



Seat 1 - Walter Martin, Vice Chairman
Seat 2 - Jerry Knoll, Supervisor
Seat 3 - Gerald Ferlisi, Supervisor
Seat 4 - Chuck Wildzunas, Supervisor
Seat 5 - Gary Kadow, Chairman

Monthly Board Meetings are held at:

District Office Board Room

984 Old Mill Run The Villages, FL 32162

The Villages, Florida 32162

AGENDA

April 19, 2019

8:00 AM

Notice to Public: Audience Comments on all issues will be received by the Board.

1. Call to Order
 - A. Roll Call
 - B. Pledge of Allegiance
 - C. Observation of Moment of Silence
 - D. Welcome Meeting Attendees

CONSENT AGENDA:

A motion to approve the Consent Agenda is a motion to approve all recommended actions. All matters on the Consent Agenda are considered routine and no discussion is required unless desired by a Board Supervisor or a Member of the Public.

2. Approval of the Minutes
Approval of the Minutes for the Meeting held on March 15, 2019
3. Renewal Two (Final) for Painting Services with Lester Painting, Inc.
Review and approval of Renewal Two (Final) to ITB #15B-024 Agreement between Village Community Development District #5 and Lester Painting, Inc. for Villa Wall and Sign Wall Painting Services.

NEW BUSINESS:

4. Review of Board Operating Policies and Procedures

OLD BUSINESS:

5. Old Business Status Update
Old Business Status Update - April 10, 2019

INFORMATIONAL ITEMS ONLY:

6. Financial Statements
Budget to Actual Statements as of February 28, 2019
7. DPM Monthly Report

REPORTS AND INPUT:

8. District Manager Reports

9. District Counsel Reports
10. Audience Comments
11. Supervisor Comments
 - A. Supervisor Wildzunas: PWAC After Agenda
12. Adjourn

HOSPITALITY * STEWARDSHIP * CREATIVITY * HARD WORK

NOTICE

Each person who decides to appeal any action taken at these meetings is advised that person will need a record of the proceedings and that accordingly, the person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which such appeal is to be based. Audio recordings of Board meetings, workshops or public hearings are available for purchase per Florida Statute 119.07 through the District Clerk for \$1.00 per CD requested. Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the District Office at (352) 751-3939 at least five calendar days prior to the meeting.

The Villages®
Community Development Districts
District 5

AGENDA REQUEST

TO: Board of Supervisors
Village Community Development District 5

FROM: Jennifer McQueary, District Clerk

DATE: 4/19/2019

SUBJECT: **Approval of the Minutes**

ISSUE: Approval of the Minutes for the Meeting held on March 15, 2019

ANALYSIS/INFORMATION: Staff requests approval of the Minutes for the Meeting held on March 15, 2019.

STAFF RECOMMENDATION: Staff recommends approval of the Minutes for the Meeting held on March 15, 2019.

MOTION: Motion to approve the Minutes for the Meeting held on March 15, 2019.

ATTACHMENTS:

Description	Type
3-15-19 Minutes	Cover Memo

**MINUTES OF MEETING
VILLAGE COMMUNITY
DEVELOPMENT DISTRICT NO. 5**

A Meeting of the Board of Supervisors of Village Community Development District No. 5 was held on Friday, March 15, 2019 at 8:00 a.m. in the District Office Large Conference Room, 984 Old Mill Run, The Villages Florida, 32162.

Board members present and constituting a quorum:

Walter Martin	Chairman
Gary Kadow	Vice Chairman
Chuck Wildzunas	Supervisor
Jerry Ferlisi	Supervisor
Jerry Knoll	Supervisor

Staff Present:

Richard Baier	District Manager
Kenny Blocker	Assistant District Manager
Valerie Fuchs	District Counsel
Diane Tucker	Administrative Operations Manager
Sam Wartinbee	District Property Management Director
Anne Hochsprung	Finance Director
Brittany Wilson	Director of Technology and Board Services
Jennifer McQueary	District Clerk
Candice Harris	Deputy District Clerk

FIRST ORDER OF BUSINESS:

Call to Order

A. Roll Call

Chairman Kadow called the meeting to order at 8:00 a.m. and stated for the record that all Supervisors were present representing a quorum.

B. Pledge of Allegiance

Chairman Kadow led the Pledge of Allegiance.

C. Observation of a Moment of Silence

The Board and residents observed a moment of silence for those who have served our Country and community.

D. Welcome Meeting Attendees.

The Board welcomed all those residents in attendance.

SECOND ORDER OF BUSINESS: Approval of Minutes

On MOTION by Jerry Knoll, seconded by Chuck Wildzunas, with all in favor, the Board Approved the Minutes from the Board Meeting held on February 15, 2019.

THIRD ORDER OF BUSINESS: Operating Policies and Procedures

Richard Baier, District Manager, advised that Staff has completed the process of updating the District's Operating Policies and Procedures and has proposed updates for the Board's consideration and Staff will complete a review of the policies and procedures, and if the Board members have changes, concerns, questions, or comments about the existing procedures or those that may have been proposed, those will be addressed at this time.

Brittany Wilson, Director of Technology and Board Support Services, advised that at the February meeting the Board was provided with a copy of the Draft Operating Policies and Procedures for review. Ms. Wilson completed an overview of the revised Operating Policies and Procedures document and requested direction from the Board on several sections. Following an in-depth discussion of each section, the Board directed that their Operating Policies and Procedures be revised as follows:

- Section 1.2 Standards of Civil Discourse: This section was added as a result of some requests made by Board Supervisors to ensure that Board Meetings are able to progress in a professional manner.
- Section 1.3-3) Term of Supervisors - Options for Filling Vacancies: Staff to review questions included on the application; Staff to provide additional open-ended questions that can be utilized during the application process; recommendation of replacement by outgoing Supervisor can be a consideration by the Board and scheduling a Special Meeting to hold interviews will be at the discretion of the Board.

- Section 1.3-2) will be revised to read, “A special meeting will not be scheduled to conduct applicant interviews.” ii - Recommended replacement by outgoing supervisors will be deleted.
- Section 1.3-6) Officers – Options for Selection of a Board Chairman and Vice Chairman:
The Board concurred to maintain the current procedure for continuity

Supervisor Ferlisi requested clarification of the annual review suggested for Committee members. Ms. Wilson advised that Staff is suggesting that this item be addressed annually to ensure that the Board understands who the current representation is and provides an opportunity for discussion, if necessary.

- On Section 1.3-10) Voting Conflict of Interest: A correction to section “a.” will be made to state that “The Board Supervisor would then not vote”
- Section 1.5-4) Agenda Format: Staff is recommending utilizing the current agenda format and is requesting that Board Supervisors contact the District Manager 10 days in advance of the meeting to place an item on the agenda under Supervisor Comments. This does not prevent any Board Supervisor from bringing up information under Supervisor comments but it is for a public notice.
- Section 12 Roll Call Vote: Some Boards considered that the Roll Call votes be conducted by the Board Chair or at the District Manager’s request. Some Boards have elected to remove “the Board Chair”. The Board did not request that “the Board Chair” be removed.

Chairman Kadow requested that District Counsel also be included as a party who can request a Roll Call vote.

- Section 13 Public Comment. The Board of Supervisors previously adopted a public comment policy via Resolution which is now also incorporated it within this document.

Supervisor Ferlisi requested clarification about ex-parte communications, which was provided by Ms. Fuchs.

Mr. Baier advised that once all revisions have been incorporated into the Operating Policies and Procedures Staff will proceed with the advertisement to hold a Public Hearing at a future meeting, at which time the Board will then formally adopt its Rule.

FOURTH ORDER OF BUSINESS: Architectural Review Committee Selection Process

Candy Dennis, Community Standards Manager, advised that on April 30, 2019 Mr. Joel Best's term as the primary ARC member will expire. Mr. Warren has expressed a desire to remain in the primary member position; however, the District's current selection process does not provide the ability to allow the Board to re-appoint Mr. Best as the primary ARC member. The current policy specifies that the Board members shall review submitted applications, conduct interviews with the applicants and select and appoint the ARC representative at the completion of interviews. Ms. Dennis advised the Board can follow the current selection process as identified or amend the current selection process to include the following:

1. When a primary member's position becomes vacant, the Board has the option to appoint the existing alternate member to the primary position without considering other applicants. If the alternate member declines the position, the Board shall review submitted applications, conduct interviews with the applicants and select its ARC representative upon completion of the interviews; and
2. When a primary or alternate ARC member's term expires, if the primary or alternate member indicates a desire to remain on the ARC, the Board has the option to re-appoint the primary or alternate member position with the existing primary or alternate member without considering other applicants.

Ms. Dennis advised if the Board chooses to amend the current selection process, Staff is requesting that the Board adopt Resolution 19-05, which revises the selection process and allows for the reappointment of a primary ARC member for an additional four (4) year term. Ms. Dennis stated that if the Board chooses not to amend the current selection process, Staff is requesting authorization to advertise for the primary member position for the ARC and all submitted applications will be presented to the Board at the April 18, 2019 meeting for interviews, selection and appointment to the ARC.

On MOTION by Jerry Knoll, seconded by Chuck Wildzunas, with all in favor, the Board adopted Resolution 19-05 revising the selection process and providing the Board the ability to re-appoint and existing primary or alternate ARC member and appointed Joel Best to serve as primary ARC Member for a four (4) year term.

FIFTH ORDER OF BUSINESS: Old Business Status Update

There were no Old Business items to be addressed.

SIXTH ORDER OF BUSINESS: Financial Statements

The Financial Statements as of January 31, 2019 were provided as information to the Board.

SEVENTH ORDER OF BUSINESS: DPM Monthly Report

The District Property Management Report (DPM) was provided as information to the Board.

EIGHTH ORDER OF BUSINESS: Long-term Investment Portfolio

Kenny Blocker, Assistant District Manager, advised that the Investment Advisory Committee (IAC) met with PFM, the District's Financial Advisors, on February 5, 2019 to review the annual cash flow analysis. The analysis is performed annually to determine the appropriate allocation of cash, cash equivalents and investments in the Long-Term Investment Portfolio (LTIP). According to the analysis completed the District currently exceeds the 15% recommendation for the LTIP and Staff is not recommending any additional funds be invested in the Long-term Investment Portfolio.

NINTH ORDER OF BUSINESS: District Manager Reports

A. Updated Resident Academy Flyer

Mr. Baier reviewed the upcoming Resident Academy dates and advised the Board that on-line registration for the upcoming 2019 Resident Academy session will begin on February 28, 2019.

B. Ex-parte Communications

Mr. Baier provided a reminder to the Board Supervisors that Florida Law prohibits Ex-Parte Communication which includes any communication with residents about Deed Compliance or Architectural Review Committee (ARC) issues or ongoing cases.

C. District Government Update Meeting

Mr. Baier advised that a District Government Update Meeting will be held at Rohan Regional Recreation Center on Friday, April 5, 2019 from 9-11:00 a.m. This is a District Update on the different processes and efficiently measures taken by the District Government.

TENTH ORDER OF BUSINESS: District Counsel Report

There were no District Counsel Reports.

ELEVENTH ORDER OF BUSINESS: Audience Comments

No audience comments.

TWELFTH ORDER OF BUSINESS: Supervisor Wildzunas Comments – PWAC After Agenda

Supervisor Wildzunas advised that the Project Wide Advisory Committee (PWAC) met on Monday, March 11, 2019 and highlighted the following items addressed:

- The Committee unanimously approved the installation of the Aquatic Access Lifts (AAL) south of CR 466 that does not currently have an AAL installed.
- The Committee will hold a joint workshop with the Amenity Authority Committee (AAC) regarding the amenity deferral rate on March 20, 2019 from 9-11 a.m. at the Savannah Regional Recreation Center.

THIRTEENTH ORDER OF BUSINESS: Adjourn

The meeting was adjourned at 9:13 a.m.

On MOTION by Jerry Knoll, seconded by Chuck Wildzunas, with all in favor, the Board Adjourned the Meeting.

Richard J. Baier
Secretary

Gary Kadow
Chairman

The Villages®
Community Development Districts
District 5

AGENDA REQUEST

TO: Board of Supervisors
Village Community Development District 5

FROM: Mark LaRock, Purchasing Director; Joan Fiege, Contract Administrator

DATE: 4/19/2019

SUBJECT: **Renewal Two (Final) for Painting Services with Lester Painting, Inc.**

ISSUE:

Review and approval of Renewal Two (Final) to ITB #15B-024 Agreement between Village Community Development District #5 and Lester Painting, Inc. for Villa Wall and Sign Wall Painting Services.

ANALYSIS/INFORMATION:

On June 5, 2015 Village Community Development District #5 entered into the Agreement for Villa wall and Sign wall painting with Lester Painting, Inc. The initial contract expired on June 12, 2018 and was renewed May 11, 2018 for the 1st renewal period of June 13, 2018 through June 12, 2019. The term of Renewal Two (Final) will be June 13, 2019 through June 12, 2020. This is the final renewal for the Agreement. The terms and conditions, including cost, remain the same as in the original contract as shown in Exhibit A.

BUDGET IMPACT:

The budget impact will depend on the type and amount of maintenance needed as this Agreement is for on-going maintenance services.

STAFF RECOMMENDATION:

Staff requests approval of Renewal Two (Final) to ITB #15B-024 Villa Wall and Sign Wall Painting.

MOTION:

Motion to approve Renewal Two (Final) to ITB #15B-024 Agreement for Services between Village Community Development District #5 and Lester Painting, Inc. for Villa Wall and Sign Wall Painting and authorize the Chairman/Vice Chairman to sign the Agreement.

ATTACHMENTS:

Description	Type
▣ VCDD5 Renewal 2 Bid # 15B-024 - Lester Painting	Exhibit

**RENEWAL TWO (FINAL) TO THE AGREEMENT BETWEEN
VILLAGE COMMUNITY DEVELOPMENT DISTRICT #5
AND LESTER PAINTING, INC.
VILLA WALL AND SIGN WALL PAINTING
BID # 15B-024**

THIS RENEWAL is entered into this 19th day of April, 2019, by and between **VILLAGE COMMUNITY DEVELOPMENT DISTRICT #5** (hereafter referred to as the ("District")), whose address is 984 Old Mill Run, The Villages, Florida 32162, and **LESTER PAINTING, INC.** (hereafter referred to as "Contractor"), whose address is 13851 SE 163RD Place/P.O. Box 1143, Weirsdale FL 32195.

RECITALS

WHEREAS, the District and Contractor entered into the Agreement to provide professional villa wall and sign wall painting for properties such as those owned or operated by the District dated June 12, 2015; and

WHEREAS, the District and Contractor entered into Renewal One to the Agreement on May 18, 2018; and

WHEREAS, District and Contractor desire to renew the existing Agreement which expires on June 12, 2019; as set forth below.

NOW, THEREFORE, in consideration of the mutual covenants and agreements contained herein, it is agreed as follows:

1. The above Recitals are true and correct and are hereby incorporated into this paragraph.
2. DISTRICT and CONTRACTOR hereby renew (renewal Two – Final) the Agreement and any amendments thereto for a term of June 13, 2019 and ending June 12, 2020. The Agreement and all amendments and renewals are hereby incorporated into this paragraph.
3. DISTRICT and CONTRACTOR agree that all other terms and conditions of the Agreement and Amendments thereto are hereby ratified and confirmed and shall continue in full force and effect except as renewed herein.

IN WITNESS WHEREOF, the parties hereto have duly executed this Renewal on the date set forth above.

**VILLAGE COMMUNITY
DEVELOPMENT DISTRICT #5**

By: _____


Print Name

Print Title

Date

Attest

LESTER PAINTING, INC.

By:  _____

Print Name

Print Title

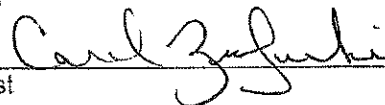
Date

Attest

Deborah Lester

Vice President

1-22-2019



DISTRICT #5 WALL AND ENTRY LOCATIONS

UNIT	TYPE	Est. SQ. FT.	Cost Per Sq. Ft.	TOTAL
Arlington Villas, Unit 644- perimeter wall	DURA-TEC	11898	\$0.50	\$5,949.00
Bailey Ridge, Unit 658- perimeter wall	DURA-TEC	9893	\$0.50	\$4,946.50
Bellamy Villas - Signs Only	Varies	150	\$2.00	\$300.00
Belmont Villas, Unit 645- perimeter wall	DURA-TEC	10,934	\$0.50	\$5,467.00
Broyhill Villas, Unit 635- Sign	DURA-TEC	150	\$2.00	\$300.00
Cherry Hill Villas, unit 636, perimeter wall	DURA-TEC	3254	\$0.50	\$1,627.00
Chesterfield, unit 636, perimeter wall	DURA-TEC	2684	\$0.50	\$1,342.00
Clifton Villas, unit 639, perimeter wall	DURA-TEC	5770	\$0.50	\$2,885.00
Clayton Villas - Signs Only	Varies	150	\$2.00	\$300.00
Collington Villas - Signs Only	Varies	150	\$2.00	\$300.00
Eagle Ridge Villas - Signs Only	Varies	150	\$2.00	\$300.00
Edgefield Villas - Signs Only	Varies	150	\$2.00	\$300.00
Ezell Villas, unit 637, perimeter wall	DURA-TEC	13554	\$0.50	\$6,777.00
Heritage Villas, unit 641, perimeter walls	DURA-TEC	8460	\$0.50	\$4,230.00
Haleah Villas, unit 642, perimeter wall	DURA-TEC	9120	\$0.50	\$4,560.00
Hickory Grove Villas - Sign	Varies	150	\$2.00	\$300.00
Inglewood Villas, unit 638, Sign	DURA-TEC	150	\$2.00	\$300.00
Jasper Villas, unit 648, perimeter walls	DURA-TEC	14820	\$0.50	\$7,410.00
Latrobe, unit 643, perimeter walls	DURA-TEC	15642	\$0.50	\$7,821.00
	DURA-TEC	14694	\$0.50	\$7,347.00
Mount Vernon Villas - Sign	Varies	150	\$2.00	\$300.00
Mt. Pleasant Villas, unit 656, perimeter walls	DURA-TEC	18000	\$0.50	\$9,000.00
Rainey Villas - Sign	Varies	150	\$2.00	\$300.00
Southern Oak - Sign	Varies	150	\$2.00	\$300.00
Sullivan Villas, unit 660, perimeter walls	DURA-TEC	11538	\$0.50	\$5,769.00
Swainwood Villas - Unit 660	Varies	150	\$2.00	\$300.00
Belvedere, Unit 78, perimeter walls	DURA-TEC	9984	\$0.50	\$4,992.00
Bonnybrook, Unit 81	DURA-TEC	4112	\$0.50	\$2,056.00
101 adjacent to Unit 74	DURA-TEC	9667	\$0.50	\$4,833.50
Belvedere Entry Wall Sign	Stucco	336	\$0.50	\$168.00
Lynhaven/Ashland/Bonnybrook, Entry Wall Sign	Stucco	4146	\$0.50	\$2,073.00
Bonnybrook, Entry Wall Sign	Stucco	550	\$0.50	\$275.00
Lynhaven/Ashland, Entry Wall Sign	Stucco	1,700	\$0.50	\$850.00
Lynhaven/Ashland, Entry Wall	Stucco	6,454	\$0.50	\$3,227.00
Winifred, Entry Wall Sign	Stucco	336	\$0.50	\$168.00
Sunset Point, Entry Wall Sign	Stucco	5,432	\$0.50	\$2,716.00
Bridgeport, Entry Wall Sign	Stucco	600	\$0.50	\$300.00
Sunset Ridge, Entry Wall Sign	Stucco	324	\$0.50	\$162.00
Liberty Park, Entry Wall Sign	Stucco	1165	\$0.50	\$582.50
Liberty Park, Entry Wall	Stucco	10070	\$0.50	\$5,035.00
St. Charles, Entry Wall sign	Stucco	3836	\$0.50	\$1,918.00
St. Charles, Entry Wall sign	Stucco	3278	\$0.50	\$1,639.00
Belvedere/CR466	Hardyboard	512	\$0.75	\$384.00
Rainey Trail	Hardyboard	148	\$2.00	\$296.00
DISTRICT #5 GRAND TOTAL				\$ 110,405.50

EXHIBIT "A"

The Villages®
Community Development Districts
District 5

AGENDA REQUEST

TO: Board of Supervisors
Village Community Development District 5

FROM: Richard J. Baier, District Manager

DATE: 4/10/2019

SUBJECT: **Review of Board Operating Policies and Procedures**

ISSUE:

ANALYSIS/INFORMATION:

STAFF RECOMMENDATION:

MOTION:

ATTACHMENTS:

Description	Type
□ Draft Rule Amendment	Cover Memo

VCDD NO. 5 DRAFT GENERAL AND PROCEDURAL RULES



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1.1 General Introduction

1.2 Standards of Civil Discourse

1.3 Board of Supervisors; District Manager, Officers and Voting

1.4 Public Information and Inspection of Records

1.5 Meetings and Workshops

1.6 Rulemaking Proceedings

~~1.7 Decisions Determining Substantial Interests~~

~~1.8~~1.7 Purchasing Policies and Procedures

~~1.9~~1.8 Effective Date

1.1 General Introduction.

- 1) The Village Community Development District No. X (the "District") was created pursuant to the provisions of Chapter 190, Florida Statutes, to provide for the ownership, operation, maintenance, and provision of various capital facilities and services within its jurisdiction. The purpose of these Rules of Procedure (the "Rules") is to describe the general operations of the District. Any conflict or need for clarification arising out of the following Rules shall be resolved, where applicable, by law. Any amendments to the Rules shall be administratively prepared and adopted by the Board of Supervisors. These Rules are adopted to guide the District through its primary operations and functions. They are designed to provide the structure needed to conduct District business while also maintaining the flexibility needed to efficiently and effectively carry out the public business as circumstances may dictate.
- 2) Definitions located within any section of these Rules shall be applicable within all other sections, unless specifically stated to the contrary.

1.2 Standards of Civil Discourse.

- 1) The District encourages citizen participation in the democratic process and recognizes and protects the right of freedom of speech afforded to all. As the Board conducts the business of the District, rules of civility shall apply. District Board Supervisors, Staff members, and members of the public are to communicate respectfully ~~communicate~~. It is preferred that Persons-persons shall speak only when recognized by the Board Chair and, at that time, refrain from engaging in personal attacks or derogatory or offensive language. Persons who are deemed to be disruptive and negatively impact the efficient operation of the meeting shall be subject to removal after two verbal warnings. Outbursts will not be tolerated and those who do not conduct themselves in a respectful and lawful manner shall be subject to removal. It shall be the responsibility of each individual to demonstrate civility.

1.3 Board of Supervisors; District Manager, Officers, and Voting.

- 1) Board of Supervisors. The Board of Supervisors of the District (the "Board") shall exercise the powers granted to the District. The Board shall consist of five members. Members of the Board must be residents of Florida and citizens of the United States. Qualified Board Supervisors must ~~reside in the District~~ be qualified electors. Qualified elector means any person at least 18 years of age who is a citizen of the United States, a legal resident of Florida and of the District, who registers to vote with the Supervisor of Elections in the county in which the District land is located.
- 2) District Manager. The Board shall ~~employ~~ appoint a District Manager. The District Manager shall have charge and supervision of the works of the district and shall be responsible for preserving and maintaining any improvement or facility constructed or erected pursuant to the provisions of state statutes, for maintaining and operating the equipment owned by the District, and for performing such other duties as may be prescribed within the legal purview of the Board.
- 3) Term of Supervisors. Board Supervisors shall hold office pursuant to Section 190.006, Florida Statutes. Board Supervisors are elected for four (4) year terms which are staggered, so no more than three (3) seats expire simultaneously. If, during the term of office of any Board Supervisor(s), one or more vacancies occur, the remaining member(s) of the Board shall fill the vacancies by appointment for the remainder of the unexpired term(s).

In the event of a mid-term vacancy, the Board shall advertise the vacancy and utilize an application process to solicit qualified applicants from the District to serve the remainder of the unexpired term. Applicant interviews will be conducted at a meeting held in accordance with the provisions of Chapter 286, Florida State Statutes. The Board Chair shall have the prerogative to schedule a special meeting to conduct applicant interviews dependent on the number of applications received. The applicant interview process will consist of a review of the written application responses, questions developed by individual Board Supervisors, and a bank of questions developed by the District Manager based on direction from the Board.

At the completion of the applicant interviews, the Board Supervisors will utilize a ballot to cast their vote for the respective applicant which will be signed and provided to the District Clerk. The District Clerk will announce the individual ballot results and make them available by inspection as part of the public record.

The applicant receiving the majority of votes shall take the oath of office following a formal nomination and vote by the Board and assume their duties as a Board Supervisor.

In the event of a tie between applicants, the Board shall conduct a second round of voting utilizing the ballot process. If a tie exists following the second vote, a special meeting may be scheduled to conduct additional interviews of the two top applicants that received the highest number of votes.

3)4) Compensation. In accordance with Section 190.006, Florida Statutes, each Board Supervisor is entitled to receive an amount not to exceed \$200 per meeting of the Board of Supervisors, not to exceed \$4,800 annually.

4)5) Vacancies; Quorum. Three members of the Board physically present in the same location shall constitute a quorum for the purposes of conducting its business and exercising its powers and for all other purposes. When a quorum is not present, the meeting shall be cancelled in accordance with the Board's established policy. However, if three or more vacancies occur at the same time, a quorum is not necessary to fill the vacancies. Action taken by the Board shall be upon a majority vote of the members present, unless otherwise provided in these Rules or required by State Statutes.

5)6) Officers. At any Board meeting held after each election where the newly elected members take office, the Board may select a chair, vice chair, treasurer and secretary. Such selection may be deferred to subsequent meetings. The District Manager ~~shall~~may serve as secretary and treasurer.

a. The chair must be a member of the Board. If the chair resigns from that office or ceases to be a member of the Board, the ~~Board shall select a chair to serve the remaining portion of the term, after filling the board vacancy~~Vice Chair shall assume the role of Board Chair. The chair may be authorized to sign checks and warrants for the District, countersigned by the treasurer or other persons authorized by the Board. The chair may convene and conduct all meetings of the Board. In the event the chair is unable to attend a meeting, the vice chair or other member of the Board may convene and conduct the meeting.

The Board Chair shall be selected by nomination and majority vote at a meeting following each general election. The Board Chair shall be limited to two (2), two (2) year consecutive terms. The District Clerk will include the item on the meeting agenda.

b. The vice chair shall be a member of the Board and shall have such duties and responsibilities as specifically designated by the Board from time to time. If the vice chair resigns from that office or ceases to be a member of the Board, the Board shall select a vice chair to serve the remainder of the term, after filling the Board vacancy.

The Vice Chair shall be selected by nomination and majority vote at a meeting following each general election. The Vice Chair shall be limited to two (2), two (2) year consecutive terms. The District Clerk will include the item on the meeting agenda.

6)7) Committees. The Board may establish committees of the District or provide representation on established committees by formal motion ~~referencing this Rule~~, either on a permanent or temporary basis, to perform specifically-designated functions. Committees may include individuals who are not members of the Board, but they must be eligible to serve on the Board they represent~~a property owner who maintains permanent residency in the District.~~ Committee representation shall be reviewed annually at the

October Board Meeting following the beginning of a new fiscal year. The District Clerk will include the item on the October meeting agenda. Committee representation will be determined by nomination and majority vote by the Board.

7)8) Record Book. The District shall keep a permanent record book entitled "Record of Proceedings of the Village Community Development District No. X," in which shall be recorded minutes of all meetings, resolutions, proceedings, certificates, bonds and corporate acts.

8)9) Meetings. The Board shall establish a schedule of regular meetings and may also meet upon call of the chair or three Board Supervisors. Nothing herein shall prevent the Board from holding other meetings as it deems necessary or from canceling any regularly scheduled meetings. A previously noticed regular meeting may be canceled, provided that notice of cancellation shall be given in substantially the same manner as notice for the meeting or in such other manner as may provide substantially equivalent notice of cancellation. Meetings will be cancelled in accordance with the Board's policy adopted via resolution. All meetings of the Board shall be open to the public and governed by the provisions of Chapter 286, Florida Statutes.

9)10) Voting Conflict of Interest. The Board shall comply with Sections 112.3143 and section 286.012, Florida Statutes, so as to ensure the proper disclosure of conflicts of interests on matters coming before the Board for a vote. ~~Nothing in this Rule shall prohibit the Board Supervisor with a voting conflict of interest from voting on a matter.~~ For the purposes of this section, "voting conflict of interest" shall be governed by Chapters 112 and 190, Florida Statutes, as amended from time to time. Pursuant to section 286.012, Florida Statutes, Board Supervisors that are present at a District Board Meeting at which an official decision, ruling, or other official act is to be taken or adopted may not abstain from voting in regard to any such decision, ruling, or act, and a vote shall be recorded or counted for each such Board Supervisor present, unless, with respect to any such member, there is, or appears to be, a possible conflict of interest as governed by Chapter 112, Florida Statutes.

a. When a Board Supervisor knows that he/she has a conflict of interest on a matter coming before the Board, the member should notify the Board's Secretary prior to participating in any discussion with the Board on the matter. The member shall publicly announce the conflict of interest at the meeting. This announcement shall appear in the minutes of the meeting. If the Board Supervisor was elected at a landowner's election, the Board Supervisor may vote or abstain from voting on the matter at issue. If the Board Supervisor was elected by electors residing within the District, the Board Supervisor is prohibited from voting on the matter at issue. In the event the Board Supervisor intends to abstain or is prohibited from voting, such Board Supervisor shall not participate in the discussion on the item subject to the vote. The Board Supervisor may then vote.

a.b. ~~The Board's secretary~~ secretary shall prepare a memorandum of voting conflict which shall then be signed by the Board Supervisor that had the conflict, filed

with the Board's secretary, and provided for attachment to the minutes of the meeting within fifteen (15) days of the meeting.-

b.c. If a Board Supervisor inadvertently votes on a matter and later learns he or she has a conflict thereon, the member shall immediately notify the Board's secretary. Within fifteen days (15) days of the notification, the member shall file the appropriate memorandum of voting conflict which will be attached to the minutes of the Board meeting during which the vote on the matter occurred. The memorandum shall immediately be provided to other Board Supervisors and shall be read publicly at the next meeting held subsequent to the filing of the written memorandum. The Board Supervisor's vote shall be unaffected by this filing.

10)11) Board Supervisor Conduct. No individual Board Supervisor shall direct the District Manager or District Staff to perform extensive research, take action on a policy matter, or make representations on behalf of the Board without formal direction from the collective Board of Supervisors at a ~~regularly scheduled Board~~ meeting. No individual Board Supervisor may speak to an outside entity or person on behalf of the Board without receiving authorization from the Board at a meeting.- Nothing precludes a Board Supervisor from initiating individual correspondence pertaining to the seat they currently hold. Nothing in this Rule is to be construed to limit or restrict a Board Supervisor from acting in his or her official capacity from coordinating with the District Manager in answering or responding to correspondence or communications relative to the business of the District.

1.4 Public Information and Inspection of Records.

- 1) Public Records. All District public records within the meaning of Chapter 119, Florida Statutes, and not otherwise restricted by law, including the "Record of Proceedings of the Village Community Development District No. X," may be copied or inspected ~~at the offices of the District Manager during regular business hours~~ in accordance with Chapter 119, Florida Statutes.
- 2) Copies. The custodian of public records upon request shall furnish a copy or a certified copy of a record for a fee as authorized by Chapter 119, Florida Statutes. ~~The District reserves the right to provide informational copies of public records without charge when it in its discretion chooses to do so. Florida Statute Chapter 119. Copies of public records shall be made available to the requesting person at a charge of \$.15 per page if not more than 8 1/2 by 14 inches, and for copies in excess of that size at a charge not to exceed the actual cost of reproduction. Certified copies of public records shall be made available at a charge of \$1.00 per page. If the nature or volume of public records requested to be inspected, examined or copied is such as to require extensive use of information technology resources or extensive clerical or supervisory assistance, a special service charge, which shall be reasonable and based on the actual cost incurred, may be charged in addition to the actual cost of duplication.~~

1.5 Meetings and Workshops.

- 1) Meetings and Workshops. All meetings of the Board shall be open to the public and governed by the provisions of Chapter 286, Florida State Statutes.
- 2) Notice. Except in emergencies, or as otherwise required by State Statutes, at least seven (7) days public notice shall be given of any meeting or workshop of the Board of Supervisors. Public notice shall be given by publication in a newspaper of general circulation in the District and shall state:
 - a. The date, time, and place of the meeting or workshop;
 - b. A brief description of the nature, subjects and purposes of the meeting or workshop;
 - c. The address where persons may obtain a copy of the agenda;
 - d. The notice shall state that if a person decides to seek review of any official decision made at the Board meeting, a record of the proceedings will be required and the person intending to appeal will need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence necessary for the appeal.
 - ~~d.e.~~ Pursuant to the provisions of the Americans with Disability Act, any person with a disability who needs an accommodation to participate in a Village Community Development District No. X meeting should contact the District Clerk at 352-751-3939 as far in advance as possible but preferably at least five working days before the date of the scheduled event.
 - f. When a previously noticed meeting is canceled, notice of cancellation shall be given in substantially the same manner as notice for the meeting or in any manner that will give adequate notice of cancellation.
 - ~~e.g.~~ The meeting/hearing/workshop may be continued in progress without additional notice to a time, date and location stated on the record.
- 3) Agenda. The District Manager shall prepare a notice of the meeting or workshop and an agenda. The agenda shall be available to the public in the offices of the District Manager prior to each regularly scheduled meeting or workshop and on the website. Minutes shall be taken, and reviewed and approved by the Board at a subsequent meeting. In accordance with State Statutes, the agenda and available supporting documentation will be available electronically seven days in advance of the meeting.
- 4) Sample Agenda Format.
 - a. Call to Order
 - i. Roll Call
 - ii. Pledge of Allegiance
 - iii. Observation of Moment of Silence
 - iv. Welcome Meeting Attendees
 - v. Audience Comments
 - b. Consent Agenda
 - c. New Business

- d. Old Business
 - e. Public Hearings
 - f. Informational Items Only
 - g. Reports and Input
 - i. District Manager Reports
 - ii. District Counsel Reports
 - iii. Supervisor Comments
 - iv. Adjourn
- 5) Oath of Office. At the next regularly scheduled meeting following an election, newly elected Board Supervisors shall take and subscribe to the oath of office as prescribed by Section 876.05 of Florida ~~State~~ Statutes. The oath of office shall be administered by the District Clerk immediately following the call to order of the meeting.
- 6) Procedures for Including Items on Agenda. Items to be included on the agenda may be submitted by an individual Board Supervisor and will be addressed under the “Supervisor Comments” section of the agenda for discussion purposes; if formal action is desired, the item will be presented on the agenda at the following regularly scheduled Board Meeting. In order for an item to be included on the agenda, a request must be submitted to the District Manager no later than 10 business days in advance of the next regularly scheduled meeting. Nothing in this Rule is to be construed to limit or restrict a Board Supervisor from discussing items not included on the agenda during Supervisor Comments.
- 7) Consent Agenda. Content of items on the consent agenda shall be limited to routine items that normally do not require discussion such as the minutes, resolutions, payment requests and reports from committees, etc. During the reading of the consent agenda, any Board Supervisor, the District Manager, or member of the public, may pull an item for separate discussion.
- 8) Resolutions. An enacted resolution is an internal legislative act that is a formal statement of policy concerning matters of special or temporary character. Board action shall be taken by resolution when required by law and in those instances where an expression of policy more formal than a motion is desired. All resolutions shall be reduced to writing.
- 9) Motions. An enacted motion is a form of action taken by the Board to direct that a specific action be taken on behalf of the District. A motion, once approved and entered into the record, is the equivalent of a ~~Resolution-resolution~~ in those instances where a resolution is not required by law. All motions shall be made and seconded before debate.
- a. A motion ~~is to be worded in a~~ shall be concise and; unambiguous ~~and complete~~ form.

- b. No speech is to be made in reference to a motion when it is introduced. There will be no debate until a motion has been seconded and, if requested by a Board Supervisor, the question stated by the Board Chair or District Clerk.
- c. When the question has been stated, it is before the Board and mover is entitled to the floor.

10) Reconsideration of Action Previously Taken. A motion to reconsider shall be allowed at any time by any Board Supervisor who voted on the prevailing side, during a meeting, except when a motion on some other subject is pending. After a motion to reconsider has been adopted by a majority vote, a Board Supervisor may move to rescind action previously taken.

~~11) Rescinding Action Previously Taken. Board action may be rescinded by a majority vote if the motion to reconsider is made by a Board Supervisor who voted on the prevailing side. After a motion to reconsider has been adopted by a majority vote, any Board Supervisor may move to rescind action previously taken.~~

~~12) 11) Roll Call Vote. Roll call votes will be conducted at the prerogative of the Board Chair, or by request made to the Chair by any Board Supervisor, or at the District Manager, or District Counsel's request to the Board Chair.~~

12) Public Comment. The Board shall conduct public comment in accordance with Florida State Statutes. The District's Board Chair, or such other person conducting a District public meeting ("Chair"), shall ensure that there is at least one period of time ("Audience Comments") on the agenda whereby the public has an opportunity to address the board. Additionally, members of the public shall be given a reasonable opportunity to be heard prior to the Board taking action on any proposition before the Board. Speakers shall be permitted to address any agenda item or non-agenda matter of personal or general concern, during the Audience Comments period. If the Chair determines that discussion of an issue will be better facilitated by having public comments made at the time the matter appears on the agenda, the Chair may ask those wishing to make public comments to wait until that time and public comments shall be allowed at such time.

Members of the audience making public comment shall speak into the microphone, and address all comments to the Chair.

Public input shall be limited to three (3) minutes for each person in any public comment period. This time shall not include time spent by the speaker responding to questions posed by the Board or staff. Potential speakers are not permitted to assign their time allotment to extend another speaker's time. The Chair may extend or reduce the time periods set forth in this section in order to facilitate orderly and efficient District business; provided, however, that a reasonable opportunity for public comment shall be provided consistent with the requirements of section 286.0114, Florida Statutes. The

Chair may also elect to establish additional Public Comment periods if he or she deems it appropriate with respect to any agenda item or otherwise. The Board is not required to respond to any speaker but may elect to address a speaker in its discretion. Matters raised during any public comment period which are not set for consideration on the current agenda may be deferred to the agenda for subsequent meeting.

~~The Board shall conduct public comment in accordance with Florida State Statutes. Members of the audience making public comment shall approach the microphone, state their name and address for the record, and address all comments to the Board Chair. The following Public Participation Policy was adopted by the Board of Supervisors via a Resolution and shall apply to meetings of District boards or committees as provided herein unless otherwise required by State Statutes;~~

~~a. Citizen's Rights~~

~~i. Right to be Heard: Members of the public shall be given a reasonable opportunity to be heard on a proposition before a District board except as provided for below. Public input shall generally be limited to three (3) minutes for each speaker and a total of thirty (30) minutes for public comment relating to any particular proposition, with the Board Chair having the option to allow additional time for good cause shown after consideration of the circumstances.~~

~~ii.i. Group or Faction Representatives:~~ At meetings in which a large number of individuals are in attendance, the Board Chair may ask for a show of hands to identify individuals who wish to address the ~~board~~Board. If a large number of individuals wish to be heard, the Board Chair may require individuals to complete speaker cards that include the individual's name, address, the proposition on which they wish to be heard, the individual's position on the proposition (i.e., "for," "against," or "undecided"). In the event large groups or factions of individuals desire to speak (i.e., consisting of more than five individuals), the Board Chair may require each group or faction to designate a representative to speak on behalf of such group or faction but shall allow such representative at least ten (10) minutes to address the board. Any speaker speaking on behalf of a group shall indicate such person's representative capacity and shall cite the source of such authority, whether by request, petition, vote or otherwise.

Per section 286.0114, Florida Statutes, the public's right to a reasonable opportunity to be heard on propositions before the Board does not apply to: This right does not apply to;

- i. An official act that must be taken to deal with an emergency situation affecting the public health, welfare, or safety, if compliance with the requirements would cause an unreasonable delay in the ability of the board to act;
- ~~iii-ii.~~ An official act involving no more than a ministerial act, including, but not limited to, approval of minutes and ceremonial proclamations;
- ~~iv-iii.~~ A meeting that is exempt from §286.011; or
- iv. A meeting during which the board is acting in a quasi-judicial capacity. This paragraph does not affect the right of a person to be heard as otherwise provided by law.

The Chair may alter the procedures set forth in this Public Comment section for public hearings and other special proceedings that may require different procedure under Florida Law.

13) Public Hearings/ Quasi-Judicial Hearings

a. Order of Testimony

- i. The Board Chair shall announce and open the public hearing. ~~the Public Hearing and ask staff to review the subject of the public hearing.~~
- ii. All persons testifying, including staff, shall be sworn in prior to providing testimony.
- iii. Staff shall provide an overview of the subject of the public hearing and provide any relevant evidence or testimony.
- iv. The Board Chair shall then receive testimony, evidence and hear witnesses of the interested parties and/or their representatives. All interested parties shall be heard in public hearings being held pursuant to The Rule to Bring About Deed Compliance.
- ~~ii. The Board Chair shall then open the public hearing and receive comment from anyone in attendance.~~
- ~~iii-v.~~ Persons wishing to provide comment testimony shall approach the microphone, state their name and address for the record, and respond to questions posed by the parties, Board Supervisors or District Counsel, and make his/her comments.
- ~~iv-vi.~~ Comments shall be limited to the subject of the public hearing only.
- ~~v-vii.~~ Upon determination of no additional public comment, the Board Chair shall close the Public Hearing and restrict discussion to members of the Board and staff.
- ~~vi-viii.~~ Upon completion of the discussion, the Board Chair shall entertain such action as the Board may desire.

b. Ex- Parte Communication

- ~~vii-i.~~ To avoid violating an individual's constitutional right to due process of law, Board Supervisors should discourage receipt of ex-parte communications on matters that are pending before or are foreseeable to come before the Board for action in a quasi-judicial hearing as such communications are presumed prejudicial. To eliminate the presumption of prejudice, a Board member who receives ex-parte communications,

should disclose the subject of the communication and the identity of the person, group, or entity with whom the communication took place and such communication shall be made a part of the record before final action on the matter. Disclosure should be made before or during the public meeting at which a vote is taken on, so that persons who have opinions contrary to those expressed in the ex parte communication are given a reasonable opportunity to rebut or respond to the communication.

~~viii. Board Supervisors become subject to additional constitutional and statutory prohibitions when conducting quasi-judicial proceedings. When a Board acts in a quasi-judicial capacity, its Board Supervisors are prohibited from receiving ex parte communications. This means a Board Supervisor cannot receive information or participate in communications about such matter without providing notice and opportunity for the other party to be heard at the same time. If a Board Supervisor conducts ex parte (i.e. one-on-one) communications they could be accused of violating an individual's constitutional right to due process of law.~~

14) Receipt of Notice. Persons wishing to receive, by mail, notices or agendas of meetings, may advise the District Manager or secretary at the Board's office. Such persons shall furnish a mailing address in writing and may be required to pay the cost of copying and mailing.

~~15)~~ Emergency Meeting. The chair, or the vice-chair if the chair is unavailable, may convene an emergency meeting of the Board without first having complied with Subsections (1), (2), ~~and (3), and (14)~~ to act on emergency matters that may affect the public health, safety, or welfare. Emergency meetings shall be afforded the most appropriate and effective notice under the circumstances including if possible notifying a newspaper of general circulation in the District and be held at a reasonable hour. Notice of the emergency meeting shall be posted on the District's website. Whenever possible, the District Manager shall make reasonable efforts to notify all Board Supervisors of an emergency meeting 24 hours in advance. Reasonable efforts may include telephone notification. After an emergency meeting, the Board shall publish in a newspaper of general circulation in the District, the time, date, and place of the emergency meeting, the reasons why an emergency meeting was necessary, and a description of the action taken. Whenever an emergency meeting is called, the District Manager shall be responsible for notifying at least one newspaper of general circulation in the District. ~~Actions taken at an emergency meeting may be ratified by the Board at a regularly noticed meeting subsequently held.~~

~~16)~~ 15)

16) Budget Hearing; Budget Amendment. Notice of hearing on the annual budget(s) shall be in accordance with Section 190.008, Florida Statutes. Once adopted in accordance with Section 190.008, Florida Statutes, the annual budget(s) may be amended from time to time by action of the Board.

The District Manager may authorize transfers not to exceed \$10,000 for the Village Community Development District No. X. If it is necessary to transfer a balance that exceeds

the authorized amounts for approval by the District Manager, then it is required to receive approval by the Board.

A budget resolution is required for approval by the Board if the budget total will change. In the case of an emergency expenditure affecting the health, safety or welfare of the District, its residents, or landowners, such expenditures must be approved in advance by the District Manager.

17) Continuances. Any meeting of the Board or any item or matter included on the agenda or coming before the Board at a noticed meeting may be continued without re-notice or re-advertising provided that ~~the continuance is to a specified date, time and location publicly announced at the Board meeting where the item or matter came before the Board.;~~

- a. The Board identifies on the record at the original meeting a reasonable need for a continuance;
- b. The continuance is to a specified date, time and location publicly announced at the original meeting; and
- a-c. The public notice for the original meeting states that the meeting may be continued to a date and time that states that the date, time and location of any continuance shall be publicly announced at the original meeting date and posted at the District Office immediately following the original meeting.

18) Parliamentary Procedures. Deviations from provisions pertaining to parliamentary procedures may be permitted by the Board Chair unless objected to by a Board Supervisor. Any point of order must be raised prior to the adjournment of a Board Meeting or it is waived.

1.6 Rulemaking Proceedings.

- 1) Commencement of Proceedings. Proceedings held for adoption, amendment, or repeal of a District rule shall be conducted according to the applicable provisions of Chapter 120, Florida Statutes, and these Rules. Rulemaking proceedings shall be deemed to have been initiated upon publication of notice by the District.
- 2) Notice of Rule Development. Except when the intended action is the repeal of a rule, the District shall provide notice of the development of proposed rules by publication of a notice of rule development in a newspaper of general circulation in the District before providing notice of a proposed rule as required by paragraph (3). The notice of rule development shall indicate the subject area to be addressed by rule development, provide a short, plain explanation of the purpose and effect of the proposed rule, cite the specific legal authority for the proposed rule, and a statement of how a person may promptly obtain a copy of any preliminary draft, if available. All rules should be drafted in accordance with Chapter 120, F.S.
- 3) Notice of Proceedings and Proposed Rules. Prior to the adoption, amendment, or repeal of any rule other than an emergency rule, the District shall give notice of its intended action, setting forth a short, plain explanation of the purpose and effect of the proposed action; a reference to the specific rulemaking authority pursuant to which the rule is adopted; and a reference to the section or subsection of the Florida Statutes or the Laws of Florida being implemented, interpreted, or made specific. The notice shall include a summary of the District's statement of the estimated regulatory costs, if one has been prepared, based on the factors set forth in Section 120.541(2), and a statement that any person who wishes to provide the District with a lower cost regulatory alternative as provided by Section 120.541(1), must do so in writing within 21 days after publication of the notice. The notice must state the procedure for requesting a public hearing on the proposed rule unless one is otherwise scheduled. Except when the intended action is the repeal of a rule, the notice shall include a reference both to the date on which and to the place where the notice of rule development that is required by subsection (2) appeared.
 - a. The notice shall be published in a newspaper of general circulation in the District not less than 28 days prior to the intended action. The proposed rule shall be available for inspection and copying by the public at the time of the publication of notice.
 - b. The notice shall be mailed to all persons named in the proposed rule. Any person may file a written request with the District Manager or secretary at the Board's office to receive notice by mail of District proceedings to adopt, amend or repeal a rule. Such persons must furnish a mailing address and may be required to pay the cost of copying and mailing. Notice will then be mailed to all persons whom, at least 14 days prior to such mailing, have made requests of the district for advance notice of its proceedings.

- 4) Rule Development Workshops. Whenever requested in writing by any affected person, the District must either conduct a rule development workshop prior to proposing rules for adoption or the Board Chair must explain in writing why a workshop is unnecessary. The District may initiate a rule development workshop but is not required to do so.
- 5) Petitions to Initiate Rulemaking. All petitions for the initiation of rulemaking proceedings pursuant to Section 120.54(7), Florida Statutes, must contain the name, address, and telephone number of the Petitioner, specific action requested, specific reason for adoption, amendment, or repeal, the date submitted, and shall specify the text of the proposed rule and the facts showing that the Petitioner is regulated by the District or has a substantial interest in the rule or action requested. Petitions to initiate rulemaking shall be filed with the District. The Board shall then act on the petition in accordance with Section 120.54(7), Florida Statutes ~~(1999)~~, except that copies of the petition shall not be sent to the Administrative Procedures Committee, and notice may be given in a newspaper of general circulation in the county in which the District is located. This section is subject to any applicable exemptions set forth in Section 120.81, Florida Statutes.
- 6) Rulemaking Materials. After the publication of the notice to initiate rulemaking, the Board shall make available for public inspection and shall provide, upon request and payment of cost of copies, the following materials:
 - a. The text of the proposed rule, or any amendment or repeal of any existing rules;
 - b. A detailed written statement of the facts and circumstances justifying the proposed rule;
 - c. A copy of the statement of estimated regulatory costs if required by Section 120.541; and
 - d. The published notice.
- 7) Rulemaking Proceedings - No Hearing. When no hearing is requested and the Board chooses not to initiate a hearing on its own, or if the rule relates exclusively to organization, practice or procedure, the Board may direct the proposed rule be filed with the District Office no less than twenty-eight (28) days following notice. Such direction may be given by the Board either before initiating the rule-adoption process or after the expiration of the twenty-one (21) days during which affected persons may request a hearing.
- 8) Rulemaking Proceedings - Hearing. If the proposed rule does not relate exclusively to organization, practice or procedure, the District shall provide (upon request) a public hearing for the presentation of evidence, argument and oral statements, within the reasonable conditions and limitations imposed by the District to avoid duplication, irrelevant comments, unnecessary delay or disruption of the proceedings. Any affected person may request a hearing within twenty-one (21) days after the date of publication of the notice of intent to adopt, amend or repeal a rule.

- 9) Request for a Public Hearing. A request for a public hearing shall be in writing and shall specify how the person requesting the public hearing would be affected by the proposed rule. The request shall be submitted to the District within 21 days after notice of intent to adopt, amend, or repeal the rule is published as required by law, in accordance with the procedure for submitting requests for public hearing stated in the notice of intent to adopt, amend, or repeal the rule.
- a. If the notice of intent to adopt, amend, or repeal a rule did not notice a public hearing and the District determines to hold a public hearing, the District shall publish notice of a public hearing in a newspaper of general circulation within the District at least 7 days before the scheduled public hearing. The notice shall specify the date, time, and location of the public hearing, and the name, address, and telephone number of the District contact person who can provide information about the public hearing.
 - b. Written statements may be submitted by any person within a specified period of time prior to or following the public hearing. All timely submitted written statements shall be considered by the District and made a part of the rulemaking record.
- 10) Emergency Rule Adoption. The Board may adopt an emergency rule if it finds that immediate danger to the public health, safety, or welfare exists which requires immediate action. Prior to the adoption of an emergency rule, the District Manager shall make reasonable efforts to notify a newspaper of general circulation in the District. Notice of emergency rules shall be published as soon as practical in a newspaper of general circulation in the District. The District may use any procedure which is fair under the circumstances in the adoption of an emergency rule as long as it protects the public interest as determined by the District and otherwise complies with these provisions
- 11) Negotiated Rulemaking. The District may use negotiated rulemaking in developing and adopting rules pursuant to Section 120.54, Florida Statutes.
- 12) Variances and Waivers. Variances and waivers from District rules may be granted subject to the provisions and limitations contained in Section 120.542, Florida Statutes.

~~1.7—Decisions Determining Substantial Interests.~~

~~Conduct of Proceedings.~~ Proceedings may be held by the District in response to a written request submitted by a substantially affected person within fourteen (14) days after written notice or published notice of District action or notice of District intent to render a decision. Notice of both action taken by the District and the District's intent to render a decision shall state the time limit for requesting a hearing and shall reference the District's procedural rules. If a hearing is held, the Board Chair shall designate any member of the Board (including the Chair), District Manager, District General Counsel, or other person to conduct the hearing.

~~The person conducting the hearing may:~~

~~Administer oaths and affirmations;~~

~~Rule upon offers of proof and receive relevant evidence;~~

~~Regulate the course of the hearing, including any prehearing matters;~~

~~Enter orders;~~

~~Make or receive offers of settlement, stipulation, and adjustment.~~

~~The person conducting the hearing shall, within thirty (30) days after the hearing or receipt of the hearing transcript, whichever is later, file a recommended order which shall include a caption, time and place of hearing, appearances entered at the hearing, statement of the issues, findings of fact and conclusions of law, separately stated, and a recommendation for final District action.~~

~~The District shall issue a final order within forty five (45) days:~~

~~After the hearing is concluded, if conducted by the Board;~~

~~After a recommended order is submitted to the Board and mailed to all parties, if the hearing is conducted by persons other than the Board; or~~

~~After the Board has received the written and oral material it has authorized to be submitted, if there has been no hearing.~~

~~Eminent Domain.~~ After determining the need to exercise the power of eminent domain pursuant to Subsection 190.11(11), Florida Statutes, the District shall follow those procedures prescribed in Chapters 73 and 74, Florida Statutes. Prior to exercising the power of eminent domain, the District shall:

~~Adopt a resolution identifying the property to be taken;~~

~~If the property is beyond the boundaries of the District, obtain approval by resolution of the governing body of the county if taking will occur in an unincorporated area, or of the municipality if the taking will occur within the municipality.~~

1.8 Purchasing Policies and Procedures.

- 1) The Village Community Development District No. X's purchasing policies and procedures ~~will shall~~ be adopted in accordance with the authority given in all applicable laws. ~~conducted in accordance with the authority given in Chapter 190 of Florida State Statutes and all other applicable laws.~~

1.9 Effective Date.

- 1) These Rules shall be effective _____, 2019, except that no election of officers required by these Rules shall be required until after the next regular election for the Board of Supervisors.

Specific Authority:
Chapter 190, F.S. and other applicable laws

The Villages®
Community Development Districts
District 5

AGENDA REQUEST

TO: Board of Supervisors
Village Community Development District 5

FROM: District Staff

DATE: 4/19/2019

SUBJECT: **Old Business Status Update**

ISSUE: Old Business Status Update - April 10, 2019

ANALYSIS/INFORMATION:

STAFF RECOMMENDATION:

MOTION:

ATTACHMENTS:

Description	Type
□ Old Business Status Update	Cover Memo

Village Community Development District No. 5
"Old Business" Status Update

Item(s) to be addressed by Staff	Action Taken	Status Update (if applicable)	Completed (√)	Date Item Identified
There are no Old Business items to be addressed.				
<u>Non-District 5 Issue:</u>				
None				
Staff will provide future FEMA updates as they become available.				

The Villages®
Community Development Districts
District 5

AGENDA REQUEST

TO: Board of Supervisors
Village Community Development District 5

FROM: Anne Hochsprung, Finance Director

DATE: 4/19/2019

SUBJECT: **Financial Statements**

ISSUE: Budget to Actual Statements as of February 28, 2019

ANALYSIS/INFORMATION:

STAFF RECOMMENDATION:

MOTION:

ATTACHMENTS:

Description	Type
□ Budget to Actuals	Cover Memo
□ Cash Sheet	Cover Memo

The Villages®
Community Development Districts
District 5

**CASH AND INVESTMENT SUMMARY
AS OF FEBRUARY 28, 2019**

Fund Code	Account Name	Bank	Balance as of 10/01/18	Current Balance	Reconciled Yes/No
GENERAL FUND					
001	Cash Operating Acct	CFB	198,476.65	213,772.17	Yes
001	FLCLASS	FLCLASS	1,340,848.00	2,985,899.68	Yes
001	FEITF	FEITF	756,296.30	763,996.02	Yes
	Sub-total Cash & Cash Equivalents		2,295,620.95	3,963,667.87	
001	Cash-FL-FIT	FLFIT	4,291,085.99	4,334,234.57	Yes
001	FLGIT	FLGIT	5,126,958.30	5,195,015.27	Yes
001	Long Term Investment	USB	1,789,468.52	1,740,537.78	Yes
	Sub-total Investments		11,207,512.81	11,269,787.62	
	TOTAL - General		13,503,133.76	15,233,455.49	

201	Revenue Fund 2013A	USB	198,405.01	976,564.53	Yes
201	Prepayment Fund 2013A	USB	196,825.86	79,118.67	Yes
201	Reserve Fund 2013A	USB	125,000.00	125,000.00	Yes

202	Revenue Fund 2013B	USB	340,444.90	1,484,628.16	Yes
202	Principal PrePay 2013B	USB	169,436.53	102,182.39	Yes
202	Reserve Fund 2013B	USB	175,000.00	175,000.00	Yes
	TOTAL - Debt service		1,205,112.30	2,942,493.75	

Grand Totals

14,708,246.06	18,175,949.24
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The Villages®
Community Development Districts
District 5

AGENDA REQUEST

TO: Board of Supervisors
Village Community Development District 5

FROM: DPM Staff

DATE: 4/19/2019

SUBJECT: **DPM Monthly Report**

ISSUE:

ANALYSIS/INFORMATION:

STAFF RECOMMENDATION:

MOTION:

ATTACHMENTS:

Description	Type
□ DPM Report	Cover Memo

The Villages®

Community Development Districts

Property Management

District 5

April 2019

LANDSCAPE

New Projects:

1. Removing old Juniper and replacing at Southern Oaks Villas

Prior Month Project Status: N/A**Completed Projects: N/A****General Maintenance:**

1. Regular Monthly Maintenance
 - Mowing
 - Edging
 - Trimming
 - Weeding
2. DPM continues to mow and create SOP furrow rows around the perimeter of the water retention areas. The height of cut has been raised to slow down water sheet flow and capture any nutrients that may wash from surrounding properties.

WALLS/FENCES & HARDSCAPES

New Projects: N/A**Prior Month Project Status: N/A****Completed Projects: N/A****General Maintenance:**

1. Pressure washing:
 - Lynnhaven Entry
 - Winifred Entry
2. Ongoing fence repairs as needed

ROADWAYS

New Projects: N/A**Prior Month Project Status: N/A****Completed Projects: N/A****General Maintenance:**

1. Inspection of all villa roads and signs ongoing

MISCELLANEOUS ITEMS

New Projects: N/A

Projects In Progress: N/A

Completed Projects: N/A

General Maintenance:

1. Mowing unit 72 wetlands, Black Lake Buffer, and the Kestrel Preserve
2. We are in the process of raising the solar panels at Arlington Villa to insure adequate sunlight to prolong the life of the batteries.

The Villages®
Community Development Districts
District 5

AGENDA REQUEST

TO: Board of Supervisors
Village Community Development District 5

FROM:

DATE:

SUBJECT: Supervisor Wildzunas: PWAC After Agenda

ISSUE: PWAC After Agenda

ANALYSIS/INFORMATION:

STAFF RECOMMENDATION:

MOTION:

ATTACHMENTS:

Description	Type
□ PWAC After Agenda	Cover Memo



*District 5 - Chuck Wildzunus, Primary; Jerry Knoll, Alternate
District 6 - Peter Moeller (C), Primary; Tom Griffith, Alternate
District 7 - Jerry Vicenti, Primary; Dennis Broedlin, Alternate
District 8 - Dennis Hayes (VC), Primary; Phil Walker, Alternate
District 9 - Steve Brown, Primary; Dave Green, Alternate
District 10 - Don Wiley, Primary; Ken Lieberman, Alternate
District 11 - Patty Hoxie, Primary; Allen Vanover, Alternate
Brownwood CDD - Ken Stoff, Primary*

***Project Wide Advisory
Committee***

***Monthly Board Meetings held
at:***

*District Office Board Room
984 Old Mill Run The Villages,
FL 32162
The Villages, Florida 32162*

AFTER AGENDA

April 8, 2019
8:30 AM

Notice to Public: Audience Comments on all issues will be received by the Board.

The District Board welcomes participation during public meetings; however, in order to conduct business in an orderly fashion the Board of Supervisors requests you limit your comments to three (3) Minutes. If you have a general comment that is not included as an item on the agenda please come before the Board during the Audience Comments portion of the meeting. If your comment pertains to a specific on the agenda, the Chairman or Vice-Chairman will request public comments when the item is addressed. Thank you for attending the meeting and for your interest in your local government.

1. Call to Order
 - A. Roll Call – **A Representative from Districts 5-7, 9-11 and Brownwood were in attendance.**
 - B. Pledge of Allegiance
 - C. Observation of Moment of Silence
 - D. Welcome Meeting Attendees
 - E. Audience Comments

Project Wide Fund

CONSENT AGENDA: **Approved with no discussion**

A motion to approve the Consent Agenda is a motion to approve all recommended actions. All matters on the Consent Agenda are considered routine and no discussion is required unless desired by a Board Supervisor or a member of the public.

2. [Approval of the Minutes](#)

Approval of the Minutes for the Meeting held on March 11, 2019.

3. [Recommend Approval of Renewal Two \(Final\) for Painting Services with Lester Painting, Inc.](#)

Review and approval to present Renewal Two (final) to ITB #15B-024 Agreement between Sumter Landing Community Development District and Lester Painting, Inc. for Villa Wall and Sign Wall Painting Services to the Sumter Landing Community Development District Board.

OLD BUSINESS:

4. [Old Business Status Update - PWF](#)

Old Business Status Update - Project Wide Fund

INFORMATIONAL ITEMS ONLY:

5. [Financial Statements - PWF](#)

Budget to Actual Statements as of February 28, 2019 - Project Wide Fund

6. [Project Wide Fund: Capital Projects Work Plan](#)

Fiscal Year 2018-19 Project Wide Fund: Capital Projects Work Plan - April

Sumter Landing Amenities Division Fund

OLD BUSINESS:

7. [Old Business Status Update - SLAD](#)

Old Business Status Update - Sumter Landing Amenities Division

- **LED Lighting has been installed at all postal facilities.**
- **Staff does not recommend installing additional lighting at pools when they are closed. Staff will present a lighting policy at a future meeting.**

8. [Amenity Fee Deferral Rate Discussion](#)

Amenity Fee Deferral Rate Discussion – **Staff presented a PowerPoint which provided an overview from the Joint Workshop that was held on March 20, 2019; a review of the 10 year forecast for revenues and expenditures and a review three options presented by Staff: 1) Remain at current deferral rate; 2) Eliminate the deferral rate in accordance to Owner's original purchase contract or 3) Increase the deferral rate (example of \$185 provided). At the Committee's request, Staff will provide the number of guests annually to identify the amount of revenue that could be achieved if a fee for guests were to be instituted. Staff will provide at the April 15, 2019 joint meeting. Following discussion the consensus of the Committee was to remove the deferral cap.**

INFORMATIONAL ITEMS ONLY:

9. [Financial Statements - SLAD](#)

Financial Statements as of February 28, 2019 - Sumter Landing Amenities Division Fund

10. [SLAD Fund: Capital Projects Work Plan](#)

Fiscal Year 2018-19 SLAD Fund: Capital Projects Work Plan - April

REPORTS AND INPUT:

11. District Manager Reports

- A. [Multi-Modal Path Wayfinding Signage](#) – Locates for the new signage will begin in 2-3 weeks and it is anticipated that the wayfinding signage installation will be completed in 4-6 weeks.

12. Supervisor Comments

Supervisor Wiley inquired if any consideration is being made to the Putt and Play facility in the Village of Fenney due to parking concerns. Staff advised that the Developer is aware of the concerns and is waiting to see how the City of Wildwood Parking Ordinance addresses the concerns.

13. Adjourn – **The meeting was adjourned at 9:55 a.m.**

HOSPITALITY * STEWARDSHIP * CREATIVITY * HARD WORK

NOTICE

Each person who decides to appeal any action taken at these meetings is advised that person will need a record of the proceedings and that accordingly, the person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which such appeal is to be based. Audio recordings of Board meetings, workshops or public hearings are available for purchase per Florida Statute 119.07 through the District Clerk for \$1.00 per CD requested. Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the District Office at (352) 751-6700 at least five calendar days