

RESOLUTION NO. 17-11

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE SUMTER LANDING COMMUNITY DEVELOPMENT DISTRICT, FLORIDA; PROVIDING FOR ADDITIONAL PURPOSE AND FUNCTIONS OF THE PROJECT WIDE ADVISORY COMMITTEE; PROVIDING FOR AN ADDITIONAL PROJECT WIDE ADVISORY COMMITTEE MEMBER; PROVIDING FOR COMPLIANCE WITH APPLICABLE LAWS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Sumter Landing Community Development District (“SLCDD”) and Village Community Development Districts Numbers 5, 6, 7, 8, 9, and 10 have entered into a Second Amended and Restated Interlocal Governmental Agreement For Maintenance of Project Wide Improvements on May 1, 2010, which the Brownwood Community Development District became a party to via Joinder and Consent executed on September 20, 2012, and Village Community Development District 11 became a party through a Joinder and Consent Agreement on March 11, 2015, to provide funding and maintenance for certain defined common areas as provided for in Exhibit “A” of the Interlocal Agreement of general benefit to all resident and users of said common areas (“Project Wide Improvements”); and

WHEREAS, the Interlocal Agreement provides that SLCDD shall coordinate and supervise the maintenance of the Project Wide Improvements; and

WHEREAS, an advisory committee can provide an important communication link between governmental agencies, the public and the Sumter Landing Community Development District Board of Supervisors (“Board”) and can lead to improved service and decision making; and

WHEREAS, the Board established a Project Wide Advisory Committee (“PWAC”) to provide input, explore issues and provide advice and recommendations to Board on issues related to its aforementioned contractual obligations set forth in the Interlocal Agreement; and

WHEREAS, the Board now wishes the PWAC to provide input, explore issues and provide advice and recommendations to Board on issues related to Amenity fees to include but are not limited to policies, procedures, and budgets; and

WHEREAS, the Board now wishes to include Village Community Development District 11 as a member of the PWAC; and

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of the Sumter Landing Community Development District, Florida:

1. Purpose of the PWAC:

The purpose of the PWAC as provided for in Resolution 13-05 is now expanded to provide input, explore issues and provide advice and recommendations to the Board on issues related to the SLCDD owned Amenity Facilities.

2. The PWAC shall have the following additional powers, duties and responsibilities:

- a. Establishing the Sumter Landing Amenity Division budget and determining expenditures of all non-bond and Villages Public Safety Department required Amenity Funds, review budget to actual statements and review and recommend all capital expenditures through the budget process or outside the budget process as the need develops.
- b. Approve solicitation of and then review and recommend contract renewals and bid and proposal awards to the Board.
- c. Explore significant and important issues as they arise, develop a plan of action and take the necessary steps to address them.
- d. Rate setting of Amenity Facility user fees to the extent permissible under the Declaration of Restrictions.
- e. Operational control over Amenity Facilities and services but may not interfere with the day-to-day operation of the Amenity Facilities.
- f. Establishing from time-to-time a maximum Amenity Fee for the SLCDD owned Amenity Fees such that increases in Amenity Fees whether by Consumer Price Index, resale of a home or otherwise will not result in an Amenity Fee owned by the SLCDD having to pay in excess of such maximum amount.
- g. To appoint advisory, administrative or operation subcommittees and to work cooperatively with the Village Center Community Development District Amenity Authority Committee in the exercise and performance of the duties provided for under this Resolution to guarantee policies and procedures are consistent.
- h. To do all acts and things necessary or convenient for the conduct of its business in order to carry out the duties provided in the Resolution.
- i. Perform any other duties as assigned by the SLCDD pertaining to the budgeting of the Amenity funds and operations of the Amenity Facilities.

3. Implementation of PWAC Decisions:

Since the PWAC is a committee of SLCDD and not a separate legal entity, at the SLCDD meeting following each PWAC meeting, SLCDD's intent is to enact, adopt or put into place those rules, policies, procedures and other actions of the PWAC within the scope of powers and limitations set forth in this Resolution and to approve and enter into those contracts and disburse those funds necessary and proper to implement the actions of the PWAC. Should the SLCDD not agree with the PWAC recommendations and if a delay will not adversely affect the Amenity Fund or operations, a joint meeting shall be scheduled between SLCDD and PWAC to discuss the Amenity recommendation prior to final action of the SLCDD.

4. Limitations on PWAC Actions:

- a. All actions of the PWAC shall comply with the terms, provisions, covenants, representations, and warranties described in the Bond Documents. In no event shall a PWAC action cause a violation of the terms, provisions or covenants of the Bond Documents or cause any representation or warranty described in the Bond Documents to become untrue.
- b. All actions of the PWAC shall be subject and in compliance with the terms and provisions of the various Declarations of Restrictions which provide for the Amenity Fee each resident in the SLCDD service territory is obligated to pay.
- c. All actions of PWAC shall be subject to and in compliance with local, state and federal law and regulations including, but not limited to Florida Statutes.
- d. In no event shall an act of the PWAC result in reduction in services provided in exchange for the Amenity Fee.
- e. In no event shall the PWAC exercise any powers over fire services, or funds related to fire services, or setting or allocating management fees charged by Village Center Community Development District or any other facility or activity unrelated to the operation of Amenity Facilities or Amenity Fees.
- f. To continue to provide a seamless community, all policies, procedures, fees and services relating to Amenity Fees and Amenity Services provided to residents by The Village Center Community Development District and SLCDD shall be identical. It is understood that the Amenity Fee rate applicable throughout the SLCDD Service Territory varies and nothing contained herein shall be construed to mandate a uniform Amenity Fee.

- g. In no event shall any action by PWAC result in residents of The Villages outside the SLCDD Service Territory being treated differently than residents within the SLCDD Service Territory.

5. Expansion of PWAC Members:

The PWAC, established under Resolution 13-05, consisted of up to seven (7) members. Each of the Village Community Development Districts (CDDs) Number 5 through 10 and the Brownwood Community Development District were requested to provide a Supervisor from that District to serve on the PWAC. Each of the CDDs participating on the PWAC were also requested to appoint an alternate member to serve and attend meetings when that District's Supervisor member cannot attend a meeting. Since Resolution 13-05 was established, Village Community Development District (CDD) 11 has been established. The PWAC is now expanded to up to (8) members to request and allow a representative from CDD11 to be added to the Committee.

6. There is no obligation on the CDDs to provide a Supervisor to serve on the PWAC.

7. Compliance with Applicable Laws:

- a. The PWAC activities shall be consistent with federal and state laws and regulations.
- b. All meetings of the PWAC shall be open to the public and subject to the applicable provisions of the Florida open meetings ("Sunshine") laws, Section 286.011, Florida Statutes.
- c. The records of the PWAC shall also be subject to the applicable provisions of the Florida Public Records Law, Chapter 119, Florida Statutes.

8. Duties of the District Manager of the Sumter Landing Community Development District or designee for the PWAC:

- a. To administer the activities of the PWAC in accordance with the policies of the Board and this Resolution.
- b. To provide periodic written reports to the Board on the activities of the PWAC.
- c. To provide any additional technical or administrative support as deemed appropriate by the District Manager.

9. Effective Date. This Resolution shall take effect immediately upon adoption by the board of Supervisors, Sumter Landing Community Development District.

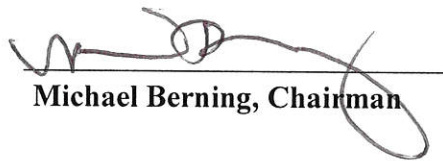
DONE and **RESOLVED** at The Villages, Florida this 18th day of May 2017.

ATTEST



Janet Y. Tutt, Secretary

**SUMTER LANDING COMMUNITY
DEVELOPMENT DISTRICT**



Michael Berning, Chairman