

**MINUTES OF MEETING
VILLAGE COMMUNITY
DEVELOPMENT DISTRICT No 4**

The Meeting of the Board of Supervisors of the Village Community Development District No. 4 was held on Friday, January 10, 2014 at 1:30 p.m. at the District Office Board Room, 1894 Laurel Manor Drive, The Villages Florida, 32162.

Board members present and constituting a quorum:

Don Deakin	Chairman
Jim Murphy	Vice Chairman
Chuck Kazlo	Supervisor
Paul Kelly	Supervisor
Rich Lambrecht	Supervisor

Staff Present:

Janet Tutt	District Manager
Diane Tucker	Administrative Operations Manager
Valerie Fuchs	District Counsel
Sam Wartinbee	District Property Management Director
David Miles	Finance Director
Jennifer McQueary	District Clerk
Bill Thompson	District Property Management Supervisor
Candice Lovett	Staff Assistant

FIRST ORDER OF BUSINESS: Call to Order

A. Roll Call

Chairman Deakin called the meeting to order at 1:30 p.m. stating for the record that all Supervisors were present.

B. Pledge of Allegiance

The Chairman led the Pledge of Allegiance.

C. Welcome Meeting Attendees

The Board welcomed the meeting attendees present.

D. Audience Comments

There were no audience comments.

SECOND ORDER OF BUSINESS: Approval of the Minutes for the Board Meeting held on December 13, 2013

On MOTION by Chuck Kazlo, seconded by Jim Murphy, with all in favor, the Board approved the Minutes for the Board Meeting held on December 13, 2013.

THIRD ORDER OF BUSINESS: District Property Management Reports

Bill Thompson, District Property Management (DPM) Supervisor, provided the Board with an update on the following items:

- Trimming has begun.
- Weeding is ongoing.
- Change-out of the annuals will begin on Monday, January 17, 2014.

CONSENT AGENDA

Chairman Deakin advised the Board that 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 will occur unless desired by a Board Member or a member of the Public.

On MOTION by Jim Murphy, seconded by Chuck Kazlo, with all in favor, the Board approved the following items included on the Consent Agenda:

FOURTH ORDER OF BUSINESS: Authorization to Staff to advertise the amendment and restatement of Chapter III of the District's Rule.

FIFTH ORDER OF BUSINESS: Adoption of Resolution 14-03 adding the name of the Deputy Finance Director, Sarah Koser, to the District's Citizens First Bank account and updating the list of signatures to include: Donald R. Deakin Sr., James A. Murphy, Janet Y. Tutt, Diane B. Tucker, John B. Rohan, David R. Miles and Sarah C. Koser.

SIXTH ORDER OF BUSINESS: Authorization to close Case No. D4-01-11, VCDD

No. 4 vs. Donald F. Davey and Dolores Lebec and waive the \$250 fine.

SEVENTH ORDER OF BUSINESS: Budget Calendar for Fiscal Year 2014/2015

Barbara Kays, Budget Director, presented the proposed budget calendar for the Fiscal Year 2014/2015 budget process and stated typically the process is begun with a Preliminary Budget Workshop which is held to review the budget process, for Staff to review any major upcoming projects or any proposed increase to the maintenance assessment increase. At this time Staff does not have any major items to discuss with the Board and is not recommending an increase to the maintenance assessments. Staff is requesting the Board consider whether it would prefer to hold a budget discussion at the end of the Board's regular March meeting, hold a separate Preliminary Budget Workshop on March 19, 2014 or to not hold a Preliminary Budget Workshop and wait until the line item review which will be completed at the May 14, 2014 Budget Workshop.

Supervisor Kelly advised he would not be unavailable to attend the March meeting.

Supervisor Kelly recommended the Board hold a preliminary budget discussion either as part of the March 14, 2014 regular meeting or on March 19, 2014. As a result of the refundings completed by the District, additional revenues will be received into the Reserve Funds. Consideration needs to be made as to what is the optimal dollar amount the District needs to budget for annual transfers into the Reserve Funds to fund the District's Capital Improvement Plan (CIP). Supervisor Kelly stated a discussion of the District's road Pavement Condition Index (PCI) has not occurred in over two (2) years and a status update needs to be provided for Board consideration. Ms. Tutt stated Staff concurs this discussion needs to occur; however, the work that is completed to update the CIP is ongoing through the summer months.

Supervisor Kelly stated one of the Board's major line items, within the budget, is the transfer of \$260,000 to the reserves to fund the CIP. This review will identify whether a potential maintenance assessment increase would be necessary. In addition to the roads, as the District ages, the overall infrastructure, including villa walls, tunnels, lighting, etc. should be considered. Ms. Tutt stated the District has adequate funds to fund the District's CIP but advised that this discussion would be difficult to have in March because the updated information would not be available. Supervisor Kelly stated he is looking to have an operational discussion, more than a financial discussion, and a detailed review of the

District's infrastructure. Ms. Tutt stated the review Supervisor Kelly is referring to is completed during Staff's preparation and revisions to the CIP.

Supervisor Lambrecht stated he is under the impression the District's roads are in good condition and no major repair work is planned in the near future. Sam Wartinbee, DPM Director, confirmed the District's roads are in good condition and advised Staff continues to review new products that come onto the market. Recently a product was identified that combines a rejuvenator and a super micro resurface which brings the asphalt back to the dark appearance. This product could be applied approximately three (3) times compared to the cost of one micro surfacing.

Supervisor Kazlo stated the District's second largest expense is landscaping. The District's current contract has no additional renewals and must be rebid, which may result in an increase in costs. Supervisor Kazlo inquired when the bid process could be initiated so that the District would be aware of the cost of the new contract. Mr. Wartinbee stated the recent Request for Proposals (RFP's) issued for landscaping have not resulted in an increase in cost and Staff is not concerned about a major increase in cost for the landscaping contract in District 4. The District could issue the Request for Proposal (RFP) at the direction of the Board; however, Staff becomes concerned that if the existing contractor is not awarded the contract the level of service becomes an issue. Ms. Kays stated Staff typically includes a percentage increase for these types of items during the budgeting process. Once the RFP is awarded in the summer months the budget would then be adjusted.

Vice Chairman Murphy stated he does not believe the Preliminary Budget Workshop is necessary. If a Board Member, or a member of the public, has items to bring forward then those items can be addressed during the March 14, 2014 meeting.

Chairman Deakin requested the March 14, 2014 agenda include a budget discussion item. Ms. Kays stated if any items are identified by Staff they will be brought before the Board during this discussion, but a full agenda package would not be presented.

The Board concurred to hold a budget discussion at the end of the March 14, 2014 regular meeting.

Ms. Kays stated Staff has identified the date of May 14, 2014 to hold a Budget Workshop at which time a line item review would be completed prior to the Board approving the proposed budget at

the Board's regular June 13, 2014 meeting. The Public Hearing to adopt the final budget is scheduled to be held at the Board's regular September 12, 2014 meeting.

Ms. Kays stated for information that the May Budget Workshop would be held in the conference room in the District's new office located in Lake Sumter Landing.

Supervisor Kelly requested the Minutes reflect that the current condition and general health of the District's roads, fences, entry ways, golf cart paths and water retention areas be presented to the Board and reviewed at the May 14, 2014 Budget Workshop. If this information is not available this workshop should be delayed until this information is available. Ms. Kays stated Staff will include this update as part of the Board's revised CIP.

On MOTION by Paul Kelly, seconded by Rich Lambrecht, the Board directed Staff to include a budget discussion as part of the March 14, 2014 regular meeting, schedule a Budget Workshop for May 14, 2014, approval of the Proposed Budget will occur at the June 13, 2014 regular Board Meeting and the Public Hearing to adopt the Final Budget will occur at the September 12, 2014 regular Board Meeting.

EIGHTH ORDER OF BUSINESS: Striping of Multi-Modal Paths

Ms. Tutt stated at the December 11, 2013 meeting the Amenity Authority Committee (AAC) had discussed the potential of installing striping along the center line of the multi-modal paths north of CR 466 to be funded through the amenity fees, and requested Staff bring the item to the numbered District Boards for discussion. Following the AAC meeting, the Engineers expressed some comments about the striping and those comments have been provided. Ms. Tutt stated she appreciates the comments provided by the Engineers, but acknowledges that some of comments related to the associated costs fall under this Board's purview, as it pertains to establishing policy and its fiduciary responsibility. Districts 1, 2 and 3 reviewed this item this morning and directed Staff to proceed with the Engineer's recommendation to "address localized geometric issues with a specific solution for those issues on an as-needed basis (such as pavement reflectors, warning signs and striping as appropriate) and not to start a Villages-wide centerline striping program for the multi-modal paths".

Ms. Tutt stated south of CR466, Staff receives comments from residents about specific areas that need additional striping or reflectors and those areas are addressed. This is a typical occurrence that is

addressed following contact received from a resident. To this point, those types of requests have not been received from residents north of CR 466.

Supervisor Kazlo stated south of CR 466 there are a larger number of places where the path is divided by a median; whereas, the multi-modal paths within District 4 are more straightaways where a minimal number of issues have been identified or crashes have occurred. Ms. Tutt stated Capt. Lazenby of The Villages Public Safety Department (VPSD) has identified that the vast majority of golf cart crashes have occurred as a result of the golf cart operator not paying full attention to the multi-modal path and taking their eyes away to pick-up a water bottle or a dropped phone, etc.

Supervisor Kelly inquired if Engineers should be utilized to proactively review the paths to identify those areas where additional reflectors or striping may be needed in lieu of waiting for the residents to identify these locations.

Supervisor Kelly stated there is an area where golf carts enter and exit the Mulberry tunnel through the roundabout which might require reflectors.

Supervisor Kazlo stated this Board has taken corrective action to widen access, entrances and installed mirrors, striping and solar lighting to address concerns.

Supervisor Lambrecht stated he is considering the installation of the striping from a different point of view. This District striped the golf cart trails, prior to the reconstruction of the paths, at the request of residents. The information and recommendations provided by Kimley-Horn & Association are disappointing, and believes suggesting the installation of a centerline stripe will take away the intended multi-modal use of the path undermines the intelligence of the residents. Supervisor Lambrecht stated when he purchased his home in The Villages the sales literature he received stated that the maintenance of the recreation trails would be funded through the amenity fees, which was incorrect, because the multi-modal paths were platted to the numbered Districts. The Class Action Lawsuit filed provided justification for the amount of money sought in the lawsuit; however, the AAC is under no obligation to expend the Settlement Agreement funds in the manner the justification was made. Included in the justification was the funds necessary to maintain the paths and provide for an R&R Reserve, but the numbered Districts are the entity required to complete the maintenance. Similar to when the AAC offered to reconstruct the multi-modal paths, the AAC is now offering to install and

maintain the centerline stripe. Supervisor Lambrecht stated he has attended numbered District Board meetings south of CR 466 where similar requests have been received to install striping.

Supervisor Kelly stated included within the District's Mission Statement is this Board's intention to address the residents' health and safety, and if it is believed the centerline stripe would increase the health and safety of the residents, then it should be seriously considered.

Ms. Tutt stated this item will have to be brought back to the AAC to determine if the Committee wants to proceed with the centerline striping in only one District.

Vice Chairman Murphy stated Staff should also address requests received from residents to install reflectors and/or additional striping for areas identified.

Valerie Fuchs, District Counsel, addressed Supervisor Lambrecht's statement pertaining to the intended purposes of the multi-modal trail Ms. Fuchs provided clarification during the District 1, 2, and 3 meetings and stated the intended purpose of the paths is for multi-modal use and to encourage foot traffic, which the multi-modal paths are legally obligated to do. In reference to the statement made by the Engineers that "providing a centerline stripe on the multi-modal path will take away from the intended multi-modal nature and place emphases on vehicular (golf cart) use" that if a center line was installed on the paths it could give the appearance to the walkers, riders and runners that the area is a roadway as opposed to a multi-modal path.

Supervisor Lambrecht stated his recommendation would be to install a yellow, reflective, dotted line on the multi-modal paths within District 4.

Chairman Deakin stated based on Supervisor Lambrecht's comments pertaining to the justification for the Class Action Lawsuit award, is the AAC prepared to maintain not only the striping but also the multi-modal paths, if the Districts are willing to turn the maintenance over to the AAC.

Supervisor Lambrecht stated he has addressed this topic with the Committee twice since the multi-modal paths were renovated; however, the AAC is unsure at this time that it can afford to accept the responsibility, because the AAC does not have the ability to increase its revenue by raising the amenity fees as the numbered Districts have the ability to increase maintenance assessments, if necessary.

Additional discussion occurred.

Norm Plumstead, Lone Oak Loop, stated the installation of a centerline stripe would assist individuals traveling along the paths at night.

On MOTION by Rich Lambrecht, seconded by Paul Kelly, with all in favor, the Board agreed to enter into an Interlocal Agreement with the Amenity Authority Committee to install center line striping and provide ongoing maintenance of the striping along the multi-modal path in Village Community Development District No. 4.

Supervisor Lambrecht advised the Board received an e-mail from Marty Wilbur requesting review of line-of-sight issues at the Calumet Avenue/Legacy Lane intersection. Supervisor Lambrecht stated when vehicles stop at the stop bar, you are not able to see oncoming traffic, but as you slowly creep forward to gain clear view you are placing your vehicle in the golf cart path. The intersection has a postal facility on one side of the road and an executive golf course on the other and the landscaping, which are not the responsibility of this District, is high.

Marty Wilbur, Sherwood Villas, stated a recent traffic accident with personal injury occurred at this location which required Florida Highway Patrol (FHP) to be there to investigate for over 2 hours. In addition to the vehicles traversing the area there are a large number of pedestrians going to and from the postal facility to obtain their mail. Mr. Wilbur stated residents are requesting the line-of-sight be addressed at this location and/or the installation of “Stop” signs on Legacy Lane to make the intersection a four-way stop.

Supervisor Kazlo requested the Engineers conduct the review of the intersection around the hours of 3 p.m. and 4 p.m. when residents are picking up their mail.

On MOTION by Paul Kelly, seconded by Rich Lambrecht, with all in favor, the Board requested the Traffic Engineer conduct a review of the intersection of Legacy Lane and Calumet Avenue around the hours of 3 p.m. and 4 p.m. to identify if a four way stop should be installed. Additionally, Staff will review and address any landscaping that hinders line-of-sight view.

Chairman Deakin presented the Board with a proposal that would allow District 4 to become a “Gated Community” and provided a historical overview of the gate accessibility in the Marion County portion of The Villages which included the rationale for why the Board should consider restricting the gates within District 4 and the request to investigate the cost to obtain disaster insurance, which the

Village Center Community Development District (VCCDD) had previously indicated that District 4 would need to obtain if it chose to restrict its gates. The disaster insurance would be necessary because restricting the gates would exclude the VCCDD from obtaining FEMA reimbursement for its vertical structures within District 4, should a natural disaster occur.

Ms. Tutt stated in addition to the insurance and additional legal documents this Board would be required to execute should the Board choose to restrict its gates, an additional consideration could be the potential of the IRS challenging the District's tax-exempt status of its bonds. The current IRS investigation pertains to the public accessible facilities and services funded through the amenity fees, which this Board would then be restricting public access to those facilities. Ms. Tutt stated the residents of The Villages purchased within a community whose infrastructure is owned by government and not a Homeowners Association, Developer or private entity.

Ms. Fuchs stated the District is a governmental entity whose roads have been dedicated for the public use and the bonds issued to develop the infrastructure provided that the infrastructure was for public use.

Chairman Deakin stated because the District cannot count on FEMA to provide reimbursement for the costs associated with clean-up, following a natural disaster, the District should consider purchasing disaster insurance. David Miles, Finance Director, stated if the District purchased Disaster Insurance it would take precedence over FEMA reimbursement.

Ms. Tutt stated a benefit of being a local governmental entity is receiving the benefit of FEMA reimbursement. The District has initiated contracts for debris hauling and monitoring to ensure the optimal reimbursement from FEMA is received.

Chairman Deakin stated he would like to receive an estimate of the insurance premium to carry Disaster Insurance.

Supervisor Kelly stated he believes the District does not need to proceed with the inquiry for Disaster Insurance as Staff has accumulated a great amount of knowledge on how to effectively proceed with the FEMA reimbursement process.

NINTH ORDER OF BUSINESS: Old Business Status Update

- Review of Public Information Campaign: Curb and Gutter Cleaning

Ms. Tutt stated Staff has provided the revised flyer which requests participation from the residents to clean their curbs and gutters. Staff will proceed with posting the information at the postal facility bulletin boards.

Mr. Wartinbee presented the Board with the requested review of signage completed by Kimley-Horn & Associates, Inc.

Vice Chairman Murphy stated his purpose for requesting the review was to ensure if there was redundancy of signage the redundant signs could be removed. The report states that any signage not originally included within the development plan was at the direction of the District Board, which is incorrect.

TENTH ORDER OF BUSINESS: Budget to Actual Statements as of December 31, 2013

This was provided as information only.

ELEVENTH ORDER OF BUSINESS: Staff Reports

- A. Governance Improvement Committee

Ms. Tutt advised the Governance Improvement Committee meeting has been scheduled for Thursday, February 6, 2014 at 1:30 p.m. at SeaBreeze Recreation Center.

Ms. Tutt advised beginning with the March 14, 2014 meeting the Board will hold its meetings at the Savannah Regional Recreation Center.

Supervisor Lambrecht stated during a Board Meeting held one of the numbered Districts took a formal action stating for the record that the District was not in favor of Community Development District (CDD) meeting consolidation or consolidation of CDD's and believes it would be appropriate that the Board provide that direction to the its representative.

Supervisor Kazlo advised he has previously indicated to the GIC that District 4 has no interest in proceeding with CDD meeting consolidation and consolidation of CDD's.

On MOTION by Rich Lambrecht, seconded by Chuck Kazlo, with all in favor, the District 4 Board provided its position that it is not in favor of consolidation of CDD meetings or consolidation of CDD's.

TWELFTH ORDER OF BUSINESS: District Counsel Reports

There were no reports.

THIRTEENTH ORDER OF BUSINESS: Supervisor Comments

A. Amenity Authority Committee Update

Supervisor Lambrecht stated the After Agenda from the January 8, 2014 AAC meeting was provided as information and highlighted the following items addressed:

- The AAC has directed an aquatic chairlift be installed at the Tierra Del Sol pool. The District is currently in compliance with ADA requirements and no additional aquatic chairlifts are required; however, a request was received from a resident.
- The AAC has requested Staff prepare a Scope of Services to issue a Request for Proposal (RFP) to solicit a vendor to operate a full-service restaurant in the existing El Santiago building.
- The Grand Opening for Paradise Park Area "A" will be held on January 23, 2014.

Supervisor Kelly stated this District's Mission Statement includes providing proactive improvements for health and safety related items, such as concerns of its residents pertaining to break-ins and believes the District should proceed with identifying ways to assist residents with items such as conducting security audits for their homes, and additional assistance in clarifying deed compliance items as it relates to maintaining property values.

Supervisor Kazlo advised Sumter County has a home security survey program; however, Marion County does not.

Chairman Deakin suggested utilizing a Town Hall meeting venue to focus on security items.

Supervisor Kelly requested the topic of health, safety and property values be included on the February agenda for the Board's consideration. Ms. Fuchs stated any items that the Board would consider as part of the agenda would have to fall within the purview provided for in Florida Statute Chapter 190. Ms. Tutt cautioned the type of items suggested during this discussion would not fall under

the purview of this Board's roles and responsibilities as provided for in Chapter 190. The District's Mission Statement can only address items within the purview provided by the Statute and any deviation from the Statute would result in the Board not adhering to its fiduciary responsibilities.

FOURTEENTH ORDER OF BUSINESS: Adjourn

The meeting was adjourned at 3:29 p.m.

On MOTION by Paul Kelly, seconded by Jim Murphy, with all in favor, the Board adjourned the meeting.

Janet Y. Tutt
Secretary

Don Deakin
Chairman