

**MINUTES OF MEETING
VARREA SOUTH
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Varrea South Community Development District held Public Hearings and a Regular Meeting on August 9, 2024 at 10:00 a.m., at the offices of Forestar, 4042 Park Oaks Blvd., Suite 200, Tampa, Florida 33610.

Present:

Ryan Zook	Chair
Anne Mize	Vice Chair
Ryan Hoppe	Assistant Secretary

Also present:

Cindy Cerbone	District Manager
Ryan Dugan	District Counsel
Ethen Broadwater	DR Horton
Michelle Guerrier	DR Horton
Kyle Kennan	Walton
Richard Zarella	Resident

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Ms. Cerbone called the meeting to order at 10:09 a.m. The Oath of Office was administered to Ms. Anne Mize before the meeting. Supervisors Zook, Mize and Hoppe were present. Supervisors You and Janek were not present.

SECOND ORDER OF BUSINESS

Public Comments

No members of the public spoke.

THIRD ORDER OF BUSINESS

Administration of Oath of Office to Anne Mize (Seat 2) (the following will also be provided in a separate package)

- A. Updates and Reminders: Ethics Training for Special District Supervisors and Form 1**
- B. Membership, Obligation and Responsibilities**
- C. Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees**
- D. Form 8B: Memorandum of Voting Conflict for County, Municipal and other Local Public Officers**

This item was discussed during the First Order of business.

FOURTH ORDER OF BUSINESS

**Acceptance of Resignation of Brian Janek
(Seat 3); Term Expires November 2026**

Ms. Cerbone presented Mr. Brian Janek's resignation letter.

On MOTION by Mr. Zook and seconded by Ms. Mize, with all in favor, the resignation of Mr. Brian Janek from Seat 3, was accepted.

FIFTH ORDER OF BUSINESS

**Consider Appointment of Ethan
Broadwater to Fill Unexpired Term of Seat
3**

Ms. Cerbone stated Mr. Broadwater's first name is spelled "Ethen". Mr. Zook nominated Mr. Ethen Broadwater to fill Seat 3. No other nominations were made.

On MOTION by Mr. Zook and seconded by Mr. Hoppe, with all in favor, the appointment of Mr. Ethen Broadwater to fill Seat 3, was approved.

- **Administration of Oath of Office**

Ms. Cerbone, a Notary of the State of Florida and duly authorized, administered the Oath of Office to Mr. Ethen Broadwater.

SIXTH ORDER OF BUSINESS

**Acceptance of Resignation of Ryan Hoppe
(Seat 5); Term Expires November 2024**

This item was presented following the Twenty-Second Order of Business.

SEVENTH ORDER OF BUSINESS

**Consider Appointment of Kyle Keenan to
Fill Unexpired Term of Seat 5**

- **Administration of Oath of Office**

This item was presented following the Twenty-Second Order of Business.

EIGHTH ORDER OF BUSINESS

**Acceptance of Resignation of Cody You
(Seat 4); Term Expires November 2026**

Ms. Cerbone presented Mr. Cody You's resignation letter.

On MOTION by Mr. Zook and seconded by Ms. Mize, with all in favor, the resignation of Mr. Cody You from Seat 4, was accepted.

NINTH ORDER OF BUSINESS

Consider Appointment of Michelle Guerrier to Fill Unexpired Term of Seat 4

Mr. Zook nominated Ms. Michelle Guerrier to fill Seat 4. No other nominations were made.

On MOTION by Mr. Zook and seconded by Ms. Mize, with all in favor, the appointment of Ms. Michelle Guerrier to fill Seat 4, was approved.

- **Administration of Oath of Office**

Ms. Cerbone, a Notary of the State of Florida and duly authorized, administered the Oath of Office to Ms. Michelle Guerrier.

TENTH ORDER OF BUSINESS

Consideration of Resolution 2024-11, Electing and Removing Officers of the District and Providing for an Effective Date

This item was deferred.

ELEVENTH ORDER OF BUSINESS

Public Hearing to Consider the Adoption of an Assessment Roll and the Imposition of Special Assessments Relating to the Financing and Securing of Certain Public Improvements

A. Affidavit/Proof of Publication

B. Mailed Notice to Property Owner(s)

C. Engineer's Report (for informational purposes)

Mr. Dugan stated that the Engineer's Report was unchanged since it was last presented.

D. Master Special Assessment Methodology Report (for informational purposes)

Ms. Cerbone explained the purposes of the Engineer's Report and the Master Special Assessment Methodology Report, which were presented at the last meeting. She reviewed Page 15, Table 5 of the Master Methodology Report outlining the maximum assessment amounts contemplated to fund CDD improvements with municipal bond funds, if issued.

Mr. Dugan stated this is related to Phases 2B and 6A of the Planned Development.

The following questions were asked and answered:

Mr. Dugan: Are these special assessments reasonably and fairly allocated to the lands subject to them?

Ms. Cerbone: Yes.

Mr. Dugan: Will the assessed lands receive a special benefit equal to or in excess of the special assessments as levied in the Report?

Ms. Cerbone: Yes.

Mr. Dugan: Is it in the best interest of the District that the special assessments be paid and collected in accordance with the Methodology in the Assessment Resolution?

Ms. Cerbone: Yes.

- E. **Consideration of Resolution 2024-12, Authorizing District Projects for Construction and/or Acquisition of Infrastructure Improvements; Equalizing, Approving, Confirming, and Levying Area Two Assessments (as Hereinafter Defined) on Property Specially Benefited by the Area Two Project (as Hereinafter Defined) to Pay the Cost Thereof; Providing for the Payment and the Collection of Such Special Assessments by the Methods Provided for by Chapters 170, 190, and 197, Florida Statutes; Confirming The District's Intention to Issue Special Assessment Revenue Bonds; Making Provisions for Transfers of Real Property to Governmental Bodies; Providing for the Recording of an Assessment Notice; Providing for Severability, Conflicts and an Effective Date**

On MOTION by Mr. Zook and seconded by Ms. Mize, with all in favor, the Public Hearing was opened.
--

- **Hear testimony from the affected property owners as to the propriety and advisability of making the improvements and funding them with special assessments on the property.**

No affected property owners or members of the public spoke.

- Thereafter, the governing authority shall meet as an equalizing board to hear any and all complaints as to the special assessments on a basis of justice and right.

The Board, sitting as an Equalizing Board, made no changes to the assessment levels.

On MOTION by Mr. Zook and seconded by Mr. Hoppe, with all in favor, the Public Hearing was closed.

On MOTION for by Mr. Zook and seconded by Ms. Mize, with all in favor, Resolution 2024-12, Authorizing District Projects for Construction and/or Acquisition of Infrastructure Improvements; Equalizing, Approving, Confirming, and Levying Area Two Assessments (as Hereinafter Defined) on Property Specially Benefited by the Area Two Project (as Hereinafter Defined) to Pay the Cost Thereof; Providing for the Payment and the Collection of Such Special Assessments by the Methods Provided for by Chapters 170, 190, and 197, Florida Statutes; Confirming The District's Intention to Issue Special Assessment Revenue Bonds; Making Provisions for Transfers of Real Property to Governmental Bodies; Providing for the Recording of an Assessment Notice; Providing for Severability, Conflicts and an Effective Date, was adopted.

TWELFTH ORDER OF BUSINESS

Public Hearing on Adoption of Fiscal Year 2024/2025 Budget

- A. Affidavit of Publication**
- B. Consideration of Resolution 2024-13, Relating to the Annual Appropriations and Adopting the Budget(s) for the Fiscal Year Beginning October 1, 2024, and Ending September 30, 2025; Authorizing Budget Amendments; and Providing an Effective Date**

Ms. Cerbone reviewed the Projected Fiscal Year 2025 Revenues and Assessments Tables on Pages 1 and 8, respectively. The budget is the same version as presented at the last meeting.

Asked if the difference between on and off-roll assessments is because the Property Appraiser charges a fee. Ms. Cerbone replied affirmatively.

On MOTION by Mr. Zook and seconded by Ms. Mize, with all in favor, the Public Hearing was opened.

No affected property owners or members of the public spoke.

On MOTION by Mr. Zook and seconded by Ms. Mize, with all in favor, the Public Hearing was closed.

On MOTION by Mr. Zook and seconded by Ms. Mize, with all in favor, Resolution 2024-13, Relating to the Annual Appropriations and Adopting the Budget(s) for the Fiscal Year Beginning October 1, 2024, and Ending September 30, 2025; Authorizing Budget Amendments; and Providing an Effective Date, was adopted.

THIRTEENTH ORDER OF BUSINESS

Public Hearing to Hear Comments and Objections on the Imposition of Maintenance and Operation Assessments to Fund the Budget for Fiscal Year 2024/2025, Pursuant to Florida Law

- A. Proof/Affidavit of Publication
- B. Mailed Notice(s) to Property Owners
- C. Consideration of Resolution 2024-14, Providing for Funding for the FY 2025 Adopted Budget(s); Providing for the Collection and Enforcement of Special Assessments, Including but Not Limited to Penalties and Interest Thereon; Certifying an Assessment Roll; Providing for Amendments to the Assessment Roll; Providing a Severability Clause; and Providing an Effective Date

On MOTION by Mr. Zook and seconded by Ms. Mize, with all in favor, the Public Hearing was opened.

No affected property owners or members of the public spoke.

On MOTION by Mr. Zook and seconded by Mr. Hoppe, with all in favor, the Public Hearing was closed.

On MOTION by Mr. Zook and seconded by Ms. Mize, with all in favor, Resolution 2024-14, Providing for Funding for the FY 2025 Adopted Budget(s); Providing for the Collection and Enforcement of Special Assessments, Including but Not Limited to Penalties and Interest Thereon; Certifying an Assessment Roll; Providing for Amendments to the Assessment Roll; Providing a Severability Clause; and Providing an Effective Date, was adopted.

FOURTEENTH ORDER OF BUSINESS

Public Hearing to Hear Public Comments and Objections to the Adoption of the Joint

**Rules, Policies, and Fees Regarding
Amenity Facilities, Pursuant to Section
120.54 and 190.035, Florida Statutes**

- A. Affidavits of Publication**
- B. Consideration of Resolution 2024-15, Adopting Joint Rules and Policies Regarding Amenity Facilities of Varrea South Community Development District and Varrea North Community Development District; Providing a Severability Clause; and Providing an Effective Date**

Ms. Cerbone reviewed the Varrea South CDD and Varrea North CDD Joint Rules and Policies Regarding the Amenity Facilities. If approved, they will go into effect today.

The following changes will be made to the Joint Amenity Rules, Policies and Fees:

Page 11, Swimming Pool Water Slide Rules, Item (3): Replace “Slide Attendant” with “Certified Life Guard”

Page 17, Fishing and Pond Policy: Insert language outlining who is monitoring fishing in the ponds.

On MOTION by Mr. Zook and seconded by Ms. Mize, with all in favor, the Public Hearing was opened.

No affected property owners or members of the public spoke.

On MOTION by Mr. Zook and seconded by Ms. Mize, with all in favor, the Public Hearing was closed.

Mr. Dugan will email the updated Rules and Policies to Management, in final form, to attach to Resolution 2024-15.

On MOTION by Mr. Zook and seconded by Ms. Mize, with all in favor, Resolution 2024-15, Adopting Joint Rules and Policies Regarding Amenity Facilities of Varrea South Community Development District and Varrea North Community Development District, as amended; Providing a Severability Clause; and Providing an Effective Date, was adopted.

Mr. Dugan suggests implementing rules and maintenance policies for owners whose properties abut the CDD wetland and conservation areas. He will provide a sample policy and rules for discussion at the next meeting.

SIXTEENTH ORDER OF BUSINESS**Consideration of Goals and Objectives Reporting [HB7013 – Special Districts Performance Measures and Standards Reporting]**

Ms. Cerbone presented the Memorandum detailing the new requirement for special districts to establish goals and objectives annually and develop performance measures and standards to assess the achievement of the goals and objectives, publish an annual report on its website detailing the goals and objectives achieved, the performance measures and standards used, and any goals or objectives that were not achieved. District Management and District Counsel collaborated on identifying Community Communication and Engagement, Infrastructure and Facilities Maintenance, and Financial Transparency and Accountability as the key categories to focus on for Fiscal Year 2025 and develop statutorily compliant goals for each. She presented the Performance Measures/Standards & Annual Reporting Form developed for the CDD and explained how the CDD will meet the goals.

On MOTION by Mr. Zook and seconded by Ms. Mize, with all in favor, the Goals and Objectives and the Performance Measures/Standards & Annual Reporting Form, were approved.

SEVENTEENTH ORDER OF BUSINESS**Consideration of Protective Security Service, LLC, First Amendment to Securities Services Agreement**

Ms. Cerbone stated Section 2A regarding the not-to-exceed amount was updated to provide flexibility in the number of service hours per week in the event of a holiday, etc.

On MOTION by Mr. Zook and seconded by Ms. Mize, with all in favor, the Protective Security Service, LLC, First Amendment to the Securities Services Agreement, was approved.

**VARREA SOUTH CDD
EIGHTEENTH ORDER OF BUSINESS**

August 9, 2024

Presentation of Audited Annual Financial Report for Fiscal Year Ended September 30, 2023, Prepared by Berger, Toombs, Elam, Gaines and Frank (to potential be provided under separate cover)

This item was presented following the Twenty-Third Order of Business.

NINETEENTH ORDER OF BUSINESS

Consideration of Resolution 2024-16, Hereby Accepting the Audited Financial Report for the Fiscal Year Ended September 30, 2023

This item was deferred.

TWENTIETH ORDER OF BUSINESS

Consideration of Certified Lifeguard Services

Mr. Dugan presented Access Management's fee to provide a Certified Lifeguard at the pool water slide, which is a requirement of the County.

On MOTION by Mr. Zook and seconded by Ms. Mize, with all in favor, authorizing engagement of a Certified Lifeguard staffed by Access Management at the pool water slide, in a not-to-exceed amount of \$25 per hour and not-to-exceed 40 hours per week, was approved.

TWENTY-FIRST ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of June 30, 2024

On MOTION by Mr. Zook and seconded by Ms. Mize, with all in favor, the Unaudited Financial Statements as of June 30, 2024, were accepted.

TWENTY-SECOND ORDER OF BUSINESS

Approval of June 5, 2024 Regular Meeting Minutes

On MOTION by Mr. Zook and seconded by Mr. Janek, with all in favor, the June 5, 2024 Regular Meeting Minutes, as presented, were approved.

- **Acceptance of Resignation of Ryan Hoppe (Seat 5); Term Expires November 2024**
This item, previously the Sixth Order of Business, was presented out of order.

Ms. Cerbone presented Mr. Ryan Hoppe's resignation letter.

On MOTION by Mr. Zook and seconded by Ms. Mize, with all in favor, the resignation of Mr. Ryan Hoppe from Seat 5, was accepted.

▪ **Consider Appointment of Kyle Keenan to Fill Unexpired Term of Seat 5**

This item, previously the Seventh Order of Business, was presented out of order.

Ms. Mize nominated Mr. Kyle Keenan to fill Seat 5. No other nominations were made.

On MOTION by Ms. Mize and seconded by Mr. Zook, with all in favor, the appointment of Mr. Kyle Keenan to fill Seat 5, was approved.

• **Administration of Oath of Office**

Ms. Cerbone, a Notary of the State of Florida and duly authorized, administered the Oath of Office to Mr. Kyle Keenan.

Ms. Cerbone discussed registering with the Commission on Ethics to file Financial Disclosure Form 1 electronically. Due to their employment/business affiliation with the Landowner/Developer, the new Board Members will complete Form 8B.

TWENTY-THIRD ORDER OF BUSINESS

Staff Reports

A. District Counsel: Kutak Rock, LLP

Mr. Dugan will record the Public Notice of adopting the Master Assessment Lien. Asked when they expect to commence the second bond issue, Mr. Zook stated that he will be apprised once they know the status of the permits.

B. District Engineer: Stantec Consulting Services, Inc.

There was no report.

C. District Manager: Wrathell, Hunt and Associates, LLC

- **NEXT MEETING DATE: September 13, 2024 at 10:00 A.M.**

- **QUORUM CHECK**

The next meeting will be on September 13, 2024, unless cancelled.

- **Presentation of Audited Annual Financial Report for Fiscal Year Ended September 30, 2023, Prepared by Berger, Toombs, Elam, Gaines and Frank (to potential be provided under separate cover)**

This item, previously the Eighteenth Order of Business, was presented out of order.

Due to the potential length of time between meetings, the Board agreed to proceed with this item, subject to certain constraints.

On MOTION by Mr. Zook and seconded by Ms. Mize, with all in favor, authorizing the Chair to review and accept the Audited Annual Financial Report for Fiscal Year Ended September 30, 2023, with Ms. Cerbone's input, and to present it for ratification at the next meeting, was approved.

- **Warning Violation Letter**

This item was an addition to the agenda

Ms. Cerbone stated that a request to rescind the Notice of Warning of Violation of the CDD's Amenity Facilities Policies letter regarding "the Hater" was denied. She will provide the First Amendment to the Agreement regarding Security Services to the resident.

TWENTY-FOURTH ORDER OF BUSINESS

Board Members' Comments/Requests

There were no Board Members' comments or requests.

TWENTY-FIFTH ORDER OF BUSINESS

Public Comments

No members of the public spoke.

TWENTY-SIXTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Zook and seconded by Ms. Mize, with all in favor, the meeting adjourned at 10:59 a.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]



Secretary/Assistant Secretary



Chair/Vice Chair