

**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, **November 2, 2023** at 11:30 a.m. at the Holiday Inn – Winter Haven, 200 Cypress Gardens Blvd., Winter Haven, Florida.

Present and constituting a quorum:

Rennie Heath	Chairman
Brian Walsh <i>by Zoom</i>	Vice Chairman
Lauren Schwenk	Assistant Secretary
Eric Lavoie	Assistant Secretary

Also, present were:

Jill Burns	District Manager, GMS
Meredith Hammock	District Counsel, KVV Law
John Bannon <i>by phone</i>	District Engineer, Wood Engineering
Marshall Tindall	Field Manager, GMS

The following is a summary of the discussions and actions taken at the November 2, 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 in person constituting a quorum.

SECOND ORDER OF BUSINESS

Public Comment Period

Ms. Burns opened the public comment portion of the meeting. There being none, the next item followed.

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THIRD ORDER OF BUSINESS

Organizational Matters

A. Administrative Oaths of Office to Newly Elected Board Members (Seat #1, Seat #2, and Seat #4)

Ms. Burns noted that Mr. Andrade was not in attendance so he will be sworn in at another time. She then continued to swear in Mr. Heath and Mr. Lavoie to the Board of Supervisors and had them sign the documents for notarization.

B. Consideration of Resolution 2024-01 Canvassing and Certifying the Results of the Landowners' Election

Ms. Burns noted that the Landowners' Election was held prior to the start of the of the meeting stating that Rennie Heath received 282 votes, Eric Lavoie received 282 votes, and Milton Andrade received 281 votes. She asked for a motion of approval.

On MOTION by Mr. Heath, seconded by Ms. Schwenk, with all in favor, Resolution 2024-01 Canvassing and Certifying the Results of the Landowners' Election, was approved.

C. Election of Officers

Ms. Burns asked for the Board to elect officers and asked if they would like to keep the officer the same as they were. Mr. Heath will remain the Chair, Mr. Walsh will act as Vice Chair, and the remaining three officer will act as Assistant Secretaries.

D. Consideration of Resolution 2024-02 Electing Officers

With the Board's agreeance, Ms. Burns asked for a motion of approval.

On MOTION by Ms. Schwenk, seconded by Mr. Heath, with all in favor, Resolution 2024-02 Electing Officers, was approved.

FOURTH ORDER OF BUSINESS

Approval of the Minutes of the September 5, 2023 Board of Supervisors Meeting

Ms. Burns presented the meeting minutes from the September 5, 2023 Board of Supervisors meeting and asked for any corrections, comments, or questions. Hearing none, she asked for a motion of approval.

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On MOTION by Mr. Heath, seconded by Ms. Schwenk, with all in favor, the Minutes of the September 5, 2023 Board of Supervisors Meeting, were approved.

FIFTH ORDER OF BUSINESS**Presentation of Arbitrage Rebate Report for Series 2019 Project Bonds**

Ms. Burns stated that under the internal revenue code, the District has to demonstrate that they do not earn more interest that is paid. Page four of the report shows a negative rebate amount. She then asked for a motion of approval.

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

SIXTH ORDER OF BUSINESS**Consideration of Proposal for Arbitrage Rebate Services from AMTEC for Series 2023 Assessment Area Five Project Bonds**

Ms. Buns noted that the cost is \$450 annually and asked for a motion to approve the proposal.

On MOTION by Ms. Schwenk, seconded by Mr. Lavoie, with all in favor, the Proposal for Arbitrage Rebate Services from AMTEC for Series 2023 Assessment Area Five Project Bonds, was approved.

SEVENTH ORDER OF BUSINESS**Presentation of Fiscal Year 2022 Audit Report**

Ms. Burns presented the Fiscal Year 2022 audit report to the Board which can be found in the agenda package. She did note that the report was received late from the auditor and was not submitted by the June 30th deadline and added that there is no fine that is levied and there should be no concern moving forward. The report shows a clean audit with no findings and Ms. Burns asked for a motion to accept the report.

On MOTION by Mr. Heath, seconded by Mr. Lavoie, with all in favor, Accepting the Fiscal Year 2022 Audit Report, was approved.

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EIGHTH ORDER OF BUSINESS**Consideration of Audit Services Engagement Letter for Fiscal Year 2023 Audit from Berger, Toombs, Elam, Gains & Frank**

Ms. Burns presented the engagement letter for auditing services for Fiscal Year 2023 from Berger, Toombs, Elam, Gains & Frank totaling \$3,580. Ms. Burns noted that the price for a similar District that she manages audit services cost \$9,100 from another auditor for comparison purposes. The Board decided to terminate the contract with the auditor. Ms. Burns stated that they will have to have an Audit Committee meeting to solicit proposals for new auditing services.

On MOTION by Ms. Schwenk, seconded by Mr. Heath, with all in favor, Termination of Contract with Berger, Toombs, Elam, Gains & Frank for Auditing Services, was approved.

NINTH ORDER OF BUSINESS**Review and Ranking of Proposals Received for Phase 7 RFP for Construction Services and Authorizing Staff to Send Notices of Intent to Award**

Ms. Burns passed the proposals out to the Board while the district engineer stated that three proposals were received from Tucker, Kearney, and RIPA with the bid evaluation sheets. He noted that there were some minor adjustments made for comparison purposes. The details of the scoring can be found on exhibit D, and he summarized what the proposals are scored on. The rankings were RIPA with 95.16 points, Kearney with 92.50, and Tucker with 90.77. Based on the evaluation, the recommendation would be to go with RIPA. The Board had no questions on the rankings and Ms. Burns asked for a motion to send a notice of intent to award RIPA with the contract.

On MOTION by Mr. Heath, seconded by Mr. Lavoie, with all in favor, the Ranking of Proposals Received for Phase 7 RFP for Construction Services and Authorizing Staff to Send Notice of Intent to Award to RIPA, was approved.

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TENTH ORDER OF BUSINESS**Discussion Regarding Adding Phase 3-5 to the Parking Policies**

Ms. Burns lead the Board in a discussion on adding Phases 3-5 to the parking policies and added that the phases are substantially complete with home building. There are parking and towing policies for Phases 1 and 2. Ms. Burns noted the current parking policy for Phase 1 and 2 is for parking allowed on the even side of the road. In other communities they have since moved to custom signage. If they move forward with custom signage, they will have to reevaluate 1 the policies in the first two phases. Staff will look into the cost of changing to the signage method for Phase 1 and 2 and adding 3-5. They will do a quote for 3-5 for signage and a quote for 1 and two and bring it back it a future meeting. District engineer commented that there may be some possibility to insert overflow parking in certain areas and he will look at it.

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

Ms. Hammock had nothing to report to the Board.

B. Engineer

There being no comments, the next item followed.

C. Field Manager's Report

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

- Pool gate repair concerning the panic bar.
- Lift inspection and repair was completed by the pool vendor.
- Landscaping has been well maintained.
- Hedges are being gently trimmed as they are allowed to grow into a taller privacy hedge as approved.
- Landscaper cleaned up and added a few stormwater structures to their regular maintenance that were tucked into wetland areas after review with District engineer.
- Pond vendor is working to keep algal blooms treated due to low pond levels and lack of rain.
- Forecasting Phase 6 areas sometime next year and planning review with contractor.

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i. Consideration of Proposal for Pond Maintenance

Mr. Tindall presented the proposal for pond maintenance from Solitude for a total of \$10,272.00 that would be paid at \$856.00 per month. The terms and scope can be found in the agenda package and Mr. Tindall added that it is within budget.

On MOTION by Ms. Schwenk, seconded by Mr. Heath, with all in favor, Proposal from Solitude for Pond Maintenance, was approved.

ii. Discussion Regarding Cost for Stormwater Clearing

Mr. Tindall summarized the work done following continued issues in the southeast end of Phase 3. The work required a diver to install plugs in the ponds ends, pump down the lines under the street, and then clean them. Heavy sediment was identified thought that have stemmed from construction runoff. Work to clean the stormwater lines was executed over the course of three days in the first week of October. The CDD has paid for the cleaning out of O&M expenses that totaled \$22,114 and there was some discussion as to if they would like to try to go to the builder to cover those costs. The Board agreed that they should peruse the builder as it is from their work. Ms. Hammock will work on that after collaborating with Mr. Tindall for further information.

D. District Managers Report**i. Approval of the Check Register**

Ms. Burns presented the check register to the Board. She asked for any questions or comments. Hearing no comments, she asked for a motion to approve.

On MOTION by Ms. Schwenk, seconded by Mr. Heath, 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.

TELFTH ORDER OF BUSINESS**Other Business**

There being no comments, the next item followed.

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THIRTEENTH ORDER OF BUSINESS

**Supervisors Requests and Audience
Comments**

There being no comments, the next item followed.

NINTH ORDER OF BUSINESS

Adjournment

Ms. Burns asked for a motion to adjourn.

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

Jill Burns

Secretary/Assistant Secretary

DocuSigned by:
Rennie Heath
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Chairman/Vice Chairman