

**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 April 22, 2022 at 10:00 a.m., at the New River Amenity Center, 5227 Autumn Ridge Drive, Wesley Chapel, Florida 33545.

**Present were:**

Christian Cotter  
Mary Moulton  
Ross Halle

Chair  
Vice Chair  
Assistant Secretary

**Also present, were:**

Cindy Cerbone  
Jamie Sanchez  
Andrew Kantarzhi  
Jere Earlywine (via telephone)  
Tonja Stewart (via telephone)  
Patty Desthers  
Tirria William  
Ty Vincent

District Manager  
Wrathell, Hunt and Associates LLC (WHA)  
Wrathell, Hunt and Associates LLC (WHA)  
District Counsel  
District Engineer  
Access Management  
Access Management  
Forestar Group

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Ms. Cerbone called the meeting to order at 10:55 a.m. Supervisors Cotter, Moulton and Halle were present, in person. Supervisors Demby and DeFillo were not present.

**SECOND ORDER OF BUSINESS**

**Public Comments**

There were no public comments.

**THIRD ORDER OF BUSINESS**

**Acceptance of Resignation of Raymond Demby, Seat 4; Term Expires November 2022**

Ms. Cerbone presented Mr. Raymond Demby's resignation letter.

**On MOTION by Mr. Cotter and seconded by Ms. Moulton, with all in favor, the resignation of Mr. Raymond Demby, dated February 25, 2022, was accepted.**

**FOURTH ORDER OF BUSINESS**

**Consider Appointment of Ty Vincent to Fill Unexpired Term of Seat 4**

Mr. Cotter nominated Mr. Ty Vincent to fill Seat 4. No other nominations were made.

**On MOTION by Ms. Moulton and seconded by Mr. Cotter, with all in favor, the appointment of Mr. Ty Vincent to Seat 4, Term Expires November 2022, was approved.**

**A. Administration of Oath of Office (*the following will be provided in a separate package*)**

Ms. Cerbone, a Notary of the State of Florida and duly authorized, administered the Oath of Office to Mr. Vincent following the Sixth Order of Business.

- I. Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees**
- II. Membership, Obligations and Responsibilities**
- III. Financial Disclosure Forms**
  - a. Form 1: Statement of Financial Interests**
  - b. Form 1X: Amendment to Form 1, Statement of Financial Interests**
  - c. Form 1F: Final Statement of Financial Interests**
- IV. Form 8B: Memorandum of Voting Conflict**

**B. Consideration of Resolution 2022-05, Appointing and Removing Officers of the Avalon Park West Community Development District and Providing for an Effective Date**

Ms. Cerbone presented Resolution 2022-05. This Resolution accomplishes the following:

- Removes Mr. Demby as an Assistant Secretary.
- Appoints Mr. Ty Vincent as an Assistant Secretary.
- Appoints Ms. Jamie Sanchez as an Assistant Secretary.

Prior appointments by the Board for Chair, Vice Chair, Secretary, Treasurer, Assistant Secretaries and Assistant Treasurer remain unaffected by this Resolution.

**On MOTION by Mr. Cotter and seconded by Ms. Moulton, with all in favor, Resolution 2022-05, Appointing and Removing Officers of the Avalon Park West Community Development District, as stated, and Providing for an Effective Date, was adopted.**

**FIFTH ORDER OF BUSINESS**

**Discussion: Cost Sharing with New River CDD**

Ms. Cerbone recalled previous discussions of being one community and whether there is equitability between the residents of New River CDD (NRCDD) and the residents of Avalon Park West CDD (APWCDD). She presented Cost Comparison spreadsheets for NRCDD and for APWCDD. The total costs for NRCDD are \$338,787 with a per home cost of \$338.79. The total costs for APWCDD are \$316,656 with a per home cost of \$318.57. Ms. Cerbone concluded that the costs are close enough and asked for the Board’s feedback.

Mr. Cotter stated he attended a previous NRCDD meeting and everyone was comfortable with the numbers. Ms. Cerbone stated there are operational expenses in the APWCDD budget and the approach typically taken by CDDs is to have the HOA manage the CDD improvements, budget and collect for the maintenance expenses and handle the vendors. In working with the APW HOA representative, she would like the consensus to be to simplify everything, consolidate all the costs in one location and have one point of contact.

**SIXTH ORDER OF BUSINESS**

**Discussion: Real Estate Conveyances and Maintenance Related Docs**

**A. Conveyance Map**

Mr. Earlywine stated the conveyance map has a line that shows the boundary between APWCDD and NRCDD. He discussed Staff’s intention to explore the CDD’s real estate options in the following three ways:

1. Within APWCDD boundaries, have the CDD finance the stormwater system and other improvements, acquire those areas from Forestar and enter into an agreement with the HOA, where the APW HOA would actually perform the maintenance.
2. Have Forestar deed property to NRCDD and, similarly, NRCDD would enter into a maintenance agreement with the APW HOA for the maintenance.
3. Transfer a grant of easement to the HOA so the HOA can do the maintenance.

Asked what portion of the road is being deeded, Mr. Earlywine stated A1A; a road that is platted to NRCDD. The common areas and the road are platted to NRCDD; the idea is that Forestar will grant those areas to NRCDD, consistent with the plat.

Mr. Earlywine reviewed the Real Estate Conveyances and Maintenance Related documents. He stated all can be approved, in substantial form, in a single motion.

Ms. Cerbone asked about the effective date. A Board Member voiced his preference to commence the agreements soon and not wait until the end of the year, assuming there is a consensus. The consensus was to make the agreements effective May 1, 2022. In response to Mr. Cotter’s question, Ms. Williams, of Access management, indicated she has a good rapport with Grandview. Mr. Cotter voiced his opinion that, to avoid confusion, it would be best to have the same landscape company service the entire community. He asked Staff to ask Grandview to undertake maintenance of the entire community.

- B. New River CDD (NRCDD) and APW HOA Items (for informational purposes)**
  - I. Quit Claim Deed (Forestar to NRCDD)**
  - II. Quit Claim Deed (Forestar to APW HOA)**
  - III. Maintenance Easement (NRCDD to APW HOA)**
- C. Consideration of Avalon Park West CDD (APWCDD) Items**
  - I. Quit Claim Deed (Forestar to APWCDD)**
  - II. Quit Claim Grant of Easement (APW HOA to APWCDD)**
- D. Consideration of Maintenance Agreement Related Items**
  - I. Consideration of Restated Amenity Center Interlocal Agreement**
  - II. Consider Termination of Access Residential Management, LLC Amended and Restated Field Operations Agreement, Effective 10/1/2022**
  - III. Letter Agreement for the Assignment of Amenity Management Agreement and Assignment of Cost Share Agreement**
  - IV. Consideration of Fiscal Year 2022 Deficit Funding Agreement for Additional Services**
  - V. Consideration of CDD/HOA Maintenance Agreement**

**On MOTION by Mr. Cotter and seconded by Ms. Moulton, with all in favor, the Real Estate Conveyances and Maintenance Related documents, effective May 1, 2022, in substantial form, were approved.**

**SEVENTH ORDER OF BUSINESS**

**Consideration of Resolution 2022-09, Relating to the Amendment of the Annual Budget for the Fiscal Year Beginning October 1, 2021 and Ending September 30, 2022; and Providing for an Effective Date**

This item was deferred.

**EIGHTH ORDER OF BUSINESS**

**Update: Monuments and Future Connection**

This item was deferred and would be kept on the agenda.

**NINTH ORDER OF BUSINESS**

**Consideration of Resolution 2022-06, Approving a Proposed Budget for Fiscal Year 2022/2023 and Setting a Public Hearing Thereon Pursuant to Florida Law; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing an Effective Date**

Ms. Cerbone presented Resolution 2022-06. She reviewed the proposed Fiscal Year 2023 budget, highlighting any line item increases, decreases and adjustments, compared to the Fiscal Year 2022 budget, and explained the reasons for any changes.

**On MOTION by Mr. Cotter and seconded by Ms. Moulton, with all in favor, Resolution 2022-06, Approving a Proposed Budget for Fiscal Year 2022/2023 and Setting a Public Hearing Thereon Pursuant to Florida Law for August 26, 2022 at 10:00 a.m., following the Silverado CDD meeting at the New River Amenity Center, 5227 Autumn Ridge Drive, Wesley Chapel, Florida 33545; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing an Effective Date, was adopted.**

**TENTH ORDER OF BUSINESS**

**Consideration of Resolution 2022-07, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2022/2023 and Providing for an Effective Date**

Ms. Cerbone presented Resolution 2022-07.

**On MOTION by Ms. Moulton and seconded by Mr. Cotter, with all in favor, Resolution 2022-07, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2022/2023 and Providing for an Effective Date, was adopted.**

**ELEVENTH ORDER OF BUSINESS**

**Consideration of Resolution 2022-08, Designating Date, Time and Location for Landowners' Meeting of the District; and Providing for Severability and an Effective Date**

Ms. Cerbone presented Resolution 2022-08.

**On MOTION by Mr. Cotter and seconded by Ms. Moulton, with all in favor, Resolution 2022-08, Designating Date, Time and Location of November 29, 2022 at 10:00 a.m., at the Avalon Park West Amenity Center 5060 River Glen Boulevard, Wesley Chapel, Florida 33545 for the Landowners' Meeting of the District; and Providing for Severability and an Effective Date, was adopted.**

**TWELFTH ORDER OF BUSINESS**

**Acceptance of Unaudited Financial Statements as of March 31, 2022**

Ms. Cerbone presented the Unaudited Financial Statements as of March 31, 2022.

**On MOTION by Mr. Cotter and seconded by Ms. Moulton, with all in favor, the Unaudited Financial Statements as of March 31, 2022, were accepted.**

**THIRTEENTH ORDER OF BUSINESS**

**Approval of February 25, 2022 Regular Meeting Minutes**

Ms. Cerbone presented the February 25, 2022 Regular Meeting Minutes.

**On MOTION by Mr. Cotter and seconded by Ms. Moulton, with all in favor, the February 25, 2022 Regular Meeting Minutes, as presented, were approved.**

**FOURTEENTH ORDER OF BUSINESS**

**Staff Reports**

**A. District Counsel: *KE Law Group, PLLC***

Mr. Earlywine stated the CDD will undergo a third quarter bond issuance; the validation is already in place, with an August timeframe.

**B. District Engineer: *Stantec Consulting Services***

There was no report.

**C. Operations Manager: *Access Management***

• **Update: Spa Warranty Claim**

Ms. Cerbone stated there was a miscommunication regarding Patrick attending CDD meetings. He is free to attend the NRCDD meetings and the APWCDD meetings.

Ms. Williams presented the April APW Operations Report.

Asked about the proper procedure to change a non-owner’s Amenity Center rental fee from \$100 to \$250, Mr. Earlywine stated the Board would have to direct Staff to set a Rulemaking Public Hearing. Ms. Cerbone suggested Ms. Sanchez coordinate with Mr. Mark Vega and Ms. Williams to share information about appropriate rates and report her findings.

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

• **NEXT MEETING DATE: *May 27, 2022 immediately following the adjournment of the Silverado CDD Meeting, scheduled to commence at 10:00 A.M.***

○ **QUORUM CHECK**

The next meeting would be held on May 27, 2022.

**FIFTEENTH ORDER OF BUSINESS**

**Board Members’ Comments/Requests**

There were no Board Members’ comments or requests.

**SIXTEENTH ORDER OF BUSINESS**

**Public Comments**

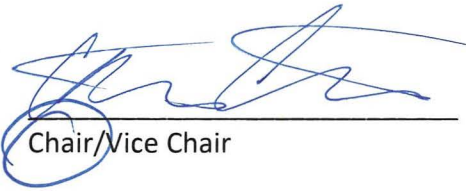
There were no public comments.

**SEVENTEENTH ORDER OF BUSINESS**

**Adjournment**

**On MOTION by Mr. Cotter and seconded by Ms. Moulton, with all in favor, the meeting adjourned at 11:40 a.m.**

  
Secretary/Assistant Secretary

  
Chair/Vice Chair