

AVALON PARK WEST

**COMMUNITY DEVELOPMENT
DISTRICT**

May 30, 2024

**BOARD OF SUPERVISORS
REGULAR MEETING
AGENDA**

AVALON PARK WEST
COMMUNITY DEVELOPMENT DISTRICT

AGENDA
LETTER

Avalon Park West Community Development District

OFFICE OF THE DISTRICT MANAGER

2300 Glades Road, Suite 410W • Boca Raton, Florida 33431

Phone: (561) 571-0010 • Toll-free: (877) 276-0889 • Fax: (561) 571-0013

May 23, 2024

ATTENDEES:

Please identify yourself each time you speak to facilitate accurate transcription of meeting minutes.

Board of Supervisors

Avalon Park West Community Development District

Dear Board Members:

The Board of Supervisors of the Avalon Park West Community Development District will hold a Regular Meeting on May 30, 2024 at 10:00 a.m., at the Avalon Park West Amenity Center, 5060 River Glen Boulevard, Wesley Chapel, Florida 33545. The agenda is as follows:

1. Call to Order/Roll Call
2. Public Comments
3. Administration of Oath of Office to John Wiggins, Seat 1 *(the following will also be provided in a separate package)*
 - A. Required Ethics Training and Disclosure Filing
 - Sample Form 1 2023/Instructions
 - 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
4. Consider Appointment to Fill Unexpired Term of Seat 2; *Term Expires November 2024*
 - Administration of Oath of Office to Newly Appointed Supervisor
5. Consideration of Resolution 2024-09, Electing and Removing Officers of the District and Providing for an Effective Date
6. Consideration of Resolution 2024-10, 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

7. Consideration of Resolution 2024-11, Relating to the Amendment of the Budget for the Fiscal Year Beginning October 1, 2023 and Ending September 30, 2024; and Providing for an Effective Date
8. Consideration of Resolution 2024-12, Approving a Proposed Budget for Fiscal Year 2024/2025 and Setting a Public Hearing Thereon Pursuant to Florida Law; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing an Effective Date
9. Consideration of Resolution 2024-13, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2024/2025 and Providing for an Effective Date
10. Consideration of Resolution 2024-14, Ratifying the Actions of the District Manager in Redesignating the Date and Location for Landowners' Meeting; Providing for Publication, Providing for an Effective Date
11. Consideration of Resolution 2024-15, District Directing the Chairman and District Staff to Take All Actions Necessary to Withdraw the Petition Filed with the Pasco County Board of County Commissioners Requesting the Adoption of an Ordinance Amending the District's Boundary; and Providing an Effective Date
 - A. Boundary Amendment Funding Agreement
12. Acceptance of Unaudited Financial Statements as of April 30, 2024
13. Approval of January 26, 2024 Regular Meeting Minutes
14. Staff Reports
 - A. District Counsel: *Kutak Rock LLP*
 - B. District Engineer: *Stantec Consulting Services*
 - C. Operations Manager: *Access Management*
 - D. District Manager: *Wrathell, Hunt and Associates, LLC*
 - 544 Registered Voters in District as of April 15, 2024
 - NEXT MEETING DATE: June 28, 2024 at 10:00 AM

○ QUORUM CHECK

SEAT 1	JOHN WIGGINS	<input type="checkbox"/>	IN-PERSON	<input type="checkbox"/>	PHONE	<input type="checkbox"/>	NO
SEAT 2		<input type="checkbox"/>	IN-PERSON	<input type="checkbox"/>	PHONE	<input type="checkbox"/>	NO
SEAT 3	MARY MOULTON	<input type="checkbox"/>	IN-PERSON	<input type="checkbox"/>	PHONE	<input type="checkbox"/>	NO
SEAT 4	JOSH TEPPER	<input type="checkbox"/>	IN-PERSON	<input type="checkbox"/>	PHONE	<input type="checkbox"/>	NO
SEAT 5	CHRISTIAN COTTER	<input type="checkbox"/>	IN-PERSON	<input type="checkbox"/>	PHONE	<input type="checkbox"/>	NO

15. Board Members' Comments/Requests

16. Public Comments

17. Adjournment

Should you have any questions or concerns, please do not hesitate to contact me directly at (561) 346-5294 or Jamie Sanchez at (561) 512-9027.

Sincerely,



Cindy Cerbone
District Manager

FOR BOARD MEMBERS AND STAFF TO ATTEND BY TELEPHONE

CALL-IN NUMBER: 1-888-354-0094

PARTICIPANT PASSCODE: 131 733 0895

AVALON PARK WEST

COMMUNITY DEVELOPMENT DISTRICT

3A

Daphne Gillyard

From: Kutak Rock Development and Improvement Districts Group
<communications@kutakrock.com>
Sent: Friday, January 5, 2024 4:49 PM
To: Cindy Cerbone
Subject: Ethics Training 2024

You don't often get email from communications@kutakrock.com. [Learn why this is important](#)

KUTAKROCK

Development and Improvement Districts Practice Group



ABOUT US

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District Managers,

As of January 1, 2024, all Board Supervisors of Florida Community special districts are required to complete four (4) hours of ethics training each year that addresses at a minimum, s. 8, Art. II of the State Constitution, the Code of Ethics for Public Officers and Employees, and the public records and public meetings laws of Florida. The purpose of this email is to notify you of free, on-demand resources available to Board Supervisors to satisfy this requirement. Further information regarding the requisite training is available on the [Florida Commission on Ethics' \("COE"\) website](#).

Please share this information with Board Supervisors or include in the next available agenda package. As always, if you have any questions, please do not hesitate to reach out to your Kutak Rock attorney.

Free Training Resources

The COE has produced several free, online training tutorials that will satisfy the ethics component of the annual training. The on-demand videos are available at the link below. Further, the website provides additional links to resources that Supervisors can access to complete the training requirements.

Florida Commission on Ethics Training Resources

Please note that the COE-produced content only provides free training for the ethics component of the annual training. However, the Office of the Attorney General of the State of Florida offers a free, two-hour online audio course that covers the Sunshine Law and Public Records Act components of the requisite training. The on-demand audio course is available at the link below.

Office of the Attorney General Training Resources

Compliance

Each year when Supervisors complete the required financial disclosure form (Form 1 Statement of Financial Interests), Supervisors must mark a box confirming that he or she has completed the ethics training requirements. At this time there is no requirement to submit a certificate; however, the COE advises that Supervisors keep a record of all trainings completed (including date and time of completion), in the event Supervisors are ever asked to provide proof of completion. The training is a calendar year requirement and corresponds to the form year. So, Supervisors will not report their 2024 training until they fill out their Form 1 for the 2025 year.

We have received multiple inquiries as to whether Board Supervisors are required to annually file Form 6 in addition to Form 1. Currently, Board Supervisors continue to be exempt from the requirement to file Form 6.

Finally, with respect to the annual filing of Form 1, beginning this year the Commission on Ethics will be requiring electronic submission of Form 1. Filers, including Board Supervisors, should be receiving an email directly from the Commission on Ethics, providing detailed information about the electronic filing process and the upcoming deadline of July 1, 2024. Note the submission of the forms will no longer be handled through county Supervisor of Election's offices.

Kutak Rock's Development and Improvement Districts Practice Group

Kutak Rock's Florida Development and Improvement Districts Practice Group



Jonathan Johnson
Partner

(850) 264-6882



Lindsay Whelan
Partner

(850) 692-7308



Joseph Brown
Partner

(850) 692-7303



Katie Buchanan
Partner

(850) 294-5184



Michael Eckert
Partner

(850) 567-0558



Wesley Haber
Partner

(850) 566-3413



Tucker Mackie
Partner

(850) 692-7300



Sarah Sandy
Partner

(850) 556-5947



Alyssa Willson
Partner

(850) 661-9973



Jere Earlywine
Of Counsel

(850) 692-7300



Bennett Davenport
Associate

(850) 692-7300



Ryan Dugan
Associate

(850) 692-7333



Kate John
Associate

(850) 692-7330



Kyle Magee
Associate

(850) 692-7300



Michelle Rigoni
Associate

(850) 692-7310



Ashley Ligas
Attorney

(850) 692-7300



Cheryl Stuart
Attorney

(850) 692-7300



Betty Zachem
Attorney

(850) 692-7300



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107 W College Ave, Tallahassee, Florida 32301



2023 Form 1 - Statement of Financial Interests

General Information

Name: DISCLOSURE FILER

Address: SAMPLE ADDRESS

County: SAMPLE COUNTY

PID SAMPLE

AGENCY INFORMATION

Organization	Suborganization	Title
SAMPLE	SAMPLE	SAMPLE

Disclosure Period

THIS STATEMENT REFLECTS YOUR FINANCIAL INTERESTS FOR CALENDAR YEAR ENDING DECEMBER 31, 2023 .

Primary Sources of Income

PRIMARY SOURCE OF INCOME (Over \$2,500) (Major sources of income to the reporting person)
(If you have nothing to report, write "none" or "n/a")

Name of Source of Income	Source's Address	Description of the Source's Principal Business Activity

Secondary Sources of Income

SECONDARY SOURCES OF INCOME (Major customers, clients, and other sources of income to businesses owned by the reporting person) (If you have nothing to report, write "none" or "n/a")

Name of Business Entity	Name of Major Sources of Business' Income	Address of Source	Principal Business Activity of Source

Real Property

REAL PROPERTY (Land, buildings owned by the reporting person)
(If you have nothing to report, write "none" or "n/a")

Location/Description

Intangible Personal Property

INTANGIBLE PERSONAL PROPERTY (Stocks, bonds, certificates of deposit, etc. over \$10,000)
(If you have nothing to report, write "none" or "n/a")

Type of Intangible	Business Entity to Which the Property Relates

Liabilities

LIABILITIES (Major debts valued over \$10,000):
(If you have nothing to report, write "none" or "n/a")

Name of Creditor	Address of Creditor

Interests in Specified Businesses

INTERESTS IN SPECIFIED BUSINESSES (Ownership or positions in certain types of businesses)
(If you have nothing to report, write "none" or "n/a")

Business Entity # 1

Training

Based on the office or position you hold, the certification of training required under Section 112.3142, F.S., is not applicable to you for this form year.

Signature of Filer

Digitally signed:

Filed with COE:

E-FILING SAMPLE

2023 Form 1 Instructions

Statement of Financial Interests

Notice

The annual Statement of Financial Interest is due July 1, 2024. If the annual form is not submitted via the electronic filing system created and maintained by the Commission September 3, 2024, an automatic fine of \$25 for each day late will be imposed, up to a maximum penalty of \$1,500. Failure to file also can result in removal from public office or employment. [s. 112.3145, F.S.]

In addition, failure to make any required disclosure constitutes grounds for and may be punished by one or more of the following: disqualification from being on the ballot, impeachment, removal or suspension from office or employment, demotion, reduction in salary, reprimand, or a civil penalty not exceeding \$10,000. [s. 112.317, F.S.]

When To File:

Initially, each local officer/employee, state officer, and specified state employee must file **within 30 days** of the date of his or her appointment or of the beginning of employment. Appointees who must be confirmed by the Senate must file prior to confirmation, even if that is less than 30 days from the date of their appointment.

Candidates must file at the same time they file their qualifying papers.

Thereafter, file by July 1 following each calendar year in which they hold their positions.

Finally, file a final disclosure form (Form 1F) within 60 days of leaving office or employment. Filing a CE Form 1F (Final Statement of Financial Interests) does not relieve the filer of filing a CE Form 1 if the filer was in his or her position on December 31, 2023.

Who Must File Form 1

1. Elected public officials not serving in a political subdivision of the state and any person appointed to fill a vacancy in such office, unless required to file full disclosure on Form 6.
2. Appointed members of each board, commission, authority, or council having statewide jurisdiction, excluding those required to file full disclosure on Form 6 as well as members of solely advisory bodies, but including judicial nominating commission members; Directors of Enterprise Florida, Scripps Florida Funding Corporation, and Career Source Florida; and members of the Council on the Social Status of Black Men and Boys; the Executive Director, Governors, and senior managers of Citizens Property Insurance Corporation; Governors and senior managers of Florida Workers' Compensation Joint Underwriting Association; board members of the Northeast Fla. Regional Transportation Commission; board members of Triumph Gulf Coast, Inc; board members of Florida Is For Veterans, Inc.; and members of the Technology Advisory Council within the Agency for State Technology.
3. The Commissioner of Education, members of the State Board of Education, the Board of Governors, the local Boards of Trustees and Presidents of state universities, and the Florida Prepaid College Board.
4. Persons elected to office in any political subdivision (such as municipalities, counties, and special districts) and any person appointed to fill a vacancy in such office, unless required to file Form 6.
5. Appointed members of the following boards, councils, commissions, authorities, or other bodies of county, municipality, school district, independent special district, or other political subdivision: the governing body of the subdivision; community college or junior college district boards of trustees; boards having the power to enforce local code provisions; boards of adjustment; community redevelopment agencies; planning or zoning boards having the power to recommend, create, or modify land planning or zoning within a political subdivision, except for citizen advisory committees, technical coordinating committees, and similar groups who only have the power to make recommendations to planning or zoning boards, and except for representatives of a military installation acting on behalf of all military installations within that jurisdiction; pension or retirement boards empowered to invest pension or retirement funds or determine entitlement to or amount of pensions or other retirement benefits, and the Pinellas County Construction Licensing Board.
6. Any appointed member of a local government board who is required to file a statement of financial interests by the appointing authority or the enabling legislation, ordinance, or resolution creating the board.
7. Persons holding any of these positions in local government: county or city manager; chief administrative employee or finance director of a county, municipality, or other political subdivision; county or municipal attorney; chief county or municipal building inspector; county or municipal water resources coordinator; county or municipal pollution control director; county or municipal environmental control director; county or municipal administrator with power to grant or deny a land development permit; chief of police; fire chief; municipal clerk; appointed district school superintendent; community college president; district medical examiner; purchasing agent (regardless of title) having the authority to make any purchase exceeding \$35,000 for the local governmental unit.

8. Officers and employees of entities serving as chief administrative officer of a political subdivision.
9. Members of governing boards of charter schools operated by a city or other public entity.
10. Employees in the office of the Governor or of a Cabinet member who are exempt from the Career Service System, excluding secretarial, clerical, and similar positions.
11. The following positions in each state department, commission, board, or council: Secretary, Assistant or Deputy Secretary, Executive Director, Assistant or Deputy Executive Director, and anyone having the power normally conferred upon such persons, regardless of title.
12. The following positions in each state department or division: Director, Assistant or Deputy Director, Bureau Chief, and any person having the power normally conferred upon such persons, regardless of title.
13. Assistant State Attorneys, Assistant Public Defenders, criminal conflict and civil regional counsel, and assistant criminal conflict and civil regional counsel, Public Counsel, full-time state employees serving as counsel or assistant counsel to a state agency, administrative law judges, and hearing officers.
14. The Superintendent or Director of a state mental health institute established for training and research in the mental health field, or any major state institution or facility established for corrections, training, treatment, or rehabilitation.
15. State agency Business Managers, Finance and Accounting Directors, Personnel Officers, Grant Coordinators, and purchasing agents (regardless of title) with power to make a purchase exceeding \$35,000.
16. The following positions in legislative branch agencies: each employee (other than those employed in maintenance, clerical, secretarial, or similar positions and legislative assistants exempted by the presiding officer of their house); and each employee of the Commission on Ethics.
17. Each member of the governing body of a "large-hub commercial service airport," as defined in Section 112.3144(1)(c), Florida Statutes, except for members required to comply with the financial disclosure requirements of s. 8, Article II of the State Constitution.

ATTACHMENTS: A filer may include and submit attachments or other supporting documentation when filing disclosure.

PUBLIC RECORD: The disclosure form is a public record and is required by law to be posted to the Commission's website. Your Social Security number, bank account, debit, charge, and credit card numbers, mortgage or brokerage account numbers, personal identification numbers, or taxpayer identification numbers are not required and should not be included. If such information is included in the filing, it may be made available for public inspection and copying unless redaction is required by the filer, without any liability to the Commission. If you are an active or former officer or employee listed in Section 119.071, F.S., whose home address or other information is exempt from disclosure, the Commission will maintain that confidentiality *if you submit a written and notarized request.*

QUESTIONS about this form or the ethics laws may be addressed to the Commission on Ethics, Post Office Drawer 15709, Tallahassee, Florida 32317-5709; physical address: 325 John Knox Road, Building E, Suite 200, Tallahassee, FL 32303; telephone (850) 488-7864.

Instructions for Completing Form 1

Primary Sources of Income

[Required by s. 112.3145(3)(b)1, F.S.]

This section is intended to require the disclosure of your principal sources of income during the disclosure period. You do not have to disclose any public salary or public position(s). The income of your spouse need not be disclosed; however, if there is joint income to you and your spouse from property you own jointly (such as interest or dividends from a bank account or stocks), you should disclose the source of that income if it exceeded the threshold.

Please list in this part of the form the name, address, and principal business activity of each source of your income which exceeded \$2,500 of gross income received by you in your own name or by any other person for your use or benefit.

"Gross income" means the same as it does for income tax purposes, even if the income is not actually taxable, such as interest on tax-free bonds. Examples include: compensation for services, income from business, gains from property dealings, interest, rents, dividends, pensions, IRA distributions, social security, distributive share of partnership gross income, and alimony if considered gross income under federal law, but not child support.

Examples:

- If you were employed by a company that manufactures computers and received more than \$2,500, list the name of the company, its address, and its principal business activity (computer manufacturing).
- If you were a partner in a law firm and your distributive share of partnership gross income exceeded \$2,500, list the name of the firm, its address, and its principal business activity (practice of law).
- If you were the sole proprietor of a retail gift business and your gross income from the business exceeded \$2,500, list the name of the business, its address, and its principal business activity (retail gift sales).
- If you received income from investments in stocks and bonds, list each individual company from which you derived more than \$2,500. Do not aggregate all of your investment income.

- If more than \$2,500 of your gross income was gain from the sale of property (not just the selling price), list as a source of income the purchaser's name, address and principal business activity. If the purchaser's identity is unknown, such as where securities listed on an exchange are sold through a brokerage firm, the source of income should be listed as "sale of (name of company) stock," for example.
- If more than \$2,500 of your gross income was in the form of interest from one particular financial institution (aggregating interest from all CD's, accounts, etc., at that institution), list the name of the institution, its address, and its principal business activity.

Secondary Sources of Income

[Required by s. 112.3145(3)(b)2, F.S.]

This part is intended to require the disclosure of major customers, clients, and other sources of income to businesses in which you own an interest. It is not for reporting income from second jobs. That kind of income should be reported in "Primary Sources of Income," if it meets the reporting threshold. You will not have anything to report unless, during the disclosure period:

1. You owned (either directly or indirectly in the form of an equitable or beneficial interest) more than 5% of the total assets or capital stock of a business entity (a corporation, partnership, LLC, limited partnership, proprietorship, joint venture, trust, firm, etc., doing business in Florida); **and,**
2. You received more than \$5,000 of your gross income during the disclosure period from that business entity.

If your interests and gross income exceeded these thresholds, then for that business entity you must list every source of income to the business entity which exceeded 10% of the business entity's gross income (computed on the basis of the business entity's most recently completed fiscal year), the source's address, and the source's principal business activity.

Examples:

- You are the sole proprietor of a dry cleaning business, from which you received more than \$5,000. If only one customer, a uniform rental company, provided more than 10% of your dry cleaning business, you must list the name of the uniform rental company, its address, and its principal business activity (uniform rentals).
- You are a 20% partner in a partnership that owns a shopping mall and your partnership income exceeded the above thresholds. List each tenant of the mall that provided more than 10% of the partnership's gross income and the tenant's address and principal business activity.

Real Property

[Required by s. 112.3145(3)(b)3, F.S.]

In this part, list the location or description of all real property in Florida in which you owned directly or indirectly at any time during the disclosure period in excess of 5% of the property's value. You are not required to list your residences. You should list any vacation homes if you derive income from them.

Indirect ownership includes situations where you are a beneficiary of a trust that owns the property, as well as situations where you own more than 5% of a partnership or corporation that owns the property. The value of the property may be determined by the most recently assessed value for tax purposes, in the absence of a more accurate fair market value.

The location or description of the property should be sufficient to enable anyone who looks at the form to identify the property. A street address should be used, if one exists.

Intangible Personal Property

[Required by s. 112.3145(3)(b)3, F.S.]

Describe any intangible personal property that, at any time during the disclosure period, was worth more than \$10,000 and state the business entity to which the property related. Intangible personal property includes things such as cash on hand, stocks, bonds, certificates of deposit, vehicle leases, interests in businesses, beneficial interests in trusts, money owed you (including, but not limited to, loans made as a candidate to your own campaign), Deferred Retirement Option Program (DROP) accounts, the Florida Prepaid College Plan, and bank accounts in which you have an ownership interest. Intangible personal property also includes investment products held in IRAs, brokerage accounts, and the Florida College Investment Plan. Note that the product contained in a brokerage account, IRA, or the Florida College Investment Plan is your asset—not the account or plan itself. Things like automobiles and houses you own, jewelry, and paintings are not intangible property. Intangibles relating to the same business entity may be aggregated; for example, CDs and savings accounts with the same bank. Property owned as tenants by the entirety or as joint tenants with right of survivorship, including bank accounts owned in such a manner, should be valued at 100%. The value of a leased vehicle is the vehicle's present value minus the lease residual (a number found on the lease document).

Liabilities

[Required by s. 112.3145(3)(b)4, F.S.]

List the name and address of each creditor to whom you owed more than \$10,000 at any time during the disclosure period. The amount of the liability of a vehicle lease is the sum of any past-due payments and all unpaid prospective lease payments. You are not required to list the amount of any debt. You do not have to disclose credit card and retail installment accounts, taxes owed (unless reduced to a judgment), indebtedness on a life insurance policy owed to the company of issuance, or contingent liabilities. A "contingent liability" is one that will become an actual liability only when one or more future events occur or fail to occur, such as where you are liable only as a guarantor, surety, or endorser on a promissory note. If you are a "co-maker" and are jointly liable or jointly and severally liable, then it is not a contingent liability.

Interests in Specified Businesses

[Required by s. 112.3145(7), F.S.]

The types of businesses covered in this disclosure include: state and federally chartered banks; state and federal savings and loan associations; cemetery companies; insurance companies; mortgage companies; credit unions; small loan companies; alcoholic beverage licensees; pari-mutuel wagering companies, utility companies, entities controlled by the Public Service Commission; and entities granted a franchise to operate by either a city or a county government.

Disclose in this part the fact that you owned during the disclosure period an interest in, or held any of certain positions with the types of businesses listed above. You must make this disclosure if you own or owned (either directly or indirectly in the form of an equitable or beneficial interest) at any time during the disclosure period more than 5% of the total assets or capital stock of one of the types of business entities listed above. You also must complete this part of the form for each of these types of businesses for which you are, or were at any time during the disclosure period, an officer, director, partner, proprietor, or agent (other than a resident agent solely for service of process).

If you have or held such a position or ownership interest in one of these types of businesses, list the name of the business, its address and principal business activity, and the position held with the business (if any). If you own(ed) more than a 5% interest in the business, indicate that fact and describe the nature of your interest.

Training Certification

[Required by s. 112.3142, F.S.]

If you are a Constitutional or elected municipal officer appointed school superintendent, a commissioner of a community redevelopment agency created under Part III, Chapter 163, or an elected local officers of independent special districts, including any person appointed to fill a vacancy on an elected special district board, whose service began on or before March 31 of the year for which you are filing, you are required to complete four hours of ethics training which addresses Article II, Section 8 of the Florida Constitution, the Code of Ethics for Public Officers and Employees, and the public records and open meetings laws of the state. You are required to certify on this form that you have taken such training.

AVALON PARK WEST

COMMUNITY DEVELOPMENT DISTRICT

3B

BOARD OF SUPERVISORS

MEMBERSHIP, OBLIGATIONS AND RESPONSIBILITIES

A Community Development District ("District") is a special-purpose unit of local government which is established pursuant to and governed by Chapter 190, Florida Statutes.

The Board

The Community Development District ("District") is governed by a five (5)-member Board of Supervisors ("Board"). Member of the Board "Supervisor(s)" are elected in accordance with Section 190.006, F.S., either upon a one (1)-vote per one (1)-acre basis ("landowner voting") or through traditional elections ("resident voting"), depending upon the number of registered voters in the District and the length of time which has passed since the establishment of the District.

A CDD Board typically meets once per month, but may meet more often if necessary. Board meetings typically last from one (1) to three (3) hours, depending upon the business to be conducted by the Board. Prior to the meeting, each Supervisor is supplied with an agenda package which will contain the documents pertaining to the business to be considered by the Board at a particular meeting. A Supervisor should be willing to spend time reviewing these packages prior to each meeting, and may consult with District Staff (General Counsel, Management, Engineering, etc.) concerning the business to be addressed.

Qualifications of Supervisors

Each Supervisor must be a resident of the state of Florida and a citizen of the United States. Once a District has transitioned to resident voting, Supervisors must also be residents of the District.

Compensation

By statute, Board Members are entitled to be paid \$200 per meeting for their service, up to an annual cap of \$4,800 per year. To achieve the statutory cap, the District would have to meet twice each month, which is rare.

Sometimes Supervisors who are employees of the primary landowner waive their right to compensation, although this is not always the case.

Responsibilities of Supervisors

The position of Supervisor is that of an elected local public official. It is important to always remember that serving as an elected public official of a District carries with it certain restrictions and obligations. Each Supervisor, upon taking office, must subscribe to an oath of office acknowledging that he/she is a public officer, and as a recipient of public funds, a supporter of the constitutions of the State of Florida and of the United States of America.

Each Supervisor is subject to the same financial disclosure requirements as any other local elected official and must file a Statement of Financial Interests disclosing

sources of income, assets, debts, and other financial data, with the Supervisor of Elections in the County where he/she resides.

A Supervisor must act in accordance with the Code of Ethics for Public Officers and Employees, codified at Part III, Chapter 112, F.S., which addresses acceptance of gifts, conflicts of interest, etc. By law, it is not a conflict of interest for an employee of the developer to serve on a CDD Board of Supervisors.

Since a District is a unit of local government, the Sunshine Law (Chapter 286, F.S.) applies to Districts and to the Supervisors who govern them. In brief, the Sunshine Law states that two(2) or more Supervisors may never meet outside of a publicly noticed meeting of the Board and/to discuss District business.

Florida's Public Records Law (Chapter 119, F.S.) also applies to Districts and Supervisors. All records of the District, and the records of each individual Supervisor relating to the District, are public records. As such, any member of the public may inspect them upon request. Supervisors are therefore urged to keep any District records or documents in a separate file to allow ease of access by the public or press.

Conclusion

The position of Supervisor of a Community Development District is an important one, requiring both the time and the dedication to fulfill the responsibilities of a position of public trust. It should not be undertaken lightly. Each new Supervisor should enter office fully cognizant of the ethical, legal, and time requirements which are incumbent upon those who serve as Supervisors.

AVALON PARK WEST

COMMUNITY DEVELOPMENT DISTRICT

3C

FLORIDA COMMISSION ON ETHICS



GUIDE to the SUNSHINE AMENDMENT and CODE of ETHICS for Public Officers and Employees

2024

State of Florida

COMMISSION ON ETHICS

Ashley Lukis, *Chair*
Tallahassee

Michelle Anchors, *Vice Chair*
Fort Walton Beach

William P. Cervone
Gainesville

Tina Descovich
Indialantic

Freddie Figgers
Fort Lauderdale

Luis M. Fusté
Coral Gables

Wengay M. Newton, Sr.
St. Petersburg

Kerrie Stillman
Executive Director
P.O. Drawer 15709
Tallahassee, FL 32317-5709
www.ethics.state.fl.us
(850) 488-7864*

*Please direct all requests for information to this number.

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I. HISTORY OF FLORIDA'S ETHICS LAWS

Florida has been a leader among the states in establishing ethics standards for public officials and recognizing the right of citizens to protect the public trust against abuse. Our state Constitution was revised in 1968 to require a code of ethics, prescribed by law, for all state employees and non-judicial officers prohibiting conflict between public duty and private interests.

Florida's first successful constitutional initiative resulted in the adoption of the Sunshine Amendment in 1976, providing additional constitutional guarantees concerning ethics in government. In the area of enforcement, the Sunshine Amendment requires that there be an independent commission (the Commission on Ethics) to investigate complaints concerning breaches of public trust by public officers and employees other than judges.

The Code of Ethics for Public Officers and Employees is found in Chapter 112 (Part III) of the Florida Statutes. Foremost among the goals of the Code is to promote the public interest and maintain the respect of the people for their government. The Code is also intended to ensure that public officials conduct themselves independently and impartially, not using their offices for private gain other than compensation provided by law. While seeking to protect the integrity of government, the Code also seeks to avoid the creation of unnecessary barriers to public service.

Criminal penalties, which initially applied to violations of the Code, were eliminated in 1974 in favor of administrative enforcement. The Legislature created the Commission on Ethics that year "to serve as guardian of the standards of conduct" for public officials, state and local. Five of the Commission's nine members are appointed by the Governor, and two each are appointed by the President of the Senate and Speaker of the House of Representatives. No more than five Commission members may be members of the same political party, and none may be lobbyists, or hold any public employment during their two-year terms of office. A chair is selected from among the members to serve a one-year term and may not succeed himself or herself.

II. ROLE OF THE COMMISSION ON ETHICS

In addition to its constitutional duties regarding the investigation of complaints, the Commission:

- Renders advisory opinions to public officials;
- Prescribes forms for public disclosure;
- Prepares mailing lists of public officials subject to financial disclosure for use by Supervisors of Elections and the Commission in distributing forms and notifying delinquent filers;
- Makes recommendations to disciplinary officials when appropriate for violations of ethics and disclosure laws, since it does not impose penalties;
- Administers the Executive Branch Lobbyist Registration and Reporting Law;
- Maintains financial disclosure filings of constitutional officers and state officers and employees; and,
- Administers automatic fines for public officers and employees who fail to timely file required annual financial disclosure.

III. THE ETHICS LAWS

The ethics laws generally consist of two types of provisions, those prohibiting certain actions or conduct and those requiring that certain disclosures be made to the public. The following descriptions of these laws have been simplified in an effort to provide notice of their requirements. Therefore, we suggest that you also review the wording of the actual law. Citations to the appropriate laws are in brackets.

The laws summarized below apply generally to all public officers and employees, state and local, including members of advisory bodies. The principal exception to this broad coverage is the exclusion of judges, as they fall within the jurisdiction of the Judicial Qualifications Commission.

Public Service Commission (PSC) members and employees, as well as members of the PSC Nominating Council, are subject to additional ethics standards that are enforced by the Commission on Ethics under Chapter 350, Florida Statutes. Further, members of the governing boards of charter schools are subject to some of the provisions of the Code of Ethics [Sec. 1002.33(26), Fla. Stat.], as are the officers, directors, chief executive officers and some employees of business entities that serve as the chief administrative or executive officer or employee of a political subdivision. [Sec. 112.3136, Fla. Stat.].

A. PROHIBITED ACTIONS OR CONDUCT

1. Solicitation and Acceptance of Gifts

Public officers, employees, local government attorneys, and candidates are prohibited from soliciting or accepting anything of value, such as a gift, loan, reward, promise of future employment, favor, or service, that is based on an understanding that their vote, official action, or judgment would be influenced by such gift. [Sec. 112.313(2), Fla. Stat.]

Persons required to file financial disclosure FORM 1 or FORM 6 (see Part III F of this brochure), and state procurement employees, are prohibited from **soliciting** any gift from a political committee, lobbyist who has lobbied the official or his or her agency within the past 12 months, or the partner, firm, employer, or principal of such a lobbyist or from a vendor doing business with the official's agency. [Sec. 112.3148, Fla. Stat.]

Persons required to file FORM 1 or FORM 6, and state procurement employees are prohibited from directly or indirectly **accepting** a gift worth more than \$100 from such a lobbyist, from a partner, firm, employer, or principal of the lobbyist, or from a political committee or vendor doing business with their agency. [Sec. 112.3148, Fla. Stat.]

However, notwithstanding Sec. 112.3148, Fla. Stat., no Executive Branch lobbyist or principal shall make, directly or indirectly, and no Executive Branch agency official who files FORM 1 or FORM 6 shall knowingly accept, directly or indirectly, **any expenditure** made for the purpose of lobbying. [Sec. 112.3215, Fla. Stat.] Typically, this would include gifts valued at less than \$100 that formerly

were permitted under Section 112.3148, Fla. Stat. Similar rules apply to members and employees of the Legislature. However, these laws are not administered by the Commission on Ethics. [Sec. 11.045, Fla. Stat.]

Also, persons required to file Form 1 or Form 6, and state procurement employees and members of their immediate families, are prohibited from accepting any gift from a political committee. [Sec. 112.31485, Fla. Stat.]

2. Unauthorized Compensation

Public officers or employees, local government attorneys, and their spouses and minor children are prohibited from accepting any compensation, payment, or thing of value when they know, or with the exercise of reasonable care should know, that it is given to influence a vote or other official action. [Sec. 112.313(4), Fla. Stat.]

3. Misuse of Public Position

Public officers and employees, and local government attorneys are prohibited from corruptly using or attempting to use their official positions or the resources thereof to obtain a special privilege or benefit for themselves or others. [Sec. 112.313(6), Fla. Stat.]

4. Abuse of Public Position

Public officers and employees are prohibited from abusing their public positions in order to obtain a disproportionate benefit for themselves or certain others. [Article II, Section 8(h), Florida Constitution.]

5. Disclosure or Use of Certain Information

Public officers and employees and local government attorneys are prohibited from disclosing or using information not available to the public and obtained by reason of their public position, for the personal benefit of themselves or others. [Sec. 112.313(8), Fla. Stat.]

6. *Solicitation or Acceptance of Honoraria*

Persons required to file financial disclosure FORM 1 or FORM 6 (see Part III F of this brochure), and state procurement employees, are prohibited from **soliciting** honoraria related to their public offices or duties. [Sec. 112.3149, Fla. Stat.]

Persons required to file FORM 1 or FORM 6, and state procurement employees, are prohibited from knowingly **accepting** an honorarium from a political committee, lobbyist who has lobbied the person's agency within the past 12 months, or the partner, firm, employer, or principal of such a lobbyist, or from a vendor doing business with the official's agency. However, they may accept the payment of expenses related to an honorarium event from such individuals or entities, provided that the expenses are disclosed. See Part III F of this brochure. [Sec. 112.3149, Fla. Stat.]

Lobbyists and their partners, firms, employers, and principals, as well as political committees and vendors, are prohibited from **giving** an honorarium to persons required to file FORM 1 or FORM 6 and to state procurement employees. Violations of this law may result in fines of up to \$5,000 and prohibitions against lobbying for up to two years. [Sec. 112.3149, Fla. Stat.]

However, notwithstanding Sec. 112.3149, Fla. Stat., no Executive Branch or legislative lobbyist or principal shall make, directly or indirectly, and no Executive Branch agency official who files FORM 1 or FORM 6 shall knowingly accept, directly or indirectly, **any expenditure** made for the purpose of lobbying. [Sec. 112.3215, Fla. Stat.] This may include honorarium event related expenses that formerly were permitted under Sec. 112.3149, Fla. Stat. Similar rules apply to members and employees of the Legislature. However, these laws are not administered by the Commission on Ethics. [Sec. 11.045, Fla. Stat.]

B. **PROHIBITED EMPLOYMENT AND BUSINESS RELATIONSHIPS**

1. *Doing Business With One's Agency*

- a) A public employee acting as a purchasing agent, or public officer acting in an official capacity, is prohibited from purchasing, renting, or leasing any realty, goods, or

services for his or her agency from a business entity in which the officer or employee or his or her spouse or child owns more than a 5% interest. [Sec. 112.313(3), Fla. Stat.]

- b) A public officer or employee, acting in a private capacity, also is prohibited from renting, leasing, or selling any realty, goods, or services to his or her own agency if the officer or employee is a state officer or employee, or, if he or she is an officer or employee of a political subdivision, to that subdivision or any of its agencies. [Sec. 112.313(3), Fla. Stat.]

2. *Conflicting Employment or Contractual Relationship*

- a) A public officer or employee is prohibited from holding any employment or contract with any business entity or agency regulated by or doing business with his or her public agency. [Sec. 112.313(7), Fla. Stat.]
- b) A public officer or employee also is prohibited from holding any employment or having a contractual relationship which will pose a frequently recurring conflict between the official's private interests and public duties or which will impede the full and faithful discharge of the official's public duties. [Sec. 112.313(7), Fla. Stat.]
- c) Limited exceptions to this prohibition have been created in the law for legislative bodies, certain special tax districts, drainage districts, and persons whose professions or occupations qualify them to hold their public positions. [Sec. 112.313(7)(a) and (b), Fla. Stat.]

3. *Exemptions*—Pursuant to Sec. 112.313(12), Fla. Stat., the prohibitions against doing business with one's agency and having conflicting employment may not apply:

- a) When the business is rotated among all qualified suppliers in a city or county.
- b) When the business is awarded by sealed, competitive bidding and neither the official nor his or her spouse or child have attempted to persuade agency personnel to enter

the contract. NOTE: Disclosure of the interest of the official, spouse, or child and the nature of the business must be filed prior to or at the time of submission of the bid on Commission FORM 3A with the Commission on Ethics or Supervisor of Elections, depending on whether the official serves at the state or local level.

- c) When the purchase or sale is for legal advertising, utilities service, or for passage on a common carrier.
- d) When an emergency purchase must be made to protect the public health, safety, or welfare.
- e) When the business entity is the only source of supply within the political subdivision and there is full disclosure of the official's interest to the governing body on Commission FORM 4A.
- f) When the aggregate of any such transactions does not exceed \$500 in a calendar year.
- g) When the business transacted is the deposit of agency funds in a bank of which a county, city, or district official is an officer, director, or stockholder, so long as agency records show that the governing body has determined that the member did not favor his or her bank over other qualified banks.
- h) When the prohibitions are waived in the case of ADVISORY BOARD MEMBERS by the appointing person or by a two-thirds vote of the appointing body (after disclosure on Commission FORM 4A).
- i) When the public officer or employee purchases in a private capacity goods or services, at a price and upon terms available to similarly situated members of the general public, from a business entity which is doing business with his or her agency.
- j) When the public officer or employee in a private capacity purchases goods or services from a business entity which is subject to the regulation of his or her agency where the price and terms of the transaction are available to similarly situated members of

the general public and the officer or employee makes full disclosure of the relationship to the agency head or governing body prior to the transaction.

4. *Additional Exemptions*

No elected public officer is in violation of the conflicting employment prohibition when employed by a tax exempt organization contracting with his or her agency so long as the officer is not directly or indirectly compensated as a result of the contract, does not participate in any way in the decision to enter into the contract, abstains from voting on any matter involving the employer, and makes certain disclosures. [Sec. 112.313(15), Fla. Stat.]

5. *Legislators Lobbying State Agencies*

A member of the Legislature is prohibited from representing another person or entity for compensation during his or her term of office before any state agency other than judicial tribunals. [Art. II, Sec. 8(e), Fla. Const., and Sec. 112.313(9), Fla. Stat.]

6. *Additional Lobbying Restrictions for Certain Public Officers and Employees*

A statewide elected officer; a member of the legislature; a county commissioner; a county officer pursuant to Article VIII or county charter; a school board member; a superintendent of schools; an elected municipal officer; an elected special district officer in a special district with ad valorem taxing authority; or a person serving as a secretary, an executive director, or other agency head of a department of the executive branch of state government shall not lobby for compensation on issues of policy, appropriations, or procurement before the federal government, the legislature, any state government body or agency, or any political subdivision of this state, during his or her term of office. [Art. II Sec 8(f)(2), Fla. Const. and Sec. 112.3121, Fla. Stat.]

7. *Employees Holding Office*

A public employee is prohibited from being a member of the governing body which serves as his or her employer. [Sec. 112.313(10), Fla. Stat.]

8. *Professional and Occupational Licensing Board Members*

An officer, director, or administrator of a state, county, or regional professional or occupational organization or association, while holding such position, may not serve as a member of a state examining or licensing board for the profession or occupation. [Sec. 112.313(11), Fla. Stat.]

9. *Contractual Services: Prohibited Employment*

A state employee of the executive or judicial branch who participates in the decision-making process involving a purchase request, who influences the content of any specification or procurement standard, or who renders advice, investigation, or auditing, regarding his or her agency's contract for services, is prohibited from being employed with a person holding such a contract with his or her agency. [Sec. 112.3185(2), Fla. Stat.]

10. *Local Government Attorneys*

Local government attorneys, such as the city attorney or county attorney, and their law firms are prohibited from representing private individuals and entities before the unit of local government which they serve. A local government attorney cannot recommend or otherwise refer to his or her firm legal work involving the local government unit unless the attorney's contract authorizes or mandates the use of that firm. [Sec. 112.313(16), Fla. Stat.]

11. *Dual Public Employment*

Candidates and elected officers are prohibited from accepting public employment if they know or should know it is being offered for the purpose of influence. Further, public employment may not be accepted unless the position was already in existence or was created without the anticipation of the official's interest, was publicly advertised, and the officer had to meet the same qualifications and go through the same hiring process as other applicants. For elected public officers already holding public employment, no promotion given for the purpose of influence may be accepted, nor may promotions that are inconsistent with those given other similarly situated employees. [Sec. 112.3125, Fla. Stat.]

C. RESTRICTIONS ON APPOINTING, EMPLOYING, AND CONTRACTING WITH RELATIVES

1. *Anti-Nepotism Law*

A public official is prohibited from seeking for a relative any appointment, employment, promotion, or advancement in the agency in which he or she is serving or over which the official exercises jurisdiction or control. No person may be appointed, employed, promoted, or advanced in or to a position in an agency if such action has been advocated by a related public official who is serving in or exercising jurisdiction or control over the agency; this includes relatives of members of collegial government bodies. NOTE: This prohibition does not apply to school districts (except as provided in Sec. 1012.23, Fla. Stat.), community colleges and state universities, or to appointments of boards, other than those with land-planning or zoning responsibilities, in municipalities of fewer than 35,000 residents. Also, the approval of budgets does not constitute “jurisdiction or control” for the purposes of this prohibition. This provision does not apply to volunteer emergency medical, firefighting, or police service providers. [Sec. 112.3135, Fla. Stat.]

2. *Additional Restrictions*

A state employee of the executive or judicial branch or the PSC is prohibited from directly or indirectly procuring contractual services for his or her agency from a business entity of which a relative is an officer, partner, director, or proprietor, or in which the employee, or his or her spouse, or children own more than a 5% interest. [Sec. 112.3185(6), Fla. Stat.]

D. POST OFFICE HOLDING AND EMPLOYMENT (REVOLVING DOOR) RESTRICTIONS

1. *Lobbying by Former Legislators, Statewide Elected Officers, and Appointed State Officers*

A member of the Legislature or a statewide elected or appointed state official is prohibited for two years following vacation of office from representing another person or entity for compensation before the government body or agency of which the individual was an officer or member. Former members of the Legislature are also prohibited for two years from lobbying the executive branch. [Art. II, Sec. 8(e), Fla. Const. and Sec. 112.313(9), Fla. Stat.]

2. *Lobbying by Former State Employees*

Certain employees of the executive and legislative branches of state government are prohibited from personally representing another person or entity for compensation before the agency with which they were employed for a period of two years after leaving their positions, unless employed by another agency of state government. [Sec. 112.313(9), Fla. Stat.] These employees include the following:

- a) Executive and legislative branch employees serving in the Senior Management Service and Selected Exempt Service, as well as any person employed by the Department of the Lottery having authority over policy or procurement.
- b) serving in the following position classifications: the Auditor General; the director of the Office of Program Policy Analysis and Government Accountability (OPPAGA); the Sergeant at Arms and Secretary of the Senate; the Sergeant at Arms and Clerk of the House of Representatives; the executive director and deputy executive director of the Commission on Ethics; an executive director, staff director, or deputy staff director of each joint committee, standing committee, or select committee of the Legislature; an executive director, staff director, executive assistant, legislative analyst, or attorney serving in the Office of the President of the Senate, the Office of the Speaker of the House of Representatives, the Senate Majority Party Office, the Senate Minority Party Office, the House Majority Party Office, or the House Minority Party Office; the Chancellor and Vice-Chancellors of the State University System; the general counsel to the Board of Regents; the president, vice presidents, and deans of each state university; any person hired on a contractual basis and having the power normally conferred upon such persons, by whatever title; and any person having the power normally conferred upon the above positions.

This prohibition does not apply to a person who was employed by the Legislature or other agency prior to July 1, 1989; who was a defined employee of the State University System or the Public Service Commission who held such employment on December 31, 1994; or who reached normal retirement age and retired by July 1, 1991. It does apply to OPS employees.

PENALTIES: Persons found in violation of this section are subject to the penalties contained in the Code (see PENALTIES, Part V) as well as a civil penalty in an amount equal to the compensation which the person received for the prohibited conduct. [Sec. 112.313(9)(a)5, Fla. Stat.]

3. *6-Year Lobbying Ban*

For a period of six years after vacation of public position occurring on or after December 31, 2022, a statewide elected officer or member of the legislature shall not lobby for compensation on issues of policy, appropriations, or procurement before the legislature or any state government body or agency. [Art. II Sec 8(f)(3)a., Fla. Const. and Sec. 112.3121, Fla. Stat.]

For a period of six years after vacation of public position occurring on or after December 31, 2022, a person serving as a secretary, an executive director, or other agency head of a department of the executive branch of state government shall not lobby for compensation on issues of policy, appropriations, or procurement before the legislature, the governor, the executive office of the governor, members of the cabinet, a department that is headed by a member of the cabinet, or his or her former department. [Art. II Sec 8(f)(3)b., Fla. Const. and Sec. 112.3121, Fla. Stat.]

For a period of six years after vacation of public position occurring on or after December 31, 2022, a county commissioner, a county officer pursuant to Article VIII or county charter, a school board member, a superintendent of schools, an elected municipal officer, or an elected special district officer in a special district with ad valorem taxing authority shall not lobby for compensation on issues of policy, appropriations, or procurement before his or her former agency or governing body. [Art. II Sec 8(f)(3)c., Fla. Const. and Sec. 112.3121, Fla. Stat.]

4. *Additional Restrictions on Former State Employees*

A former executive or judicial branch employee or PSC employee is prohibited from having employment or a contractual relationship, at any time after retirement or termination of employment, with any business entity (other than a public agency) in connection with a contract in which the employee participated personally and substantially by recommendation or decision while a public employee. [Sec. 112.3185(3), Fla. Stat.]

A former executive or judicial branch employee or PSC employee who has retired or terminated employment is prohibited from having any employment or contractual relationship for two years with any business entity (other than a public agency) in connection with a contract for services which was within his or her responsibility while serving as a state employee. [Sec.112.3185(4), Fla. Stat.]

Unless waived by the agency head, a former executive or judicial branch employee or PSC employee may not be paid more for contractual services provided by him or her to the former agency during the first year after leaving the agency than his or her annual salary before leaving. [Sec. 112.3185(5), Fla. Stat.]

These prohibitions do not apply to PSC employees who were so employed on or before Dec. 31, 1994.

5. *Lobbying by Former Local Government Officers and Employees*

A person elected to county, municipal, school district, or special district office is prohibited from representing another person or entity for compensation before the government body or agency of which he or she was an officer for two years after leaving office. Appointed officers and employees of counties, municipalities, school districts, and special districts may be subject to a similar restriction by local ordinance or resolution. [Sec. 112.313(13) and (14), Fla. Stat.]

E. VOTING CONFLICTS OF INTEREST

State public officers are prohibited from voting in an official capacity on any measure which they know would inure to their own special private gain or loss. A state public officer who abstains, or who votes on a measure which the officer knows would inure to the special private gain or loss of any principal by whom he or she is retained, of the parent organization or subsidiary or sibling of a corporate principal by which he or she is retained, of a relative, or of a business associate, must make every reasonable effort to file a memorandum of voting conflict with the recording secretary in advance of the vote. If that is not possible, it must be filed within 15 days after the vote occurs. The memorandum must disclose the nature of the officer's interest in the matter.

No county, municipal, or other local public officer shall vote in an official capacity upon any measure which would inure to his or her special private gain or loss, or which the officer knows would inure to the special private gain or loss of any principal by whom he or she is retained, of the parent organization or subsidiary or sibling of a corporate principal by which he or she is retained, of a relative, or of a business associate. The officer must publicly announce the nature of his or her interest before the vote and must file a memorandum of voting conflict on Commission Form 8B with the meeting's recording officer within 15 days after the vote occurs disclosing the nature of his or her interest in the matter. However, members of community redevelopment agencies and district officers elected on a one-acre, one-vote basis are not required to abstain when voting in that capacity.

No appointed state or local officer shall participate in any matter which would inure to the officer's special private gain or loss, the special private gain or loss of any principal by whom he or she is retained, of the parent organization or subsidiary or sibling of a corporate principal by which he or she is retained, of a relative, or of a business associate, without first disclosing the nature of his or her interest in the matter. The memorandum of voting conflict (Commission Form 8A or 8B) must be filed with the meeting's recording officer, be provided to the other members of the agency, and be read publicly at the next meeting.

If the conflict is unknown or not disclosed prior to the meeting, the appointed official must orally disclose the conflict at the meeting when the conflict becomes known. Also, a written memorandum of voting conflict must be filed with the meeting's recording officer within 15 days of the disclosure being made and must be provided to the other members of the agency, with the disclosure being read publicly at the next scheduled meeting. [Sec. 112.3143, Fla. Stat.]

F. DISCLOSURES

Conflicts of interest may occur when public officials are in a position to make decisions that affect their personal financial interests. This is why public officers and employees, as well as candidates who run for public office, are required to publicly disclose their financial interests. The disclosure process serves to remind officials of their obligation to put the public interest above personal considerations. It also helps citizens to monitor the considerations of those who spend their tax dollars and participate in public policy decisions or administration.

All public officials and candidates do not file the same degree of disclosure; nor do they all file at the same time or place. Thus, care must be taken to determine which disclosure forms a particular official or candidate is required to file.

The following forms are described below to set forth the requirements of the various disclosures and the steps for correctly providing the information in a timely manner.

1. FORM 1 - Limited Financial Disclosure

Who Must File:

Persons required to file FORM 1 include all state officers, local officers, candidates for local elective office, and specified state employees as defined below (other than those officers who are required by law to file FORM 6).

STATE OFFICERS include:

- 1) Elected public officials not serving in a political subdivision of the state and any person appointed to fill a vacancy in such office, unless required to file full disclosure on Form 6.
- 2) Appointed members of each board, commission, authority, or council having statewide jurisdiction, excluding members of solely advisory bodies; but including judicial nominating commission members; directors of Enterprise Florida, Scripps Florida Funding Corporation, and CareerSource Florida, and members of the Council on the Social Status of Black Men and Boys; the Executive Director, governors, and senior managers of Citizens Property Insurance Corporation; governors and senior managers of Florida Workers' Compensation Joint Underwriting Association, board members of the Northeast Florida Regional Transportation Commission, and members of the board of Triumph Gulf Coast, Inc.; members of the board of Florida is

for Veterans, Inc.; and members of the Technology Advisory Council within the Agency for State Technology.

- 3) The Commissioner of Education, members of the State Board of Education, the Board of Governors, local boards of trustees and presidents of state universities, and members of the Florida Prepaid College Board.

LOCAL OFFICERS include:

- 1) Persons elected to office in any political subdivision (such as municipalities, counties, and special districts) and any person appointed to fill a vacancy in such office, unless required to file full disclosure on Form 6.
- 2) Appointed members of the following boards, councils, commissions, authorities, or other bodies of any county, municipality, school district, independent special district, or other political subdivision: the governing body of the subdivision; a community college or junior college district board of trustees; a board having the power to enforce local code provisions; a planning or zoning board, board of adjustments or appeals, community redevelopment agency board, or other board having the power to recommend, create, or modify land planning or zoning within the political subdivision, except for citizen advisory committees, technical coordinating committees, and similar groups who only have the power to make recommendations to planning or zoning boards, except for representatives of a military installation acting on behalf of all military installations within that jurisdiction; a pension board or retirement board empowered to invest pension or retirement funds or to determine entitlement to or amount of a pension or other retirement benefit.
- 3) Any other appointed member of a local government board who is required to file a statement of financial interests by the appointing authority or the enabling legislation, ordinance, or resolution creating the board.
- 4) Persons holding any of these positions in local government: county or city manager; chief administrative employee or finance director of a county, municipality, or other

political subdivision; county or municipal attorney; chief county or municipal building inspector; county or municipal water resources coordinator; county or municipal pollution control director; county or municipal environmental control director; county or municipal administrator with power to grant or deny a land development permit; chief of police; fire chief; municipal clerk; appointed district school superintendent; community college president; district medical examiner; purchasing agent (regardless of title) having the authority to make any purchase exceeding \$35,000 for the local governmental unit.

- 5) Members of governing boards of charter schools operated by a city or other public entity.
- 6) The officers, directors, and chief executive officer of a corporation, partnership, or other business entity that is serving as the chief administrative or executive officer or employee of a political subdivision, and any business entity employee who is acting as the chief administrative or executive officer or employee of the political subdivision. [Sec. 112.3136, Fla. Stat.]

SPECIFIED STATE EMPLOYEE includes:

- 1) Employees in the Office of the Governor or of a Cabinet member who are exempt from the Career Service System, excluding secretarial, clerical, and similar positions.
- 2) The following positions in each state department, commission, board, or council: secretary or state surgeon general, assistant or deputy secretary, executive director, assistant or deputy executive director, and anyone having the power normally conferred upon such persons, regardless of title.
- 3) The following positions in each state department or division: director, assistant or deputy director, bureau chief, assistant bureau chief, and any person having the power normally conferred upon such persons, regardless of title.

- 4) Assistant state attorneys, assistant public defenders, criminal conflict and civil regional counsel, assistant criminal conflict and civil regional counsel, public counsel, full-time state employees serving as counsel or assistant counsel to a state agency, judges of compensation claims, administrative law judges, and hearing officers.
- 5) The superintendent or director of a state mental health institute established for training and research in the mental health field, or any major state institution or facility established for corrections, training, treatment, or rehabilitation.
- 6) State agency business managers, finance and accounting directors, personnel officers, grant coordinators, and purchasing agents (regardless of title) with power to make a purchase exceeding \$35,000.
- 7) The following positions in legislative branch agencies: each employee (other than those employed in maintenance, clerical, secretarial, or similar positions and legislative assistants exempted by the presiding officer of their house); and each employee of the Commission on Ethics.

What Must Be Disclosed:

FORM 1 requirements are set forth fully on the form. In general, this includes the reporting person's sources and types of financial interests, such as the names of employers and addresses of real property holdings. NO DOLLAR VALUES ARE REQUIRED TO BE LISTED. In addition, the form requires the disclosure of certain relationships with, and ownership interests in, specified types of businesses such as banks, savings and loans, insurance companies, and utility companies.

When to File:

CANDIDATES who do not currently hold a position requiring the filing of a Form 1 or Form 6 must register and use the electronic filing system to complete the Form 6, then print and file the disclosure with the officer before whom they qualify at the time of qualifying. [Art. II, Sec. 8(a) and (i), Fla. Const., and Sec. 112.3144, Fla. Stat.]

STATE and LOCAL OFFICERS and SPECIFIED STATE EMPLOYEES are required to file disclosure by July 1 of each year. They also must file within thirty days from the date of appointment or the beginning of employment. Those appointees requiring Senate confirmation must file prior to confirmation.

Where to File:

File with the Commission on Ethics. [Sec. 112.3145, Fla. Stat.]

Beginning January 1, 2024, all Form 1 disclosures must be filed electronically through the Commission's electronic filing system. These disclosures will be published and searchable by name or organization on the Commission's website.

2. *FORM 1F - Final Form 1 Limited Financial Disclosure*

FORM 1F is the disclosure form required to be filed within 60 days after a public officer or employee required to file FORM 1 leaves his or her public position. The form covers the disclosure period between January 1 and the last day of office or employment within that year.

3. *FORM 2 - Quarterly Client Disclosure*

The state officers, local officers, and specified state employees listed above, as well as elected constitutional officers, must file a FORM 2 if they or a partner or associate of their professional firm represent a client for compensation before an agency at their level of government.

A FORM 2 disclosure includes the names of clients represented by the reporting person or by any partner or associate of his or her professional firm for a fee or commission before agencies at the reporting person's level of government. Such representations do not include appearances in ministerial matters, appearances before judges of compensation claims, or representations on behalf of one's agency in one's official capacity. Nor does the term include the preparation and filing of forms and applications merely for the purpose of obtaining or transferring a license, so long as the

issuance of the license does not require a variance, special consideration, or a certificate of public convenience and necessity.

When to File:

This disclosure should be filed quarterly, by the end of the calendar quarter following the calendar quarter during which a reportable representation was made. FORM 2 need not be filed merely to indicate that no reportable representations occurred during the preceding quarter; it should be filed ONLY when reportable representations were made during the quarter.

Where To File:

File with the Commission on Ethics. [Sec. 112.3145(4), Fla. Stat.]

Beginning January 1, 2024, all Form 2 disclosures must be filed electronically through the Commission's electronic filing system. These disclosures will be published and searchable on the Commission's website.

4. *FORM 6 - Full and Public Disclosure*

Who Must File:

Persons required by law to file FORM 6 include all elected constitutional officers and candidates for such office; the mayor and members of a city council and candidates for these offices; the Duval County Superintendent of Schools; judges of compensation claims (pursuant to Sec. 440.442, Fla. Stat.); members of the Florida Housing Finance Corporation Board and members of expressway authorities, transportation authorities (except the Jacksonville Transportation Authority), bridge authority, or toll authorities created pursuant to Ch. 348 or 343, or 349, or other general law.

What Must be Disclosed:

FORM 6 is a detailed disclosure of assets, liabilities, and sources of income over \$1,000 and their values, as well as net worth. Officials may opt to file their most recent income tax return in lieu of listing sources of income but still must disclose their assets, liabilities, and net worth. In addition, the form requires the disclosure of certain relationships with, and ownership interests in, specified types of businesses such as banks, savings and loans, insurance companies, and utility companies.

When and Where To File:

Officials must file FORM 6 annually by July 1 with the Commission on Ethics.

Beginning January 1, 2023, all Form 6 disclosures must be filed electronically through the Commission's electronic filing system. These disclosures will be published and searchable by name and organization on the Commission's website.

CANDIDATES who do not currently hold a position requiring the filing of a Form 1 or Form 6 must register and use the electronic filing system to complete the Form 6, then print and file the disclosure with the officer before whom they qualify at the time of qualifying. [Art. II, Sec. 8(a) and (i), Fla. Const., and Sec. 112.3144, Fla. Stat.]

5. *FORM 6F - Final Form 6 Full and Public Disclosure*

This is the disclosure form required to be filed within 60 days after a public officer or employee required to file FORM 6 leaves his or her public position. The form covers the disclosure period between January 1 and the last day of office or employment within that year.

6. *FORM 9 - Quarterly Gift Disclosure*

Each person required to file FORM 1 or FORM 6, and each state procurement employee, must file a FORM 9, Quarterly Gift Disclosure, with the Commission on Ethics on the last day of any calendar quarter following the calendar quarter in which he or she received a gift worth more than \$100, other

than gifts from relatives, gifts prohibited from being accepted, gifts primarily associated with his or her business or employment, and gifts otherwise required to be disclosed. FORM 9 NEED NOT BE FILED if no such gift was received during the calendar quarter.

Information to be disclosed includes a description of the gift and its value, the name and address of the donor, the date of the gift, and a copy of any receipt for the gift provided by the donor. [Sec. 112.3148, Fla. Stat.]

7. FORM 10 - Annual Disclosure of Gifts from Government Agencies and Direct-Support Organizations and Honorarium Event Related Expenses

State government entities, airport authorities, counties, municipalities, school boards, water management districts, and the South Florida Regional Transportation Authority, may give a gift worth more than \$100 to a person required to file FORM 1 or FORM 6, and to state procurement employees, if a public purpose can be shown for the gift. Also, a direct-support organization for a governmental entity may give such a gift to a person who is an officer or employee of that entity. These gifts are to be reported on FORM 10, to be filed by July 1.

The governmental entity or direct-support organization giving the gift must provide the officer or employee with a statement about the gift no later than March 1 of the following year. The officer or employee then must disclose this information by filing a statement by July 1 with his or her annual financial disclosure that describes the gift and lists the donor, the date of the gift, and the value of the total gifts provided during the calendar year. State procurement employees file their statements with the Commission on Ethics. [Sec. 112.3148, Fla. Stat.]

In addition, a person required to file FORM 1 or FORM 6, or a state procurement employee, who receives expenses or payment of expenses related to an honorarium event from someone who is prohibited from giving him or her an honorarium, must disclose annually the name, address, and affiliation of the donor, the amount of the expenses, the date of the event, a description of the expenses paid or provided, and the total value of the expenses on FORM 10. The donor paying the expenses must provide the officer or employee with a statement about the expenses within 60 days of the honorarium event.

The disclosure must be filed by July 1, for expenses received during the previous calendar year, with the officer's or employee's FORM 1 or FORM 6. State procurement employees file their statements with the Commission on Ethics. [Sec. 112.3149, Fla. Stat.]

However, notwithstanding Sec. 112.3149, Fla. Stat., no executive branch or legislative lobbyist or principal shall make, directly or indirectly, and no executive branch agency official or employee who files FORM 1 or FORM 6 shall knowingly accept, directly or indirectly, any expenditure made for the purpose of lobbying. This may include gifts or honorarium event related expenses that formerly were permitted under Sections 112.3148 and 112.3149. [Sec. 112.3215, Fla. Stat.] Similar prohibitions apply to legislative officials and employees. However, these laws are not administered by the Commission on Ethics. [Sec. 11.045, Fla. Stat.] In addition, gifts, which include anything not primarily related to political activities authorized under ch. 106, are prohibited from political committees. [Sec. 112.31485 Fla. Stat.]

8. FORM 30 - Donor's Quarterly Gift Disclosure

As mentioned above, the following persons and entities generally are prohibited from giving a gift worth more than \$100 to a reporting individual (a person required to file FORM 1 or FORM 6) or to a state procurement employee: a political committee; a lobbyist who lobbies the reporting individual's or procurement employee's agency, and the partner, firm, employer, or principal of such a lobbyist; and vendors. If such person or entity makes a gift worth between \$25 and \$100 to a reporting individual or state procurement employee (that is not accepted in behalf of a governmental entity or charitable organization), the gift should be reported on FORM 30. The donor also must notify the recipient at the time the gift is made that it will be reported.

The FORM 30 should be filed by the last day of the calendar quarter following the calendar quarter in which the gift was made. If the gift was made to an individual in the legislative branch, FORM 30 should be filed with the Lobbyist Registrar. [See page 35 for address.] If the gift was to any other reporting individual or state procurement employee, FORM 30 should be filed with the Commission on Ethics.

However, notwithstanding Section 112.3148, Fla. Stat., no executive branch lobbyist or principal shall make, directly or indirectly, and no executive branch agency official or employee who files FORM 1 or FORM 6 shall knowingly accept, directly or indirectly, any expenditure made for the purpose of lobbying. This may include gifts that formerly were permitted under Section 112.3148. [Sec. 112.3215, Fla. Stat.] Similar prohibitions apply to legislative officials and employees. However, these laws are not administered by the Commission on Ethics. [Sec. 11.045, Fla. Stat.] In addition, gifts from political committees are prohibited. [Sec. 112.31485, Fla. Stat.]

9. *FORM 1X AND FORM 6X - Amendments to Form 1 and Form 6*

These forms are provided for officers or employees to amend their previously filed Form 1 or Form 6.

IV. AVAILABILITY OF FORMS

Beginning January 1, 2024, LOCAL OFFICERS and EMPLOYEES, and OTHER STATE OFFICERS, and SPECIFIED STATE EMPLOYEES who must file FORM 1 annually must file electronically via the Commission's Electronic Financial Disclosure Management System (EFDMS). Paper forms will not be promulgated. Communications regarding the annual filing requirement will be sent via email to filers no later than June 1. Filers must maintain an updated email address in their User Profile in EFDMS.

ELECTED CONSTITUTIONAL OFFICERS and other officials who must file Form 6 annually, including City Commissioners and Mayors, must file electronically via the Commission's Electronic Financial Disclosure Management System (EFDMS). Paper forms will not be promulgated. Communications regarding the annual filing requirement will be sent via email to filers no later than June 1. Filers must maintain an updated email address in their User Profile in EFDMS.

V. PENALTIES

A. Non-criminal Penalties for Violation of the Sunshine Amendment and the Code of Ethics

There are no criminal penalties for violation of the Sunshine Amendment and the Code of Ethics. Penalties for violation of these laws may include: impeachment, removal from office or employment, suspension, public censure, reprimand, demotion, reduction in salary level, forfeiture of no more than one-third salary per month for no more than twelve months, a civil penalty not to exceed \$10,000*, and restitution of any pecuniary benefits received, and triple the value of a gift from a political committee.

B. Penalties for Candidates

CANDIDATES for public office who are found in violation of the Sunshine Amendment or the Code of Ethics may be subject to one or more of the following penalties: disqualification from being on the ballot, public censure, reprimand, or a civil penalty not to exceed \$10,000*, and triple the value of a gift received from a political committee.

C. Penalties for Former Officers and Employees

FORMER PUBLIC OFFICERS or EMPLOYEES who are found in violation of a provision applicable to former officers or employees or whose violation occurred prior to such officer's or employee's leaving public office or employment may be subject to one or more of the following penalties: public censure and reprimand, a civil penalty not to exceed \$10,000*, and restitution of any pecuniary benefits received, and triple the value of a gift received from a political committee.

*Conduct occurring after May 11, 2023, will be subject to a recommended civil penalty of up to \$20,000. [Ch. 2023-49, Laws of Florida.]

D. Penalties for Lobbyists and Others

An executive branch lobbyist who has failed to comply with the Executive Branch Lobbying Registration law (see Part VIII) may be fined up to \$5,000, reprimanded, censured, or prohibited from lobbying executive branch agencies for up to two years. Lobbyists, their employers, principals, partners, and firms, and political committees and committees of continuous existence who give a prohibited gift or honorarium or fail to comply with the gift reporting requirements for gifts worth between \$25 and \$100, may be penalized by a fine of not more than \$5,000 and a prohibition on lobbying, or employing a lobbyist to lobby, before the agency of the public officer or employee to whom the gift was given for up to two years. Any agent or person acting on behalf of a political committee giving a prohibited gift is personally liable for a civil penalty of up to triple the value of the gift.

Executive Branch lobbying firms that fail to timely file their quarterly compensation reports may be fined \$50 per day per report for each day the report is late, up to a maximum fine of \$5,000 per report.

E. Felony Convictions: Forfeiture of Retirement Benefits

Public officers and employees are subject to forfeiture of all rights and benefits under the retirement system to which they belong if convicted of certain offenses. The offenses include embezzlement or theft of public funds; bribery; felonies specified in Chapter 838, Florida Statutes; impeachable offenses; and felonies committed with intent to defraud the public or their public agency. [Sec. 112.3173, Fla. Stat.]

F. Automatic Penalties for Failure to File Annual Disclosure

Public officers and employees required to file either Form 1 or Form 6 annual financial disclosure are subject to automatic fines of \$25 for each day late the form is filed after September 1, up to a maximum penalty of \$1,500. [Sec. 112.3144 and 112.3145, Fla. Stat.]

VI. ADVISORY OPINIONS

Conflicts of interest may be avoided by greater awareness of the ethics laws on the part of public officials and employees through advisory assistance from the Commission on Ethics.

A. Who Can Request an Opinion

Any public officer, candidate for public office, or public employee in Florida who is in doubt about the applicability of the standards of conduct or disclosure laws to himself or herself, or anyone who has the power to hire or terminate another public employee, may seek an advisory opinion from the Commission about himself or herself or that employee.

B. How to Request an Opinion

Opinions may be requested by letter presenting a question based on a real situation and including a detailed description of the situation. Opinions are issued by the Commission and are binding on the conduct of the person who is the subject of the opinion, unless material facts were omitted or misstated in the request for the opinion. Published opinions will not bear the name of the persons involved unless they consent to the use of their names; however, the request and all information pertaining to it is a public record, made available to the Commission and to members of the public in advance of the Commission's consideration of the question.

C. How to Obtain Published Opinions

All of the Commission's opinions are available for viewing or download at its website:
www.ethics.state.fl.us.

VII. COMPLAINTS

A. Citizen Involvement

The Commission on Ethics cannot conduct investigations of alleged violations of the Sunshine Amendment or the Code of Ethics unless a person files a sworn complaint with the Commission alleging such violation has occurred, or a referral is received, as discussed below.

If you have knowledge that a person in government has violated the standards of conduct or disclosure laws described above, you may report these violations to the Commission by filing a sworn complaint on the form prescribed by the Commission and available for download at www.ethics.state.fl.us. The Commission is unable to take action based on learning of such misdeeds through newspaper reports, telephone calls, or letters.

You can download a complaint form (FORM 50) from the Commission's website: www.ethics.state.fl.us, or contact the Commission office at the address or phone number shown on the inside front cover of this booklet.

B. Referrals

The Commission may accept referrals from: the Governor, the Florida Department of Law Enforcement, a State Attorney, or a U.S. Attorney. A vote of six of the Commission's nine members is required to proceed on such a referral.

C. Confidentiality

The complaint or referral, as well as all proceedings and records relating thereto, is confidential until the accused requests that such records be made public or until the matter reaches a stage in the Commission's proceedings where it becomes public. This means that unless the Commission receives a written waiver of confidentiality from the accused, the Commission is not free to release any documents or to comment on a complaint or referral to members of the public or press, so long as the complaint or referral remains in a confidential stage.

A COMPLAINT OR REFERRAL MAY NOT BE FILED WITH RESPECT TO A CANDIDATE ON THE DAY OF THE ELECTION, OR WITHIN THE 30 CALENDAR DAYS PRECEDING THE ELECTION DATE, UNLESS IT IS BASED ON PERSONAL INFORMATION OR INFORMATION OTHER THAN HEARSAY.

D. How the Complaint Process Works

Complaints which allege a matter within the Commission's jurisdiction are assigned a tracking number and Commission staff forwards a copy of the original sworn complaint to the accused within five working days of its receipt. Any subsequent sworn amendments to the complaint also are transmitted within five working days of their receipt.

Once a complaint is filed, it goes through three procedural stages under the Commission's rules. The first stage is a determination of whether the allegations of the complaint are legally sufficient: that is, whether they indicate a possible violation of any law over which the Commission has jurisdiction. If the complaint is found not to be legally sufficient, the Commission will order that the complaint be dismissed without investigation, and all records relating to the complaint will become public at that time.

In cases of very minor financial disclosure violations, the official will be allowed an opportunity to correct or amend his or her disclosure form. Otherwise, if the complaint is found to be legally sufficient, a preliminary investigation will be undertaken by the investigative staff of the Commission. The second stage of the Commission's proceedings involves this preliminary investigation and a decision by the Commission as to whether there is probable cause to believe that there has been a violation of any of the ethics laws. If the Commission finds no probable cause to believe there has been a violation of the ethics laws, the complaint will be dismissed and will become a matter of public record. If the Commission finds probable cause to believe there has been a violation of the ethics laws, the complaint becomes public and usually enters the third stage of proceedings. This stage requires the Commission to decide whether the law was actually violated and, if so, whether a penalty should be recommended. At this stage, the accused has the right to request a public hearing (trial) at which evidence is presented, or the Commission may order that such a hearing be held. Public hearings usually are held in or near the area where the alleged violation occurred.

When the Commission concludes that a violation has been committed, it issues a public report of its findings and may recommend one or more penalties to the appropriate disciplinary body or official.

When the Commission determines that a person has filed a complaint with knowledge that the complaint contains one or more false allegations or with reckless disregard for whether the complaint contains false allegations, the complainant will be liable for costs plus reasonable attorney's fees incurred by the person complained against. The Department of Legal Affairs may bring a civil action to recover such fees and costs, if they are not paid voluntarily within 30 days.

E. Dismissal of Complaints At Any Stage of Disposition

The Commission may, at its discretion, dismiss any complaint at any stage of disposition should it determine that the public interest would not be served by proceeding further, in which case the Commission will issue a public report stating with particularity its reasons for the dismissal. [Sec. 112.324(12), Fla. Stat.]

F. Statute of Limitations

All sworn complaints alleging a violation of the Sunshine Amendment or the Code of Ethics must be filed with the Commission within five years of the alleged violation or other breach of the public trust. Time starts to run on the day AFTER the violation or breach of public trust is committed. The statute of limitations is tolled on the day a sworn complaint is filed with the Commission. If a complaint is filed and the statute of limitations has run, the complaint will be dismissed. [Sec. 112.3231, Fla. Stat.]

VIII. EXECUTIVE BRANCH LOBBYING

Any person who, for compensation and on behalf of another, lobbies an agency of the executive branch of state government with respect to a decision in the area of policy or procurement may be required to register as an executive branch lobbyist. Registration is required before lobbying an agency and is renewable annually. In addition, each lobbying firm must file a compensation report

with the Commission for each calendar quarter during any portion of which one or more of the firm's lobbyists were registered to represent a principal. As noted above, no executive branch lobbyist or principal can make, directly or indirectly, and no executive branch agency official or employee who files FORM 1 or FORM 6 can knowingly accept, directly or indirectly, **any expenditure** made for the purpose of lobbying. [Sec. 112.3215, Fla. Stat.]

Paying an executive branch lobbyist a contingency fee based upon the outcome of any specific executive branch action, and receiving such a fee, is prohibited. A violation of this prohibition is a first degree misdemeanor, and the amount received is subject to forfeiture. This does not prohibit sales people from receiving a commission. [Sec. 112.3217, Fla. Stat.]

Executive branch departments, state universities, community colleges, and water management districts are prohibited from using public funds to retain an executive branch (or legislative branch) lobbyist, although these agencies may use full-time employees as lobbyists. [Sec. 11.062, Fla. Stat.]

Online registration and filing is available at www.floridalobbyist.gov. Additional information about the executive branch lobbyist registration system may be obtained by contacting the Lobbyist Registrar at the following address:

Executive Branch Lobbyist Registration
Room G-68, Claude Pepper Building
111 W. Madison Street
Tallahassee, FL 32399-1425
Phone: 850/922-4990

IX. WHISTLE-BLOWER'S ACT

In 1986, the Legislature enacted a "Whistle-blower's Act" to protect employees of agencies and government contractors from adverse personnel actions in retaliation for disclosing information in a sworn complaint alleging certain types of improper activities. Since then, the Legislature has revised this law to afford greater protection to these employees.

While this language is contained within the Code of Ethics, the Commission has no jurisdiction or authority to proceed against persons who violate this Act. Therefore, a person who has disclosed information alleging improper conduct governed by this law and who may suffer adverse consequences as a result should contact one or more of the following: the Office of the Chief Inspector General in the Executive Office of the Governor; the Department of Legal Affairs; the Florida Commission on Human Relations; or a private attorney. [Sec. 112.3187 - 112.31895, Fla. Stat.]

X. ADDITIONAL INFORMATION

As mentioned above, we suggest that you review the language used in each law for a more detailed understanding of Florida's ethics laws. The "Sunshine Amendment" is Article II, Section 8, of the Florida Constitution. The Code of Ethics for Public Officers and Employees is contained in Part III of Chapter 112, Florida Statutes.

Additional information about the Commission's functions and interpretations of these laws may be found in Chapter 34 of the Florida Administrative Code, where the Commission's rules are published, and in The Florida Administrative Law Reports, which until 2005 published many of the Commission's final orders. The Commission's rules, orders, and opinions also are available at www.ethics.state.fl.us.

If you are a public officer or employee concerned about your obligations under these laws, the staff of the Commission will be happy to respond to oral and written inquiries by providing information about the law, the Commission's interpretations of the law, and the Commission's procedures.

XI. TRAINING

Constitutional officers, elected municipal officers, commissioners of community redevelopment agencies (CRAs), and commissioners of community development districts are required to receive a total of four hours training, per calendar year, in the area of ethics, public

records, and open meetings. The Commission on Ethics does not track compliance or certify providers. Officials indicate their compliance with the training requirement when they file their annual Form 1 or Form 6.

Visit the training page on the Commission's website for up-to-date rules, opinions, audio/video training, and opportunities for live training conducted by Commission staff.

AVALON PARK WEST

COMMUNITY DEVELOPMENT DISTRICT

3D

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE
MAILING ADDRESS	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
CITY COUNTY	NAME OF POLITICAL SUBDIVISION:
DATE ON WHICH VOTE OCCURRED	MY POSITION IS: <input type="checkbox"/> ELECTIVE <input type="checkbox"/> APPOINTIVE

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which would inure to his or her special private gain or loss. Each elected or appointed local officer also **MUST ABSTAIN** from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies (CRAs) under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a “relative” includes only the officer’s father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A “business associate” means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * *

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on page 2)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, _____, hereby disclose that on _____, 20 ____ :

(a) A measure came or will come before my agency which (check one or more)

- ____ inured to my special private gain or loss;
- ____ inured to the special gain or loss of my business associate, _____ ;
- ____ inured to the special gain or loss of my relative, _____ ;
- ____ inured to the special gain or loss of _____, by
whom I am retained; or
- ____ inured to the special gain or loss of _____, which
is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

Date Filed

Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.

AVALON PARK WEST

COMMUNITY DEVELOPMENT DISTRICT

5

RESOLUTION 2024-09

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE AVALON
PARK WEST COMMUNITY DEVELOPMENT DISTRICT ELECTING
AND REMOVING OFFICERS OF THE DISTRICT AND PROVIDING FOR
AN EFFECTIVE DATE.**

WHEREAS, the Avalon Park West Community Development District (the “District”) is a local unit of special-purpose government created and existing pursuant to Chapter 190, *Florida Statutes*; and

WHEREAS, the District’s Board of Supervisors desires to elect and remove Officers of the District.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF
SUPERVISORS OF AVALON PARK WEST COMMUNITY
DEVELOPMENT DISTRICT THAT:**

SECTION 1. The following is/are elected as Officer(s) of the District effective May 30, 2024:

_____ is elected Chair
_____ is elected Vice Chair
_____ is elected Assistant Secretary
_____ is elected Assistant Secretary
_____ is elected Assistant Secretary

SECTION 2. The following Officer(s) shall be removed as Officer(s) as of May 30, 2024:

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

SECTION 3. The following prior appointments by the Board remain unaffected by this Resolution:

Craig Wrathell is Secretary

Cindy Cerbone is Assistant Secretary

Jamie Sanchez is Assistant Secretary

Craig Wrathell is Treasurer

Jeff Pinder is Assistant Treasurer

PASSED AND ADOPTED THIS 30TH DAY OF MAY, 2024.

ATTEST:

**AVALON PARK WEST COMMUNITY
DEVELOPMENT DISTRICT**

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

AVALON PARK WEST

COMMUNITY DEVELOPMENT DISTRICT

6

RESOLUTION 2024-10

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE AVALON PARK WEST COMMUNITY DEVELOPMENT DISTRICT SETTING A PUBLIC HEARING TO ADOPT THE AMENDED AND RESTATED RECREATIONAL FACILITIES RULES; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the Avalon Park West Community Development District (“**District**”) is a local unit of special-purpose government created and existing pursuant to Chapter 190, Florida Statutes, being situated in the Pasco County, Florida;

WHEREAS, the District owns and maintains certain recreational facilities that are located within the boundaries of the District (“**District Property**”);

WHEREAS, the Board of Supervisors of the District (“**Board**”) is authorized by Sections 190.011(15) and 190.012(3), Florida Statutes, to amend and restate the District’s policies related to the use of the Recreational Facilities; and

WHEREAS, the Board has determined that it is in the best interest of the district to adopt the amended and restated Recreational Facilities Rules;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE AVALON PARK WEST COMMUNITY DEVELOPMENT DISTRICT:

SECTION 1. A Public Hearing will be held to consider the proposed Amended and Restated Recreational Facilities Rules, a copy of which is attached hereto as **Exhibit A**. The Public Hearing will be held at the following date, time and location:

Date: _____

Time: 10:00 a.m.

Location: Avalon Park West Amenity Center
5060 River Glen Boulevard
Wesley Chapel, Florida 33545

SECTION 2. The District Secretary is directed to publish notice of rule development and rulemaking regarding the public hearing in accordance with the Act and Section 120.54, Florida Statutes.

SECTION 3. This Resolution shall become effective upon its passage and shall remain in effect unless rescinded or repealed.

PASSED AND ADOPTED this 30th day of May, 2024.

ATTEST:

**AVALON PARK WEST COMMUNITY
DEVELOPMENT DISTRICT**

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

Exhibit A: Amended Amenity Rules

Exhibit A:
Amended Amenity Rules

Avalon Park West Community Development District

Recreational Facilities Policies

Adopted _____, 2024

Definitions

“Board” shall mean the District’s Board of Supervisors.

“Amenity Manager” – shall mean the person or firm so designated by the Board to manage the Recreational Facilities.

“Amenity Staff” – shall mean the Amenity Manager, including their employees, or such other individuals so designated by the Board to operate the Recreational Facilities.

“District” shall mean the Avalon Park West Community Development District.

“District Manager” shall mean the professional management company with which the District has contracted to provide management services to the District.

“District’s website” – shall mean <http://avalonparkwestcdd.org>

“Guest” shall mean any individual who is invited by a Patron and must be accompanied to use the Recreational Facilities by a Patron.

“New River CDD” shall mean the New River Community Development District.

“Non-Resident Annual User Fee” shall mean the fee established by the Board for any person that wishes to become a Non-Resident Member. The amount of the user fee is set forth herein, and that amount is subject to change based on Board action at a noticed public hearing.

“Non-Resident Member” shall mean any individual not owning property in the District who has paid the Non-Resident Annual User Fee to the District for use of the Recreational Facilities.

“Patron” shall mean Residents, Non-Resident Members, and Tenants, including and members of the households of any of the foregoing.

“Recreational Facilities” shall mean the properties and areas owned by the District intended for recreational use, including but limited to, the clubhouse, pool, splash area, playground area, and adjacent parking lot together with their appurtenant facilities and areas.

“Renter” shall mean any person who rents certain portions or spaces of the Recreational Facilities for specified events pursuant to the approval of the District staff.

“Resident” shall mean any person, spouse or registered domestic partner of a person or family owning property within the District or the New River CDD.

“Tenant” shall mean any tenant residing in a Resident’s home pursuant to a valid rental or lease agreement.

Enforcement of Policies

1. **Introduction.** This rule addresses disciplinary and enforcement matters relating to the use of the amenities and other properties owned and managed by the District. All capitalized terms not otherwise defined herein have the definitions ascribed to them in the District's Amenity Operating Rules.
2. **General Rule.** All persons using the Recreational Facilities and entering District properties are responsible for compliance with, and shall comply with, the Recreational Facilities Rules established for the safe operations of the District's Recreational Facilities.
3. **Suspension of Rights.** The District, through its Board, District Manager, and Amenity Manager, shall have the right to restrict, suspend, or terminate the Recreational Facilities privileges of any person to use the Recreational Facilities for any of the following behavior:
 - a. Submits false information on any application for use of the Recreational Facilities;
 - b. Exhibits unsatisfactory behavior, deportment or appearance;
 - c. Fails to pay amounts owed to the District in a proper and timely manner;
 - d. Fails to abide by any District rules and policies;
 - e. Treats the District's supervisors, staff, amenities management, contractors, or other representatives, or other residents or guests, in an unreasonable or abusive manner;
 - f. Damages or destroys District property; or
 - g. Engages in conduct that is improper or likely to endanger the health, safety, or welfare of the District, or its supervisors, staff, amenities management, contractors, or other representatives, or other residents or Guests.
4. **Authority of Amenity Manager.** The Amenity Manager, in consultation with the District Manager, may at any time restrict, suspend or terminate for cause or causes, including but not limited to those described above, any person's (and his/her family's) privileges to use any or all of the District Recreational Facilities for a period to be established by the Amenity Manager. Any such person will have the right to appeal the imposition of the restriction, suspension or termination before the Board of Supervisors.
5. **Enforcement of Penalties/Fines.** For any of the reasons set forth in Section 3 above, the District shall additionally have the right to impose a fine of up to the amount of \$1,000 – in addition to any amounts for damages – and collect such fine, damages and attorney's fees as a contractual lien or as otherwise provided pursuant to Florida law.
6. **Legal Action; Criminal Prosecution.** If any person is found to have committed any of the infractions noted in Section 3 above, such person may additionally be subject to arrest for trespassing or other applicable legal action, civil or criminal in nature.
7. **Severability.** If any section, paragraph, clause or provision of this rule shall be held to be invalid or ineffective for any reason, the remainder of this rule shall continue in full force and effect, it being expressly hereby found and declared that the remainder of this rule would have been adopted despite the invalidity or ineffectiveness of such section, paragraph, clause or provision.

Use of Recreational Facilities at Your Own Risk

Patrons and their Guests are welcome to enjoy the Recreational Facilities at their own risk and pursuant to the District's rules and policies. The District does not provide on-site staff dedicated for the purpose of monitoring the use of the Recreational Facilities or safety of the Patrons, Renters, or their Guests. The District will not accept responsibility for any injuries from the use of the Recreational Facilities or damage or theft of personal property.

Persons interested in using the Recreational Facilities are encouraged to consult with a physician prior to commencing a physical fitness program.

Access Cards

1. The District operates an access system for entry into certain Recreational Facilities equipped with access systems to ensure that only Patrons and their Guests enjoy such facilities.
2. The current Residents of a home in the District will be issued 2 initial Access Cards at no charge. If the current owners sell their property, then they may transfer their Access Cards to the purchaser of their home. If no transfer is made, then the new owners may purchase an Access Card from the District for a non-refundable fee of \$25.00 per card.
3. Tenants who have proof of a valid rental agreement will be issued Access Cards after they pay the District a non-refundable fee of \$25.00 per Access Card.
4. There is a \$25.00 non-refundable fee to replace a lost Access Card or to purchase an additional Access Card. No more than 4 Access Cards (issued to those 16 years or older) may be held by any household at any time.
5. Under no circumstance should a Patron provide their Access Cards to another person to allow them to utilize the Recreational Facilities. To obtain an Access Card, proof of residence (Driver's License, State ID, utility bill or a vehicle registration) is required.
6. The current owners of a home in the New River CDD will be able to use their access cards for the Recreational Facilities equipped with access systems.

General Policies

1. The Board reserves the right to amend, modify, or delete, in part or in their entirety, these policies at a duly-noticed Board meeting and will notify the Patrons of any changes by posting such changes on the District's website. However, in order to change or modify rates or fees beyond any increases that may be specifically allowed for by the District's rules and regulations, the Board must hold a duly-noticed public hearing.
2. Each Patron household may bring no more than 7 persons as Guests to the Recreational Facilities at one time. This section does not apply to any Renters, if space has been rented then the number of Patron's attendees shall be limited applicable policies or by the capacity of such space.
3. All Patrons and their Guests shall abide by and comply with any and all federal, state and local laws and ordinances while present at or utilizing the Recreational Facilities and shall ensure that any minor for whom they are responsible also complies with the same.
4. All Patrons and their Guests using the Recreational Facilities are expected to conduct themselves in a responsible, courteous, respectful, and safe manner, in compliance with all District policies, and rules governing the Recreational Facilities. Violation of the District's Policies and/or misuse or destruction of Recreational Facilities equipment may result in the suspension or termination of privileges with respect to the offending Patron in accordance with the policies set forth herein.
5. Upon the District's insurance carrier's recommendation to ensure that the District mitigates children's exposure to injury, children under 16 years of age must be accompanied by a parent or adult Patron, 18 years of age or older. This policy is meant to follow the sound public policy and determination of appropriate age for minors to assume responsibility for their actions in accordance with the State of Florida's requirements for obtaining a Florida's driver license.
6. Patrons, Renters, or their Guests shall not bring, serve, or consume alcoholic beverages at the Recreational Facilities without the express written permission of the District as authorized by the Board.
7. The Recreational Facilities is available for use by Patrons and their Guests during normal operating hours to be established and posted by the District.
8. Patrons are responsible for any damage, contamination, pollution, or other such action they or their Guests cause to District property and will be responsible for the costs associated with repairing, treating, remediating, or fixing such District property.
9. Patrons are responsible for any and all actions taken by any of their Guests. Violation by a Guest of any of these policies as set forth by the District could result in loss of the privileges and/or membership of that Patron.
10. All Patrons and their Guests may be required to present a valid government issued identification card in order to gain access to the Recreational Facilities.
11. No Patron or Guest wearing a wet bathing suit will be allowed to sit on the indoor clubhouse furniture.

12. Vehicles must be parked in designated areas. Vehicles must not be parked on grass lawns, in any way which blocks the normal flow of traffic or in any way that limits the ability of emergency service workers to respond to situations. The District Manager reserves the right to waive this parking restriction in the event overflow parking is needed for a large event. Overnight parking for vehicles of any kind in the parking lot will be only be allowed with permission from the District Manager.
13. Except for designated parking areas, Off-road motorbikes/vehicles are prohibited on all property owned, maintained and operated by the District including, but not limited to, the Recreational Facilities.
14. Fireworks of any kind are not permitted anywhere at or in the Recreational Facilities or adjacent areas; however, notwithstanding this general prohibition, the Board may approve the use of fireworks over a body of water.
15. Only District contractors, vendors, or authorized personnel are allowed in the service areas of the Recreational Facilities.
16. Except for District contractors, vendors, or authorized personnel, no watercrafts of any kind are allowed in any District stormwater ponds.
17. No fishing or swimming is permitted in any District stormwater ponds.
18. Audio or Video playing devices must be kept at reasonable volumes.
19. No signage or advertisements shall be posted or circulated within the Recreational Facilities property or other District property.
20. The Recreational Facilities shall not be used for commercial purposes without written permission from the District Manager or Amenity Manager. The term “commercial purposes” shall mean those activities which involve, in any way, the provision of goods or services for compensation or advertising.
21. The District Manager or Amenity Manager have the right to authorize all programs and activities, including the number of participants, usage of equipment and supplies etc., at the Recreational Facilities, except user and rental fees that have been established by the Board. The District Manager or Amenity Manager also have the right to authorize management sponsored events and programs to better serve the Patrons, and to reserve any Recreational Facilities for said events (if the schedule permits) and to collect revenue for those services provided. This includes, but is not limited to, various athletic events, cultural programs and social events. Should the District be entitled to any of these revenues based on its established rental or usage fees, the District Manager will coordinate the compensation from such programs or events to the District accordingly.
22. For any emergencies, please call 911. Afterwards please report all emergencies and injuries to the Amenity Manager as well as the District Manager via the contact information on the District’s website.
23. All malfunctioning or broken equipment should immediately be reported to the District Manager via the contact information on the District’s website.

Pets and Service Animals Policies

Dogs or other pets (with the exception of Service Animals- defined below) are not permitted on or within the Recreational Facilities. A **“Service Animal”** includes dogs or other pets trained to do work or perform tasks for an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. A Service Animal must be kept under the control of its handler by leash or harness, unless doing so interferes with the Service Animal’s work or tasks or the individual’s disability prevents doing so. The District may remove the Service Animal under the following conditions:

1. The Service Animal is out of control and its handler fails to take effective measures to control it
2. The Service Animal is not housebroken; or
3. The Service Animal’s behavior poses a direct threat to the health and safety of others.

The District is prohibited from asking about the nature or extent of an individual’s disability in order to determine whether an animal is a Service Animal or pet. However, the District may ask whether an animal is a Service Animal required because of a disability and what work or tasks the animal has been trained to perform. Where dogs or other pets are permitted on the grounds, they must be leashed. Owners of any pets are responsible for picking up after their pets as a courtesy to residents.

Pool and Splash Area Policies

1. There is no lifeguard on duty.
2. Swimming is permitted only during posted swimming hours.
3. No one should use the pool or splash area during inclement weather (especially when lightning is present).
4. Proper swimwear is required. Loose clothing, especially with strings, is prohibited.
5. Children under 3 years of age and those who are not reliably toilet trained, must wear rubber lined swim diapers and a swimsuit over the swim diaper.
6. The changing of diapers or clothes should only be done in the restrooms.
7. No glass containers are permitted in the fenced pool or splash area.
8. No Food or Beverages are permitted in the pool, splash area, or on the wet deck.
9. Patrons and their Guests should shower before entering the pool or splash area.
10. Pool Furniture should not be removed from the fenced pool or splash area or placed in the pool or splash area.
11. No profanity, harassment, diving, running, rough housing, chicken fighting, or horseplay is permitted.
12. No skates, skateboards, scooters, or bicycles are permitted within the fenced pool or splash area.

Playground Area Policies

1. Proper footwear and clothing is required. Loose clothing, especially with strings, is prohibited.
2. Mulch must not be picked up, thrown, or kicked for any reason.
3. No food, drinks or gum are permitted at the playground.
4. No glass containers are permitted at the playground.
5. No jumping off from any climbing bar or platform.
6. Profanity, rough-housing, and disruptive behavior are prohibited.

Designation of Tenant to Use Resident's Membership Privileges

1. Residents who rent or lease out their home shall have the right to designate the Tenant of their home as the beneficial users of the Resident's membership privileges for purposes of Recreational Facilities use.
2. A Tenant who is designated as the beneficial user of the Resident's membership shall be entitled to the same rights and privileges to use the Recreational Facilities as a Resident. If the Resident does not designate the Tenant as a beneficial user of the Resident's membership privileges, the Tenant will be required to pay the Non-Resident Annual User Fee to acquire a membership, unless that Tenant is a Guest.
3. During the period when a Tenant is designated as the beneficial user of the membership, the Resident shall not be entitled to use the Recreational Facilities with respect to that membership.

Non-Resident Annual User Fee

1. The residents of the District pay both debt assessments and annual operation and maintenance assessments in exchange for the benefits provided by the District's infrastructure and services, including but not limited to the Recreational Facilities. To be fair and equitable to the residents of the District, any person who wish to enjoy the Recreational Facilities will be required to pay a fair and reasonable user fee that covers a proportional share of the District's infrastructure expenses and operation and maintenance expenses of the Recreational Facilities and the requisite supporting infrastructure. The Board may elect to cap the number of Non-Resident Members to account for size and capacity limitations of the Recreational Facilities.
2. Anyone who desires to become a Non-Resident Member may purchase an annual membership for use of the Recreational Facilities on a year-to-year basis. The Non-Resident Annual User Fee is \$1,200 per household, payable in advance. The rate for an individual is the same as for a family. Upon purchase of the membership, the Non-Resident Member is entitled to 2 Key Cards for a family unit. Membership becomes effective upon the date full payment of the Non-Resident Annual User Fee and the Non-Resident Member Application are received by the District. The Non-Resident Annual User Fee rate is subject to change from year to year based upon the costs of operation of the Recreational Facilities.
3. Notwithstanding Section 2, and as a variance to the foregoing provision, the District shall have the authority in the Board's discretion to use a discounted rate of \$75 per month per household, with a third party landowner, where the landowner offers a bulk agreement for use of the Recreational Facilities by multiple households.

Rental Policies

The meeting room portion of the clubhouse may be rented for private events. The meeting room may be rented during non-regular hours. Rentals may be made by both Patrons and non-Patrons subject to the rates table below. Rentals may not be made by Patrons more than 4 months prior to the event. Rentals made by non-Patrons may be made no more than 3 months in advance of the event. Renters interested in doing so should contact the Amenity Manager regarding the anticipated date and time of the event to determine availability. Please note that the meeting room may be unavailable for private events on the following holidays and on surrounding dates:

Easter Sunday	Memorial Day Weekend	4 th of July
Labor Day Weekend	Thanksgiving	Christmas Eve
Christmas Day	New Year's Eve	

The District retains the right to reserve the Recreational Facilities and additional facilities for District use at any time. Since the revocation of access privileges impacts Patrons more than non-Patrons and since the District may have alternatives to enforce violations of the District's rules and policies against Patrons, the fees associated with renting the space are higher for non-Patrons. These fees are solely intended to ensure that the District is reasonably compensated for renting the space and also are in place to ensure the District can recoup some costs in the event there is damage to the space.

1. **Maximum Rental Duration.** Rentals may be made for up to 5 total hours (including set-up and post-event cleanup)
2. **Rental Fees:** A non-refundable room rental fee will be charged according to the schedule below:

Patron Rates	\$0
non-Patron Rates	\$250.00 for up to 25 attendees \$450.00 for 26 attendees or more, up to the maximum designated occupancy

3. **Deposit.** A refundable deposit of \$250.00 is required for any rental.
4. **Rental Process.** Renters interested in renting a room must submit to the Amenity Manager, no later than 14 days prior to the event, a completed Meeting Room Rental Application indicating the date of the event, the hours when the event will be held, a description of the event, the number of attendees that will be attending, and whether alcohol and/or food will be served. The Amenity Manager will determine if a Special Event Agreement (including evaluating if security services are needed to ensure public safety and any applicable costs will be the responsibility of the Renter along with naming the District as an additional insured) will need to be executed prior to use of the meeting room. Where determined by the Amenity Manager to be required, a properly executed Special Event Agreement, along with all documentation required therein, must be received by the Amenity Manager no less than 10 days prior to the date of the event. The Amenity Manager will review the Meeting Room Rental Application on a case-by-case basis and has the authority to reasonably deny a request. Denial of a request may be appealed to the Board for consideration.
5. **Payment to the District upon Approval.** Upon approval and no later than 10 days from the rental date Renters should submit a check or money order (no cash) to the Amenity Manager made payable to the Avalon Park West Community Development District for the rental fee (if applicable) and for

the deposit (should be separate checks or money orders). Failure to submit the applicable payments in time may result in the room not being reserved. Checks will be cashed by the District prior to the event.

6. **Cancellations:** The Renter must provide written notice of cancellation to the Amenity Manager at least 10 days prior to the event. If the rental is cancelled less than 10 days prior to the event, 50% of the deposit will be retained as a cancellation fee and the remainder deposit will be returned to the Renter. Rental Fees are not subject to a refund.

7. **Refund of Deposit.** The District will issue a refund for the amount of the deposit following the event provided the Amenity Manager determines that there has been no damage to the Recreational Facilities and the premises has been properly cleaned after use. If the premises is not properly cleaned, the deposit will be kept for this purpose. To receive a full refund of the deposit, the following must be completed:

- a. Ensure that all garbage is removed and placed in the outside receptacles.
- b. Remove all displays, favors or remnants of the event.
- c. Restore the furniture and other items to their original position.
- d. Wipe off counters, table tops and sink area.
- e. Replace garbage liner.
- f. Clean out and wipe down the refrigerator, and all cabinets and appliances used. Clean any windows and doors in the rented room. Floor should be swept clean.
- g. Ensure that no damage has occurred to the Recreational Facilities and its property.

If additional cleaning is required, the Renter will be liable for any expenses incurred by the District to hire an outside cleaning contractor. Additional cleaning costs shall first be subtracted from the amount of deposit. If the deposit is insufficient to cover all such cleaning costs, the Amenity Manager shall bill the Renter for the remaining balance. The Amenity Manager shall determine the amount of deposit to return, if any.

8. Additional Policies:

- a. Renters renting the facilities are responsible for ensuring that their attendees adhere to the policies set forth herein.
- b. Please note all policies remain in force for these special circumstances and the District has final say in these matters.
- c. The volume of live or recorded music must not violate applicable Pasco County noise ordinances.
- d. Additional liability insurance coverage will be required for all events that are approved to serve alcoholic beverages. This policy also pertains to certain events the District feels should require additional liability coverage on a case by case basis to be reviewed by the District Manager or Board. The District is to be named on these policies as an additional insured party.
- e. Unless the Renter renting the facilities is a Patron, they shall not use any other portion of the Recreational Facilities

f.

Avalon Park West Community Development District
Disciplinary and Enforcement Rule

Law Implemented: ss. 120.69, 190.011, 190.012, Fla. Stat. (2022)

Effective Date: _____, 20__

In accordance with Chapters 190 and 120, Florida Statutes, and at a duly noticed public meeting and after a duly noticed public hearing, the Board of Supervisors of the Avalon Park West Community Development District adopted the following rules to govern disciplinary and enforcement matters. All prior rules of the District governing this subject matter are hereby superseded on a going forward basis.

1. **Introduction.** This rule addresses disciplinary and enforcement matters relating to the use of the amenities and other properties owned and managed by the District. All capitalized terms not otherwise defined herein have the definitions ascribed to them in the District's *Recreational Facilities Policies*.

2. **General Rule.** All persons using the Recreational Facilities and entering District properties are responsible for compliance with, and shall comply with, the *Recreational Facilities Policies* established for the safe operations of the Recreational Facilities.

3. **Violations.** The privileges of a Patron to use the Recreational Facilities may be suspended or terminated if the Patron engages in any of the following behavior:

- a. Submits false information on any application for use of the Recreational Facilities.
- b. Permits the unauthorized use of an Access Card.
- c. Exhibits unsatisfactory behavior or appearance.
- d. Fails to pay fees or assessments owed to the District in a proper and timely manner.
- e. Fails to abide by any policies or rules established for the use of the Recreational Facilities.
- f. Treats the District's supervisors, contractors, or other representatives, or other Patrons, in an unreasonable or abusive manner.
- g. Damages or destroys District property.
- h. Engages in conduct that is improper or likely to endanger the welfare, safety, harmony or reputation of the District, or its supervisors, staff, facility management, contractors, or other representatives, or other Patrons.

4. **Documentation of Violations.** The Amenity Staff or District Manager shall record all violations, including repeat violations, on written incident reports and shall include the date, time, name of the parties involved, and nature of the violation. The Amenity Staff shall file such report with the District Manager within 24 hours of the incident. The District Manager shall maintain all records in accordance with public record laws.

5. **Suspension by the Amenity Manager or District Manager**

- a. The Amenity Manager or District Manager may at any time suspend a Patron's privileges to use the Recreational Facilities for committing any of the violations outlined above.
- b. The Amenity Manager or District Manager shall ask the Patron to leave the Recreational Facilities immediately and shall call local law enforcement for assistance if the Patron fails to comply with the request.
- c. Such suspension shall be for a maximum period of 30 consecutive days.
- d. In determining the length of any suspension, the Amenity Manager or District Manager, shall take into account the nature of the conduct and any prior violations.

6. Appeal of Suspension

- a. A Patron subject to a suspension may appeal the suspension to the District's Board by filing a written request for an appeal, which written request shall be immediately sent to the District's Chairperson with a copy to the District Manager.
- b. The filing of a request for an appeal shall not result in the stay of the suspension.
- c. The District shall consider the appeal at its next Board meeting and shall provide reasonable notice to the Patron of the Board meeting where the appeal will be considered.
- d. At that meeting, the Board shall allow the Patron to appear and present statements and/or evidence on the Patron's behalf, subject to any reasonable restrictions that the Board may impose.
- e. The Board may take any action deemed by it in its sole discretion to be appropriate under the circumstances, including affirming, overturning or otherwise modifying the suspension, to address the appeal and any violations.
- f. In determining the appropriate action to be taken, the Board shall take into account the nature of the violation and any prior violations.

7. Longer Suspension or Termination of Privileges by the Board.

- a. The Amenity Manager or District Manager may recommend to the Board, or the Board on its own initiative may elect to consider, a longer suspension or termination of a Patron's privileges for committing any of the violations.
- b. At least 15 days prior to any Board meeting where a longer suspension or termination is to be considered, the District shall send written notice of the meeting by United States mail to the Patron's last known address.
- c. Upon prior written request submitted by the Patron to the District at least 5 days prior to the meeting, the Board shall allow the Patron to appear at the meeting and present statements and/or evidence on the Patron's behalf, subject to any reasonable restrictions that the Board may impose.
- d. The Board may take any action deemed by it in its sole discretion to be appropriate under the circumstances to address the violations, including imposing a longer suspension or permanent termination of a Patron's privileges to use the Recreation Facilities.
- e. In determining the appropriate action to be taken, the Board shall take into account the nature of the violation and any prior violations.

8. Enforcement of Penalties/Fines. For any of the violations set forth in this rule, the District shall additionally have the right to impose a fine of up to the amount of \$1,000 – in addition to any amounts for damages – and collect such fine, damages and attorney's fees as a contractual lien or as otherwise provided pursuant to Florida law.

9. Legal Action; Criminal Prosecution. If any person is found to have committed any of the infractions noted in this rule, such person may additionally be subject to arrest for trespassing or other applicable legal action, civil or criminal in nature.

10. Severability. If any section, paragraph, clause or provision of this rule shall be held to be invalid or ineffective for any reason, the remainder of this rule shall continue in full force and effect, it being expressly hereby found and declared that the remainder of this rule would have been adopted despite the invalidity or ineffectiveness of such section, paragraph, clause or provision.

AVALON PARK WEST COMMUNITY DEVELOPMENT DISTRICT

2300 Glades Road, Suite 410W Boca Raton, Florida 33431 | <https://www.avalonparkwestcdd.org/>

RESIDENT – CLUBHOUSE RENTAL FORM

Today's Date: _____

Event Date: _____

Rental Hours Available Between 8 AM & 8 PM or Dark if earlier. ~~(8 am to 9 PM)~~

Cost: \$100 for Rental by Residents – ~~Full Day~~ / Deposit - \$250

TYPE OF EVENT: _____

MAXIMUM NUMBER OF PEOPLE ATTENDING: (Fire Code states max capacity is 60 people.)

RESIDENT NAME: _____

RESIDENT ADDRESS: _____

RESIDENT PHONE NUMBER: _____ RESIDENT EMAIL: _____

*****RESPONSIBILITY FOR THE RENTAL AND ALL DAMAGES ARE THE LIABILITY OF THE RESIDENT*****

THE RENTAL FEE AND DEPOSIT MUST BE RECEIVED WITHIN FIVE (5) DAYS OF SETTING OF RESERVATION AND NO RESERVATION WILL NOT BE ACCEPTED WITHIN TWO WEEKS OF PROPOSED RESERVATION DATE. PAYMENTS THAT ARE NOT RECEIVED WITHIN FIVE DAYS WILL LEAD TO CANCELLATION OF RESERVATION.

CHECKS / MONEY ORDERS MUST BE WRITTEN TO: AVALON PARK WEST CDD

DEPOSIT: CHECK # _____ AMOUNT: _____ EMPLOYEE: _____

RENTAL: CHECK # _____ AMOUNT: _____ EMPLOYEE: _____

DRIVER'S LICENSE NUMBER: _____ **STATE:** _____

*****ALL NSF & CHECKS RETURNED FOR ANY REASON WILL RESULT IN ADDITIONAL FEE OF \$30.00 PER RETURNED CHECK*****

FOR OFFICE USE ONLY:

WERE THERE DAMAGES / RENTAL ISSUES?: YES: _____ NO: _____

IF YES, DESCRIBE ISSUES:

IF NO, DATE DEPOSIT CHECK REFUND REQUESTED: _____

REQUEST BY: _____

PAYMENTS MAY BE MAILED OR HAND DELIVERED TO:
ACCESS MANAGEMENT - 5322 Primrose Lake Circle, Suite C Tampa FL 33647

AVALON PARK WEST COMMUNITY DEVELOPMENT DISTRICT

2300 Glades Road, Suite 410W Boca Raton, Florida 33431 | <https://www.avalonparkwestcdd.org/>

CLUBHOUSE RENTAL POLICY & RULES

(YOU MUST BE A RESIDENT OF NEW RIVER CDD OR APW CDD TO RENT THE CLUBHOUSE OR SATISFY THE NON-RESIDENT REQUIREMENT)

The rental fee and deposit must be received within five (5) days of setting of reservation and no reservation will be accepted within two weeks of proposed reservation date. All rentals and deposit checks will be deposited when booking the event. After your event, the clubhouse will be inspected for cleanliness. If the inspection is approved, you will be mailed your deposit refund as soon as possible after the event. Final approval is given at the sole discretion of the District Manager/Field Operations. If the clubhouse fails inspection after your event, you will receive the balance of your deposit minus the cleaning fee of \$25 per hour and charges for any damages or time overage. It is your responsibility to call or email and get the code to the lock box 24 hours in advance of the reservation. Failure to do so may result in forfeiture of your reservation.

- 1) Residents reserving clubhouse will be responsible for their own cleaning supplies and trash bags. All trash must be placed in trash cans/dumpster located outside the trash area across from the clubhouse after the event.
- 2) ~~Keys may be picked up no earlier than one hour prior to the event during normal business hours unless special arrangements are made with the district field manager.~~ Keys not returned immediately following event will result in a charge of \$40 against the deposit for replacement.
- 3) The facility shall not be rented beyond the rental period, all overages on time will be billed at \$25 per quarter hour.
- 4) Absolutely no decorations on walls, window dressing, fans, or ceilings (no staples, no nails, no tape, no tacks, and no screws). Stand up decorations and table decorations are permitted. Balloons are only allowed inside the clubhouse.
- 5) **Host must assign a person to let party guests into the clubhouse and open doors for guests use of the restrooms. Restroom doors, main gate and pool gate shall not be propped open.**
- 6) Shoes and shirts are required. No bathing suits permitted in Amenity/Clubhouse,
- 7) No grills or cooking permitted inside or outside the facility. This is by order of the Fire Marshall.
- 8) Rental fee is \$100 for the timeslot reserved. Four Hour Event Time Including set-up and teardown/clean-up, a full day. With \$250 deposit for residents. Rental fees for nonresidents are as posted on nonresident forms. The deposit is required to be submitted to ensure the clubhouse is clean, undamaged, and all rules are followed. Keys must be returned at the end of the event. Please place the key in the lock box if staff members are not present.
(Taking Community Growth into consideration and Parking Limitations. The recommendation is a reduction in rental timeslots and fee increase be considered. Possibly additional hours at \$25 each and a much higher fee for full day.)
- 9) Amenity Rental Does Not include Pool or surrounding deck areas. No food or drink permitted within 15 feet of the pool's edge.
- 10) **The clubhouse's exterior, including the pool, pool furniture, Splashpad, spa, grills, playground, pond, and exterior grounds may NOT be used for party purposes. They are for the communities' use.**
- 11) Pool usage is by resident/member pass only. All pool rules and guest limitations apply to that pass.
- 12) Cancellation of a booked event two weeks prior will receive a full refund of rental and deposit. Cancellation within two weeks of the event will result in the rental fee being retained and deposit return. **(The amended policies specify a 10-day cancellation period. The associated costs include half of the required deposit and a non-refundable rental fee.)**
- 13) No Smoking. Smoking is prohibited in the clubhouse at any time. All smoking materials used outside must be placed in approved containers.
- 14) In case of emergency, call 911 and notify the District Manager at 1 (877) 276-0889.
- 15) All regulations are subject to change by the Board of Supervisors of the Avalon Park West CDD.
- 16) No alcohol allowed, without prior proof of licensed bartender and copy of their license is submitted, along with prior proof of their insurance listing the Avalon Park West CDD and its staff as additionally insured.
- 16) **The use of bounce houses, inflatable equipment, and similar items is strictly prohibited. This policy is in place to ensure the safety and integrity of the venue.**
- 17) Note: We do not adjust the air conditioner or the heat except in extreme conditions.

I, the undersigned, hereby accept full responsibility for the facility and those in attendance. I understand and will ensure all guests comply with the rules and regulations listed above.

RENTER'S _____

PRINTED RENTER'S FULL NAME _____

PAYMENTS MAY BE MAILED OR HAND DELIVERED TO:

ACCESS MANAGEMENT - 5322 Primrose Lake Circle, Suite C Tampa FL 33647

AVALON PARK WEST

COMMUNITY DEVELOPMENT DISTRICT

7

RESOLUTION 2024-11

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE
AVALON PARK WEST COMMUNITY DEVELOPMENT DISTRICT
RELATING TO THE AMENDMENT OF THE BUDGET FOR THE
FISCAL YEAR BEGINNING OCTOBER 1, 2023 AND ENDING
SEPTEMBER 30, 2024; AND PROVIDING FOR AN EFFECTIVE
DATE**

WHEREAS, on August 25, 2023, the Board of Supervisors ("Board") of the Avalon Park West Community Development District ("District"), adopted a Budget for Fiscal Year 2023/2024; and

WHEREAS, the Board desires to amend the previously adopted budget for Fiscal Year 2023/2024.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF
SUPERVISORS OF THE AVALON PARK WEST COMMUNITY
DEVELOPMENT DISTRICT:**

Section 1. The Fiscal Year 2023/2024 Budget is hereby amended in accordance with Exhibit "A" attached hereto; and

Section 2. This resolution shall become effective immediately upon its adoption, and be reflected in the monthly and Fiscal Year End September 30, 2023 Financial Statements and Audit Report of the District.

PASSED AND ADOPTED this 30th day of May, 2024.

ATTEST:

**AVALON PARK WEST COMMUNITY
DEVELOPMENT DISTRICT**

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

EXHIBIT "A"

**AVALON PARK WEST
COMMUNITY DEVELOPMENT DISTRICT
FISCAL YEAR 2024
AMENDED BUDGET TO INCLUDE SERIES 2023 DEBT SERVICE FUND BUDGET**

**AVALON PARK WEST
COMMUNITY DEVELOPMENT DISTRICT
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**AVALON PARK WEST
COMMUNITY DEVELOPMENT DISTRICT
GENERAL FUND BUDGET
FISCAL YEAR 2024**

	Fiscal Year 2023				Adopted Budget FY 2024
	Adopted Budget FY 2023	Actual through 3/31/2023	Projected through 9/30/2023	Total Actual & Projected	
REVENUES					
Assessment levy: on-roll	\$ 131,363				\$ 152,413
Allowable discounts (4%)	(5,255)				(6,097)
Assessment levy: net	126,108	\$ 125,550	\$ 558	\$ 126,108	146,316
Assessment levy: off-roll	67,621	-	67,621	67,621	-
Interlocal agreement - amenity mgr	-	2,703	-	2,703	-
Interest and miscellaneous	-	1,170	-	1,170	-
Total revenues	193,729	129,423	68,179	197,602	146,316
EXPENDITURES					
Professional & administrative					
District management	48,000	24,000	24,000	48,000	48,000
Legal general counsel	25,000	904	24,096	25,000	25,000
Engineering	7,500	7,492	8	7,500	7,500
Audit	3,500	-	3,500	3,500	4,000
Arbitrage rebate calculation	1,500	-	1,500	1,500	2,250
Dissemination agent	2,000	1,000	1,000	2,000	3,000
Trustee	9,000	4,246	4,754	9,000	14,000
Telephone	200	100	100	200	200
Postage	500	21	479	500	500
Printing & binding	500	250	250	500	500
Legal advertising	2,500	300	2,200	2,500	2,500
Annual special district fee	175	175	-	175	175
Insurance: general liability	6,684	5,988	-	5,988	6,586
Insurance: property	30,628	15,883	-	15,883	25,413
Insurance: flood	2,000	1,715	-	1,715	2,230
Website	705	705	-	705	705
ADA website compliance	210	-	210	210	210
Contingencies	500	75	425	500	500
Total professional & administrative	141,102	62,854	62,522	125,376	143,269

**AVALON PARK WEST
COMMUNITY DEVELOPMENT DISTRICT
GENERAL FUND BUDGET
FISCAL YEAR 2024**

	Fiscal Year 2023				Adopted
	Adopted Budget FY 2023	Actual through 3/31/2023	Projected through 9/30/2023	Total Actual & Projected	Budget FY 2024
Field operations					
Garbage/solid waste control services					
Solid waste assessment	-	1,367	-	1,367	-
Total field operations	-	1,367	-	1,367	-
Other fees and charges					
Property appraiser & tax collector	2,627	3,008	-	3,008	3,048
Total other fees and charges	2,627	3,008	-	3,008	3,048
Total expenditures	143,729	67,229	62,522	129,751	146,317
 Excess/(deficiency) of revenues over/(under) expenditures	 50,000	 62,194	 5,657	 67,851	 (1)
Fund balance - beginning (unaudited)	-	19,851	82,045	19,851	87,702
Fund balance - ending (projected)					
Assigned					
3 months working capital	-	-	-	-	62,251
Unassigned	50,000	82,045	87,702	87,702	25,450
Fund balance - ending (projected)	<u>\$ 50,000</u>	<u>\$ 82,045</u>	<u>\$ 87,702</u>	<u>\$ 87,702</u>	<u>\$ 87,701</u>

**AVALON PARK WEST
COMMUNITY DEVELOPMENT DISTRICT
DEFINITIONS OF GENERAL FUND EXPENDITURES**

EXPENDITURES

Professional & administrative

District management	\$ 48,000
Wrathell, Hunt and Associates, LLC , specializes in managing community development districts by combining the knowledge, skills and experience of a team of professionals to ensure compliance with all governmental requirements of the District, develop financing programs, administer the issuance of tax exempt bond financings and operate and maintain the assets of the community.	
Legal general counsel	25,000
Provides on-going general counsel legal representation and, in this arena, these lawyers are confronted with issues relating to public finance, public bidding, rulemaking, open meetings, public records, real property dedications, conveyances and contracts. In this capacity, they provide service as "local government lawyers," realizing that this type of local government is very limited in its scope – providing infrastructure and services to developments.	
Engineering	7,500
Provides a broad array of engineering, consulting and construction services to the District, which assists in crafting solutions with sustainability for the long term interests of the community while recognizing the needs of government, the environment and maintenance of the District's facilities.	
Audit	4,000
Statutorily required for the District to undertake an independent examination of its books, records and accounting procedures. This audit is conducted pursuant to Florida State Law and the rules and guidelines of the Florida Auditor General.	
Arbitrage rebate calculation	2,250
To ensure the District's compliance with all tax regulations, annual computations are necessary to calculate the arbitrage rebate liability.	
Dissemination agent fees	3,000
The District must annually disseminate financial information in order to comply with the requirements of Rule 15c2-12 under the Securities & Exchange Act of 1934.	
Trustee	14,000
Annual fees paid to U.S. Bank for services provided as trustee, paying agent and registrar.	
Telephone	200
Telephone and fax machine.	
Postage	500
Mailing of agenda packages, overnight deliveries, correspondence, etc.	
Printing & binding	500
Letterhead, checks, envelopes, copies, agenda packages, etc.	
Legal advertising	2,500
The District advertises for monthly meetings, special meetings, public hearings, public bids, etc.	

**AVALON PARK WEST
COMMUNITY DEVELOPMENT DISTRICT
DEFINITIONS OF GENERAL FUND EXPENDITURES**

EXPENDITURES (continued)

Annual special district fee	175
Insurance: general liability	6,586
The District carries public officials and general liability insurance.	
Insurance: property	25,413
Insurance: flood	2,230
Website	705
ADA website compliance	210
Contingencies	500
Bank charges, automated AP routing and other miscellaneous expenses incurred during the year.	
Total expenditures	<u><u>\$146,317</u></u>

**AVALON PARK WEST
COMMUNITY DEVELOPMENT DISTRICT
DEBT SERVICE FUND BUDGET - SERIES 2020
FISCAL YEAR 2024**

	Fiscal Year 2023				Adopted Budget FY 2024
	Adopted Budget FY 2023	Actual through 3/31/2023	Projected through 9/30/2023	Total Actual & Projected	
REVENUES					
Special assessment - on-roll	\$ 332,293				\$ 332,293
Allowable discounts (4%)	(13,292)				(13,292)
Assessment levy: net	319,001	\$ 317,597	\$ 1,404	\$ 319,001	319,001
Interest	-	4,254	-	4,254	-
Total revenues	319,001	321,851	1,404	323,255	319,001
EXPENDITURES					
Debt service					
Principal	110,000	-	110,000	110,000	110,000
Interest	201,663	100,831	100,832	201,663	198,913
Total debt service	311,663	100,831	210,832	311,663	308,913
Other fees & charges					
Property appraiser	175	-	175	175	175
Tax collector	6,646	6,350	296	6,646	6,646
Total other fees & charges	6,821	6,350	471	6,821	6,821
Total expenditures	318,484	107,181	211,303	318,484	315,734
Excess/(deficiency) of revenues over/(under) expenditures	517	214,670	(209,899)	4,771	3,267
Fund balance:					
Beginning fund balance (unaudited)	261,507	263,721	478,391	263,721	268,492
Ending fund balance (projected)	\$ 262,024	\$ 478,391	\$ 268,492	\$ 268,492	271,759
Use of fund balance:					
Debt service reserve account balance (required)					(156,178)
Interest expense - November 1, 2024					(98,081)
Projected fund balance surplus/(deficit) as of September 30, 2024					\$ 17,500

**AVALON PARK WEST
COMMUNITY DEVELOPMENT DISTRICT
SERIES 2020 (2020 PROJECT AREA) BONDS AMORTIZATION SCHEDULE**

	Principal	Coupon	Interest	Debt Service	Bond Balance
11/01/23			99,456.25	99,456.25	5,280,000.00
05/01/24	110,000.00	2.500%	99,456.25	209,456.25	5,170,000.00
11/01/24			98,081.25	98,081.25	5,170,000.00
05/01/25	115,000.00	2.500%	98,081.25	213,081.25	5,055,000.00
11/01/25			96,643.75	96,643.75	5,055,000.00
05/01/26	120,000.00	3.250%	96,643.75	216,643.75	4,935,000.00
11/01/26			94,693.75	94,693.75	4,935,000.00
05/01/27	125,000.00	3.250%	94,693.75	219,693.75	4,810,000.00
11/01/27			92,662.50	92,662.50	4,810,000.00
05/01/28	125,000.00	3.250%	92,662.50	217,662.50	4,685,000.00
11/01/28			90,631.25	90,631.25	4,685,000.00
05/01/29	130,000.00	3.250%	90,631.25	220,631.25	4,555,000.00
11/01/29			88,518.75	88,518.75	4,555,000.00
05/01/30	135,000.00	3.250%	88,518.75	223,518.75	4,420,000.00
11/01/30			86,325.00	86,325.00	4,420,000.00
05/01/31	140,000.00	3.750%	86,325.00	226,325.00	4,280,000.00
11/01/31			83,700.00	83,700.00	4,280,000.00
05/01/32	145,000.00	3.750%	83,700.00	228,700.00	4,135,000.00
11/01/32			80,981.25	80,981.25	4,135,000.00
05/01/33	150,000.00	3.750%	80,981.25	230,981.25	3,985,000.00
11/01/33			78,168.75	78,168.75	3,985,000.00
05/01/34	155,000.00	3.750%	78,168.75	233,168.75	3,830,000.00
11/01/34			75,262.50	75,262.50	3,830,000.00
05/01/35	160,000.00	3.750%	75,262.50	235,262.50	3,670,000.00
11/01/35			72,262.50	72,262.50	3,670,000.00
05/01/36	170,000.00	3.750%	72,262.50	242,262.50	3,500,000.00
11/01/36			69,075.00	69,075.00	3,500,000.00
05/01/37	175,000.00	3.750%	69,075.00	244,075.00	3,325,000.00
11/01/37			65,793.75	65,793.75	3,325,000.00
05/01/38	180,000.00	3.750%	65,793.75	245,793.75	3,145,000.00
11/01/38			62,418.75	62,418.75	3,145,000.00
05/01/39	190,000.00	3.750%	62,418.75	252,418.75	2,955,000.00
11/01/39			58,856.25	58,856.25	2,955,000.00
05/01/40	195,000.00	3.750%	58,856.25	253,856.25	2,760,000.00
11/01/40			55,200.00	55,200.00	2,760,000.00
05/01/41	205,000.00	4.000%	55,200.00	260,200.00	2,555,000.00
11/01/41			51,100.00	51,100.00	2,555,000.00
05/01/42	210,000.00	4.000%	51,100.00	261,100.00	2,345,000.00
11/01/42			46,900.00	46,900.00	2,345,000.00
05/01/43	220,000.00	4.000%	46,900.00	266,900.00	2,125,000.00
11/01/43			42,500.00	42,500.00	2,125,000.00
05/01/44	230,000.00	4.000%	42,500.00	272,500.00	1,895,000.00
11/01/44			37,900.00	37,900.00	1,895,000.00

**AVALON PARK WEST
COMMUNITY DEVELOPMENT DISTRICT
SERIES 2020 (2020 PROJECT AREA) BONDS AMORTIZATION SCHEDULE**

	Principal	Coupon	Interest	Debt Service	Bond Balance
05/01/45	240,000.00	4.000%	37,900.00	277,900.00	1,655,000.00
11/01/45			33,100.00	33,100.00	1,655,000.00
05/01/46	250,000.00	4.000%	33,100.00	283,100.00	1,405,000.00
11/01/46			28,100.00	28,100.00	1,405,000.00
05/01/47	260,000.00	4.000%	28,100.00	288,100.00	1,145,000.00
11/01/47			22,900.00	22,900.00	1,145,000.00
05/01/48	270,000.00	4.000%	22,900.00	292,900.00	875,000.00
11/01/48			17,500.00	17,500.00	875,000.00
05/01/49	280,000.00	4.000%	17,500.00	297,500.00	595,000.00
11/01/49			11,900.00	11,900.00	595,000.00
05/01/50	290,000.00	4.000%	11,900.00	301,900.00	305,000.00
11/01/50			6,100.00	6,100.00	305,000.00
05/01/51	305,000.00	4.000%	6,100.00	311,100.00	-
Total	5,280,000.00		3,493,462.50	8,773,462.50	

**AVALON PARK WEST
COMMUNITY DEVELOPMENT DISTRICT
DEBT SERVICE FUND BUDGET - SERIES 2022
FISCAL YEAR 2024**

	Fiscal Year 2023				Adopted Budget FY 2024
	Adopted Budget FY 2023	Actual through 3/31/2023	Projected through 9/30/2023	Total Actual & Projected	
REVENUES					
Special assessment - on-roll	\$ 323,417				\$ 429,955
Allowable discounts (4%)	(12,937)				(17,198)
Assessment levy: net	310,480	\$ 309,097	\$ 1,383	\$ 310,480	412,757
Special assessment: off-roll	100,146	-	100,146	100,146	-
Interest	-	4,518	-	4,518	-
Total revenues	410,626	313,615	101,529	415,144	412,757
EXPENDITURES					
Debt service					
Principal	85,000	-	85,000	85,000	90,000
Interest	193,512	34,461	159,051	193,512	314,383
Total debt service	278,512	34,461	244,051	278,512	404,383
Other fees & charges					
Costs of issuance	-	6,225	-	6,225	-
Tax collector	6,468	6,181	-	6,181	8,599
Total other fees & charges	6,468	12,406	-	12,406	10,749
Total expenditures	284,980	46,867	244,051	290,918	415,132
Excess/(deficiency) of revenues over/(under) expenditures	125,646	266,748	(142,522)	124,226	(2,375)
Fund balance:					
Beginning fund balance (unaudited)	236,539	236,539	503,287	236,539	360,765
Ending fund balance (projected)	\$ 362,185	\$ 503,287	\$ 360,765	\$ 360,765	358,390
Use of fund balance:					
Debt service reserve account balance (required)					(202,078)
Interest expense - November 1, 2024					(155,223)
Projected fund balance surplus/(deficit) as of September 30, 2024					\$ 1,089

**AVALON PARK WEST
COMMUNITY DEVELOPMENT DISTRICT
SERIES 2022 AMORTIZATION SCHEDULE**

	Principal	Coupon	Interest	Debt Service	Bond Balance
11/01/23			157,191.25	157,191.25	5,810,000.00
05/01/24	90,000.00	4.375%	157,191.25	247,191.25	5,720,000.00
11/01/24			155,222.50	155,222.50	5,720,000.00
05/01/25	95,000.00	4.375%	155,222.50	250,222.50	5,625,000.00
11/01/25			153,144.38	153,144.38	5,625,000.00
05/01/26	100,000.00	4.375%	153,144.38	253,144.38	5,525,000.00
11/01/26			150,956.88	150,956.88	5,525,000.00
05/01/27	100,000.00	4.375%	150,956.88	250,956.88	5,425,000.00
11/01/27			148,769.38	148,769.38	5,425,000.00
05/01/28	105,000.00	4.700%	148,769.38	253,769.38	5,320,000.00
11/01/28			146,301.88	146,301.88	5,320,000.00
05/01/29	110,000.00	4.700%	146,301.88	256,301.88	5,210,000.00
11/01/29			143,716.88	143,716.88	5,210,000.00
05/01/30	115,000.00	4.700%	143,716.88	258,716.88	5,095,000.00
11/01/30			141,014.38	141,014.38	5,095,000.00
05/01/31	125,000.00	4.700%	141,014.38	266,014.38	4,970,000.00
11/01/31			138,076.88	138,076.88	4,970,000.00
05/01/32	130,000.00	4.700%	138,076.88	268,076.88	4,840,000.00
11/01/32			135,021.88	135,021.88	4,840,000.00
05/01/33	135,000.00	5.500%	135,021.88	270,021.88	4,705,000.00
11/01/33			131,309.38	131,309.38	4,705,000.00
05/01/34	145,000.00	5.500%	131,309.38	276,309.38	4,560,000.00
11/01/34			127,321.88	127,321.88	4,560,000.00
05/01/35	150,000.00	5.500%	127,321.88	277,321.88	4,410,000.00
11/01/35			123,196.88	123,196.88	4,410,000.00
05/01/36	160,000.00	5.500%	123,196.88	283,196.88	4,250,000.00
11/01/36			118,796.88	118,796.88	4,250,000.00
05/01/37	170,000.00	5.500%	118,796.88	288,796.88	4,080,000.00
11/01/37			114,121.88	114,121.88	4,080,000.00
05/01/38	180,000.00	5.500%	114,121.88	294,121.88	3,900,000.00
11/01/38			109,171.88	109,171.88	3,900,000.00
05/01/39	190,000.00	5.500%	109,171.88	299,171.88	3,710,000.00
11/01/39			103,946.88	103,946.88	3,710,000.00
05/01/40	200,000.00	5.500%	103,946.88	303,946.88	3,510,000.00
11/01/40			98,446.88	98,446.88	3,510,000.00
05/01/41	210,000.00	5.500%	98,446.88	308,446.88	3,300,000.00
11/01/41			92,671.88	92,671.88	3,300,000.00
05/01/42	225,000.00	5.500%	92,671.88	317,671.88	3,075,000.00
11/01/42			86,484.38	86,484.38	3,075,000.00
05/01/43	235,000.00	5.625%	86,484.38	321,484.38	2,840,000.00
11/01/43			79,875.00	79,875.00	2,840,000.00
05/01/44	250,000.00	5.625%	79,875.00	329,875.00	2,590,000.00
11/01/44			72,843.75	72,843.75	2,590,000.00
05/01/45	265,000.00	5.625%	72,843.75	337,843.75	2,325,000.00
11/01/45			65,390.63	65,390.63	2,325,000.00
05/01/46	280,000.00	5.625%	65,390.63	345,390.63	2,045,000.00
11/01/46			57,515.63	57,515.63	2,045,000.00

**AVALON PARK WEST
COMMUNITY DEVELOPMENT DISTRICT
SERIES 2022 AMORTIZATION SCHEDULE**

	Principal	Coupon	Interest	Debt Service	Bond Balance
05/01/47	295,000.00	5.625%	57,515.63	352,515.63	1,750,000.00
11/01/47			49,218.75	49,218.75	1,750,000.00
05/01/48	310,000.00	5.625%	49,218.75	359,218.75	1,440,000.00
11/01/48			40,500.00	40,500.00	1,440,000.00
05/01/49	330,000.00	5.625%	40,500.00	370,500.00	1,110,000.00
11/01/49			31,218.75	31,218.75	1,110,000.00
05/01/50	350,000.00	5.625%	31,218.75	381,218.75	760,000.00
11/01/50			21,375.00	21,375.00	760,000.00
05/01/51	370,000.00	5.625%	21,375.00	391,375.00	390,000.00
11/01/51			10,968.75	10,968.75	390,000.00
05/01/52	390,000.00	5.625%	10,968.75	400,968.75	-
Total	5,810,000.00		6,007,582.70	11,817,582.70	

**AVALON PARK WEST
COMMUNITY DEVELOPMENT DISTRICT
DEBT SERVICE FUND BUDGET - SERIES 2023
FISCAL YEAR 2024**

	Fiscal Year 2023			Adopted		Amended
	Actual through 2/28/2023	Projected through 9/30/2023	Total Actual & Projected	Budget FY 2024	Change	Budget FY 2024
REVENUES						
Assessment levy: off-roll	\$ -	\$ -	\$ -	\$ -	\$237,385	\$ 237,385
Total revenues	-	-	-	-	237,385	237,385
EXPENDITURES						
Debt service						
Principal	-	-	-	-	45,000	45,000
Interest	-	-	-	-	121,088	121,088
Underwriter's discount	-	40,260	40,260	-	-	-
Cost of issuance	-	160,125	160,125	-	-	-
Total expenditures	-	200,385	200,385	-	166,088	166,088
Excess/(deficiency) of revenues over/(under) expenditures	-	(200,385)	(200,385)	-	71,297	71,297
OTHER FINANCING SOURCES/(USES)						
Bond proceeds	-	350,027	350,027	-	-	-
Original issue discount	-	(5,040)	(5,040)	-	-	-
Total other financing sources/(uses)	-	344,987	344,987	-	-	-
Net increase/(decrease) in fund balance	-	144,602	144,602	-	71,297	71,297
Fund balance:						
Beginning fund balance (unaudited)	-	-	-	-	144,602	144,602
Ending fund balance (projected)	\$ -	\$ 144,602	\$ 144,602	\$ -	\$215,899	215,899
Use of fund balance:						
Debt service reserve account balance (required)						(118,692)
Interest expense - November 1, 2024						(94,081)
Projected fund balance surplus/(deficit) as of September 30, 2024						\$ 3,126

**AVALON PARK WEST
COMMUNITY DEVELOPMENT DISTRICT
SERIES 2023 AMORTIZATION SCHEDULE**

	Principal	Coupon	Interest	Debt Service	Bond Balance	
11/01/23			25,909.60	25,909.60	3,355,000.00	CAPI
05/01/24	45,000.00	4.875%	95,178.13	140,178.13	3,310,000.00	
11/01/24			94,081.25	94,081.25	3,310,000.00	
05/01/25	50,000.00	4.875%	94,081.25	144,081.25	3,260,000.00	
11/01/25			92,862.50	92,862.50	3,260,000.00	
05/01/26	50,000.00	4.875%	92,862.50	142,862.50	3,210,000.00	
11/01/26			91,643.75	91,643.75	3,210,000.00	
05/01/27	55,000.00	4.875%	91,643.75	146,643.75	3,155,000.00	
11/01/27			90,303.13	90,303.13	3,155,000.00	
05/01/28	55,000.00	4.875%	90,303.13	145,303.13	3,100,000.00	
11/01/28			88,962.50	88,962.50	3,100,000.00	
05/01/29	60,000.00	4.875%	88,962.50	148,962.50	3,040,000.00	
11/01/29			87,500.00	87,500.00	3,040,000.00	
05/01/30	60,000.00	4.875%	87,500.00	147,500.00	2,980,000.00	
11/01/30			86,037.50	86,037.50	2,980,000.00	
05/01/31	65,000.00	5.625%	86,037.50	151,037.50	2,915,000.00	
11/01/31			84,209.38	84,209.38	2,915,000.00	
05/01/32	70,000.00	5.625%	84,209.38	154,209.38	2,845,000.00	
11/01/32			82,240.63	82,240.63	2,845,000.00	
05/01/33	75,000.00	5.625%	82,240.63	157,240.63	2,770,000.00	
11/01/33			80,131.25	80,131.25	2,770,000.00	
05/01/34	75,000.00	5.625%	80,131.25	155,131.25	2,695,000.00	
11/01/34			78,021.88	78,021.88	2,695,000.00	
05/01/35	80,000.00	5.625%	78,021.88	158,021.88	2,615,000.00	
11/01/35			75,771.88	75,771.88	2,615,000.00	
05/01/36	85,000.00	5.625%	75,771.88	160,771.88	2,530,000.00	
11/01/36			73,381.25	73,381.25	2,530,000.00	
05/01/37	90,000.00	5.625%	73,381.25	163,381.25	2,440,000.00	
11/01/37			70,850.00	70,850.00	2,440,000.00	
05/01/38	95,000.00	5.625%	70,850.00	165,850.00	2,345,000.00	
11/01/38			68,178.13	68,178.13	2,345,000.00	
05/01/39	100,000.00	5.625%	68,178.13	168,178.13	2,245,000.00	
11/01/39			65,365.63	65,365.63	2,245,000.00	
05/01/40	105,000.00	5.625%	65,365.63	170,365.63	2,140,000.00	
11/01/40			62,412.50	62,412.50	2,140,000.00	
05/01/41	115,000.00	5.625%	62,412.50	177,412.50	2,025,000.00	
11/01/41			59,178.13	59,178.13	2,025,000.00	
05/01/42	120,000.00	5.625%	59,178.13	179,178.13	1,905,000.00	
11/01/42			55,803.13	55,803.13	1,905,000.00	
05/01/43	125,000.00	5.625%	55,803.13	180,803.13	1,780,000.00	
11/01/43			52,287.50	52,287.50	1,780,000.00	
05/01/44	135,000.00	5.875%	52,287.50	187,287.50	1,645,000.00	
11/01/44			48,321.88	48,321.88	1,645,000.00	
05/01/45	145,000.00	5.875%	48,321.88	193,321.88	1,500,000.00	
11/01/45			44,062.50	44,062.50	1,500,000.00	
05/01/46	150,000.00	5.875%	44,062.50	194,062.50	1,350,000.00	
11/01/46			39,656.25	39,656.25	1,350,000.00	
05/01/47	160,000.00	5.875%	39,656.25	199,656.25	1,190,000.00	
11/01/47			34,956.25	34,956.25	1,190,000.00	

**AVALON PARK WEST
COMMUNITY DEVELOPMENT DISTRICT
SERIES 2023 AMORTIZATION SCHEDULE**

	Principal	Coupon	Interest	Debt Service	Bond Balance
05/01/48	170,000.00	5.875%	34,956.25	204,956.25	1,020,000.00
11/01/48			29,962.50	29,962.50	1,020,000.00
05/01/49	180,000.00	5.875%	29,962.50	209,962.50	840,000.00
11/01/49			24,675.00	24,675.00	840,000.00
05/01/50	190,000.00	5.875%	24,675.00	214,675.00	650,000.00
11/01/50			19,093.75	19,093.75	650,000.00
05/01/51	205,000.00	5.875%	19,093.75	224,093.75	445,000.00
11/01/51			13,071.88	13,071.88	445,000.00
05/01/52	215,000.00	5.875%	13,071.88	228,071.88	230,000.00
11/01/52			6,756.25	6,756.25	230,000.00
05/01/53	230,000.00	5.875%	6,756.25	236,756.25	-
Total	3,355,000.00		3,720,644.09	7,075,644.09	

**AVALON PARK WEST
COMMUNITY DEVELOPMENT DISTRICT
ASSESSMENT COMPARISON
PROJECTED FISCAL YEAR 2024 ASSESSMENTS**

On-Roll Assessments (Phase 1)

Series 2020

Product/Parcel	Units	FY 2024 O&M Assessment per Unit	FY 2024 DS Assessment per Unit	FY 2024 Total Assessment per Unit	FY 2023 Total Assessment per Unit
TH	80	\$ 109.60	\$ 729.74	\$ 839.34	\$ 875.93
SF 40'	114	156.57	1,042.49	1,199.06	1,251.33
SF 50'	119	195.71	1,303.11	1,498.82	1,564.17
Total	313				

On-Roll Assessments (Phase 2A, 3A and 3B)

Series 2022

Product/Parcel	Units	FY 2024 O&M Assessment per Unit	FY 2024 DS Assessment per Unit	FY 2024 Total Assessment per Unit	FY 2023 Total Assessment per Unit
TH	146	\$ 109.60	\$ 729.71	\$ 839.31	\$ 823.35
SF 40'	85	156.57	1,042.44	1,199.01	1,251.28
SF 50'	137	195.71	1,303.05	1,498.76	1,564.11
SF 60'	36	234.86	1,563.66	1,798.52	1,876.93
Total	404				

On-roll O&M and Off-Roll DS Assessments (Future Phases)

Series 2023

Product/Parcel	Units	FY 2024 O&M Assessment per Unit	FY 2024 DS Assessment per Unit	FY 2024 Total Assessment per Unit	FY 2023 Total Assessment per Unit
SF 40'	65	156.57	979.91	1,136.48	196.31
SF 50'	101	195.71	1,224.90	1,420.61	245.39
SF 60'	34	234.86	1,469.87	1,704.73	294.47
Total	200				

AVALON PARK WEST

COMMUNITY DEVELOPMENT DISTRICT

8

RESOLUTION 2024-12

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE AVALON PARK WEST COMMUNITY DEVELOPMENT DISTRICT APPROVING A PROPOSED BUDGET FOR FISCAL YEAR 2024/2025 AND SETTING PUBLIC HEARING THEREON PURSUANT TO FLORIDA LAW; ADDRESSING TRANSMITTAL, POSTING AND PUBLICATION REQUIREMENTS; ADDRESSING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the District Manager has heretofore prepared and submitted to the Board of Supervisors ("**Board**") of the Avalon Park West Community Development District ("**District**") prior to June 15, 2024, a proposed budget ("**Proposed Budget**") for the fiscal year beginning October 1, 2024 and ending September 30, 2025 ("**Fiscal Year 2024/2025**"); and

WHEREAS, the Board has considered the Proposed Budget, and desires to set the required public hearing thereon;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE AVALON PARK WEST COMMUNITY DEVELOPMENT DISTRICT:

1. PROPOSED BUDGET APPROVED. The Proposed Budget prepared by the District Manager for Fiscal Year 2024/2025 attached hereto as **Exhibit A** is hereby approved as the basis for conducting a public hearing to adopt said Proposed Budget.

2. SETTING A PUBLIC HEARING. A public hearing on said approved Proposed Budget is hereby declared and set for the following date, hour and location:

DATE: _____

HOUR: 10:00 a.m.

LOCATION: Avalon Park West Amenity Center
5060 River Glen Boulevard
Wesley Chapel, Florida 33545

3. TRANSMITTAL OF PROPOSED BUDGET TO LOCAL GENERAL PURPOSE GOVERNMENT. The District Manager is hereby directed to submit a copy of the Proposed Budget to Pasco County at least 60 days prior to the hearing set above.

4. POSTING OF PROPOSED BUDGET. In accordance with Section 189.016, *Florida Statutes*, the District's Secretary is further directed to post the approved Proposed Budget on the District's website at least two days before the budget hearing date as set forth in Section 2, and shall remain on the website for at least 45 days.

5. PUBLICATION OF NOTICE. Notice of this public hearing shall be published in the manner prescribed in Florida law.

6. SEVERABILITY. The invalidity or unenforceability of any one or more provisions of this Resolution shall not affect the validity or enforceability of the remaining portions of this Resolution, or any part thereof.

7. EFFECTIVE DATE. This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED THIS 30TH DAY OF MAY, 2024.

ATTEST:

**AVALON PARK WEST COMMUNITY
DEVELOPMENT DISTRICT**

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

Exhibit A: FY 2024/2025 Proposed Budget

Exhibit A: FY 2024/2025 Proposed Budget

**AVALON PARK WEST
COMMUNITY DEVELOPMENT DISTRICT
FISCAL YEAR 2025
PROPOSED BUDGET**

**AVALON PARK WEST
COMMUNITY DEVELOPMENT DISTRICT
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**AVALON PARK WEST
COMMUNITY DEVELOPMENT DISTRICT
GENERAL FUND BUDGET
FISCAL YEAR 2025**

	Fiscal Year 2024				Proposed
	Adopted Budget FY 2024	Actual through 3/31/2024	Projected through 9/30/2024	Total Actual & Projected	Budget FY 2025
REVENUES					
Assessment levy: on-roll	\$ 152,413				\$ 283,851
Allowable discounts (4%)	(6,097)				(11,354)
Assessment levy: net	146,316	\$ 146,070	\$ 246	\$ 146,316	272,497
Interest and miscellaneous	-	3,602	-	3,602	-
Total revenues	146,316	149,672	246	149,918	272,497
EXPENDITURES					
Professional & administrative					
Supervisors	-	-	-	-	2,153
District management	48,000	24,000	24,000	48,000	48,000
Legal general counsel	25,000	11,070	13,930	25,000	25,000
Engineering	7,500	4,033	3,467	7,500	7,500
Audit	4,000	-	4,000	4,000	4,000
Arbitrage rebate calculation	2,250	-	2,250	2,250	2,250
Dissemination agent	3,000	1,500	1,500	3,000	3,000
Trustee	14,000	8,277	5,723	14,000	14,000
Telephone	200	100	100	200	200
Postage	500	125	375	500	500
Printing & binding	500	250	250	500	500
Legal advertising	2,500	250	2,250	2,500	2,500
Annual special district fee	175	175	-	175	175
Insurance: general liability	6,586	6,197	-	6,197	7,000
Website	705	705	-	705	705
ADA website compliance	210	-	210	210	210
Contingencies	500	789	-	789	500
EMMA software service	-	1,000	-	1,000	1,000
Total professional & administrative	115,626	58,471	58,055	116,526	119,193

**AVALON PARK WEST
COMMUNITY DEVELOPMENT DISTRICT
GENERAL FUND BUDGET
FISCAL YEAR 2025**

	Fiscal Year 2024				Proposed
	Adopted Budget FY 2024	Actual through 3/31/2024	Projected through 9/30/2024	Total Actual & Projected	Budget FY 2025
Field operations					
Electric utility services					
Utility services	-	-	-	-	5,200
Utility - recreation facilities	-	-	-	-	15,639
Garbage/solid waste control services					
Garbage - recreation facilities	-	-	-	-	2,880
Solid waste assessment	-	1,453	-	1,453	550
Water-sewer combination services					
Utility services	-	-	-	-	9,413
Stormwater control					
Stormwater assessment	-	-	-	-	550
Other physical environment					
Property insurance	25,413	20,296	5,117	25,413	25,413
Flood insurance	2,230	1,980	250	2,230	2,230
Entry & walls maintenance	-	-	-	-	650
Gate maintenance & repair	-	-	-	-	3,423
Telephone, fax, internet	-	-	-	-	1,680
Pool permits	-	-	-	-	200
Amenity supplies	-	-	-	-	1,500
Pest control	-	-	-	-	1,996
Clubhouse janitorial service	-	-	-	-	8,110
Pool service contract	-	-	-	-	37,176
Maintenance & repair	-	-	-	-	8,640
Pool/water park maintenance	-	-	-	-	3,200
Clubhouse - facility janitorial supplies	-	-	-	-	1,800
Office supplies	-	-	-	-	1,200
Contingency					
Miscellaneous contingency	-	-	-	-	4,000
Commercial assessment contingency	-	-	-	-	12,175
Total field operations	27,643	23,729	5,367	29,096	147,625
Other fees and charges					
Property taxes	-	493	-	493	-
Property appraiser & tax collector	3,048	2,919	129	3,048	5,677
Total other fees and charges	3,048	3,412	129	3,541	5,677
Total expenditures	146,317	85,612	63,551	149,163	272,495
Excess/(deficiency) of revenues over/(under) expenditures	(1)	64,060	(63,305)	755	2
Fund balance - beginning (unaudited)	87,702	124,056	188,116	124,056	124,811
Fund balance - ending (projected)					
Assigned					
3 months working capital	62,251	62,251	62,251	62,251	73,374
Unassigned	25,450	125,865	62,560	62,560	51,439
Fund balance - ending (projected)	\$ 87,701	\$ 188,116	\$ 124,811	\$ 124,811	\$ 124,813

**AVALON PARK WEST
COMMUNITY DEVELOPMENT DISTRICT
DEFINITIONS OF GENERAL FUND EXPENDITURES**

EXPENDITURES

Professional & administrative

Supervisors	\$ 2,153
Statutorily set at \$200 (plus applicable taxes) for each meeting of the Board of District management	48,000
Wrathell, Hunt and Associates, LLC , specializes in managing community development districts by combining the knowledge, skills and experience of a team of professionals to ensure compliance with all governmental requirements of the District, develop financing programs, administer the issuance of tax exempt bond financings and operate and maintain the assets of the community.	
Legal general counsel	25,000
Provides on-going general counsel legal representation and, in this arena, these lawyers are confronted with issues relating to public finance, public bidding, rulemaking, open meetings, public records, real property dedications, conveyances and contracts. In this capacity, they provide service as "local government lawyers," realizing that this type of local government is very limited in its scope – providing infrastructure and services to developments.	
Engineering	7,500
Provides a broad array of engineering, consulting and construction services to the District, which assists in crafting solutions with sustainability for the long term interests of the community while recognizing the needs of government, the environment and maintenance of the District's facilities.	
Audit	4,000
Statutorily required for the District to undertake an independent examination of its books, records and accounting procedures. This audit is conducted pursuant to Florida State Law and the rules and guidelines of the Florida Auditor General.	
Arbitrage rebate calculation	2,250
To ensure the District's compliance with all tax regulations, annual computations are necessary to calculate the arbitrage rebate liability.	
Dissemination agent fees	3,000
The District must annually disseminate financial information in order to comply with the requirements of Rule 15c2-12 under the Securities & Exchange Act of 1934.	
Trustee	14,000
Annual fees paid to U.S. Bank for services provided as trustee, paying agent and registrar.	
Telephone	200
Telephone and fax machine.	
Postage	500
Mailing of agenda packages, overnight deliveries, correspondence, etc.	
Printing & binding	500
Letterhead, checks, envelopes, copies, agenda packages, etc.	
Legal advertising	2,500
The District advertises for monthly meetings, special meetings, public hearings, public bids, etc.	

**AVALON PARK WEST
COMMUNITY DEVELOPMENT DISTRICT
DEFINITIONS OF GENERAL FUND EXPENDITURES**

EXPENDITURES (continued)

Annual special district fee	175
Insurance: general liability	7,000

The District carries public officials and general liability insurance.

Website	705
ADA website compliance	210
Contingencies	500

Bank charges, automated AP routing and other miscellaneous expenses incurred during the year.

EMMA software service	1,000
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The Tax Collector's fee is 1.5% of assessments collected.

Field operations

Electric utility services	
Utility services	5,200
Utility - recreation facilities	15,639

Garbage/solid waste control services	
Garbage - recreation facilities	2,880
Solid waste assessment	550

Water-sewer combination services	
Utility services	9,413

Stormwater control	
Stormwater assessment	550

Other physical environment	
Property insurance	25,413
Flood insurance	2,230
Entry & walls maintenance	650
Gate maintenance & repair	3,423
Telephone, fax, internet	1,680
Pool permits	200
Amenity supplies	1,500
Pest control	1,996
Clubhouse janitorial service	8,110
Pool service contract	37,176
Maintenance & repair	8,640
Pool/water park maintenance	3,200
Clubhouse - facility janitorial supplies	1,800
Office supplies	1,200
Miscellaneous contingency	4,000
Commercial assessment contingency	12,175

Other fees and charges

Property appraiser & tax collector	5,677
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The tax collector's fee is 0.5%.

Total expenditures	\$272,495
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**AVALON PARK WEST
COMMUNITY DEVELOPMENT DISTRICT
DEBT SERVICE FUND BUDGET - SERIES 2020
FISCAL YEAR 2025**

	Fiscal Year 2024				Proposed Budget FY 2025
	Adopted Budget FY 2024	Actual through 3/31/2024	Projected through 9/30/2024	Total Actual & Projected	
REVENUES					
Special assessment - on-roll	\$ 332,293				\$ 332,293
Allowable discounts (4%)	(13,292)				(13,292)
Assessment levy: net	319,001	\$ 318,530	\$ 471	\$ 319,001	319,001
Interest	-	6,532	-	6,532	-
Total revenues	319,001	325,062	471	325,533	319,001
EXPENDITURES					
Debt service					
Principal	110,000	-	110,000	110,000	115,000
Interest	198,913	99,456	99,457	198,913	196,163
Total debt service	308,913	99,456	209,457	308,913	311,163
Other fees & charges					
Property appraiser	175	-	175	175	175
Tax collector	6,646	6,365	281	6,646	6,646
Total other fees & charges	6,821	6,365	456	6,821	6,821
Total expenditures	315,734	105,821	209,913	315,734	317,984
Excess/(deficiency) of revenues over/(under) expenditures	3,267	219,241	(209,442)	9,799	1,017
Fund balance:					
Beginning fund balance (unaudited)	268,492	278,015	497,256	278,015	287,814
Ending fund balance (projected)	\$ 271,759	\$ 497,256	\$ 287,814	\$ 287,814	288,831
Use of fund balance:					
Debt service reserve account balance (required)					(156,178)
Interest expense - November 1, 2025					(96,644)
Projected fund balance surplus/(deficit) as of September 30, 2025					\$ 36,009

**AVALON PARK WEST
COMMUNITY DEVELOPMENT DISTRICT
SERIES 2020 (2020 PROJECT AREA) BONDS AMORTIZATION SCHEDULE**

	Principal	Coupon	Interest	Debt Service	Bond Balance
11/01/24			98,081.25	98,081.25	5,170,000.00
05/01/25	115,000.00	2.500%	98,081.25	213,081.25	5,055,000.00
11/01/25			96,643.75	96,643.75	5,055,000.00
05/01/26	120,000.00	3.250%	96,643.75	216,643.75	4,935,000.00
11/01/26			94,693.75	94,693.75	4,935,000.00
05/01/27	125,000.00	3.250%	94,693.75	219,693.75	4,810,000.00
11/01/27			92,662.50	92,662.50	4,810,000.00
05/01/28	125,000.00	3.250%	92,662.50	217,662.50	4,685,000.00
11/01/28			90,631.25	90,631.25	4,685,000.00
05/01/29	130,000.00	3.250%	90,631.25	220,631.25	4,555,000.00
11/01/29			88,518.75	88,518.75	4,555,000.00
05/01/30	135,000.00	3.250%	88,518.75	223,518.75	4,420,000.00
11/01/30			86,325.00	86,325.00	4,420,000.00
05/01/31	140,000.00	3.750%	86,325.00	226,325.00	4,280,000.00
11/01/31			83,700.00	83,700.00	4,280,000.00
05/01/32	145,000.00	3.750%	83,700.00	228,700.00	4,135,000.00
11/01/32			80,981.25	80,981.25	4,135,000.00
05/01/33	150,000.00	3.750%	80,981.25	230,981.25	3,985,000.00
11/01/33			78,168.75	78,168.75	3,985,000.00
05/01/34	155,000.00	3.750%	78,168.75	233,168.75	3,830,000.00
11/01/34			75,262.50	75,262.50	3,830,000.00
05/01/35	160,000.00	3.750%	75,262.50	235,262.50	3,670,000.00
11/01/35			72,262.50	72,262.50	3,670,000.00
05/01/36	170,000.00	3.750%	72,262.50	242,262.50	3,500,000.00
11/01/36			69,075.00	69,075.00	3,500,000.00
05/01/37	175,000.00	3.750%	69,075.00	244,075.00	3,325,000.00
11/01/37			65,793.75	65,793.75	3,325,000.00
05/01/38	180,000.00	3.750%	65,793.75	245,793.75	3,145,000.00
11/01/38			62,418.75	62,418.75	3,145,000.00
05/01/39	190,000.00	3.750%	62,418.75	252,418.75	2,955,000.00
11/01/39			58,856.25	58,856.25	2,955,000.00
05/01/40	195,000.00	3.750%	58,856.25	253,856.25	2,760,000.00
11/01/40			55,200.00	55,200.00	2,760,000.00
05/01/41	205,000.00	4.000%	55,200.00	260,200.00	2,555,000.00
11/01/41			51,100.00	51,100.00	2,555,000.00
05/01/42	210,000.00	4.000%	51,100.00	261,100.00	2,345,000.00
11/01/42			46,900.00	46,900.00	2,345,000.00
05/01/43	220,000.00	4.000%	46,900.00	266,900.00	2,125,000.00
11/01/43			42,500.00	42,500.00	2,125,000.00
05/01/44	230,000.00	4.000%	42,500.00	272,500.00	1,895,000.00
11/01/44			37,900.00	37,900.00	1,895,000.00

**AVALON PARK WEST
COMMUNITY DEVELOPMENT DISTRICT
SERIES 2020 (2020 PROJECT AREA) BONDS AMORTIZATION SCHEDULE**

	Principal	Coupon	Interest	Debt Service	Bond Balance
05/01/45	240,000.00	4.000%	37,900.00	277,900.00	1,655,000.00
11/01/45			33,100.00	33,100.00	1,655,000.00
05/01/46	250,000.00	4.000%	33,100.00	283,100.00	1,405,000.00
11/01/46			28,100.00	28,100.00	1,405,000.00
05/01/47	260,000.00	4.000%	28,100.00	288,100.00	1,145,000.00
11/01/47			22,900.00	22,900.00	1,145,000.00
05/01/48	270,000.00	4.000%	22,900.00	292,900.00	875,000.00
11/01/48			17,500.00	17,500.00	875,000.00
05/01/49	280,000.00	4.000%	17,500.00	297,500.00	595,000.00
11/01/49			11,900.00	11,900.00	595,000.00
05/01/50	290,000.00	4.000%	11,900.00	301,900.00	305,000.00
11/01/50			6,100.00	6,100.00	305,000.00
05/01/51	305,000.00	4.000%	6,100.00	311,100.00	-
Total	5,170,000.00		3,294,550.00	8,464,550.00	

**AVALON PARK WEST
COMMUNITY DEVELOPMENT DISTRICT
DEBT SERVICE FUND BUDGET - SERIES 2022
FISCAL YEAR 2025**

	Fiscal Year 2024				Proposed Budget FY 2025
	Adopted Budget FY 2024	Actual through 3/31/2024	Projected through 9/30/2024	Total Actual & Projected	
REVENUES					
Special assessment - on-roll	\$ 429,955				\$ 429,955
Allowable discounts (4%)	(17,198)				(17,198)
Assessment levy: net	412,757	\$ 412,170	\$ 587	\$ 412,757	412,757
Interest	-	5,990	-	5,990	-
Total revenues	412,757	418,160	587	418,747	412,757
EXPENDITURES					
Debt service					
Principal	90,000	-	90,000	90,000	95,000
Interest	314,383	157,191	157,192	314,383	310,445
Total debt service	404,383	157,191	247,192	404,383	405,445
Other fees & charges					
Property appraiser	2,150	-	2,150	2,150	2,150
Tax collector	8,599	8,236	-	8,236	8,599
Total other fees & charges	10,749	8,236	2,150	10,386	10,749
Total expenditures	415,132	165,427	249,342	414,769	416,194
Excess/(deficiency) of revenues over/(under) expenditures	(2,375)	252,733	(248,755)	3,978	(3,437)
Fund balance:					
Beginning fund balance (unaudited)	360,765	276,063	528,796	276,063	280,041
Ending fund balance (projected)	\$ 358,390	\$ 528,796	\$ 280,041	\$ 280,041	276,604
Use of fund balance:					
Debt service reserve account balance (required)					(101,039)
Interest expense - November 1, 2025					(153,144)
Projected fund balance surplus/(deficit) as of September 30, 2025					\$ 22,421

**AVALON PARK WEST
COMMUNITY DEVELOPMENT DISTRICT
SERIES 2022 AMORTIZATION SCHEDULE**

	Principal	Coupon	Interest	Debt Service	Bond Balance
11/01/24			155,222.50	155,222.50	5,720,000.00
05/01/25	95,000.00	4.375%	155,222.50	250,222.50	5,625,000.00
11/01/25			153,144.38	153,144.38	5,625,000.00
05/01/26	100,000.00	4.375%	153,144.38	253,144.38	5,525,000.00
11/01/26			150,956.88	150,956.88	5,525,000.00
05/01/27	100,000.00	4.375%	150,956.88	250,956.88	5,425,000.00
11/01/27			148,769.38	148,769.38	5,425,000.00
05/01/28	105,000.00	4.700%	148,769.38	253,769.38	5,320,000.00
11/01/28			146,301.88	146,301.88	5,320,000.00
05/01/29	110,000.00	4.700%	146,301.88	256,301.88	5,210,000.00
11/01/29			143,716.88	143,716.88	5,210,000.00
05/01/30	115,000.00	4.700%	143,716.88	258,716.88	5,095,000.00
11/01/30			141,014.38	141,014.38	5,095,000.00
05/01/31	125,000.00	4.700%	141,014.38	266,014.38	4,970,000.00
11/01/31			138,076.88	138,076.88	4,970,000.00
05/01/32	130,000.00	4.700%	138,076.88	268,076.88	4,840,000.00
11/01/32			135,021.88	135,021.88	4,840,000.00
05/01/33	135,000.00	5.500%	135,021.88	270,021.88	4,705,000.00
11/01/33			131,309.38	131,309.38	4,705,000.00
05/01/34	145,000.00	5.500%	131,309.38	276,309.38	4,560,000.00
11/01/34			127,321.88	127,321.88	4,560,000.00
05/01/35	150,000.00	5.500%	127,321.88	277,321.88	4,410,000.00
11/01/35			123,196.88	123,196.88	4,410,000.00
05/01/36	160,000.00	5.500%	123,196.88	283,196.88	4,250,000.00
11/01/36			118,796.88	118,796.88	4,250,000.00
05/01/37	170,000.00	5.500%	118,796.88	288,796.88	4,080,000.00
11/01/37			114,121.88	114,121.88	4,080,000.00
05/01/38	180,000.00	5.500%	114,121.88	294,121.88	3,900,000.00
11/01/38			109,171.88	109,171.88	3,900,000.00
05/01/39	190,000.00	5.500%	109,171.88	299,171.88	3,710,000.00
11/01/39			103,946.88	103,946.88	3,710,000.00
05/01/40	200,000.00	5.500%	103,946.88	303,946.88	3,510,000.00
11/01/40			98,446.88	98,446.88	3,510,000.00
05/01/41	210,000.00	5.500%	98,446.88	308,446.88	3,300,000.00
11/01/41			92,671.88	92,671.88	3,300,000.00
05/01/42	225,000.00	5.500%	92,671.88	317,671.88	3,075,000.00
11/01/42			86,484.38	86,484.38	3,075,000.00
05/01/43	235,000.00	5.625%	86,484.38	321,484.38	2,840,000.00
11/01/43			79,875.00	79,875.00	2,840,000.00
05/01/44	250,000.00	5.625%	79,875.00	329,875.00	2,590,000.00
11/01/44			72,843.75	72,843.75	2,590,000.00
05/01/45	265,000.00	5.625%	72,843.75	337,843.75	2,325,000.00
11/01/45			65,390.63	65,390.63	2,325,000.00
05/01/46	280,000.00	5.625%	65,390.63	345,390.63	2,045,000.00
11/01/46			57,515.63	57,515.63	2,045,000.00

**AVALON PARK WEST
COMMUNITY DEVELOPMENT DISTRICT
SERIES 2022 AMORTIZATION SCHEDULE**

	Principal	Coupon	Interest	Debt Service	Bond Balance
05/01/47	295,000.00	5.625%	57,515.63	352,515.63	1,750,000.00
11/01/47			49,218.75	49,218.75	1,750,000.00
05/01/48	310,000.00	5.625%	49,218.75	359,218.75	1,440,000.00
11/01/48			40,500.00	40,500.00	1,440,000.00
05/01/49	330,000.00	5.625%	40,500.00	370,500.00	1,110,000.00
11/01/49			31,218.75	31,218.75	1,110,000.00
05/01/50	350,000.00	5.625%	31,218.75	381,218.75	760,000.00
11/01/50			21,375.00	21,375.00	760,000.00
05/01/51	370,000.00	5.625%	21,375.00	391,375.00	390,000.00
11/01/51			10,968.75	10,968.75	390,000.00
05/01/52	390,000.00	5.625%	10,968.75	400,968.75	-
Total	5,720,000.00		5,693,200.20	11,413,200.20	

**AVALON PARK WEST
COMMUNITY DEVELOPMENT DISTRICT
DEBT SERVICE FUND BUDGET - SERIES 2023
FISCAL YEAR 2025**

	Fiscal Year 2024				Proposed Budget FY 2025
	Amended Budget FY 2024	Actual through 3/31/2024	Projected through 9/30/2024	Total Actual & Projected	
REVENUES					
Assessment levy: on-roll	\$ -				\$ 252,536
Allowable discounts (4%)	-				(10,101)
Net assessment levy - on-roll	-	\$ -	\$ -	\$ -	242,435
Assessment levy: off-roll	237,385	-	109,261	109,261	-
Lot closing	-	128,124	-	128,124	-
Interest	-	3,711	-	3,711	-
Total revenues	237,385	131,835	109,261	241,096	242,435
EXPENDITURES					
Debt service					
Principal	45,000	-	45,000	45,000	50,000
Interest	121,088	25,910	95,178	121,088	188,163
Total debt service	166,088	25,910	140,178	166,088	238,163
Other fees & charges					
Tax collector	-	-	-	-	5,051
Cost of issuance	-	5,925	-	5,925	-
Total other fees and charges	-	5,925	-	5,925	5,051
Total expenditures	166,088	31,835	140,178	172,013	243,214
Excess/(deficiency) of revenues over/(under) expenditures	71,297	100,000	(30,917)	69,083	(779)
OTHER FINANCING SOURCES/(USES)					
Transfers out	-	(5,726)	-	(5,726)	-
Total other financing sources/(uses)	-	(5,726)	-	(5,726)	-
Net increase/(decrease) in fund balance	71,297	94,274	(30,917)	63,357	(779)
Fund balance:					
Beginning fund balance (unaudited)	144,602	156,027	250,301	156,027	219,384
Ending fund balance (projected)	\$ 215,899	\$ 250,301	\$ 219,384	\$ 219,384	\$ 218,605
Use of fund balance:					
Debt service reserve account balance (required)					(118,692)
Interest expense - November 1, 2025					(92,863)
Projected fund balance surplus/(deficit) as of September 30, 2025					\$ 7,050

**AVALON PARK WEST
COMMUNITY DEVELOPMENT DISTRICT
SERIES 2023 AMORTIZATION SCHEDULE**

	Principal	Coupon	Interest	Debt Service	Bond Balance
11/01/24			94,081.25	94,081.25	3,310,000.00
05/01/25	50,000.00	4.875%	94,081.25	144,081.25	3,260,000.00
11/01/25			92,862.50	92,862.50	3,260,000.00
05/01/26	50,000.00	4.875%	92,862.50	142,862.50	3,210,000.00
11/01/26			91,643.75	91,643.75	3,210,000.00
05/01/27	55,000.00	4.875%	91,643.75	146,643.75	3,155,000.00
11/01/27			90,303.13	90,303.13	3,155,000.00
05/01/28	55,000.00	4.875%	90,303.13	145,303.13	3,100,000.00
11/01/28			88,962.50	88,962.50	3,100,000.00
05/01/29	60,000.00	4.875%	88,962.50	148,962.50	3,040,000.00
11/01/29			87,500.00	87,500.00	3,040,000.00
05/01/30	60,000.00	4.875%	87,500.00	147,500.00	2,980,000.00
11/01/30			86,037.50	86,037.50	2,980,000.00
05/01/31	65,000.00	5.625%	86,037.50	151,037.50	2,915,000.00
11/01/31			84,209.38	84,209.38	2,915,000.00
05/01/32	70,000.00	5.625%	84,209.38	154,209.38	2,845,000.00
11/01/32			82,240.63	82,240.63	2,845,000.00
05/01/33	75,000.00	5.625%	82,240.63	157,240.63	2,770,000.00
11/01/33			80,131.25	80,131.25	2,770,000.00
05/01/34	75,000.00	5.625%	80,131.25	155,131.25	2,695,000.00
11/01/34			78,021.88	78,021.88	2,695,000.00
05/01/35	80,000.00	5.625%	78,021.88	158,021.88	2,615,000.00
11/01/35			75,771.88	75,771.88	2,615,000.00
05/01/36	85,000.00	5.625%	75,771.88	160,771.88	2,530,000.00
11/01/36			73,381.25	73,381.25	2,530,000.00
05/01/37	90,000.00	5.625%	73,381.25	163,381.25	2,440,000.00
11/01/37			70,850.00	70,850.00	2,440,000.00
05/01/38	95,000.00	5.625%	70,850.00	165,850.00	2,345,000.00
11/01/38			68,178.13	68,178.13	2,345,000.00
05/01/39	100,000.00	5.625%	68,178.13	168,178.13	2,245,000.00
11/01/39			65,365.63	65,365.63	2,245,000.00
05/01/40	105,000.00	5.625%	65,365.63	170,365.63	2,140,000.00
11/01/40			62,412.50	62,412.50	2,140,000.00
05/01/41	115,000.00	5.625%	62,412.50	177,412.50	2,025,000.00
11/01/41			59,178.13	59,178.13	2,025,000.00
05/01/42	120,000.00	5.625%	59,178.13	179,178.13	1,905,000.00
11/01/42			55,803.13	55,803.13	1,905,000.00
05/01/43	125,000.00	5.625%	55,803.13	180,803.13	1,780,000.00
11/01/43			52,287.50	52,287.50	1,780,000.00
05/01/44	135,000.00	5.875%	52,287.50	187,287.50	1,645,000.00
11/01/44			48,321.88	48,321.88	1,645,000.00
05/01/45	145,000.00	5.875%	48,321.88	193,321.88	1,500,000.00
11/01/45			44,062.50	44,062.50	1,500,000.00
05/01/46	150,000.00	5.875%	44,062.50	194,062.50	1,350,000.00
11/01/46			39,656.25	39,656.25	1,350,000.00
05/01/47	160,000.00	5.875%	39,656.25	199,656.25	1,190,000.00
11/01/47			34,956.25	34,956.25	1,190,000.00

**AVALON PARK WEST
COMMUNITY DEVELOPMENT DISTRICT
SERIES 2023 AMORTIZATION SCHEDULE**

	Principal	Coupon	Interest	Debt Service	Bond Balance
05/01/48	170,000.00	5.875%	34,956.25	204,956.25	1,020,000.00
11/01/48			29,962.50	29,962.50	1,020,000.00
05/01/49	180,000.00	5.875%	29,962.50	209,962.50	840,000.00
11/01/49			24,675.00	24,675.00	840,000.00
05/01/50	190,000.00	5.875%	24,675.00	214,675.00	650,000.00
11/01/50			19,093.75	19,093.75	650,000.00
05/01/51	205,000.00	5.875%	19,093.75	224,093.75	445,000.00
11/01/51			13,071.88	13,071.88	445,000.00
05/01/52	215,000.00	5.875%	13,071.88	228,071.88	230,000.00
11/01/52			6,756.25	6,756.25	230,000.00
05/01/53	230,000.00	5.875%	6,756.25	236,756.25	-
Total	3,310,000.00		3,599,556.36	6,909,556.36	

**AVALON PARK WEST
COMMUNITY DEVELOPMENT DISTRICT
ASSESSMENT COMPARISON
PROJECTED FISCAL YEAR 2025 ASSESSMENTS**

On-Roll Assessments (Phase 1)

Series 2020

Product/Parcel	Units	FY 2025 O&M Assessment per Unit	FY 2025 DS Assessment per Unit	FY 2025 Total Assessment per Unit	FY 2024 Total Assessment per Unit
TH	80	\$ 194.80	\$ 729.74	\$ 924.54	\$ 839.34
SF 40'	114	278.29	1,042.49	1,320.78	1,199.06
SF 50'	119	347.86	1,303.11	1,650.97	1,498.82
Total	313				

On-Roll Assessments (Phase 2A, 3A and 3B)

Series 2022

Product/Parcel	Units	FY 2025 O&M Assessment per Unit	FY 2025 DS Assessment per Unit	FY 2025 Total Assessment per Unit	FY 2024 Total Assessment per Unit
TH	146	\$ 194.80	\$ 729.71	\$ 924.51	\$ 839.31
SF 40'	85	278.29	1,042.44	1,320.73	1,199.01
SF 50'	137	347.86	1,303.05	1,650.91	1,498.76
SF 60'	36	417.43	1,563.66	1,981.09	1,798.52
Total	404				

On-Roll Assessments (Phase 2B and 2C)

Series 2023

Product/Parcel	Units	FY 2025 O&M Assessment per Unit	FY 2025 DS Assessment per Unit	FY 2025 Total Assessment per Unit	FY 2024 Total Assessment per Unit
SF 40'	65	278.29	1,042.46	1,320.75	1,136.48
SF 50'	101	347.86	1,303.08	1,650.94	1,420.61
SF 60'	34	417.43	1,563.69	1,981.12	1,704.73
Total	200				

On-Roll Assessments (Phase 2B and 2C)

Product/Parcel	Acres	FY 2025 O&M Assessment per Unit	FY 2025 DS Assessment per Unit	FY 2025 Total Assessment per Unit	FY 2024 Total Assessment per Unit
Commercial	1.95	\$ 1,119.42	\$ -	\$ 1,119.42	n/a
Commercial	3.27	1,119.42	-	1,119.42	n/a
Commercial	3.87	1,119.42	-	1,119.42	n/a
Commercial	2.48	1,119.42	-	1,119.42	n/a
Total	11.57				

AVALON PARK WEST

COMMUNITY DEVELOPMENT DISTRICT

9

RESOLUTION 2024-13

**A RESOLUTION OF THE AVALON PARK WEST COMMUNITY
DEVELOPMENT DISTRICT DESIGNATING DATES, TIMES AND
LOCATIONS FOR REGULAR MEETINGS OF THE BOARD OF
SUPERVISORS OF THE DISTRICT FOR FISCAL YEAR 2024/2025
AND PROVIDING FOR AN EFFECTIVE DATE**

WHEREAS, the Avalon Park West Community Development District (“District”) is a local unit of special-purpose government created and existing pursuant to Chapter 190, *Florida Statutes*, being situated entirely within Pasco County, Florida; and

WHEREAS, the Board of Supervisors of the District (“Board”) is statutorily authorized to exercise the powers granted to the District; and

WHEREAS, all meetings of the Board shall be open to the public and governed by the provisions of Chapter 286, *Florida Statutes*; and

WHEREAS, the Board is statutorily required to file annually, with the local governing authority and the Florida Department of Economic Opportunity, a schedule of its regular meetings.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF
SUPERVISORS OF THE AVALON PARK WEST COMMUNITY
DEVELOPMENT DISTRICT:**

SECTION 1. ADOPTING REGULAR MEETING SCHEDULE. Regular meetings of the District’s Board shall be held during Fiscal Year 2024/2025 as provided on the schedule attached hereto as **Exhibit A**.

SECTION 2. FILING REQUIREMENT. In accordance with Section 189.015(1), *Florida Statutes*, the District’s Secretary is hereby directed to file a schedule of the District’s regular meetings annually with Pasco County and the Florida Department of Economic Opportunity.

SECTION 3. EFFECTIVE DATE. This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED this 30th day of May, 2024.

Attest:

**AVALON PARK WEST COMMUNITY
DEVELOPMENT DISTRICT**

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

Exhibit A

AVALON PARK WEST COMMUNITY DEVELOPMENT DISTRICT		
BOARD OF SUPERVISORS FISCAL YEAR 2024/2025 MEETING SCHEDULE		
LOCATION		
<i>Avalon Park West Amenity Center, 5060 River Glen Boulevard, Wesley Chapel, Florida 33545</i>		
<i>¹Tampa Civil Design, LLC, 17937 Hunting Bow Circle, Lutz, Florida 33558</i>		
DATE	POTENTIAL DISCUSSION/FOCUS	TIME
October 25, 2024	Regular Meeting	10:00 AM
November 5, 2024¹	Landowners' Meeting	10:00 AM
November 22, 2024	Regular Meeting	10:00 AM
December __, 2024*	Regular Meeting	10:00 AM
January 24, 2025	Regular Meeting	10:00 AM
February 28, 2025	Regular Meeting	10:00 AM
March 28, 2025	Regular Meeting	10:00 AM
April 25, 2025	Regular Meeting	10:00 AM
May 23, 2025	Regular Meeting	10:00 AM
June 27, 2025	Regular Meeting	10:00 AM
July 25, 2025	Regular Meeting	10:00 AM
August 22, 2025	Regular Meeting	10:00 AM
September 26, 2025	Regular Meeting	10:00 AM

***Exception**

The December meeting date is two days following the Christmas Day holiday.

AVALON PARK WEST

COMMUNITY DEVELOPMENT DISTRICT

10

RESOLUTION 2024-14

A RESOLUTION OF THE BOARD OF SUPERVISORS OF AVALON PARK WEST COMMUNITY DEVELOPMENT DISTRICT RATIFYING THE ACTIONS OF THE DISTRICT MANAGER IN REDESIGNATING THE DATE AND LOCATION FOR LANDOWNERS' MEETING; PROVIDING FOR PUBLICATION, PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Avalon Park West Community Development District (the "District") is a local unit of special-purpose government created and existing pursuant to Chapter 190, *Florida Statutes*, being situated entirely within Pasco County, Florida; and

WHEREAS, the District's Board of Supervisors (the "Board") previously adopted Resolution 2024-06, Designating a Date, Date and location for Landowners' Meeting; Providing for Publication, Providing for an Effective Date [SEAT 3]; and

WHEREAS, the Board desires to ratify its actions in redesignating the date and location of the Landowners' Meeting and the District Manager's action in providing the required notice landowners' meeting and election, proxy, ballot form and instructions, attached hereto as Exhibit A.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF AVALON PARK WEST COMMUNITY DEVELOPMENT DISTRICT:

SECTION 1. The actions of the District Manager in redesignating the date and location of the Landowners' Meeting and providing the notice are hereby ratified. Resolution 2024-06 is hereby amended to reflect that the date and location of Landowners' Meeting as declared in Resolution 2024-06 is redesignated to 10:00 a.m., on November 5, 2024 at Tampa Civil Design, LLC, 17937 Hunting Bow Circle, Lutz, Florida 33558.

SECTION 2. Except as otherwise provided herein, all of the provisions of Resolution 2024-06 continue in full force and effect.

SECTION 3. This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED THIS 30TH DAY OF MAY, 2024.

ATTEST:

**AVALON PARK WEST COMMUNITY
DEVELOPMENT DISTRICT**

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

Exhibit A

**NOTICE OF LANDOWNERS' MEETING AND ELECTION AND MEETING OF THE BOARD OF
SUPERVISORS OF THE AVALON PARK WEST COMMUNITY DEVELOPMENT DISTRICT**

Notice is hereby given to the public and all landowners within Avalon Park West Community Development District (the "District") in Pasco County, Florida, advising that a meeting of landowners will be held for the purpose of electing one (1) person to the District Board of Supervisors. Immediately following the landowners' meeting, there will be convened a meeting of the Board of Supervisors for the purpose of considering certain matters of the Board to include election of certain District officers, and other such business which may properly come before the Board.

DATE: November 5, 2024

TIME: 10:00 a.m.

PLACE: Tampa Civil Design, LLC
17937 Hunting Bow Circle
Lutz, Florida 33558

Each landowner may vote in person or by written proxy. Proxy forms may be obtained upon request at the office of the District Manager, 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431. At said meeting, each landowner or his or her proxy shall be entitled to nominate persons for the position of Supervisor and cast one vote per acre of land, or fractional portion thereof, owned by him or her and located within the District for each person to be elected to the position of Supervisor. A fraction of an acre shall be treated as one acre, entitling the landowner to one vote with respect thereto. Platted lots shall be counted individually and rounded up to the nearest whole acre. The acreage of platted lots shall not be aggregated for determining the number of voting units held by a landowner or a landowner's proxy. At the landowners' meeting, the landowners shall select a person to serve as the meeting chair and who shall conduct the meeting.

The landowners' meeting and the Board of Supervisors meeting are open to the public and will be conducted in accordance with the provisions of Florida law. One or both of the meetings may be continued to a date, time, and place to be specified on the record at such meeting. A copy of the agenda for these meetings may be obtained from 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431. There may be an occasion where one or more supervisors will participate by telephone.

Any person requiring special accommodations to participate in these meetings is asked to contact the District Office at (877) 276-0889, at least 48 hours before the hearing. If you are hearing or speech impaired, please contact the Florida Relay Service at (800) 955-8770 for aid in contacting the District Office.

A person who decides to appeal any decision made by the Board with respect to any matter considered at the meeting is advised that such 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 the appeal is to be based.

District Manager

Run Date(s): _____ & _____

PUBLISH: ONCE A WEEK FOR 2 CONSECUTIVE WEEKS, THE LAST DAY OF PUBLICATION TO BE NOT FEWER THAN 14 DAYS OR MORE THAN 28 DAYS BEFORE THE DATE OF ELECTION, IN A NEWSPAPER WHICH IS IN GENERAL CIRCULATION IN THE AREA OF THE DISTRICT

**INSTRUCTIONS RELATING TO LANDOWNERS' MEETING OF
AVALON PARK WEST COMMUNITY DEVELOPMENT DISTRICT
FOR THE ELECTION OF SUPERVISORS**

DATE OF LANDOWNERS' MEETING: **November 5, 2024**

TIME: **10:00 a.m.**

LOCATION: **Tampa Civil Design, LLC
17937 Hunting Bow Circle
Lutz, Florida 33558**

Pursuant to Chapter 190, Florida Statutes, and after a Community Development District ("**District**") has been established and the landowners have held their initial election, there shall be a subsequent landowners' meeting for the purpose of electing members of the Board of Supervisors ("**Board**") every two years until the District qualifies to have its board members elected by the qualified electors of the District. The following instructions on how all landowners may participate in the election are intended to comply with Section 190.006(2)(b), Florida Statutes.

A landowner may vote in person at the landowners' meeting, or the landowner may nominate a proxy holder to vote at the meeting in place of the landowner. Whether in person or by proxy, each landowner shall be entitled to cast one vote per acre of land owned by him or her and located within the District, for each position on the Board that is open for election for the upcoming term. A fraction of an acre shall be treated as one (1) acre, entitling the landowner to one vote with respect thereto. Please note that a particular parcel of real property is entitled to only one vote for each eligible acre of land or fraction thereof; therefore, two or more people who own real property in common, that is one acre or less, are together entitled to only one vote for that real property.

At the landowners' meeting, the first step is to elect a chair for the meeting, who may be any person present at the meeting. The landowners shall also elect a secretary for the meeting who may be any person present at the meeting. The secretary shall be responsible for the minutes of the meeting. The chair shall conduct the nominations and the voting. If the chair is a landowner or proxy holder of a landowner, he or she may nominate candidates and make and second motions. Candidates must be nominated and then shall be elected by a vote of the landowners. Nominees may be elected only to a position on the Board that is open for election for the upcoming term.

One (1) seat on the Board will be up for election by landowners. The candidate receiving the highest number of votes shall be elected for a term of four (4) years. The term of office for the successful candidate shall commence upon election.

A proxy is available upon request. To be valid, each proxy must be signed by one of the legal owners of the property for which the vote is cast and must contain the typed or printed name of the individual who signed the proxy; the street address, legal description of the property or tax parcel identification number; and the number of authorized votes. If the proxy authorizes more than one vote, each property must be listed and the number of acres of each property must be included. The signature on a proxy does not need to be notarized.

LANDOWNER PROXY

**AVALON PARK WEST COMMUNITY DEVELOPMENT DISTRICT
PASCO COUNTY, FLORIDA
LANDOWNERS' MEETING – NOVEMBER 5, 2024**

KNOW ALL MEN BY THESE PRESENTS, that the undersigned, the fee simple owner of the lands described herein, hereby constitutes and appoints _____ ("**Proxy Holder**") for and on behalf of the undersigned, to vote as proxy at the meeting of the landowners of the Avalon Park West Community Development District to be held at 10:00 a.m., on November 5, 2024, at Tampa Civil Design, LLC, 17937 Hunting Bow Circle, Lutz, Florida 33558, and at any adjournments thereof, according to the number of acres of unplatted land and/or platted lots owned by the undersigned landowner that the undersigned would be entitled to vote if then personally present, upon any question, proposition, or resolution or any other matter or thing that may be considered at said meeting including, but not limited to, the election of members of the Board of Supervisors. Said Proxy Holder may vote in accordance with his or her discretion on all matters not known or determined at the time of solicitation of this proxy, which may legally be considered at said meeting.

Any proxy heretofore given by the undersigned for said meeting is hereby revoked. This proxy is to continue in full force and effect from the date hereof until the conclusion of the landowners' meeting and any adjournment or adjournments thereof, but may be revoked at any time by written notice of such revocation presented at the landowners' meeting prior to the proxy holder's exercising the voting rights conferred herein.

Printed Name of Legal Owner

Signature of Legal Owner

Date

Parcel Description

Acreage

Authorized Votes

[Insert above the street address of each parcel, the legal description of each parcel, or the tax identification number of each parcel. If more space is needed, identification of parcels owned may be incorporated by reference to an attachment hereto.]

Total Number of Authorized Votes: _____

NOTES: Pursuant to Section 190.006(2)(b), Florida Statutes, a fraction of an acre is treated as one (1) acre entitling the landowner to one vote with respect thereto. Moreover, two (2) or more persons who own real property in common that is one acre or less are together entitled to only one vote for that real property.

If the fee simple landowner is not an individual, and is instead a corporation, limited liability company, limited partnership or other entity, evidence that the individual signing on behalf of the entity has the authority to do so should be attached hereto (e.g., bylaws, corporate resolution, etc.).

OFFICIAL BALLOT

**AVALON PARK WEST COMMUNITY DEVELOPMENT DISTRICT
PASCO COUNTY, FLORIDA
LANDOWNERS' MEETING – NOVEMBER 5, 2024**

For Election (1 Supervisor): The candidate receiving the highest number of votes will receive a four (4)-year term, with the term of office for the successful candidate commencing upon election.

The undersigned certifies that he/she/it is the fee simple owner of land, or the proxy holder for the fee simple owner of land, located within the Avalon Park West Community Development District and described as follows:

Description

Acreage

[Insert above the street address of each parcel, the legal description of each parcel, or the tax identification number of each parcel.] [If more space is needed, identification of parcels owned may be incorporated by reference to an attachment hereto.]

or

Attach Proxy.

I, _____, as Landowner, or as the proxy holder of _____ (Landowner) pursuant to the Landowner's Proxy attached hereto, do cast my votes as follows:

SEAT	NAME OF CANDIDATE	NUMBER OF VOTES
3		

Date: _____

Signed: _____

Printed Name: _____

AVALON PARK WEST

COMMUNITY DEVELOPMENT DISTRICT

11

RESOLUTION 2024-15

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE AVALON PARK WEST COMMUNITY DEVELOPMENT DISTRICT DIRECTING THE CHAIRMAN AND DISTRICT STAFF TO TAKE ALL ACTIONS NECESSARY TO WITHDRAW THE PETITION FILED WITH THE PASCO COUNTY BOARD OF COUNTY COMMISSIONERS REQUESTING THE ADOPTION OF AN ORDINANCE AMENDING THE DISTRICT'S BOUNDARY; AND PROVIDING AN EFFECTIVE DATE.

RECITALS

WHEREAS, the Avalon Park West Community Development District ("**District**") was established by Ordinance No. 18-23 of the Board of County Commissioners of the Pasco County, Florida ("**County**"), pursuant to Chapter 190, *Florida Statutes*; and

WHEREAS, on May 18, 2020, the Board of Supervisors of the District ("**Board**") adopted Resolution #2020-06, authorizing the submittal of a petition to contract the boundaries of the District ("**Petition**"); and

WHEREAS, subsequent to the adoption of Resolution #2020-06, District staff filed the Petition with the County to remove certain property, including four (4) flex parcels planned for future development, from the boundaries of the District; and

WHEREAS, at this time, the District desires to withdraw the Petition and authorize the Chairman and District staff to take any actions necessary to affect such withdrawal.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE AVALON PARK WEST COMMUNITY DEVELOPMENT DISTRICT:

SECTION 1. INCORPORATION OF RECITALS. All of the above representations, findings, and determinations contained within the recitals of this Resolution are recognized as true and accurate and are expressly incorporated into this Resolution.

SECTION 2. WITHDRAWAL OF BOUNDARY AMENDMENT PETITION. The Board has determined that it is in the best interest of the District to withdraw the Petition and hereby directs the Chairman and District staff to take any actions necessary to affect such withdrawal .

[CONTINUED ON FOLLOWING PAGE]

SECTION 3. EFFECTIVE DATE. This Resolution shall become effective upon its passage.

PASSED AND ADOPTED on this 30th day of May, 2024.

ATTEST:

**AVALON PARK WEST COMMUNITY
DEVELOPMENT DISTRICT**

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

AVALON PARK WEST

COMMUNITY DEVELOPMENT DISTRICT

11A

BOUNDARY AMENDMENT FUNDING AGREEMENT

This Agreement is made and entered into this ____ day of _____, 2024, by and between:

Avalon Park West Community Development District, a local unit of special-purpose government established pursuant to Chapter 190, *Florida Statutes*, being situated in Pasco County, Florida, and whose mailing address is 2300 Glades Road, Suite 410w, Boca Raton, Florida 33431 ("**District**"); and

SITEX NR Holding, LLC, a Florida limited liability company, with an address of 3801 Avalon Park East Blvd., Suite 400, Orlando, Florida 32828 ("**Landowner**").

RECITALS

WHEREAS, the District was established pursuant to Chapter 190, *Florida Statutes* ("**Act**") and for the purpose of planning, financing, constructing, operating and/or maintaining certain infrastructure ("**Ordinance**"); and

WHEREAS, pursuant to the Act, the District is authorized to construct, acquire, and maintain infrastructure improvements and services; and

WHEREAS, at the Landowner's request, the District desires to amend its boundaries ("**Boundary Amendment**") to remove certain lands from the District's boundaries; and

WHEREAS, pursuant to Resolution 2024-____ the District has authorized the Boundary Amendment, and, in consideration, the Landowner has agreed to fund all managerial, engineering, legal and other fees and costs that the District incurs in connection with the Boundary Amendment ("**Amendment Expenses**"); and

NOW, THEREFORE, based upon good and valuable consideration and the mutual covenants of the parties, the receipt of which and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. **PROVISION OF FUNDS.** The Landowner agrees to make available to the District such monies as are necessary to fund the Amendment Expenses and enable the District to effect the Boundary Amendment. The Landowner will make such funds available on a monthly basis, within thirty (30) days of a written request by the District. The District Manager shall require consultants to provide invoices for the Amendment Expenses separate from other services provided to the District.

2. **DISTRICT USE OF FUNDS.** The District agrees to use the Amendment Expenses solely for the Boundary Amendment. The District agrees to use its good faith best efforts to proceed in an expeditious manner to effect the Boundary Amendment. The District shall not have any obligation to reimburse or repay the Landowner for funds made available to the District under this Agreement.

3. **DEFAULT.** A default by either party under this Agreement shall entitle the other to all remedies available at law or in equity, which may include, but not be limited to, the right of actual

damages (but not consequential, special or punitive damages), injunctive relief and/or specific performance.

4. **ENFORCEMENT OF AGREEMENT.** In the event that either party is required to enforce this Agreement by court proceedings or otherwise, then the prevailing party shall be entitled to recover all fees and costs incurred, including reasonable attorneys' and paralegals' fees and costs for trial, alternative dispute resolution, or appellate proceedings.

5. **AGREEMENT.** This instrument shall constitute the final and complete expression of the agreement between the parties relating to the subject matter of this Agreement.

6. **AMENDMENTS.** Amendments to and waivers of the provisions contained in this Agreement may be made only by an instrument in writing that is executed by both of the parties hereto.

7. **AUTHORIZATION.** The execution of this Agreement has been duly authorized by the appropriate body or official of all parties to this Agreement, each party has complied with all the requirements of law, and each party has full power and authority to comply with the terms and provisions of this instrument.

8. **NOTICES.** All notices, requests, consents and other communications under this Agreement ("**Notices**") shall be in writing and shall be delivered, mailed by First Class Mail, postage prepaid, or overnight delivery service, to the parties, at the addresses set forth above. Except as otherwise provided in this Agreement, any Notice shall be deemed received only upon actual delivery at the address set forth in this Agreement. Notices delivered after 5:00 p.m. (at the place of delivery) or on a non-business day, shall be deemed received on the next business day. If any time for giving Notice contained in this Agreement would otherwise expire on a non-business day, the Notice period shall be extended to the next succeeding business day. Saturdays, Sundays, and legal holidays recognized by the United States government shall not be regarded as business days. Counsel for the parties may deliver Notice on behalf of the parties. Any party or other person to whom Notices are to be sent or copied may notify the other parties and addresses of any change in name or address to which Notices shall be sent by providing the same on five (5) days written notice to the parties and addresses set forth in this Agreement.

9. **THIRD PARTY BENEFICIARIES.** This Agreement is solely for the benefit of the formal parties to this Agreement and no right or cause of action shall accrue upon or by reason hereof, to or for the benefit of any third party not a formal party to this Agreement. Nothing in this Agreement expressed or implied is intended or shall be construed to confer upon any person or corporation other than the parties to this Agreement any right, remedy or claim under or by reason of this Agreement or any provisions or conditions hereof; and all of the provisions, representations, covenants and conditions contained in this Agreement shall inure to the sole benefit of and shall be binding upon the parties to this Agreement and their respective representatives, successors, and assigns.

10. **ASSIGNMENT.** Neither party may assign this Agreement or any monies to become due hereunder without the prior written approval of the other party.

11. **CONTROLLING LAW.** This Agreement and the provisions contained herein shall be construed, interpreted, and controlled according to the laws of the State of Florida.

12. **TERMINATION.** Either party may terminate this Agreement upon a breach by the other party, notice of which breach shall be provided to all parties at the addresses noted above, and only after the breaching party is provided fifteen (15) calendar day's period to cure said breach.

13. **PUBLIC RECORDS.** Landowner understands and agrees that all documents of any kind provided to the District or to District Staff in connection with the work contemplated under this Agreement may be public records and will be treated as such in accord with Florida law.

14. **ARM'S LENGTH TRANSACTION.** This Agreement has been negotiated fully between the parties as an arm's length transaction. The parties participated fully in the preparation of this Agreement with the assistance of their respective counsel. In the case of a dispute concerning the interpretation of any provision of this Agreement, the parties are each deemed to have drafted, chosen, and selected the language, and doubtful language will not be interpreted or construed against any party.

15. **SOVEREIGN IMMUNITY.** Landowner agrees that nothing in this Agreement shall constitute or be construed as a waiver of the District's limitations on liability contained in Section 768.28, Florida Statutes, or other statutes or law.

16. **HEADINGS FOR CONVENIENCE ONLY.** The descriptive headings in this Agreement are for convenience only and shall not control nor affect the meaning or construction of any of the provisions of this Agreement.

17. **COUNTERPARTS.** This Agreement may be executed in any number of counterparts, each of which when executed and delivered shall be an original; however, all such counterparts together shall constitute but one and the same instrument. Signature and acknowledgment pages, if any, may be detached from the counterparts and attached to a single copy of this document to physically form one document.

18. **EFFECTIVE DATE.** The Agreement shall be effective after execution by both parties to this Agreement and shall remain in effect unless terminated by either of the parties.

[SIGNATURES TO FOLLOW ON NEXT PAGE]

IN WITNESS WHEREOF, the parties execute this Agreement the day and year first written above.

**AVALON PARK WEST COMMUNITY
DEVELOPMENT DISTRICT**

By: _____
Its: _____

SITEX NR HOLDING, LLC

By: _____
Its: _____

AVALON PARK WEST

COMMUNITY DEVELOPMENT DISTRICT

UNAUDITED FINANCIAL STATEMENTS

**AVALON PARK WEST
COMMUNITY DEVELOPMENT DISTRICT
FINANCIAL STATEMENTS
UNAUDITED
APRIL 30, 2024**

**AVALON PARK WEST
COMMUNITY DEVELOPMENT DISTRICT
BALANCE SHEET
GOVERNMENTAL FUNDS
APRIL 30, 2024**

	General Fund	Debt Service Fund Series 2020	Debt Service Fund Series 2022	Debt Service Fund Series 2023	Capital Projects Fund Series 2022	Capital Projects Fund Series 2023	Total Governmental Funds
ASSETS							
Cash	\$218,670	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 218,670
Investments							
Revenue	-	343,144	429,950	162,369	-	-	935,463
Reserve	-	156,178	101,039	119,196	-	-	376,413
Prepayment	-	-	-	2,784	-	-	2,784
Construction	-	-	-	-	202	5,734	5,936
Cost of issuance	-	-	-	22	-	-	22
Capitalized interest	-	-	-	179	-	-	179
Undeposited funds	1,675	-	-	-	-	-	1,675
Due from Developer	-	-	-	29,364	-	-	29,364
Total assets	<u>\$220,345</u>	<u>\$ 499,322</u>	<u>\$ 530,989</u>	<u>\$ 313,914</u>	<u>\$ 202</u>	<u>\$ 5,734</u>	<u>\$ 1,570,506</u>
LIABILITIES							
Liabilities:							
Sales tax payable	\$ 105	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 105
Rental deposits	1,400	-	-	-	-	-	1,400
Developer advance	34,933	-	-	-	-	-	34,933
Total liabilities	<u>36,438</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>36,438</u>
DEFERRED INFLOWS OF RESOURCES							
Deferred receipts	-	-	-	29,364	-	-	29,364
Total deferred inflows of resources	<u>-</u>	<u>-</u>	<u>-</u>	<u>29,364</u>	<u>-</u>	<u>-</u>	<u>29,364</u>
FUND BALANCES							
Restricted for							
Debt service	-	499,322	530,989	284,550	-	-	1,314,861
Capital projects	-	-	-	-	202	5,734	5,936
Unassigned	183,907	-	-	-	-	-	183,907
Total fund balances	<u>183,907</u>	<u>499,322</u>	<u>530,989</u>	<u>284,550</u>	<u>202</u>	<u>5,734</u>	<u>1,504,704</u>
Total liabilities and fund balances	<u>\$ 220,345</u>	<u>\$ 499,322</u>	<u>\$ 530,989</u>	<u>\$ 313,914</u>	<u>\$ 202</u>	<u>\$ 5,734</u>	<u>\$ 1,570,506</u>

**AVALON PARK WEST
COMMUNITY DEVELOPMENT DISTRICT
GENERAL FUND
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
FOR THE PERIOD ENDED APRIL 30, 2024**

	Current Month	Year to Date	Budget	% of Budget
REVENUES				
Assessment: on-roll	\$ -	\$ 146,070	\$ 146,316	100%
Miscellaneous	1,402	5,004	-	N/A
Total revenues	<u>1,402</u>	<u>151,074</u>	<u>146,316</u>	103%
EXPENDITURES				
Professional & administrative				
Financial & administrative				
District management	4,000	28,000	48,000	58%
Legal general counsel	953	12,023	25,000	48%
Engineering	-	4,032	7,500	54%
Audit	-	-	4,000	0%
Arbitrage	-	-	2,250	0%
Dissemination agent	250	1,750	3,000	58%
Trustee fees	-	8,277	14,000	59%
Telephone	17	117	200	59%
Postage	22	148	500	30%
Printing & binding	42	292	500	58%
Legal advertising	253	503	2,500	20%
Annual special district fee	-	175	175	100%
Insurance: general liability	-	6,197	6,586	94%
Insurance: property	-	20,296	25,413	80%
Insurance: flood	-	1,980	2,230	89%
Website hosting, maintenance and backup	-	705	705	100%
ADA website compliance	-	-	210	0%
Contingency	74	863	500	173%
EMMA Software Service	-	1,000	-	N/A
Total professional & administrative	<u>5,611</u>	<u>86,358</u>	<u>143,269</u>	60%
Field operations				
Garbage/solid waste control services				
Solid waste assessment	-	1,453	-	N/A
Total field operations	<u>-</u>	<u>1,453</u>	<u>-</u>	N/A

**AVALON PARK WEST
COMMUNITY DEVELOPMENT DISTRICT
GENERAL FUND
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
FOR THE PERIOD ENDED APRIL 30, 2024**

	<u>Current Month</u>	<u>Year to Date</u>	<u>Budget</u>	<u>% of Budget</u>
Other fees & charges				
Property taxes	-	493	-	N/A
Property appraiser & tax collector	-	2,919	3,048	96%
Total other fees & charges	-	3,412	3,048	112%
Total expenditures	5,611	91,223	146,317	62%
 Excess/(deficiency) of revenues over/(under) expenditures	 (4,209)	 59,851	 (1)	
 Fund balances - beginning	 188,116	 124,056	 87,702	
Assigned				
3 months working capital	-	-	62,251	
Unassigned	183,907	183,907	25,450	
Fund balances - ending	<u>\$ 183,907</u>	<u>\$ 183,907</u>	<u>\$ 87,701</u>	

**AVALON PARK WEST
COMMUNITY DEVELOPMENT DISTRICT
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
DEBT SERVICE FUND SERIES 2020 BONDS
FOR THE PERIOD ENDED APRIL 30, 2024**

	Current Month	Year To Date	Budget	% of Budget
REVENUES				
Assessment levy	\$ -	\$ 318,530	\$ 319,001	100%
Interest	2,066	8,597	-	N/A
Total revenues	<u>2,066</u>	<u>327,127</u>	<u>319,001</u>	103%
EXPENDITURES				
Debt service				
Interest	-	99,456	198,913	50%
Principal	-	-	110,000	0%
Total debt service	<u>-</u>	<u>99,456</u>	<u>308,913</u>	32%
Other fees & charges				
Property appraiser	-	-	175	0%
Tax collector	-	6,364	6,646	96%
Total other fees and charges	<u>-</u>	<u>6,364</u>	<u>6,821</u>	93%
Total expenditures	<u>-</u>	<u>105,820</u>	<u>315,734</u>	34%
Excess/(deficiency) of revenues over/(under) expenditures	2,066	221,307	3,267	
Fund balances - beginning	497,256	278,015	268,492	
Fund balances - ending	<u>\$ 499,322</u>	<u>\$ 499,322</u>	<u>\$ 271,759</u>	

**AVALON PARK WEST
COMMUNITY DEVELOPMENT DISTRICT
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
DEBT SERVICE FUND SERIES 2022
FOR THE PERIOD ENDED APRIL 30, 2024**

	Current Month	Year To Date	Budget	% of Budget
REVENUES				
Special assessment - on roll	\$ -	\$ 412,170	\$ 412,757	100%
Interest	2,193	8,183	-	N/A
Total revenues	<u>2,193</u>	<u>420,353</u>	<u>412,757</u>	102%
EXPENDITURES				
Debt service				
Interest	-	157,191	314,383	50%
Principal	-	-	90,000	0%
Total debt service	<u>-</u>	<u>157,191</u>	<u>404,383</u>	39%
Other fees & charges				
Property appraiser	-	-	2,150	0%
Tax collector	-	8,236	8,599	96%
Total other fees and charges	<u>-</u>	<u>8,236</u>	<u>10,749</u>	N/A
Total expenditures	<u>-</u>	<u>165,427</u>	<u>415,132</u>	40%
Excess/(deficiency) of revenues over/(under) expenditures	2,193	254,926	(2,375)	
Fund balances - beginning	528,796	276,063	360,765	
Fund balances - ending	<u>\$ 530,989</u>	<u>\$ 530,989</u>	<u>\$ 358,390</u>	

**AVALON PARK WEST
COMMUNITY DEVELOPMENT DISTRICT
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
DEBT SERVICE FUND SERIES 2023
FOR THE PERIOD ENDED APRIL 30, 2024**

	Current Month	Year To Date
REVENUES		
Lot closing	33,317	161,441
Interest	932	4,643
Total revenues	<u>34,249</u>	<u>166,084</u>
EXPENDITURES		
Debt service		
Interest	-	25,910
Cost of issuance	-	5,925
Total debt service	<u>-</u>	<u>31,835</u>
Excess/(deficiency) of revenues over/(under) expenditures	34,249	134,249
OTHER FINANCING SOURCES/(USES)		
Transfers out	-	(5,726)
Total other financing sources	<u>-</u>	<u>(5,726)</u>
Net change in fund balances	34,249	128,523
Fund balances - beginning	250,301	156,027
Fund balances - ending	<u>\$ 284,550</u>	<u>\$ 284,550</u>

**AVALON PARK WEST
COMMUNITY DEVELOPMENT DISTRICT
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
CAPITAL PROJECTS FUND SERIES 2022
FOR THE PERIOD ENDED APRIL 30, 2024**

	Current Month	Year To Date
REVENUES		
Interest	\$ -	\$ 202
Total revenues	<u>-</u>	<u>202</u>
EXPENDITURES		
Construction costs	<u>-</u>	<u>-</u>
Total expenditures	<u>-</u>	<u>-</u>
Excess/(deficiency) of revenues over/(under) expenditures	-	202
Fund balances - beginning	202	-
Fund balances - ending	<u>\$ 202</u>	<u>\$ 202</u>

**AVALON PARK WEST
COMMUNITY DEVELOPMENT DISTRICT
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
CAPITAL PROJECTS FUND SERIES 2023
FOR THE PERIOD ENDED APRIL 30, 2024**

	Current Month	Year To Date
REVENUES		
Interest	\$ 8	\$ 8
Total revenues	<u>8</u>	<u>8</u>
EXPENDITURES		
Total expenditures	<u>-</u>	<u>-</u>
Excess/(deficiency) of revenues over/(under) expenditures	8	8
OTHER FINANCING SOURCES/(USES)		
Transfers in	-	5,726
Total other financing sources/(uses)	<u>-</u>	<u>5,726</u>
Net change in fund balances	8	5,734
Fund balances - beginning	5,726	-
Fund balances - ending	<u>\$ 5,734</u>	<u>\$ 5,734</u>

AVALON PARK WEST

COMMUNITY DEVELOPMENT DISTRICT

MINUTES

DRAFT

**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	Chair
Mary Moulton	Vice Chair
Andre Carmack	Assistant Secretary

Also present, were:

Cindy Cerbone	District Manager
Jamie Sanchez	Wrathell, Hunt and Associates LLC (WHA)
Jere Earlywine (via telephone)	District Counsel
Tanya Stewart (via telephone)	District Engineer
Alex Gormley	Access Management
Josh Tepper	Supervisor-Appointee
Will Butler	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.

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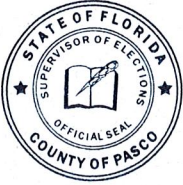
Secretary/Assistant Secretary

Chair/Vice Chair

AVALON PARK WEST

COMMUNITY DEVELOPMENT DISTRICT

STAFF REPORTS



Brian E. Corley
Supervisor of Elections
PO Box 300
Dade City FL 33526-0300

1-800-851-8754
www.PascoVotes.gov

April 22, 2024

Ms. Daphne Gillyard
Wrathell, Hunt and Associates, LLC
2300 Glades Rd, Suite 410W
Boca Raton FL 33431

Dear Ms. Gillyard:

Pursuant to your request, the following voter registration statistics are provided for their respective community development districts as of April 15, 2024.

• Avalon Park West Community Development District	544
• Heritage Pines West Community Development District	1,969
• Parkview at Long Lake Ranch Community Development District	337
• PTC Community Development District	3
• Riverwood Estates Community Development District	2
• Silverado Community Development District	803
• Summerstone Community Development District	529
• Towns at Woodsdale Community Development District	0
• TSR Community Development District	4,862
• Vida's Way Community Development District	0
• Westwood of Pasco Community Development District	4
• Whispering Pines Community Development District	104
• Woodcreek Community Development District	6

As always, please call me if you have any questions or need additional information.

Sincerely,

Tiffannie A. Alligood
Chief Administrative Officer

AVALON PARK WEST COMMUNITY DEVELOPMENT DISTRICT		
BOARD OF SUPERVISORS FISCAL YEAR 2023/2024 MEETING SCHEDULE		
LOCATION		
<i>Avalon Park West Amenity Center, 5060 River Glen Boulevard, Wesley Chapel, Florida 33545</i>		
DATE	POTENTIAL DISCUSSION/FOCUS	TIME
October 27, 2023 CANCELED	Regular Meeting	10:00 AM
November 17, 2023	Special Meeting	10:00 AM
November 24, 2023 CANCELED	Regular Meeting	10:00 AM
December 22, 2023 CANCELED	Regular Meeting	10:00 AM
January 26, 2024	Regular Meeting	10:00 AM
February 23, 2024 CANCELED	Regular Meeting	10:00 AM
March 22, 2024 CANCELED	Regular Meeting	10:00 AM
April 26, 2024 CANCELED	Public Hearing and Regular Meeting	10:00 AM
May 24, 2024 <i>Rescheduled to May 30, 2024</i>	Regular Meeting	10:00 AM
May 30, 2024	Regular Meeting	10:00 AM
June 28, 2024	Regular Meeting	10:00 AM
July 26, 2024	Regular Meeting	10:00 AM
August 23, 2024	Regular Meeting	10:00 AM
September 27, 2024	Regular Meeting	10:00 AM