

**MINUTES OF MEETING
SILVERADO COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Silverado Community Development District held Multiple Public Hearings and a Regular Meeting on August 26, 2022 at 10:00 a.m., at the New River Amenity Center, 5227 Autumn Ridge Drive, 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)
Andrew Kantarzi	Wrathell, Hunt and Associates LLC (WHA)
Meredith Hammock	District Counsel
Tonja Stewart	District Engineer
Tirria Williams	Access Difference
Chris Gullion	Access Difference
Colette Fuller	Access Difference
Francisco Alexander	Resident/HOA President
Scott Carlson	Landscape Maintenance Professionals
Jon Souers	Yellowstone Landscape

Also present, were residents:

Mandana Rostamy	Linda Price	Jacob Schauff	Michael Ozorowsky
Elizabeth Simmons	Erik Beese	Namelda Allen	Julio Veguilla-Garcia
Kathy Thibodeau	Brian Allen	Maria Auclair	Roland Auclair
Peter Gambacorta	Anita Ford	Sonia Morales	Andriel Peraza-Smith

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Ms. Cerbone called the meeting to order at 10:12 a.m.

Ms. Cerbone stated she administered the Oath of Office to Mr. Andre Carmack prior to the meeting.

Supervisors Cotter, Moulton and Carmack were present. Supervisors Vincent and Zook were not present.

SILVERADO CDD
SECOND ORDER OF BUSINESS

August 26, 2022

Administration of Oath of Office to Supervisor Andre Carmack [Seat 4] (*the following will be provided in a separate package*)

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

This item was discussed during the First Order of Business.

THIRD ORDER OF BUSINESS

Update: CDD Resident Feedback to District Management

Ms. Cerbone provided updates on the following:

A. General

- Meeting times and the location are Board driven decisions. The location change was because construction is underway at the Avalon Park West Amenity Center. The meeting schedule can be reconsidered once the Board transitions to a resident Board.
- The final Landowner meeting is November, 14, 2022. All Landowners can attend and cast votes.

- **CDD Field Services Manager and HOA Property Manager are the Same Firm/Person**

Ms. Fuller is the first point of contact regarding field operation matters. Residents should email detailed information and provide photos, if possible; matters outside of field operations should be emailed to the District Manager.

- **Mailbox covering**

A mailbox covering was not in the original development plan or funded; the Board can allocate funds for Fiscal Year 2023, use Fiscal Year 2022 surplus funds to cover this expense or find out if the HOA is willing to fund the expense, subject to CDD and HOA Board approval.

- **District Boundaries and District Improvements that are Outside the Boundaries and Related Assessments**

The CDD bond financed improvements outside the CDD boundaries and is required to pay the associated maintenance costs. Regarding recouping the costs to maintain streets outside the CDD boundaries, the CDD Board can ask the owner to contribute to this expense.

- **CDD Budget and Options for Coordination with HOA for HOA Administration, Funding, etc.**

Residents can ask the HOA to impose special assessments for items that the CDD cannot fund because of budget constraints.

B. Roadways

- **Four (4) Additional Street Lights**

A proposal will be presented later in the meeting.

- **Stop Sign**

The Developer approved this and installation is underway.

- **Traffic Enforcement**

The City will allow the CDD to engage off-duty officers to monitor speeding, subject to availability.

- **Traffic Control**

Lowering speed limits or installing speed bumps or additional stop signs will require performing a Traffic Study, which is costly.

- **Golf Carts/ATVs on Paved Roads**

The City discourages this. District Counsel will give an update and present options at the next meeting.

- **Parking/Towing Policy**

Implementing a parking/towing policy requires Board approval, a public hearing and HOA partnership to administrate the policy.

- **Additional Doggie Waste Stations**

This is subject to Board approval now or it can be deferred until the Board transitions to the resident Board.

C. Pool area

- **Underage Drinking, Illegal Drug Use, Destruction of Property, etc.**

Police will only respond to resident 911 calls reporting a law being broken; the police do not respond to calls about broken HOA or CDD Rules.

- **Trespassing Enforcement**

After-hours trespassing is not a law the police can enforce, unless trespassers are underage or engaged in illegal activity.

- **Pool Furniture/Equipment Update and Replacement**

Ms. Fuller will present a proposal to drain and thoroughly clean the pool later in the meeting, which will require the pool to be closed for about one week.

- **Pool Rules/Signage**

The Rules will be adopted today and are posted on the CDD website; it is suggested that the HOA post them as well. Enforcement of the Rules will be initiated once the Traffic Enforcement Agreement is executed, which will be presented later in the meeting.

- **Parking/Towing Policy**

- **Security Services (after hours, weekends/daytime hours)**

Due to CDD budget constraints, the CDD can enter into a Joint Agreement with the HOA if the HOA is willing to fund this expense; both Boards must give approval.

Regarding key fobs, Ms. Fuller will present recommendations and cost estimates at the next meeting.

On MOTION by Ms. Moulton and seconded by Mr. Cotter, with all in favor, authorizing Ms. Fuller and District Management to proceed with the repair and installation to secure the pool gate and fence access, subject to Chair or Vice Chair approval, in a not-to-exceed amount of \$5,000, was approved.

D. Landscaping/Irrigation and Pond Maintenance

- **RFP (8 Addenda)**

As a result of vendor feedback, there are eight addendums to the Request for Proposal (RFP), which should address resident concerns. This item will be addressed later in the meeting.

- **Landscaping (clarification of which areas of CDD are to be maintained)**

Residents were advised to submit photographs to Ms. Fuller. Mowing occurs weekly and will revert back to biweekly during the dry season.

- **Pond Maintenance (doggie waste bags and other debris in ponds)**

The ponds are treated biweekly. Adding more dog stations might not ease the issue of waste bags tossed in the pond. Residents were advised to contact Ms. Fuller to address concerns instead of the vendors directly.

- **Pond Signage**

No swimming, dogs or otherwise, is allowed. This will be addressed later in the meeting.

E. Doggie Park

- **Pest control**

The treatment status is unknown.

- **Sizing**

Due to CDD budget constraints, the CDD can enter into a Joint Agreement with the HOA, if the HOA is willing to fund this expense.

- **Additional Waste Stations**

This item was already discussed.

FOURTH ORDER OF BUSINESS

Public Comments

Residents asked the Board to address what they perceived as serious problems. It was noted that certain items will be deferred until the Board transitions to a resident-based Board.

The following suggestions, inquiries and topics were discussed:

- Pool: Repair overall area, replace furniture and address liability concerns. Ms. Fuller is obtaining quotes to replace the furniture.
- Pond maintenance might be deterred due to overgrown grass. Residents felt that the landscapers are not addressing areas regularly and there are issues with rats. Ms. Fuller stated that the landscaper will address this issue today or tomorrow.
- Trees on Wagon Trail Street are low and damaging vehicle roofs.
- Resident(s) believed that the oak trees planted too close together on Silverado should be removed because they will become a problem and impact the roads and CDD budget
- Resident(s) asked the CDD to designate an HOA point of contact to address after-hours pool violations. Ms. Cerbone stated that Staff can ask to see IDs but cannot require it.
- An inquiry was made as to whether there is a way to track after-hours fob use.
- An inquiry was made as to whether people parking on the grass in the common area and damaging sprinkler heads can be fined.

SILVERADO CDD

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- Status of the work on Wagon Trail Street: Ms. Fuller stated it is private property.
- Regarding the suggestion to defer the Fifteenth Order of Business, related to imposing assessments until the Board transition to a resident Board, deferral is not possible, due to Florida Statute constraints.
- The budget does not currently allow for installing a basketball court.
- A suggestion was made to install a barrier to prevent dogs from swimming in the ponds.
- A request was made for the CDD to address inadequate lighting entering the community and at the north end of the pond. A proposal to install lights at the north area will be presented later in the meeting.
- Regarding a request for a map of CDD property in and outside the CDD and versus HOA, Ms. Cerbone will fill this public records request to Mr. Ozorowsky and Ms. Allen.
- An opinion that the Florida Power & Light (FPL) invoices seemed high was expressed and further research of why the CDD is paying for the street lights outside the CDD was requested. It was noted that the CDD is responsible for maintaining these areas even if it benefits those outside the CDD.
- Regarding residents donating funds for certain items, the Board will have to obtain District Counsel's input regarding possibly accepting donations.
- Regarding a request for a stop sign at Steer Blade Drive, Ms. Stewart will confirm if this is within the CDD's jurisdiction.
- Regarding transitioning to a resident Board, Ms. Cerbone and Staff will advise and answer resident Board Member questions.
- Landscaping: LMP Representative Mr. Scott Carlson stated he toured the community and noticed several areas missing on the original and newer maps. Since taking over in January, LMP has not been able to develop a relationship with the Board or the property. He is working with Ms. Fuller, which will help rectify most landscape issues.

Ms. Moulton stated that the Board will most likely defer awarding the RFP until the Board transitions to a resident Board.

Discussion ensued regarding LMP submitting tree trimming and mulch proposals in January, issues accessing the pool area and follow up.

Ms. Cerbone stated, if the CDD and HOA Boards approve, the CDD can contract with the HOA to maintain all CDD field operation improvements and collect those assessments.

**SILVERADO CDD
FIFTH ORDER OF BUSINESS**

August 26, 2022

**Consideration for Responses to RFP for
Landscape and Irrigation Maintenance
Services**

- A. RFP Package**
- B. Affidavit/Proof of Publication**
- C. Respondents**
 - I. Juniper Landscaping**
 - II. Landscape Maintenance Professionals, Inc.**
 - III. Yellowstone Landscape**
- D. Ranking**
- E. Authorization to Award Contract**

On MOTION by Mr. Cotter and seconded by Ms. Moulton, with all in favor, deferring evaluating the responses to the Request for Proposals for Landscape and Irrigation Maintenance Services until the Board transitions to a resident-based Board, was approved.

SIXTH ORDER OF BUSINESS

**Presentation of Audited Financial
Statements for Fiscal Year Ended
September 30, 2021, Prepared by
DiBartolomeo, McBee, Hartley & Barnes,
P.A.**

Ms. Cerbone presented the Audited Financial Report for the Fiscal Year Ended September 30, 2021 and highlighted the pertinent information There were no issues, findings, recommendations, deficiencies on internal control or instances of non-compliance. It was a clean audit.

SEVENTH ORDER OF BUSINESS

**Consideration of Resolution 2022-11,
Hereby Accepting the Audited Financial
Report for the Fiscal Year Ended
September 30, 2021**

Ms. Cerbone presented Resolution 2022-11.

On MOTION by Mr. Cotter and seconded by Mr. Carmack, with all in favor, Resolution 2022-11, Hereby Accepting the Audited Financial Report for the Fiscal Year Ended September 30, 2021, was adopted.

EIGHTH ORDER OF BUSINESS

Consideration of Duke Energy Lighting Service Agreement

Ms. Cerbone presented the Duke Energy Lighting Service Agreement for four additional streetlights.

On MOTION by Mr. Cotter and seconded by Ms. Moulton, with all in favor, the Duke Energy Lighting Service Agreement, was approved.

NINTH ORDER OF BUSINESS

Consideration of Trespass Enforcement Agreement

Ms. Hammock presented the Trespass Enforcement Agreement. The Agreement authorizes the police to enforce trespassing, after-hours, without contacting a point of contact.

On MOTION by Mr. Cotter and seconded by Mr. Carmack, with all in favor, the Trespass Enforcement Agreement with the Zephyrhills Police Department, was approved.

TENTH ORDER OF BUSINESS

Ratification of Addendum to Clementi Environmental Consulting, LLC Proposal for Mitigation Area Maintenance

Ms. Cerbone presented the Addendum to the Clementi Environmental Consulting, LLC Proposal for Mitigation Areas Maintenance and Replanting and the Annual Report, which was approved at the last meeting; the project is completed. Ms. Hammock stated that the CDD's general terms and conditions were added to Addendum.

On MOTION by Mr. Cotter and seconded by Mr. Carmack, with all in favor, the Addendum to the Clementi Environmental Consulting, LLC Proposal for Mitigation Areas A and B; Permit 26719.011 and .013, Mitigation Area Maintenance and Replanting and Annual Report, was ratified.

Ratification of Stormwater Needs Analysis

Ms. Cerbone stated that the Stormwater Management Needs Analysis Report was submitted to the County by the due date. The next report is due in five years. Considering future budgets, Ms. Stewart expects having to implement additional Stormwater Management Best Management Practices (SMBMPs) over the next 12 to 24 months, as part of its maintenance program with the CDD vendors.

On MOTION by Mr. Cotter and seconded by Mr. Carmack, with all in favor, the Stormwater Management Needs Analysis Report and Staff's action of submitting the Report to the County, was ratified.

TWELFTH ORDER OF BUSINESS

**Ratification of First Amendment to
Landscape & Irrigation Services Between
Landscape Maintenance Professionals, Inc.
and Silverado Community Development
District**

Ms. Cerbone stated that the First Amendment to the Landscape & Irrigation Services Agreement is being presented for consideration, rather than ratification, as certain insurance requirements were updated.

On MOTION by Mr. Cotter and seconded by Mr. Carmack, with all in favor, the First Amendment to the Landscape & Irrigation Services Agreement Between Landscape Maintenance Professionals, Inc., and Silverado Community Development District, was approved.

THIRTEENTH ORDER OF BUSINESS

**Public Hearing to Hear Public Comments
and Objections to the Adoption of the
Rules of Procedures and Amenity Rules**

A. Affidavits of Publication

The affidavits of publication were included for informational purposes.

B. Consideration of Resolution 2022-12, Adopting Rules of Procedure; Providing a Severability Clause; and Providing an Effective Date

On MOTION by Mr. Cotter and seconded by Mr. Carmack, with all in favor, the Public Hearing was opened.

Ms. Cerbone stated if the current Board does not take any suggestions into consideration today, the Rules can be brought back to the resident-controlled Board for additional modifications.

Regarding the e-cigarette and smoking rules and posts by the pool, Mr. Alexander asked if the CDD can install more permanent signage. The Board agreed with the suggestion that Mr. Alexander send a photo to Ms. Fuller and Ms. Cerbone, which will be emailed to District Counsel to determine if it meets the Florida Statutes. If not, upon direction from CDD Staff, Ms. Fuller is authorized to purchase updated signage.

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

Ms. Cerbone presented Resolution 2022-12.

On MOTION by Mr. Cotter and seconded by Mr. Carmack, with all in favor, Resolution 2022-12, Adopting the Amenity Center Rules of Procedure and Policies; Providing a Severability Clause; and Providing an Effective Date, was adopted.

FOURTEENTH ORDER OF BUSINESS

Public Hearing on Adoption of Fiscal Year 2022/2023 Budget

A. Proof/Affidavit of Publication

The affidavit of publication was included for informational purposes.

B. Consideration of Resolution 2022-13, Relating to the Annual Appropriations and Adopting the Budgets for the Fiscal Year Beginning October 1, 2022 and Ending September 30, 2023; Authorizing Budget Amendments; and Providing an Effective Date

Ms. Cerbone highlighted changes to the proposed Fiscal Year 2023 budget since it was last presented, and gave an overview of fund balance, unassigned fund uses and establishing working capital for the first quarter.

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

Resident Brian Allen asked how much of the Fiscal Year 2022 budget has spent, to date, as he believes there is a big discrepancy between what was budgeted and what was spent over the five-month period. Ms. Cerbone stated that reporting is based on when the CDD receives vendor invoices; updated figures will be presented once the July 31, 2021 Unaudited Financial Statements are presented later in the meeting.

Resident Erik Beese asked about the terms of the Amenity Center pool service contract. Ms. Cerbone stated the contract was awarded prior to engaging WHA as District Manager. The contract is typically an annual contract with extension and termination clauses built in. The resident Board can evaluate CDD contracts at any time. She recommended waiting 30 to 60 days after the transition to make changes; timing is dependent on the terms of the contract.

Resident Julio Veguilla Garcia asked if there is one central place where residents can review agreements and scopes of work. Ms. Cerbone replied no, residents will have to email the District Manager's office, as it is considered a public records request.

A resident asked for the cost when the pool furniture was replaced. Since this information is not readily available, the resident was advised to send a public records request.

Resident Michael Ozorowsky asked if Engineering funds can be used to expand parking at the clubhouse. As this is dependent upon Board approval, he asked the Board to consider this and ensure that the CDD is not paying pool cleaning costs since they decided to proceed with draining and cleaning the pool.

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

Ms. Cerbone presented Resolution 2022-13.

On MOTION by Mr. Cotter and seconded by Mr. Carmack, with all in favor, Resolution 2022-13, Relating to the Annual Appropriations and Adopting the Budgets for the Fiscal Year Beginning October 1, 2022 and Ending September 30, 2023; Authorizing Budget Amendments; and Providing an Effective Date, was adopted.

Public Hearing to Hear Comments and
Objections on the Imposition of
Maintenance and Operations Assessments
to Fund the Budget for Fiscal Year
2022/2023, Pursuant to Florida Law

- A. Proof/Affidavit of Publication
- B. Mailed Notice(s) to Property Owners

These items were included for informational purposes.

- C. **Consideration of Resolution 2022-14, Making a Determination of Benefit and Imposing Special Assessments for Fiscal Year 2022/2023; Providing for the Collection and Enforcement of Special Assessments, Including But Not Limited to Penalties and Interest Thereon; Certifying an Assessment Roll; Providing for Amendments to the Assessment Roll; Providing a Severability Clause; and Providing an Effective Date**

On MOTION by Mr. Cotter and seconded by Mr. Carmack, with all in favor, the Public Hearing was opened.

Regarding the non-ad valorem assessment. Ms. Cerbone stated there are two components of the non-ad valorem figure, the O&M and Debt service portions that appear on the property tax bill.

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

Ms. Cerbone presented Resolution 2022-14 and read the title.

On MOTION by Mr. Cotter and seconded by Mr. Carmack, with all in favor, Resolution 2022-14, Making a Determination of Benefit and Imposing Special Assessments for Fiscal Year 2022/2023; Providing for the Collection and Enforcement of Special Assessments, Including But Not Limited to Penalties and Interest Thereon; Certifying an Assessment Roll; Providing for Amendments to the Assessment Roll; Providing a Severability Clause; and Providing an Effective Date, was adopted.

Ms. Cerbone presented the Unaudited Financial Statements as of July 31, 2022 and addressed Ms. Moulton's comments about the following budget line items:

- Palms and tree trimming: Since the funds were not used, she asked CDD Staff to determine projects based on the proposals that came in or did not come in. Ms. Fuller will obtain the proposals from LMP.
- Dog Stations: It is too soon to determine if the Fiscal Year 2022 budget can fund installation of two dog stations.
- Mulch: CDD Staff must research further; whether these expenses should have been coded to the Landscape maintenance budget line item is unknown.

Ms. Moulton asked Staff to find a way, if the budget allows, to complete the necessary mulch and tree trimming projects to prevent further delays. Ms. Cerbone stated this will require a two-step process. Ms. Sanchez will confirm with accounting about invoicing and services and Ms. Fuller, as the designated point person, will work with Ms. Sanchez and LMP to confirm that no services were provided above or beyond the \$6,850 paid and, upon confirmation, obtain and approve proposals for the Board to ratify at the next meeting.

On MOTION by Mr. Cotter and seconded by Ms. Moulton, with all in favor, authorizing the Operations Manager, District Manager and Chair and Vice Chair to approve mulch and tree trimming proposals outside of a meeting, was approved.

On MOTION by Mr. Cotter and seconded by Mr. Carmack, with all in favor, the Unaudited Financial Statements as of July 31, 2022, were accepted.

SEVENTEENTH ORDER OF BUSINESS

Approval of April 22, 2022 Regular Meeting Minutes

Ms. Cerbone presented the April 22, 2022 Regular Meeting Minutes.

On MOTION by Mr. Cotter and seconded by Mr. Carmack, with all in favor, the April 22, 2022 Regular Meeting Minutes, as presented, were approved.

Staff Reports

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

There was no report.

B. District Engineer: *Stantec*

- **Project Update**

Ms. Stewart stated she will prepare an updated Professional Maintenance map, as the one in the RFP for landscaping services was hand drawn due to time constraints.

- **Update: Permit Related Items**

This item was not addressed.

C. Operations Manager: *Access Management*

The Report was included for informational purposes.

Ms. Moulton asked if dogs are allowed to swim in the ponds and if “No Swimming” signs are posted in the area. Ms. Stewart stated it is important for the community to understand that the CDD stormwater facilities are not recreational facilities and should not be used as such.

Ms. Sanchez was designated as the point person to contact Egis, the CDDs insurance carrier, to obtain signage verbiage specific to stormwater ponds and provide it to Ms. Fuller. It was noted that the insurance carrier conducts on-site inspections with the District Manager every other year.

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

Ms. Cerbone reported the following:

I. 692 Registered Voters in District as of April 15, 2022

II. Update: Qualified Elector Candidates for General Election

- **Seat 1**
 - **Michael Ozorowsky**
 - **Katherine Thibodeau**
- **Seat 2**
 - **Thaddeus A Money**

Ms. Cerbone reiterated there is one final Board Seat that will be Landowner-elected on November, 29, 2022. A Regular Meeting will follow.

III. UPCOMING MEETINGS

- **September 23, 2022 at 10:00 A.M. – Board Meeting**

- **November 29, 2022 at 10:00 A.M. – Landowners’ Meeting [Seat 5]**
- **November 29, 2022 at 10:00 A.M. – Board Meeting**
- **QUORUM CHECK**

The next meeting will be September 23, 2022, unless cancelled.

NINETEENTH ORDER OF BUSINESS

Board Members’ Comments/Requests

There were no Board Members’ comment or requests.

TWENTIETH ORDER OF BUSINESS

Public Comments

A resident asked if the CDD or HOA can put up holiday signs and lights. Ms. Cerbone stated, if the HOA is funding this, a request should be submitted to the CDD.

A resident asked if there is a tracking system for open invoices or services. Ms. Cerbone replied no and noted this is cash-based accounting and, unless there is a term in the contract, the CDD complies with its prompt payment policy.

A resident asked the Board to consider resident requests regarding parking overflow to prevent broken irrigation heads and lighting issues. Regarding timeline, Ms. Cerbone stated that Staff cannot work on items without Board direction.

TWENTY-FIRST ORDER OF BUSINESS

Adjournment

There being nothing further to discuss, the meeting adjourned.

On MOTION by Mr. Cotter and seconded by Mr. Carmack, with all in favor, the meeting adjourned at 12:21 p.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]


Secretary/Assistant Secretary


Chair/Vice Chair