

**MINUTES OF MEETING
VILLAMAR
COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of the VillaMar Community Development District was held on Wednesday, **January 11, 2023** at 2:30 p.m. at the Holiday Inn – Winter Haven, 200 Cypress Gardens Blvd., Winter Haven, Florida.

Present and constituting a quorum:

Rennie Heath	Chairman
Eric Lavoie	Assistant Secretary
Brian Walsh	Assistant Secretary

Also, present were:

Jill Burns	District Manager, GMS
Lauren Gentry	District Counsel, KE Law Group
Marshall Tindall	Field Manager, GMS
John Bannon	District Engineer, Wood Engineering
Residents	

The following is a summary of the discussions and actions taken at the January 11, 2023 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 opened the meeting to the public comments referring to the agenda and asked that they keep comments limited to three minutes. There being none, the next item followed.

THIRD ORDER OF BUSINESS

Approval of Minutes of the November 1, 2022 Board of Supervisors Meeting

This item was missed and will be placed back on the next meeting agenda for approval.

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FOURTH ORDER OF BUSINESS**Presentation and Approval of Amended and Restated Master Engineer's Report dated December 15, 2022**

Ms. Burns turned the discussion to John Bannon, the District Engineer, to review the engineer's report for the Board. Ms. Gentry stated that because of the recent boundary amendment, the District was required to go through validation to add extra costs for financing capacity and the assessment proceedings to levy assessments on the new property. This particular portion will address Phases 5, 6, 7A, 7B, and 8 in an amended and restated engineer's report and in an amended and restated assessment methodology. The amended report can be found in the agenda package. Mr. Bannon highlighted the changes that included the expansion and new phases.

On MOTION by Mr. Walsh, seconded by Mr. Heath, with all in favor, the Amended and Restated Master Engineer's Report dated December 15, 2022, was approved.

FIFTH ORDER OF BUSINESS**Presentation and Approval of Amended and Restated Master Assessment Methodology Report for Phases 5, 6, 7A, 7B, and 8 dated January 3, 2023**

Ms. Burns stated for the record that this assessment and levying assessments on these properties do not have a bearing on the existing bond issuance and that their debt assessments will not be impacted by the additional lands. This amended and restated master assessment report allocates debt to the properties based on the benefits that they will be receiving from the Capital Improvement Plan, and she highlighted all the tables that can be found in the agenda package. The total is an additional 1,041 units with a cost estimate of \$40,958,500. She asked for any questions the Board may have and hearing none she asked for a motion of approval.

On MOTION by Mr. Walsh, seconded by Mr. Heath, with all in favor, the Amended and Restated Master Assessment Methodology Report for Phases 5, 6, 7A, 7B, and 8 dated January 3, 2023, was approved.

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SIXTH ORDER OF BUSINESS**Consideration of Resolution 2023-02
Amending, Ratifying, and Reaffirming
Bond Resolution 2019-24 for the District**

Ms. Gentry summarized the resolution for the Board stating that originally the Board had adopted Resolution 2019-24 which set the cap of bonds that they were authorized to validate and was amended in 2021 by Resolution 2021-08 to address the additional costs for land that were brought in by boundary amendments. Now they are returning to address the newest additions to amend the resolution again to include those added areas. This resolution authorizes up to \$77,615,00 in bonds, an increase of \$27,615,000 from the original amount. She offered to answer any questions the Board may have and asked for a motion of approval.

On MOTION by Mr. Heath, seconded by Mr. Walsh, with all in favor, Resolution 2023-02 Amending, Ratifying, and Reaffirming Bond Resolution 2019-24 fir the District, was approved.

SEVENTH ORDER OF BUSINESS**Consideration of Resolution 2023-03
Declaring Special Assessments on
Boundary Amendment Parcels**

Ms. Burns noted that this resolution goes along with Resolution 2023-04 setting a public hearing to impose the special assessments on the boundary amendment parcel. The same process was used to levy assessments on the existing Districts adding the areas in the above reports. The resolution is included in the agenda package for review and Ms. Burns asked for a motion of approval.

On MOTION by Mr. Walsh, seconded by Mr. Heath, with all in favor, Resolution 2023-03 Declaring Special Assessments on Boundary Amendment Parcels, was approved.

EIGHTH ORDER OF BUSINESS**Consideration of Resolution 2023-04
Setting a Public Hearing on the
Imposition of Special Assessment on
Boundary Amendment Parcels**

Ms. Burns stated that this resolution will set the public hearing and recommended the date of March 7, 2023 at 11:45 a.m. which is the regularly scheduled meeting for the District.

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On MOTION by Mr. Walsh, seconded by Mr. Heath, with all in favor, Resolution 2023-04 Setting a Public Hearing on the Imposition of Special Assessment on Boundary Amendment Parcels for March 7, 2023 at 11:45 a.m., was approved.

NINTH ORDER OF BUSINESS

Considerations of Resolution 2023-05 Setting a Public Hearing Expressing the District’s Intent to Utilize the Uniform Method of Levying, Collecting, and Enforcing Non-Ad Valorem Assessments on Boundary Amendment Parcels

Ms. Burns noted that this public hearing will allow the district to use the Polk County property appraiser and tax collector to collect the assessments for the boundary amendment parcels as they do with the existing parcels in the district and suggested the same public hearing date as March 7, 2023 at 11:45 a.m.

On MOTION by Mr. Heath, seconded by Mr. Walsh, with all in favor, Resolution 2023-05 Setting a Public Hearing Expressing the District’s Intent to Utilize the Uniform Method of Levying, Collecting, and Enforcing Non-Ad Valorem Assessments on Boundary Amendment Parcels for March 7, 2023 at 11:45 a.m., was approved.

TENTH ORDER OF BUSINESS

Ratification of Notice of Boundary Amendment

Ms. Burns stated that the notice can be found in the agenda package for Board review. It was approved on November 28, 2022 adding an additional 148.16 acres to the District and she was looking for a motion to ratify the recording of that notice.

On MOTION by Mr. Heath, seconded by Mr. Walsh, with all in favor, the Notice of Boundary Amendment, was ratified.

ELEVENTH ORDER OF BUSINESS

Presentation and Approval of Arbitrage Rebate Report for Series 2020 Bonds

Ms. Burns noted that this is a report required by the trust indenture and they are required to demonstrate that the District does not earn more interest than is paid on the bonds. The report

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shows a negative arbitrage amount listed. There being no questions, she asked for a motion of approval to accept the findings in the report.

On MOTION by Mr. Walsh, seconded by Mr. Lavoie, with all in favor, Accepting the Arbitrage Rebate Report for Series 2020 Bonds, was approved.

TWELFTH ORDER OF BUSINESS

**Consideration of Contract Agreement
with Polk County Property Appraiser**

Ms. Burns stated that Polk County does require an annual renewal of the agreement so they will continue to provide the parcels within the District allowing the CDD to collect on roll.

On MOTION by Mr. Heath, seconded by Mr. Walsh, with all in favor, the Contract Agreement with Polk County Property Appraiser, was approved.

THIRTEENTH ORDER OF BUSINESS

**Consideration of 2023 Data Sharing and
Usage Agreement with Polk County
Property Appraiser**

Ms. Burn noted that this agreement states that the District will not disclose exempt parcels because of certain occupational status, such as a police officer or judge, that are exempt from a records request or disclosing their records information. Those are redacted on the tax bill and this agreement states that the District will not turn that information over.

On MOTION by Mr. Heath, seconded by Mr. Walsh, with all in favor, 2023 Data Sharing and Usage Agreement with Polk County Property Appraiser was approved.

FOURTEENTH ORDER OF BUSINESS

**Review and Ranking of Proposals
Received for Phase 6 RFP**

Ms. Burns reported that at a prior meeting the Board authorized staff to issue and RFP for construction services for the Phase 6 project. The proposals have been received and reviewed by Mr. Bannon and he reviewed the rankings with the Board. The District received four proposals back from Tucker, Kearney, QGS, and RIPA and he went over the evaluations with the Board which can be found in the agenda package. The contractors were ranked based on six criteria:

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personnel, experience, understanding of the scope, financial capability, schedule, and price. The four contractors were scored as such, Tucker 96.75, Kearney 91.50, QGS 86.85, and RIPA 86.50. Mr. Bannon also reported that all proposals were thorough. Ms. Burns stated that if there were no questions that they would be looking for a motion to accept the rankings reviewed by the District Engineer and authorize staff to send a notice of intent to award to Tucker.

On MOTION by Mr. Heath, seconded by Mr. Lavoie, with all in favor, Review and Ranking of Proposals Received for Phase 6 RFP and Authorizing Staff to send a Notice of Intent to Award to Tucker, was approved.

Ms. Gentry added that they will need authorization from the Board to enter into a Funding Agreement with the developer to fund the project.

On MOTION by Mr. Heath, seconded by Mr. Walsh, with all in favor, Authorizing Staff to Execute the Funding Agreement with the Developer for this Phase, was approved.

FIFTEENTH ORDER OF BUSINESS

Staff Reports

A. Attorney

Ms. Gentry had nothing further for the Board and offered to answer any questions.

B. Engineer

Mr. Bannon had nothing further for the Board and offered to answer any questions.

C. Field Manager's Report

Mr. Tindall reviewed the field manager's report for the Board which can be found in the agenda package. Completed items include:

- Post hurricane review was completed. Minor fence damage was repaired, and the amenity had no notable issues.
- Vendors' maintenance of the facility areas has been satisfactory.
- Monthly playground review was completed.
- Landscaping work is good.

Upcoming items include:

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- Replacement of some traffic signs due to hurricane damage.
- Furniture cleaning forecasted for later this winter.

i. Consideration of Addendum to Add Phase 5 to Landscaping Contract from Prince & Sons, Inc.

Mr. Tindall presented the proposal from Prince & Sons that includes 42 mows a year for services for Phase 5 at an additional \$13,200 a year. The additional cost does place the landscaping line item over budget. Ms. Bruns noted they could dip into the landscape replacement line item as well as the irrigation repair line item. The Prince and Sons additional added areas was too much over budget and there was no motion of approval for additional areas. Mr. Tindall will discuss a reduction in contract price and will bring it to the next Board meeting.

D. District Manager's Report

i. Approval of the Check Register

Ms. Burns presented the check register which totaled \$88,103.37 dating October 22, 2022 through December 23, 2022. She asked for any questions from the Board and hearing none, she asked for a motion of approval.

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

ii. Balance Sheet and Income Statement

Ms. Burns presented the unaudited financials. There was no Board action for this item.

SIXTEENTH ORDER OF BUSINESS

Other Business

There being no other business, the next item followed.

SEVENTEENTH ORDER OF BUSINESS

Supervisors Requests and Audience Comments

Ms. Burns asked if there were any Supervisor's requests. Hearing none, she turned it over to audience comments.

Ralph (524 Vittorio Drive) – the parking issue on Yumuri St. is causing the residents grief because they have no parking on their street at all. That particular street is all even

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numbers, and the parking rules state no parking on even number sides of the street allowing for no street parking. He asked for an exception be made to the parking rule to make room for street parking. The Board and residents discussed the issue at length. The suggested adding signage that stated “Parking Allowed” coupled with red and white painting or curbs. Staff will also update the map to allow it.

On MOTION by Mr. Walsh, seconded by Mr. Lavoie, with all in favor, Allowing Parking on Yumuri St. and Updating the Parking Maps, was approved.

Mr. Tindall will look into ordering signs “parking allowed on this side of the street” to be installed. The policy and maps will be updated when the signs are installed.

- Resident (no name and address) asked for specific information on the bond time for phase one and two and how long it is for. She asked what the total amount is. Ms. Burns stated that she will pull her exact information at the end of the meeting. Mr. Heath went into detail with her about CDDs and what they do and what her assessment costs go towards.
- Resident (inaudible name and address) complained of a pothole. Ms. Burns added that it is not a CDD owned road, but they are happy to report it to the county. The resident also reported that there are trucks breaking the sidewalks and Ms. Burns asked her to give the address to Mr. Tindall and he will look into it.
- Dave (544 Vittorio Dr.) – complained about the Vittorio entrance being used for construction and feels there is no reason for it any longer. Staff will send an email to builders to ask they use a different entrance. He also has broken concrete that has been broken for a year. He also asked about Christmas lights on the entrances. Mr. Tindall will check to see if there are outlets before looking further into adding lights. His last comment was asking about a protection for the mailboxes. Mr. Tindall will look into a shade structure and bring back a quote for the next fiscal year budget.
- Jessica Lopez (1182 Yumuri St.) – Had parking concerns and is glad the Board is acting on that issue. Her other concern is her backyard that faces Cunningham

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Brooke, and the bushes are growing over the other side of the fence. Ms. Burns asked Mr. Tindall to communicate to Prince not to cut those bushes for privacy.

- Leslie Weiser (363 Vittorio Dr.) – Asked if going forward there is any chance for the roads to be wider so there is not an issue with one side versus the other parking. The Board answered no. She also commented that she spoke to the postmaster, and they said that the CDD is responsible for requesting the mailboxes be set up that way. Staff and the Board assured her that it was not their decision, and they are moving towards mailboxes like that in all new build areas.
- Jordan (1018 Corso Dr.) – He is having an issue with people owning multiple vehicles which is making it difficult to get out of his driveway. He wants to be able to have access to getting in and out of his own driveway. Ms. Burns noted that the CDD doesn't have any policies for the individual home sites. Limiting the number of vehicles or the number of people in a home, would be an issue through the HOA.
- Andrew Slawter (1323 Benevento Dr.) – He would like an update on when the second entrance will be open as well as the entrance at Cunningham and 653. Mr. Heath answered that there will be a secondary entrance that is being permitted right now and he would think that it would be done within six months. In the next six months they'll be working with the city on adding a turning lane going out of Cunningham Road. His second question is if they can put up temporary signage on Benevento that says no construction vehicles down that road to help alleviate some of that construction traffic. Mr. Tindall will work on putting up a sign.
- Sonia Burgos (1003 Corso Dr.) – The stop sign at Corso and Vienna is completely loose. Mr. Tindall took a note on the location and will fix it.

EIGHTEENTH ORDER OF BUSINESS**Adjournment**

Ms. Burns asked for a motion to adjourn the meeting.

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

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Jill Burns

Secretary/Assistant Secretary

Rennie Heath

Chairman/Vice Chairman