

**MINUTES OF MEETING  
ASTONIA  
COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of the Astonia Community Development District was held Wednesday, **October 11, 2023** at 1:00 p.m. at the Holiday Inn – Winter Haven, 200 Cypress Gardens Blvd., Winter Haven, Florida.

Present and constituting a quorum:

Brent Elliott	Chairman
Halsey Carson	Vice Chairperson
Karen Ritchie	Assistant Secretary

Also present were:

Jill Burns	District Manager, GMS
Lauren Gentry	District Counsel, KVW Law
Corey Roberts	District Counsel, KVW Law
Bryan Hunter <i>by Zoom</i>	District Engineer, Hunter Engineering
Bob Gang <i>by Zoom</i>	Bond Counsel, Greenberg Traurig
Ashton Bligh <i>by Zoom</i>	Bond Counsel, Greenberg Traurig
Clayton Smith <i>by Zoom</i>	Field Manager, GMS
Allen Bailey	Field Manager, GMS

**FIRST ORDER OF BUSINESS**

**Roll Call**

Ms. Burns called the meeting to order and called the roll. Three Supervisors were present constituting a quorum.

**SECOND ORDER OF BUSINESS**

**Public Comment Period**

Ms. Burns opened up the public comment period and asked for any comments. An audience member commented about the on-street parking.

**THIRD ORDER OF BUSINESS**

**Approval of Minutes of the July 12, 2023  
Board of Supervisors Meeting**

Ms. Burns presented the minutes from the July 12, 2023 Board of Supervisors Meeting. Ms. Burns asked for any questions, comments, or corrections to the minutes. The Board had no changes to the minutes.

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On MOTION by Mr. Elliott, seconded by Mr. Carson, with all in favor, the Minutes of the July 12, 2023 Board of Supervisors Meeting, were approved.

#### **FOURTH ORDER OF BUSINESS**

#### **Presentation and Approval of Preliminary Supplemental Assessment Methodology for Assessment Area Four dated October 11, 2023**

Ms. Burns noted this is related to a bond issuance for another phase of the community and will not impact the debt assessment for your homes. She provided a brief overview of the methodology. She added the methodology allocated debt to the parcels based on the benefit they receive from the capital improvement plan outlined in the Engineer's report for Assessment Area 4. Ms. Burns stated that Table 1 shows the development program with 168 townhome units in the phase. Table 2 outlines the cost estimates at \$6,855,200. Table 3 shows the estimated bond sizing from FMS for \$3,210,000. The improvement cost is \$40,805 and the par debt per unit is \$19,107. Table 6 outlines the net and gross annual debt assessment per unit and the gross annual debt assessment is \$1613.49. Table 7 is the preliminary assessment roll at 30.97 acres in this assessment area owned by Pine Tree Trail Property, LLC.

On MOTION by Mr. Elliott, seconded by Mr. Carson, with all in favor, the Preliminary Supplemental Assessment Methodology for Assessment Area Four Dated October 11, 2023, was approved.

#### **FIFTH ORDER OF BUSINESS**

#### **Consideration of Resolution 2024-01 Delegation Resolution for Series 2023 (Assessment Area Four Project) Bonds**

Ms. reviewed Resolution 2024-01 for Assessment Area 4 project. She noted this is the supplemental resolution contemplated when the Board adopted the original resolution. The documents as exhibits sell one series of bonds for the primary purpose for providing funds to pay all portions of infrastructure for 168 residential units and the forms are listed in the documents. She noted findings will be determined so that a public offering is not required. The findings are listed under Section 4 and Section 5 includes the parameters for Assessment Area 4 bonds. She added the initial aggregate principal amount of Assessment Area 4 bonds shall not exceed

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\$4,500,000. The interest rate shall not exceed the maximum statutory rate and the final maturity of these bonds shall not be later than the maximum term which is 30 years of principal amortization.

On MOTION by Mr. Elliott, seconded by Mr. Carson, with all in favor, Resolution 2024-01 Delegation Resolution for Series 2023 (Assessment Area Four Project) Bonds, was approved.

Ms. Bligh noted there is a supplemental Engineers’ report dated as of October 11, 2023 that sets out the cost and the legal description for the assessment area. The cost chart is included.

**SIXTH ORDER OF BUSINESS**

**Consideration of Series 2023 Assessment Area Four Project Developer Agreements**

**A. True-Up Agreement**

Ms. Gentry reviewed the True-up agreement between the District and the property owner where if there are fewer units contracted than planned then they will reallocate the assessments accordingly. The Developer agrees to pay in this case.

**B. Completion Agreement**

Ms. Gentry stated the completion agreement where the Developer agrees to complete the project that is being funded with the Assessment Area 4 bonds.

**C. Acquisition Agreement**

Ms. Gentry stated this agreement sets out the terms by which the District could acquire any previously completed improvements, work product or real property.

**D. Collateral Assignment Agreement**

Ms. Gentry stated that in this agreement the Developer agrees in the event of a default assign any rights to complete the Assessment Area 4 project.

**E. Declaration of Consent**

Ms. Gentry stated that for this agreement the Developer consents to the jurisdiction of the Astoria Development District and agrees to the imposition of special assessments.

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**F. Notice of Special Assessments**

Ms. Gentry stated this is a form of notice of special assessment which the District would record after the bond issuance is complete to memorialize and ensure everyone has notice of the assessments imposed on the property.

On MOTION by Mr. Elliott, seconded by Mr. Carson, with all in favor, Series 2023 Assessment Area 4 Project Agreements, were approved in substantial form.

**G. Consideration of Resolution 2024-02 Delegated Supplemental Assessment Resolution for Series 2023 (Assessment Area Four Project) Bonds**

Ms. Gentry reviewed and explained the Resolution and the supplemental Engineer’s Report for Area 4. She noted it was attached as an exhibit. She noted it approves the cost chart and the legal description, outlines findings, confirms the maximin assessment lean, sets forth how the assessments will be allocated and collected, sets out conditions for prepayment, applications of true-up payments, and the administrative provisions.

On MOTION by Mr. Elliott, seconded by Mr. Carson, with all in favor, Resolution 2024—02 Delegated Supplemental Assessment Resolution for Series 2023 (Assessment Area Four Projects) Bonds, was approved.

**SEVENTH ORDER OF BUSINESS**

**Consideration of Proposal from AMTEC for Arbitrage Rebate Services for: Series 2020 (Assessment Area One Project) Bonds, Series 2021 (Assessment Area Two Project) Bonds, Series 2021 (North Parcel Assessment Area Project) Bonds, and Series 2023 (Assessment Area Three Project) Bonds**

Ms. Burns stated the total is \$450 annually for each report.

On MOTION by Mr. Elliott, seconded by Mr. Carson, with all in favor, the Proposal from AMTEC for Arbitrage Rebate Services for: Series 2020 (Assessment Area One Project) Bonds, Series 2021 (Assessment Area Two Project) Bonds, Series 2021 (North Parcel

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Assessment Area Project Bonds, and Series 2023 (Assessment Area Three Project) Bonds, was approved.

**EIGHTH ORDER OF BUSINESS**

**Consideration of Arbitrage Rebate Reports from AMTEC for:**

- A. Series 2020 (Assessment Area One Project) Bonds**
- B. Series 2021 (Assessment Area Two Project) Bonds**
- C. Series 2021 (North Parcel Assessment Area Project) Bonds**

Ms. Burns stated these are the actual reports from the prior year. She noted on page 4 was the negative rebate amount and notes we are not earning more interest than we pay.

On MOTION by Mr. Elliott, seconded by Mr. Carson, with all in favor, Accepting the Arbitrage Rebate Reports from AMTEC, was approved.

**NINTH ORDER OF BUSINESS**

**Consideration of Resolution 2024-03 Setting a Public Hearing on District Parking and Towing Policies**

Ms. Burns noted the CDD owns the roadways within the community and the Board can set street parking and towing policies. She noted there have been calls from residents with complaints and asked the Board for input on how to proceed with new policies. She suggested to do a street-by-street basis where fire hydrants, homes on the side and designated parking on that area. Discussion ensued on where to have tow away zones, parking allowed/not allowed, and signage placements. She added there are additional issues for commercial vehicles parking during the day, removal of vehicles that are not operational, towing vendor, no warnings given,

She added the public hearing will be on December 13<sup>th</sup>.

On MOTION by Mr. Elliott, seconded by Mr. Carson, with all in favor, the Resolution 2024-03 Setting a Public Hearing for December 13, 2023 at 1:00 p.m. in the Same Location on District Parking and Towing Policies, was approved.

**TENTH ORDER OF BUSINESS**

**Consideration of Engagement Letter for Fiscal Year 2023 Audit Services with Grau & Associates**

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Ms. Burns stated this letter is with Grau and Associates and is a renewal for 2023. She added the costs is \$7,600 annually.

On MOTION by Mr. Elliott, seconded by Mr. Carson, with all in favor, the Engagement Letter for Fiscal Year 2023 Audit Services with Grau and Associates, was approved.

**ELEVENTH ORDER OF BUSINESS**

**Consideration of Letter for Underwriter Services from FMS Bonds for Series 2023 Bonds**

Ms. Burns stated this is for the Series 2023 bonds and the fees are included in the package.

On MOTION by Mr. Elliott, seconded by Mr. Carson, with all in favor, the Letter for Underwriter Services from FMS Bonds for Series 2023 Bonds, was approved.

**TWELFTH ORDER OF BUSINESS**

**Consideration of Proposal from Securitas for District Security Services (CLOSED SESSION DISCUSSION AVAILABLE – if needed)**

Ms. Burns stated that under Florida statute certain security information is exempt from being discussed in a public meeting or disclosed such as camera locations. She added she had redacted some information from the proposal to allow community input. She noted they can do a closed session as well. The two components, pricing, and services of the guards, off-site monitoring, were reviewed. She noted the total for both components is \$31,853 and is within the budget adopted by the Board. Some questions were asked about damage, how it works in other communities, and both components are required. Timing for installation was also discussed. She added a request can be made to hold the price and start remote guard now and hold the \$16/hours per week live guard until March. This would be due to the slow season and no activity during the winter.

After discussion The Board decided for the on-site guard to begin March 1<sup>st</sup>.

On MOTION by Mr. Elliott, seconded by Mr. Carson, with all in favor, the Proposal from Securitas for District Security Services, to

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Start the Remote Guard Now, and Begin the Live Guard on March 1<sup>st</sup>, was approved.

**THIRTEENTH ORDER OF BUSINESS**

**Consideration of Assignment of Contractor Agreement for Pine Tree Trail Master Infrastructure Project – ADDED**

Ms. Gentry reviewed the documents to be used to assign the contract for construction basics to include assignment agreement, Developer affidavit, contractor’s acknowledgement, contract addendum, and a number of certifications attached. She asked for approval in substantial form and authorize the Chair to sign.

On MOTION by Mr. Elliott, seconded by Mr. Carson, with all in favor, the Assignment of Contractor Agreement for Pine Tree Trail Master Infrastructure Project, was approved in substantial form.

**FOURTEENTH ORDER OF BUSINESS**

**Staff Reports**

**A. Attorney**

Ms. Gentry stated there was nothing further to report.

**B. Engineer**

Mr. Hunter stated he could provide updates for Phase 5 Chateau construction and Pine Tree Phase 6 if the Board needed. There were no questions.

**C. Field Manager’s Report**

Mr. Bailey reviewed some issues in the playground area and parking overnight. He noted the amenity is open and doing well. He reviewed landscaping and sodding, site item proposals, potholes that need repair, and sod needs in specific areas.

**i. Consideration of Landscape Items from Prince & Sons, Inc.**

**a) Contract Addendum for Phases 2 & 3**

Mr. Bailey reviewed the proposal quotes from Prince and Sons to add Phase 2 and 3 to the contract for \$71,640. This would roughly bring the contract amount to \$192,273.87. He noted the new budget has \$245,000. This would give us \$52,000 to manage other phases. Ms. Burns noted anything under \$195,000 has to go through a public RFP process. She added this is under the threshold but when adding the next Phase, they may need to re-bid the contract.

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On MOTION by Mr. Elliott, seconded by Mr. Carson, with all in favor, the, the Contract Addendum for Phase 2 & 3, was approved.

**b) Sod Installation along Pong Bank Near 877 Daring Drive**

Mr. Bailey reviewed the proposal quotes or \$945 for the sodding. Ms. Burns noted this is withing the landscaping budget.

On MOTION by Mr. Elliott, seconded by Mr. Carson, with all in favor, the Sod Installation Along Pond Bank Near 877 Daring Drive, was approved.

**c) Grading and Sodding Open Space Near 884 Daring Drive**

Mr. Bailey reviewed the proposal for the sod installation for a quote of \$5,919 for grading and sodding the area. Ms. Burns asked if this is withing the scope of the site contractor. This was tabled.

**ii. Consideration of Proposal for Aquatic Maintenance for Phase 3 Pond from Aquatic Weed Management**

Mr. Bailey reviewed this was adding the dry pond in the back of Phase 3 and is \$1800 added to the yearly contract. It was noted this was within budget.

On MOTION by Mr. Elliott, seconded by Mr. Carson, with all in favor, the, the Proposal for Aquatic Maintenance for Phase 3 Pond from Aquatic Weed Management, was approved.

**iii. Consideration of Proposals for Pest Control Services at Amenity**

**a) All American Lawn**

**b) Massey Services**

Mr. Bailey reviewed the two options for pest control. He noted All American Lawn is significantly higher and this adds the perimeter and inside and the playground quarterly. He noted Massey Services quoted the whole perimeter, the inside of buildings, the pool deck and the playground area for \$1,500/year.



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On MOTION by Mr. Elliott, seconded by Mr. Carson, with all in favor, the Proposal for \$1,500/year from Massey Services for Pest Control Services at the Amenity Center, was approved.

**iv. Consideration of Proposal for Road Repair from D&C Parking Lot Maintenance to Fix Pothole on James Paul Road**

Mr. Bailey reviewed the proposal for \$1,700 to repair the pothole. He noted they had checked several other vendors, and they were higher. Ms. Burns stated they could approve pending verification this is not under warranty.

On MOTION by Mr. Elliott, seconded by Mr. Carson, with all in favor, the Proposal for Road Repair from D&C Parking Lot Maintenance to Fix the Pothole on James Paul Road, was approved, pending it is not under warranty.

**v. Consideration of GMS Proposals for:**

**a) District Signage – Street Name Signs at Roundabouts**

Mr. Bailey reviewed this proposal and noted there are currently no street signs. There were questions on signage, and lettering. He stated this can be investigated further. This will be tabled.

**b) District Signage – “Do Not Enter” Signs**

Mr. Bailey reviewed the signage.

On MOTION by Mr. Elliott, seconded by Mr. Carson, with all in favor, the, Do Not Enter Signage, was approved.

**D. District Manager’s Report**

**i. Check Register**

Ms. Burns presented the check register to the Board and asked for approval.

On MOTION by Mr. Elliott, seconded by Mr. Carson, with all in favor, the Check Register, was approved.

**ii. Balance Sheet & Income Statement**

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Ms. Burns stated the financial statements for the month of August were included in the package for review. There was no action necessary from the Board.

**FIFTEENTH ORDER OF BUSINESS                      Other Business**

There being no comments, the next item followed.

**SIXTEENTH ORDER OF BUSINESS                      Supervisor’s Requests and Audience Comments**

Ms. Burns opened the meeting for questions from the audience. Audience members commented on issues with an area, signage areas, mailboxes, pest spraying in needed areas next to mailbox and playground, potholes, security camera usage and supporting the videos, other security camera options, remote monitoring, adding swings to the playground for disabled, adding benches, options for key fobs for pool access. Ms. Burns discussed problems with scanning of key fobs and costs. Another comment on pool gazebos, reserving for parties, community events, emailing Amenity staff for event information and approval.

Additional comments on golf cart status, amenity usage in all Phases, dog parks, street parking, entrance signage lighting, and adding benches.

**SEVENTEENTH ORDER OF BUSINESS                      Adjournment**

Ms. Burns adjourned the meeting.

On MOTION by Mr. Elliott, seconded by Mr. Carson, with all in favor, the meeting was adjourned.

*Jill Burns*  
Secretary/Assistant Secretary

DocuSigned by:  
*Brent Elliott*  
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Chairman/Vice Chairman