

**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, **November 1, 2022** at 11:00 a.m. at the Holiday Inn – Winter Haven, 200 Cypress Gardens Blvd., Winter Haven, Florida.

Present and constituting a quorum:

Brian Walsh	Vice Chairman
Eric Lavoie	Assistant Secretary
Lauren Schwenk	Assistant Secretary

Also, present were:

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

The following is a summary of the discussions and actions taken at the November 1, 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 that this was the designated time for residents to share their comments, adding that there would be a separate public hearing on parking and towing enforcement later in the meeting. Hearing no comments, the next item followed.

THIRD ORDER OF BUSINESS

Organizational Matters

A. Swearing in of Appointed Supervisor Milton Andrade

Due to Mr. Andrade being absent, this item was tabled to the next meeting.

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FOURTH ORDER OF BUSINESS

Approval of Minutes of the September 22, 2022 Board of Supervisors Meeting

Ms. Burns presented the September 22, 2022 Board of Supervisors meeting. She asked if there were any corrections, comments, or changes to the minutes. Hearing none, she asked for a motion of approval.

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

FIFTH ORDER OF BUSINESS

Public Hearing

A. Public Hearing on the Adoption of Parking and Towing Enforcement Policies and Rules for the District

Ms. Burns asked for a motion to open the public hearing.

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

Ms. Burns presented the overview of the policies, noting that the District had received complaints from residents due to cars being parked on both sides of the roads that were causing difficulties with larger vehicles. She noted that the current policy stated that parking was allowed only on the odd side of the street at any time. She added that any vehicles parked on the even side would be towed at the owner’s expense. She also stated that larger commercial vehicles would not be allowed to be parked on the street at all overnight, as well as that overnight parking at the amenities was prohibited.

One resident noted that he couldn’t find his address on the provided map, and Ms. Burns responded that parking policies for Phase 3 wouldn’t be put in place until after construction was finished.

Hearing no more comments, Ms. Burns asked for a motion to close the public hearing.

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

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i. Consideration of Resolution 2023-01 Adopting Parking and Towing Enforcement Policies

Ms. Burns presented the resolution and asked if there were any questions. Hearing none,

On MOTION by Ms. Schwenk, seconded by Mr. Walsh, with all in favor, Resolution 2023-01 Adopting Parking and Towing Enforcement Policies, was approved.

Ms. Burns also noted that Florida Statutes require that the signage be placed at the entrance of the community, and that her office recommended that they send a mailed notice to all residents before enforcing the policy.

ii. Consideration of Towing Services Agreement

Ms. Burns noted that the agreement was with S&S Towing, adding that they have used the vendor previously in other Districts. She also noted that the agreement allowed the towing company to have a contract where they can come in and enforce the policy. She asked if the Board had any questions, and hearing none, asked for a motion to approve.

On MOTION by Ms. Schwenk, seconded by Mr. Walsh, with all in favor, the Towing Services Agreement, was approved.

SIXTH ORDER OF BUSINESS

Consideration of Engagement Letter for Fiscal Year 2022 Audit Services from Berger, Toombs, Elam, Gaines & Frank

Ms. Burns presented the engagement letter, noting that the Board had previously chosen Berger, Toombs, Elam, Gaines & Frank to complete the Fiscal Year 2022 audit. She noted that they did not increase for the next series of bonds, making the total \$3,580, adding that it may be a mistake on their part. She asked for a motion to approve.

On MOTION by Mr. Walsh, seconded by Mr. Lavoie, with all in favor, the Engagement Letter for Fiscal Year 2022 Audit Services from Berger, Toombs, Elam, Gaines & Frank, was approved.

SEVENTH ORDER OF BUSINESS

Ratification of Release and Termination of Easements

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Ms. Gentry stated that there was an easement put in place that was granted by DevMar, LLC to the VillaMar CDD over land within the District that they owned, and with the recording of the most recent plat, there was a request to release the easement and just rely on the easements that are granted via plat. Ms. Burns asked for a motion to ratify.

On MOTION by Ms. Schwenk, seconded by Mr. Walsh, with all in favor, the Release and Termination of Easements, was ratified.

EIGHTH ORDER OF BUSINESS

Ratification of Construction Contract for Thompson Nursery Road Phase 1 and Phase 2 Improvements

Ms. Burns stated the contract was awarded at the last meeting, and that the construction contract had been signed. Therefore, she asked for a motion to ratify.

On MOTION by Ms. Schwenk, seconded by Mr. Walsh, with all in favor, the Construction Contract for Thompson Nursery Road Phase 1 and Phase 2 Improvements, was ratified.

NINTH ORDER OF BUSINESS

Ratification of Developer’s Affidavit and Agreement Regarding Procurement of Construction Contract (Thompson Nursery Road Extension Phases 1 & 2)

Ms. Burns stated the agreement was signed and included in the agenda for review and asked for a motion to ratify.

On MOTION by Mr. Walsh, seconded by Mr. Lavoie, with all in favor, the Developer’s Affidavit and Agreement Regarding Procurement of Construction Contract (Thompson Nursery Road Extension Phases 1 & 2), was ratified.

TENTH ORDER OF BUSINESS

Discussion of Resident Concern Regarding Fencing/Restricted Access to the Playground and Mailbox Areas

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Ms. Burns stated there were concerns regarding restricting access to the playground and mailbox areas due to some instances of children getting off the school bus and fighting in those areas. Some residents suggested that the area be fenced or restricted, however that was not in the budget for the fiscal year and would not solve the issue. Ms. Burns instead suggested that if any residents witnessed any fighting that they notify the police department.

ELEVENTH ORDER OF BUSINESS**Review and Ranking of Proposals
Received for Phase 6 RFP (due 11/9/2022)**

Ms. Burns stated that this was due November 9th, adding that that was put on there with the intent of continuing the meeting.

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

Ms. Gentry stated that the Boundary Amendment hearing had been scheduled for the first reading on November 14th and a second reading on November 28th. She asked if there were any questions, and hearing none, the next item followed.

B. Engineer

Ms. Burns stated that the District Engineer was not on the line today.

C. Field Manager's Report

Mr. Tindall reviewed the Field Manager's Report, starting with the hurricane preparation and cleanup. He stated that furniture and loose items had been secured, and that the CDD had little to no damage after the storm, with only a portion of fencing being broken and street signs that were down. He also noted that there was an erosion issue that was made worse by the hurricane, but that it was being repaired. He added that the fence structures were being repaired in phases, and that they had received quotes from the original fence contractor as well, but that they were collecting more to get the most efficient price and timeframe. He stated that the landscaper had also been contacted to repair the trees that were leaning around the area. He also noted that they had noticed that there had been 3 cypresses that were stolen along Cunningham Road during the week prior. The Board decided not to replace them. He noted that there was also a complaint about mosquitoes, but that it was being taken care of with treatment. He also added

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that there was a midge issue around one pond, and the Board agreed they would look into solutions as it was only half-owned by the District.

D. District Manager’s Report

i. Approval of the Check Register

Ms. Burns presented the check register which totaled \$87,136.64. She asked for any questions or comments. Hearing none, asked for a motion to approve.

On MOTION by Ms. Schwenk, 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.

THIRTEENTH ORDER OF BUSINESS

Other Business

There being no other business, the next item followed.

FOURTEENTH 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.

One resident asked if Phase 5 would have mailboxes, to which Ms. Burns answered yes.

Another resident commented that she was very pleased with landscaping and maintenance of the CDD but asked if it could start no earlier than 8:00 a.m. because she was interrupted by noise early in the morning. Ms. Burns answered that she would check and see what she could do to help with that, but she added that most of the time the noise ordinance started at 7:00 a.m.

FIFTEENTH ORDER OF BUSINESS

Continuation of Meeting

On MOTION by Ms. Schwenk, seconded by Mr. Lavoie, with all in favor, the meeting was continued to November 16, 2022 at 1:15 p.m. at 346 E Central Ave.

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Jill Burns

Secretary/Assistant Secretary

Rennie Heath

Chairman/Vice Chairman