

**MINUTES OF MEETING  
VILLAMAR  
COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of the VillaMar Community Development District was held on Tuesday, **March 7, 2023** at 11:47 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	Assistant Secretary
Eric Lavoie	Assistant Secretary

Also, present were:

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

*The following is a summary of the discussions and actions taken at the March 7, 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. There were three Supervisors present constituting a quorum.

**SECOND ORDER OF BUSINESS**

**Public Comment Period**

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

**THIRD ORDER OF BUSINESS**

**Approval of Minutes of the February 7, 2023  
Board of Supervisors Meeting**

Ms. Burns presented the February 7, 2023 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.

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On MOTION by Mr. Heath, seconded by Mr. Lavoie, with all in favor, the Minutes of the February 7, 2023 Board of Supervisors Meeting, were approved.

#### **FOURTH ORDER OF BUSINESS**

#### **Presentation and Consideration of Supplemental Assessment Methodology for Assessment Area Five dated March 7, 2023**

Ms. Burns stated that this methodology was based on the most recent bond sizing that was sent over from Jon Kessler's officer. She explained that this report was the assessment methodology that allocates for the Series 2023 bonds that benefits the properties within Assessment Area 5. She referred to the tables that were attached to the agenda package. Table 1 was the development program which included two product types and a total of 396 lots. There are 202 single family 40' lots and 194 single family 50' lots. She explained that the single family 50' lots had an ERU of 1.0 and the 40' lots had an ERU of 0.8. Table 2 was the Capital Improvement Plan cost estimates from the engineer's report totaling \$15,334,000. Table 3 included an estimated bond sizing of \$7,095,000. Table 4 showed the improvement cost per unit. Table 5 showed the par debt per unit, which was \$17,917 for each of those product types. She also noted the developer contributions for each to reach those targeted levels. Table 6 showed the net and gross annual debt assessment per unit. She explained that it was \$1,250 net for each of the product types and was \$1,344.09 when collected on the tax bill that considered the early payment discounts and collections fees. Table 7 showed the preliminary assessment roll and included one landowner, VMAR Dev, LLC, who owned 70.94 acres within this area. She noted that they were still waiting on the legal description for this assessment area from the engineer's office and that would need to be added.

After Board discussion, it was decided to table this item. Ms. Burns noted she would reach out to Jon Kessler and Dylan Schwartz and would bring this item back to the Board. Ms. Gentry explained that in the next agenda item, their new Master Assessment Methodology for Phases 5, 6, 7A, 7B, and 8 covered all those new lands that they just brought in. She stated that the old Phase 5 had additional plans added to it, the old Phase 6 was redesignated as Phase 8, and the new lands that were just added by this boundary amendment were designated now as Phase 6, 7A, and 7B. Ms. Burns noted that they would need to look at the cap level on some of the lots and maybe redo the contribution for lot assessment.

#### **FIFTH ORDER OF BUSINESS**

#### **Public Hearings**

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**A. Public Hearing on the Imposition of Special Assessments on Boundary Amendment Parcels**

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

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

Ms. Burns stated that there were no members of the public present at this time nor joining via Zoom.

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

**i. Presentation of Amended and Restated Master Engineer's Report for Capital Improvements dated December 15, 2022**

Ms. Burns stated that this master engineer's report had not changed since the Board saw it at the last meeting.

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

**ii. Presentation of Amendment to the Amended and Restated Master Assessment Methodology (Phases 5, 6, 7A, 7B, and 8) dated January 3, 2023**

Ms. Burns explained that this report had also not changed since the Board saw it at the January meeting. She noted that this assessment report allocated debt to properties within the District based on the benefit that they received from the Capital Improvement Plan that was outlined in the engineer's report. She referred to the tables attached to this report. Table 1 showed their development plan for each of the phases. She explained that there was single family 40' lot and single family 50' lot in those phases with a total number of 1,041 units for those Phases 5, 6, 7A, 7B, and 8. Table 2 showed a Capital Improvement Plan cost estimate of \$40,958,500. Table 3 showed an estimated bond sizing of \$56,600,000. Table 4 outlined the improvement cost per unit for each of those product types. Table 5 showed the par debt per unit, which included single family 40' for \$49,780 and single family 50' for \$62,225. Table 6 outlined the net and gross annual debt assessment per unit. She noted that on the 40' lot, the gross annual debt assessment when collected on the Polk County tax bill

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would be \$3,486 and the 50' lot would be \$4,358. She further explained that these totals would be cap amounts and it would be the most that they would issue. Table 7 showed the preliminary assessment roll that allocated the debt by acre and included a couple of different landowners: VMAR Dev, LLC, Villa Mar FG, LLC, and Cunningham Investors, LLC.

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

**iii. Consideration of Resolution 2023-06 Levying Special Assessments**

Ms. Gentry stated that this was their Master Assessment resolution levying the caps of assessments that could be levied on this property. She reviewed section 2 which showed the findings that they were making including the history of how they got to this point, describing the proper noticing of the hearings, finding that the estimated cost as specified in the engineer's report were reasonable and proper, that it was reasonable, proper, just, and right to assess the costs of these improvements against the land in these assessment areas, approving the assessment report, declaring that the improvements would constitute a special benefit to all parcels of real property, declaring that the costs of the improvements were fairly and reasonably apportioned to the properties, that it was in the best interest of the District for the assessments to be paid and collected, and that it was reasonable, proper, just and right for the District to utilize the true-up mechanisms set forth in the assessment report, authorizing the project to be completed, estimating the cost of improvements, and equalizing, approving, and confirming the levy of those master special assessments. Ms. Gentry noted that they had the information to support those findings set forth in the reports from their consultants.

On MOTION by Ms. Schwenk, seconded by Mr. Heath, with all in favor, the Resolution 2023-06 Levying Special Assessments, was approved.

**B. Public Hearing on the District's Use of the Uniform Method of Levying, Collection & Enforcement of Non-Ad Valorem Assessments on Boundary Amendment Parcels**

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

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

Ms. Burns stated that there were no members of the public present at this time nor joining via Zoom.

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

**i. Consideration of Resolution 2023-07 Expressing the District's Intent to Utilize the Uniform Method of Collection**

Ms. Burns stated that this resolution was in the agenda package for review. She explained that this would allow them to utilize the tax collector to collect their assessments when they were ready to do so for the areas that were recently added to the District.

On MOTION by Mr. Heath, seconded by Ms. Schwenk, with all in favor, Resolution 2023-07 Expressing the District's Intent to Utilize the Uniform Method of Collection, was approved.

**SIXTH ORDER OF BUSINESS**

**Staff Reports**

**A. Attorney**

Ms. Gentry stated that the validation hearing was scheduled for April 10, 2023.

**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 amenity review. He stated that the vendors' maintenance of the facility areas had been satisfactory, the facilities had been kept neat and orderly. He stated that there was a keypad issue identified and repaired. He reviewed the landscaping stating that the work was good, and they were entering the dry season. He noted that the unirrigated turf was likely to stay stressed until the rainy season. He also reviewed the pond stating that the pond was getting shallow in this dry season. It was noted that the pond maintenance was acceptable, and Pond #21 in Phase 4 was being adjusted. He noted that the straightening of the fences was finished, and the approved parking exception signs were installed. After brief Board discussion,

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it was decided to include pool furniture, fence at the playground, and dog stations costs in the budget, which they will review in April based on the estimates that Mr. Tindall reviews.

**D. District Manager’s Report**

**i. Approval of the Check Register**

Ms. Burns presented the check register to the Board. 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. There was no Board action for this item.

**SEVENTH ORDER OF BUSINESS**

**Other Business**

There being no other business, the next item followed.

**EIGHTH ORDER OF BUSINESS**

**Supervisors Requests and Audience Comments**

There being none, the next item followed.

**NINTH 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