

**MINUTES OF MEETING
AVALON PARK WEST
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Avalon Park West Community Development District held a Regular Meeting on January 26, 2024 at 10:00 a.m., at the Avalon Park West Amenity Center, 5060 River Glen Boulevard, Wesley Chapel, Florida 33545.

Present were:

Christian Cotter
Mary Moulton
Andre Carmack

Chair
Vice Chair
Assistant Secretary

Also present, were:

Cindy Cerbone
Jamie Sanchez
Jere Earlywine (via telephone)
Tanya Stewart (via telephone)
Alex Gormley
Josh Tepper
Will Butler

District Manager
Wrathell, Hunt and Associates LLC (WHA)
District Counsel
District Engineer
Access Management
Supervisor-Appointee
Resident

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Ms. Sanchez called the meeting to order at 10:01 a.m.

Supervisors Cotter, Moulton and Carmack were present. Supervisor-Appointees Craniotis and Hart were not present.

SECOND ORDER OF BUSINESS

Public Comments

There were no public comments.

THIRD ORDER OF BUSINESS

**Acceptance of Declination of Seat from
Steven Hart [Seat 2]**

Ms. Sanchez presented an email from Mr. Steven Hart, declining the Board Seat.

On MOTION by Mr. Carmack and seconded by Ms. Moulton, with all in favor, the Declination of Seat from Steven Hart, dated January 22, 2024, was accepted.

- **Consider Appointment to Fill Unexpired Term of Seat 4; Term Expires November 2026**

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

Mr. Cotter nominated Mr. Josh Tepper to fill Seat 4. No other nominations were made.

On MOTION by Mr. Cotter and seconded by Mr. Carmack, with all in favor, the appointment of Josh Tepper to Seat 4, was approved.

- **Administration of Oath of Office to Newly Appointed Supervisor**

Ms. Sanchez, a Notary of the State of Florida and duly authorized, administered the Oath of Office to Mr. Tepper. She provided and briefly reviewed the contents of the Supervisor's packet, including the Sunshine Law, financial disclosure forms, Form 1 filing, conflict of interest and Supervisor pay. Mr. Earlywine discussed ethics laws, the three types of disclosures and prohibitions.

FOURTH ORDER OF BUSINESS

Consider Appointment to Fill Unexpired Term of Seat 2; Term Expires November 2024

This item was not addressed.

FIFTH ORDER OF BUSINESS

Consider Appointment to Fill Unexpired Term of Seat 4; Term Expires November 2026

This item was presented following the Third Order of Business.

SIXTH ORDER OF BUSINESS**Consideration of Resolution 2024-04,
Appointing and Removing Officers of the
District and Providing for an Effective Date**

Ms. Sanchez presented Resolution 2024-04. The following slate was nominated:

Christian Cotter	Chair
Mary Moulton	Vice Chair
Andre Carmack	Assistant Secretary
Josh Tepper	Assistant Secretary

No other nominations were made. By way of this Resolution, Mr. Steven Hart is removed as an Officer on the Board. Prior appointments by the Board for Secretary, Treasurer, Assistant Treasurer and Assistant Secretaries Cindy Cerbone and Jamie Sanchez, remain unaffected by this Resolution.

On MOTION by Mr. Cotter and seconded by Mr. Carmack, with all in favor, Resolution 2024-04, Appointing and Removing Officers of the District, as nominated, and Providing for an Effective date, was adopted.

SEVENTH ORDER OF BUSINESS**Consideration of Resolution 2024-05,
Implementing Section 190.006(3), Florida
Statutes, and Requesting that Pasco
County Supervisor of Elections Begin
Conducting the District's General
Elections; Providing for Compensation;
Setting for the Terms of Office;
Authorizing Notice of the Qualifying
Period; and Providing for Severability and
an Effective Date**

Ms. Sanchez presented Resolution 2024-05 and read the title. Seat 2, which is currently vacant, and Seat 5, currently held by Mr. Cotter, will be up for election at the November 2024 General Election. Interested parties should contact the Pasco County Supervisor of Elections (SOE) during the candidate qualifying period that runs from noon, June 10, 2024 through noon, June 14, 2024.

Ms. Cerbone stated, in order to qualify for a Board seat, residents must be registered voters living within the boundaries of the CDD. She asked if the Board would like the Property Manager or HOA to send an e-blast publicizing the vacancy. Ms. Moulton stated she would like to see residents involved and an e-blast would be helpful.

Ms. Gormley will send the eblast.

On MOTION by Mr. Carmack and seconded by Mr. Cotter, with all in favor, Resolution 2024-05, Implementing Section 190.006(3), Florida Statutes, and Requesting that Pasco County Supervisor of Elections Begin Conducting the District's General Elections; Providing for Compensation; Setting for the Terms of Office; Authorizing Notice of the Qualifying Period; and Providing for Severability and an Effective Date, was adopted.

EIGHTH ORDER OF BUSINESS

Consideration of Resolution 2024-06, Designating a Date, Time and Location for a Landowners' Meeting and Election; Providing for Publication, Providing for Severability and an Effective Date

Ms. Sanchez presented Resolution 2024-06 and read the title. Seat 3, currently held by Ms. Moulton, will be up for election at the Landowners' election.

On MOTION by Mr. Cotter and seconded by Ms. Moulton, with all in favor, Resolution 2024-06, Designating a Date, Time and Location of November 22, 2024 at 10:00 a.m., at the Avalon Park West Amenity Center, 5060 River Glen Boulevard, Wesley Chapel, Florida 33545, for a Landowners' Meeting and Election; Providing for Publication, Providing for Severability and an Effective Date, was adopted.

NINTH ORDER OF BUSINESS

Consideration of Disclosure Technology Services, LLC EMMA® Filing Assistance Software as a Service License Agreement

Ms. Cerbone presented the EMMA® Filing Assistance Software as a Service License Agreement between the CDD and Disclosure Technology Services, LLC for \$1,000 per year. Ms. Moulton stated that the software will enable the builders to go directly into the system and

update their contract information; it is a very effective software that consolidates and ensures that the CDD's reporting is accurate.

On MOTION by Mr. Cotter and seconded by Mr. Carmack, with all in favor, the EMMA® Filing Assistance Software as a Service License Agreement with Disclosure Technology Services, LLC, in the amount of \$1,000 per year, was approved.

TENTH ORDER OF BUSINESS

Ratification of Amenities Usage Agreement (Multifamily Owner)

Ms. Sanchez presented the Amenities Usage Agreement between the CDD and APW Downtown II, LLC, the multi-family or apartment owner. The apartment owner agrees to pay the CDD \$75 per month, per leased unit in order for the residents to use the CDD's amenities. The Agreement was previously executed by the Chair.

Mr. Earlywine stated the Agreement is valid until September 30, 2025 but can be terminated with 30 days' notice.

On MOTION by Mr. Cotter and seconded by Ms. Moulton, with all in favor, the Amenities Usage Agreement between the CDD and APW Downtown II, LLC, the Multifamily Owner, was ratified.

Ms. Cerbone stated Staff will facilitate a transition of the administrative services from the HOA to the CDD by having Access Management communicate with the third-party and get the checks and the fobs. The checks will be made out to the CDD and sent to Management's office. Ms. Gormley will make sure that a streamlined process is in place.

ELEVENTH ORDER OF BUSINESS

Consideration of Resolution 2024-07, Setting a Public Hearing to Adopt the Amended and Restated Recreational Facilities Rules; and Providing for Severability and an Effective Date

- **Presentation of Amended and Restated Recreational Facilities Rules**

Ms. Sanchez presented Resolution 2024-07. This ties in with the Amenities Usage Agreement that was previously executed. Ms. Sanchez noted a few updates must be made to the Rules and stated that the redlined version is not in the agenda book.

Ms. Gormley stated usage hours must be established and rentals should be limited to four hours for a party, instead of the entire day, because parties impact parking and limit use of the facility. Also, there must be additional guidelines to streamline the process.

Ms. Moulton stated there is currently no separation from the restrooms and the pool, which is an issue, and the Rules need to examine the amenity only being able to be rented from dawn to dusk, for safety reasons. She stated that a talk-down monitoring system was installed, which is triggered when someone steps off the porch or out the back door. Some other areas can also be looked into to be able to extend the hours after dusk but it requires separation of the patio area from the pool. Ms. Gormley was asked to research the cost for the Fiscal Year 2025 budget.

Ms. Cerbone asked the Board's permission for Staff to circulate the redlined version of the Amenity Rules, prepare the updated documents and present them at the public hearing, as there will be a rule change, a rental agreement change and changes in the dollar amounts. The Board can adopt the Rules, as amended, at the public hearing.

Mr. Earlywine stated the only item that must be considered in the rulemaking process is the discounted \$75 per month, per household rate.

Ms. Cerbone suggested holding the next meeting in April, at which the agenda will include the proposed Fiscal Year 2025 budget, amenity center related items and resident concerns.

On MOTION by Mr. Cotter and seconded by Mr. Carmack, with all in favor, Resolution 2024-07, Setting a Public Hearing on April 26, 2024 at 10:00 a.m., at the Avalon Park West Amenity Center, 5060 River Glen Boulevard, Wesley Chapel, Florida 33545, to Adopt the Amended and Restated Recreational Facilities Rules; and Providing for Severability and an Effective Date, was adopted.

TWELFTH ORDER OF BUSINESS

Consideration of Resolution 2024-08, Ratifying, Confirming, and Approving the Sale of the Avalon Park West Community Development District Special Assessment Revenue Bonds, Series 2023 (2023 Project Area); Ratifying, Confirming, and Approving the Actions of the Chairman, Vice Chairman, Treasurer, Secretary, Assistant Secretaries, and All District Staff Regarding the Sale and Closing of the Bonds; Determining Such Actions as Being in Accordance with the Authorization Granted by the Board; Providing a Severability Clause; and Providing an Effective Date

Ms. Sanchez presented Resolution 2024-08 and read the title.

On MOTION by Mr. Cotter and seconded by Mr. Carmack, with all in favor, Resolution 2024-08, Ratifying, Confirming, and Approving the Sale of the Avalon Park West Community Development District Special Assessment Revenue Bonds, Series 2023 (2023 Project Area); Ratifying, Confirming, and Approving the Actions of the Chairman, Vice Chairman, Treasurer, Secretary, Assistant Secretaries, and All District Staff Regarding the Sale and Closing of the Bonds; Determining Such Actions as Being in Accordance with the Authorization Granted by the Board; Providing a Severability Clause; and Providing an Effective Date, was adopted.

THIRTEENTH ORDER OF BUSINESS

Consideration of Easement for Maintenance of Retaining Wall

Mr. Earlywine presented the Easement Agreement for maintenance of the retaining wall. He explained that there are two retaining walls behind two lots near the stormwater system; this document facilitates an easement and the CDD's obligation to maintain the lots.

On MOTION by Mr. Cotter and seconded by Ms. Moulton, with all in favor, the Easement Agreement for maintenance of the retaining wall, was approved.

FOURTEENTH ORDER OF BUSINESS

Acceptance of Unaudited Financial
Statements as of December 31, 2023

On MOTION by Mr. Cotter and seconded by Mr. Carmack, with all in favor, the Unaudited Financial Statements as of December 31, 2023, were accepted.

FIFTEENTH ORDER OF BUSINESS

Approval of November 17, 2023 Special
Meeting Minutes

On MOTION by Mr. Cotter and seconded by Mr. Carmack, with all in favor, the November 17, 2023 Special Meeting Minutes, as presented, were approved.

SIXTEENTH ORDER OF BUSINESS

Staff Reports

A. District Counsel: Kutak Rock LLP

- **Required Ethics Training**

Mr. Earlywine presented the Kutak Rock Memorandum regarding the ethics training requirement for all CDD Supervisors.

At Ms. Moulton's request, Mr. Earlywine will email a link to the online courses.

B. District Engineer: Stantec Consulting Services

Ms. Stewart stated researching and reviewing the technical standards of traffic calming devices for the community is underway.

Mr. Earlywine stated Pasco County is considering installing speed tables in various locations. He asked for authorization for Staff to coordinate with the County and the traffic Engineer.

On MOTION by Mr. Cotter and seconded by Mr. Carmack, with all in favor, authorizing Staff to work with Pasco County and proceed with obtaining proposals for speed tables, was approved.

C. Operations Manager: Access Management

Ms. Gormley stated there was nothing to report other than the modifications to the rental agreement.

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

- **NEXT MEETING DATE: February 23, 2024 at 10:00 AM**
 - **QUORUM CHECK**

The next meeting will be on February 23, 2024, unless cancelled.

SEVENTEENTH ORDER OF BUSINESS**Board Members' Comments/Requests**

Ms. Sanchez stated Mr. Carmack recently indicated that he wishes to resign.

On MOTION by Mr. Cotter and seconded by Ms. Moulton, with all in favor, the resignation of Mr. Andre Carmack, from Seat 1, was accepted.

- **Consider Appointment to Fill Unexpired Term of Seat 1; Term Expires November 2026**
This item was an addition to the agenda.

Ms. Moulton nominated Mr. John Wiggins to fill Seat 1. No other nominations were made.

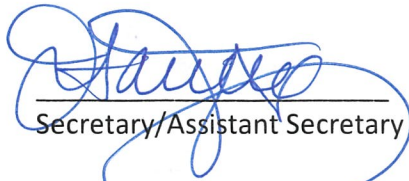
On MOTION by Mr. Cotter and seconded by Ms. Moulton, with all in favor, the appointment of Mr. John Wiggins to Seat 1, was approved.

EIGHTEENTH ORDER OF BUSINESS**Public Comments**

Resident Will Butler introduced himself and his businesses and voiced interest in providing pressure-washing and holiday lighting services to the CDD.

NINETEENTH ORDER OF BUSINESS**Adjournment**

On MOTION by Mr. Cotter and seconded by Ms. Moulton, with all in favor, the meeting adjourned at 10:37 a.m.



Secretary/Assistant Secretary



Chair/Vice Chair