didn’t have the ability to include it for the next fiscal year within the budget due to the cost.

SEVENTEENTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Heath, seconded by Mr. Lavoie, with all in favor, the meeting was adjourned.

Jill Burns

Secretary/Assistant Secretary

Rennie Heath

Chairman/Vice Chairman