



**AVENIR  
COMMUNITY DEVELOPMENT  
DISTRICT**

**CITY OF PALM BEACH GARDENS  
REGULAR BOARD MEETING  
APRIL 25, 2019  
12:00 P.M.**

Special District Services, Inc.  
The Oaks Center  
2501A Burns Road  
Palm Beach Gardens, FL 33410

[www.avenircdd.org](http://www.avenircdd.org)  
561.630.4922 Telephone  
877.SDS.4922 Toll Free  
561.630.4923 Facsimile

**AGENDA**  
**AVENIR COMMUNITY DEVELOPMENT DISTRICT**  
The Oaks Center  
2501 Burns Road, Suite A  
Palm Beach Gardens, Florida 33410  
**REGULAR BOARD MEETING**  
April 25, 2019  
12:00 p.m.

- A. Call to Order
- B. Proof of Publication.....Page 1
- C. Establish Quorum
- D. Additions or Deletions to Agenda
- E. Comments from the Public for Items Not on the Agenda
- F. Approval of Minutes
  - 1. April 4, 2019 Special Board Meeting & Public Hearing.....Page 2
- G. Old Business
- H. New Business
  - 1. Consider Resolution No. 2019-10 – Adopting a Fiscal Year 2019/2020 Proposed Budget.....Page 11
  - 2. Consider Approval of District Surveying Contract with Caulfield & Wheeler.....Page 20
  - 3. Consider Change in Meeting Location
  - 4. Consider Approval of Maintenance Agreement (Avenir POD A1).....Page 23
  - 5. Consider Approval of Maintenance Agreement (Avenir POD A3).....Page 24
  - 6. Consider Approval of Maintenance Agreement (Avenir POD A1).....Page 25
  - 7. Consider Approval of Maintenance Agreement (Avenir POD A3).....Page 26
- I. Administrative Matters
- J. Board Member Comments
- K. Adjourn

## PROOF OF PUBLICATION STATE OF FLORIDA

### PUBLIC NOTICE

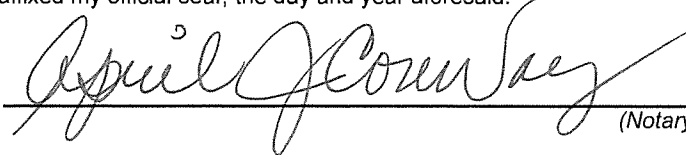
Before the undersigned authority, personally appeared Suzanne Casey, who on oath, says that he/she is a Legal Advertising Representative of The Palm Beach Post, a daily and Sunday newspaper, published in West Palm Beach and distributed in Palm Beach County, Martin County, and St. Lucie County, Florida; that the attached copy of advertising for a Legal - PublicNotice was published in said newspaper on: first date of Publication 10/12/2018 and last date of Publication 10/12/2018. Affiant further says that the said The Palm Beach Post is a newspaper published in West Palm Beach, in said Palm Beach County, Florida and that the said newspaper has heretofore been continuously published in said Palm Beach County, Florida, daily and Sunday and has been entered as second class mail matter at the post office in West Palm Beach, in said Palm Beach County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he/she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in said newspaper.

AVENIR CDD  
2501 BURNS RD  
STE A  
PALM BEACH GARDENS, FL 33410

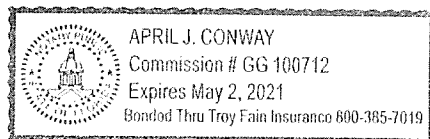
Invoice/Order Number:	0000428771
Ad Cost:	\$271.76
Paid:	\$271.76
Balance Due:	\$0.00

Signed   
(Legal Advertising Agent)

Sworn or affirmed to, and subscribed before me, this 16th day of October, 2018 in Testimony whereof, I have hereunto set my hand and affixed my official seal, the day and year aforesaid.

Signed   
(Notary)

Please see Ad on following page(s).



AVENIR CDD  
2501 BURNS RD  
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Invoice/Order Number: 0000428771  
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**AVENIR COMMUNITY  
DEVELOPMENT DISTRICT  
FISCAL YEAR 2018/2019  
REGULAR MEETING SCHEDULE**

NOTICE IS HEREBY GIVEN that the Board of Supervisors of the Avenir Community Development District will hold Regular Board Meetings in the Conference Room of Special District Services, Inc. located 2501A Burns Road, Palm Beach Gardens, Florida 33410 at 12:00 p.m. on the following dates:

October 25, 2018  
November 15, 2018  
December 27, 2018  
January 24, 2019  
February 28, 2019  
March 28, 2019  
April 25, 2019  
May 23, 2019  
June 27, 2019  
July 25, 2019  
August 22, 2019  
September 26, 2019

The purpose of the meetings is to conduct any business coming before the Board. Meetings are open to the public and will be conducted in accordance with the provisions of Florida law. Copies of the Agendas for any of the meetings may be obtained from the District's website or by contacting the District Manager at 561-630-4922 and/or toll free at 1-877-737-4922 prior to the date of the particular meeting.

From time to time one or two Supervisors may participate by telephone; therefore, a speaker telephone will be present at the meeting location so that Supervisors may be fully informed of the discussions taking place. Said meeting(s) may be continued as found necessary to a time and place specified on the record.

If any person decides to appeal any decision made with respect to any matter considered at these meetings, such person will need a record of the proceedings and such person may need to ensure that a verbatim record of the proceedings is made at his or her own expense and which record includes the testimony and evidence on which the appeal is based.

In accordance with the provisions of the Americans with Disabilities Act, any person requiring special accommodations or an interpreter to participate at any of these meetings should contact the District Manager at 561-630-4922 and/or toll free at 1-877-737-4922 at least seven (7) days prior to the date of the particular meeting.

Meetings may be cancelled from time to time without advertised notice.

AVENIR COMMUNITY  
DEVELOPMENT DISTRICT

[www.avenircdd.org](http://www.avenircdd.org)  
10-12/2018

0000428771-01

AVENIR COMMUNITY DEVELOPMENT DISTRICT  
2501 BURNS RD  
PALM BEACH GARDENS, FL 33410

**AVENIR COMMUNITY DEVELOPMENT DISTRICT  
PUBLIC HEARING & SPECIAL BOARD MEETING  
APRIL 4, 2019**

**A. CALL TO ORDER**

The Special Board Meeting of the Avenir Community Development District was called to order at 12:04 p.m. in the offices of Special District Services, Inc., 2501A Burns Road, Palm Beach Gardens, Florida 33410.

**B. PROOF OF PUBLICATION**

Proof of publication was presented which indicated that notice of the Special Board Meeting had been published in *The Palm Beach Daily Business Review* on March 28, 2019, as legally required.

**C. ESTABLISH A QUORUM**

A quorum was established with the following Supervisors in attendance: Chairperson Virginia Cepero, and Supervisors Daniel Lopez and Rodolfo Stern and it was in order to proceed with the meeting.

Also in attendance were: Jason Pierman of Special District Services, Inc.; District Counsel Dennis Lyles and Mike Pawelczyk of Billing, Cochran, Lyles, Mauro & Ramsey, P.A.; District Engineer Carlos Ballbe of Ballbe & Associates; and Bond Counsel Stephen Sanford of Greenberg Traurig, P.A.

Also present were Manny Mato; and Rosa Schechter (via phone).

**D. ADDITIONS OR DELETIONS TO AGENDA**

Mr. Pierman noted that there were two items that needed to be added to the agenda under New Business:

- 1) Palm Beach County Water Utilities District (PBCWUD) Conveyance Documents, including watermain as-builts, bill of sale, and lien affidavit.
- 2) Mecca Watermain Extension contract change order for Ballbe & Associates.

A **motion** was made by Mr. Lopez, seconded by Ms. Cepero, and unanimously passed to add the items under New Business.

**E. COMMENTS FROM THE PUBLIC FOR ITEMS NOT ON THE AGENDA**

There were no comments from the public for items not on the agenda.

**F. APPROVAL OF MINUTES**

**1. February 28, 2019, Regular Board Meeting**

The minutes of the February 28, 2019, Regular Board Meeting were presented for approval.

A **motion** was made by Mr. Lopez, seconded by Ms. Cepero and passed unanimously approving the minutes of the February 28, 2019, Regular Board Meeting, as presented.

**G. CONSIDER RESOLUTION NO. 2019-09 – ADMENDING RESOLUTION NOS. 2019-03 AND 2019-04 – AMENDING PUBLIC HEARING DATES**

Resolution No. 2019-09 was presented, entitled:

**RESOLUTION NO. 2019-09**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE AVENIR COMMUNITY DEVELOPMENT DISTRICT AMENDING RESOLUTION NOS. 2019-03 AND 2019-04; AMENDING THE DATE AND TIME FOR THE PUBLIC HEARING ON DECLARING SPECIAL ASSESSMENTS AND THE PUBLIC HEARING TO CONSIDER THE INTENT TO UTILIZE THE UNIFORM METHOD OF LEVYING ASSESSMENTS AND AUTHORIZING THE SECRETARY AND DISTRICT MANAGER TO TAKE CERTAIN ACTIONS TO ACCOMPLISH THE INTENT OF THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.**

Mr. Pierman explained that Resolution No. 2019-09 was necessary because of the revised public hearing dates, due to quorum issues. He noted that the resolution simply amends the date of the public hearings, and that the advertisements for the meetings were already updated.

A **motion** was made by Mr. Lopez, seconded by Mr. Stern and passed unanimously to adopt Resolution No. 2019-09, as presented.

At approximately 12:09 p.m., Mr. Pierman recessed the Special Board Meeting and opened the Public Hearing on the District’s Intent to Levy Non-Ad Valorem Assessments – Assessment Area One Parcels 6, 7 & 8.

**H. PUBLIC HEARING – INTENT TO LEVY NON-AD VALOREM ASSESSMENTS – ASSESSMENT AREA ONE PARCELS 6, 7 & 8**

**1. Proof of Publication**

Proof of publication was presented which indicated that notice of the Public Hearing had been published in *The Palm Beach Daily Business Review* on March 19, 2019, and March 26, 2019, as legally required.

**2. Receive Public Comment Regarding Intent to Levy Non-Ad Valorem Assessments**

There were no members of the public present.

**3. Consider Approval of the Project and the Levy of Special Assessments**

Mr. Ballbe provided an overview of the project, noting that the area was in the northern boundary and includes the spine road, drainage and earthwork. Mr. Sanford explained that the bond holder allowed the District to issue additional bonds.

A **motion** was made by Mr. Lopez, seconded by Ms. Cepero, and unanimously passed to approve this portion of the project and approve funding it with special assessments.

**4. Consider Adjusting and Equalizing Non-Ad Valorem Special Assessments Based on Comments from the Public**

Mr. Lyles explained this was the time for anyone to question the allocation of debt to portions of the project. Hearing no objections, a **motion** was made by Mr. Stern, seconded by Ms. Cepero, and unanimously passed to not modify statements in the resolution.

**5. Consider Resolution No. 2019-07 – (1) Levying of Special Assessments; and (2) Adoption of Final Assessment Roll**

Resolution No. 2019-07 was presented, entitled:

**RESOLUTION 2019-07**

**A RESOLUTION OF THE AVENIR COMMUNITY DEVELOPMENT DISTRICT AUTHORIZING DISTRICT PROJECTS FOR CONSTRUCTION AND/OR ACQUISITION OF INFRASTRUCTURE IMPROVEMENTS; EQUALIZING, APPROVING, CONFIRMING, AND LEVYING SPECIAL ASSESSMENTS ON PROPERTY SPECIALLY BENEFITED BY SUCH PROJECTS TO PAY THE COST THEREOF; PROVIDING FOR THE PAYMENT AND THE COLLECTION OF SUCH SPECIAL ASSESSMENTS BY THE METHODS PROVIDED FOR BY CHAPTERS 170, 190 AND 197, FLORIDA STATUTES; CONFIRMING THE DISTRICT'S INTENTION TO ISSUE SPECIAL ASSESSMENT BONDS; MAKING PROVISIONS FOR TRANSFERS OF REAL PROPERTY TO GOVERNMENTAL BODIES; PROVIDING FOR THE RECORDING OF AN ASSESSMENT NOTICE; PROVIDING FOR SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.**

A **motion** was made by Mr. Lopez, seconded by Ms. Cepero, and passed unanimously to adopt Resolution No. 2019-07, as presented.

At approximately 12:17 p.m., Mr. Pierman closed the Public Hearing on the District's Intent to Levy Non-Ad Valorem Assessments – Assessment Area One Parcels 6, 7 & 8 and opened the Public Hearing on the District's Intent to Use the Uniform Method.

**I. PUBLIC HEARING – INTENT TO USE THE UNIFORM METHOD**

**1. Proof of Publication**

Proof of publication was presented which indicated that notice of the Public Hearing had been published in *The Palm Beach Daily Business Review* on March 7, 2019, March 14, 2019, March 21, 2019 and March 28, 2019, as legally required.

**2. Receive Public Comment on Intent to Utilize the Uniform Method of Levying, Collecting and Enforcing Non-Ad Valorem Assessments**

There were no members of the public present.

**3. Consider Resolution No. 2019-08 – Intent to Utilize the Uniform Method of Levying, Collecting and Enforcing Non-Ad Valorem Assessments**

Resolution No. 2019-08 was presented, entitled:

**RESOLUTION 2019-08**

**RESOLUTION OF THE BOARD OF SUPERVISORS OF THE AVENIR COMMUNITY DEVELOPMENT DISTRICT EXPRESSING ITS INTENT TO UTILIZE THE UNIFORM METHOD OF LEVYING, COLLECTING, AND ENFORCING NON AD VALOREM ASSESSMENTS WHICH MAY BE LEVIED BY THE WINDING CYPRESS COMMUNITY DEVELOPMENT DISTRICT IN ACCORDANCE WITH SECTION 197.3632, FLORIDA STATUTES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

A **motion** was made by Mr. Lopez, seconded by Mr. Stern and passed unanimously to adopt Resolution No. 2019-08, as presented.

At approximately 12:18 p.m., Mr. Pierman closed the Public Hearing on the District’s Intent to Use the Uniform Method and reconvened the Special Board Meeting.

**J. OLD BUSINESS**

There were no Old Business items to come before the Board.

**K. NEW BUSINESS**

**1. Consider Approval of Acquisition Agreement**

Mr. Pawelczyk presented the Acquisition Agreement, explaining that it applies to the 2019 bonds and project, and allows the District to use bond proceeds to acquire and pay for the project. He also noted that the project costs exceed the amount being funded in proceeds, and that the developer will fund the remaining amount.

A **motion** was made by Mr. Lopez, seconded by Mr. Stern and passed unanimously approving the Acquisition Agreement, as presented.

**2. Consider Approval of Collateral Assignment and Assumption Agreement**

Mr. Pawelczyk explained that the Collateral Assignment and Assumption Agreement was between the District and the developer and provides that the developer will complete the project in case of default.



A **motion** was made by Mr. Lopez, seconded by Mr. Stern and passed unanimously approving the Collateral Assignment and Assumption Agreement, as presented.

### **3. Consider Approval of Completion Agreement**

Mr. Pawelczyk explained that the Completion Agreement requires the developer complete the project, as defined, regardless of the amount of bond proceeds.

A **motion** was made by Mr. Lopez, seconded by Mr. Stern and passed unanimously approving the Completion Agreement, as presented.

### **4. Consider Approval of Lien of Record**

Mr. Pawelczyk explained that the lien would be recorded after closing of the bond, so purchasers are aware of the assessment.

A **motion** was made by Mr. Lopez, seconded by Mr. Stern and passed unanimously approving the Lien of Record, as presented.

### **5. Consider Approval of True-Up Agreement**

Mr. Pawelczyk explained that the True-Up Agreement was a requirement between parties, stating that if the developer creates fewer units, the developer is responsible for funding the difference. He also noted that the agreement would be recorded.

A **motion** was made by Mr. Lopez, seconded by Mr. Stern and passed unanimously approving the True-Up Agreement, as presented.

### **6. Consider Approval of Declaration of Consent to Jurisdiction of the Avenir Community Development District (Imposition of Special Assessments, and Imposition of Lien of Record, Assessment Area One, 2019 Project)**

Mr. Pawelczyk noted that no action was necessary on the Declaration of Consent to Jurisdiction, but that the developer would execute the declaration, acknowledging that the District was there and that a lien was in place.

### **7. Consider Resolution No. 2019-06 – Delegation Award Resolution**

Resolution No. 2019-06 was presented, entitled:

#### **RESOLUTION NO. 2019-06**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE AVENIR COMMUNITY DEVELOPMENT DISTRICT (THE “DISTRICT”) AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$16,000,000 AVENIR COMMUNITY DEVELOPMENT DISTRICT SPECIAL ASSESSMENT BONDS, SERIES 2019 (ASSESSMENT AREA ONE – PARCELS A-6 – A-9) (THE “BONDS”), TO FINANCE CERTAIN PUBLIC INFRASTRUCTURE WITHIN ASSESSMENT AREA ONE OF THE DISTRICT; DETERMINING THE NEED**

**FOR A NEGOTIATED PRIVATE PLACEMENT OFFERING OF THE BONDS AND PROVIDING FOR AN AWARD OF SUCH BONDS TO PRESTON CAPITAL, LLC (THE “PURCHASER”); APPOINTING THE PLACEMENT AGENT FOR THE PRIVATE PLACEMENT OF THE BONDS; APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION AND DELIVERY OF A BOND PLACEMENT AGREEMENT WITH RESPECT TO THE BONDS; APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION AND DELIVERY OF A FOURTH SUPPLEMENTAL TRUST INDENTURE GOVERNING THE BONDS; APPROVING THE APPLICATION OF THE MASTER TRUST INDENTURE DATED AS OF MAY 1, 2018 FOR THE BONDS; APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION OF A CONTINUING DISCLOSURE AGREEMENT, AND APPOINTING A DISSEMINATION AGENT; APPROVING THE APPLICATION OF BOND PROCEEDS; AUTHORIZING CERTAIN MODIFICATIONS TO THE ASSESSMENT METHODOLOGY REPORTS AND ENGINEER’S REPORT; PROVIDING FOR THE REGISTRATION OF THE BONDS PURSUANT TO THE DTC BOOK-ENTRY ONLY SYSTEM; AUTHORIZING THE PROPER OFFICIALS TO DO ALL THINGS DEEMED NECESSARY IN CONNECTION WITH THE ISSUANCE, SALE AND DELIVERY OF THE BONDS; AND PROVIDING FOR SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.**

Mr. Sanford explained that in March of 2017, the District adopted a resolution authorizing the issuance of up to \$360 Million in bonds. There were multiple bonds issued in 2018, and these 2019 bonds are to finance improvements in Assessment Area One, Parcels A-6 through A-9. Mr. Sanford noted that this was an award resolution, because we know who is buying the bonds and the terms: there is no delegation necessary. He explained that the resolution was set for \$16 Million, in case there was any increase needed through the process.

A **motion** was made by Mr. Lopez, seconded by Mr. Stern and passed unanimously adopting Resolution No. 2019-06, as presented.

### **8. Consider Selection of a District Surveyor**

Mr. Pierman presented the responses from Bowman Consulting Group and Caulfield & Wheeler. Mr. Ballbe explained that Caulfield & Wheeler specializes in this type of work, is local, and has experience on the site.

Following a brief discussion, a **motion** was made by Mr. Lopez, seconded by Mr. Stern, and unanimously passed to rank the respondents in the following order, and authorizing staff to engage the number one contractor and bring back a contract for consideration:

- 1) Caulfield & Wheeler
- 2) Bowman Consulting Group

### **9. Consider Approval of Landscape Contract Amendment with Arazoza Brothers**

Mr. Lyles presented the contract amendment, explaining that the District was already under contract with Arazoza Brothers to complete improvements required by the City of Palm Beach Gardens. The original contract was thought to have been sufficient as a lump sum agreement to complete the required work.

However, the City imposed additional requirements. Arazoza Brothers has agreed to hold their pricing, as rebidding would be significantly more expensive. Mr. Lyles explained that this agreement amends the current contract, holding prices, and changing the lump sum pricing to a unit cost.

A **motion** was made by Mr. Lopez, seconded by Mr. Stern and passed unanimously approving the Landscape Contract Amendment with Arazoza Brothers, as presented.

### **10. Consider Approval of Plats A1 & A3**

Mr. Ballbe presented the plats and requested that Plat A4 also be included in the approval, because it will be ready for approval prior to the City's next meeting. He further explained that Plats A1, A3 and A4 were ready to be recorded, and that the District owns some land on the plats, necessitating the Board's approval.

A **motion** was made by Mr. Lopez, seconded by Ms. Stern, and unanimously passed authorizing the Chair to execute the plats.

### **11. Consider Approval of Palm Beach County Water Utilities District Conveyance Documents, Including Water Main As-Builts, Bills of Sale and Lien Affidavit**

Mr. Ballbe explained that it was necessary to execute the bill of sale for the County and Seacoast to own the utilities (water and sewer) that the District funded.

A **motion** was made by Mr. Lopez, seconded by Ms. Stern, and unanimously passed authorizing District Officials to execute any water and sewer conveyance documents required by the County, once certified by the District Engineer to PBCWU and Seacoast, subject to engineering review.

### **12. Consider Approval of Mecca Watermain Extension Contract Change Order for Ballbe & Associates**

Mr. Ballbe presented his contract change order for the Mecca Watermain Extension.

A **motion** was made by Mr. Lopez, seconded by Ms. Stern, and unanimously passed approving the contract change order.

### **L. ADMINISTRATIVE MATTERS**

There were no Administrative Matters to come before the Board.

### **M. BOARD MEMBER COMMENTS**

Ms. Schechter noted that the Board would need to approve agreements prior to sales, which could happen before the May meeting. The Board agreed to keep the April 25<sup>th</sup> meeting on the calendar, in case the agreements were ready to be considered.

### **N. ADJOURNMENT**

There being no further business to come before the Board, a **motion** was made by Mr. Lopez, seconded by Mr. Stern and passed unanimously to adjourn the meeting at 12:48 p.m.

**ATTESTED BY:**

\_\_\_\_\_  
Secretary/Assistant Secretary

\_\_\_\_\_  
Chairperson/Vice-Chair

**RESOLUTION NO. 2019-10**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE AVENIR COMMUNITY DEVELOPMENT DISTRICT APPROVING A PROPOSED BUDGET FOR FISCAL YEAR 2019/2020; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Board of Supervisors (“Board”) of the Avenir Community Development District (“District”) is required by Chapter 190.008, *Florida Statutes*, to approve a Proposed Budget for each fiscal year; and,

**WHEREAS**, the Proposed Budget including the Assessments for Fiscal Year 2019/2020 has been prepared and considered by the Board.

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

**Section 1.** The Proposed Budget including the Assessments for Fiscal Year 2019/2020 attached hereto as Exhibit “A” is approved and adopted.

**Section 2.** A Public Hearing is hereby scheduled for \_\_\_\_\_, 2019 at 12:00 p.m. in The Oaks Center, 2501 Burns Road, Suite A, Palm Beach Gardens, Florida 33410, for the purpose of receiving public comments on the Proposed Fiscal Year 2019/2020 Budget.

**PASSED, ADOPTED and EFFECTIVE** this 25<sup>th</sup> day of April, 2019.

**ATTEST:**

**AVENIR  
COMMUNITY DEVELOPMENT DISTRICT**

By: \_\_\_\_\_  
Secretary/Assistant Secretary

By: \_\_\_\_\_  
Chairman/Vice Chairman

Avenir  
Community Development District

**Proposed Budget For  
Fiscal Year 2019/2020  
October 1, 2019 - September 30, 2020**

# CONTENTS

- I PROPOSED BUDGET
- II DETAILED PROPOSED BUDGET
- III DETAILED PROPOSED DEBT SERVICE BUDGET (SERIES 2018)
- IV DETAILED PROPOSED DEBT SERVICE BUDGET (SERIES 2019)
- V ASSESSMENT COMPARISON (PARCELS A-1 - A-5)
- VI ASSESSMENT COMPARISON (PARCELS A-6 - A-9)

**PROPOSED BUDGET**  
**AVENIR COMMUNITY DEVELOPMENT DISTRICT**  
**FISCAL YEAR 2019/2020**  
**OCTOBER 1, 2019 - SEPTEMBER 30, 2020**

	<b>FISCAL YEAR 2019/2020 BUDGET</b>
<b>REVENUES</b>	
O&M Assessments	252,684
Landowner Contribution - O&M	0
Landowner Contribution - Debt	0
Debt Assessments - Series 2018	5,045,950
Debt Assessments - Series 2019	475,243
Debt - Capitalized Interest	0
Interest Income	0
<b>TOTAL REVENUES</b>	<b>\$ 5,773,877</b>
<b>EXPENDITURES</b>	
Supervisor Fees	0
Engineering/Inspections	15,000
Management	38,208
Legal	40,000
Assessment Roll	7,500
Audit Fees	6,500
Arbitrage Rebate Fee	1,300
Insurance	7,000
Legal Advertisements	2,500
Miscellaneous	3,000
Postage	300
Office Supplies	1,250
Dues & Subscriptions	175
Trustee Fees	7,000
Continuing Disclosure Fee	2,000
Website Management	2,000
Appraisal Fee	0
Miscellaneous Maintenance	100,000
<b>TOTAL EXPENDITURES</b>	<b>\$ 233,733</b>
<b>REVENUES LESS EXPENDITURES</b>	<b>\$ 5,540,144</b>
Bond Payments - Series 2018	(4,667,504)
Bond Payments - Series 2019	(439,600)
<b>BALANCE</b>	<b>\$ 433,040</b>
County Appraiser & Tax Collector Fee	(199,198)
Discounts For Early Payments	(233,842)
<b>EXCESS/ (SHORTFALL)</b>	<b>\$ -</b>



**DETAILED PROPOSED BUDGET**  
**AVENIR COMMUNITY DEVELOPMENT DISTRICT**  
**FISCAL YEAR 2019/2020**  
**OCTOBER 1, 2019 - SEPTEMBER 30, 2020**

	FISCAL YEAR 2017/2018 ACTUAL	FISCAL YEAR 2018/2019 BUDGET	FISCAL YEAR 2019/2020 BUDGET	COMMENTS
<b>REVENUES</b>				
O&M Assessments	0	0	252,684	
Landowner Contribution - O&M	101,923	94,125	0	Landowner Contribution - O&M
Landowner Contribution - Debt	0	2,064,296	0	Landowner Contribution - Debt
Debt Assessments - Series 2018	0	0	5,045,950	Bond Payments/.94
Debt Assessments - Series 2019	0	0	475,243	Bond Payments/.94
Debt - Capitalized Interest	0	2,064,796	0	
Interest Income	3	0	0	
<b>TOTAL REVENUES</b>	<b>\$ 101,926</b>	<b>\$ 4,223,217</b>	<b>\$ 5,773,877</b>	
<b>EXPENDITURES</b>				
Supervisor Fees	0	0	0	
Engineering/Inspections	0	5,000	15,000	
Management	37,500	37,500	38,208	CPI Adjustment
Legal	41,617	20,000	40,000	Fiscal Year 18/19 Expenditure Was \$14,593 As Of Feb 2019
Assessment Roll	0	7,500	7,500	Will Commence In Fiscal Year Following Issuing Of Bond
Audit Fees	0	5,000	6,500	Will Increase Due To Second Bond Issue
Arbitrage Rebate Fee	0	650	1,300	Will Commence In Fiscal Year Following Issuing Of Bond
Insurance	4,309	6,000	7,000	Insurance Estimate
Legal Advertisements	7,871	2,500	2,500	No Change From 2018/2019 Budget
Miscellaneous	2,731	2,500	3,000	\$500 Increase From 2018/2019 Budget
Postage	165	300	300	No Change From 2018/2019 Budget
Office Supplies	1,226	1,000	1,250	\$250 Increase From 2018/2019 Budget
Dues & Subscriptions	175	175	175	Annual Fee Due Department Of Economic Opportunity
Trustee Fees	0	3,500	7,000	Will Increase Due To Second Bond Issue
Continuing Disclosure Fee	0	1,000	2,000	Will Increase Due To Second Bond Issue
Website Management	1,500	1,500	2,000	\$500 Increase From 2018/2019 Budget
Appraisal Fee	3,500	0	0	Fiscal Year 2017/2018 Expenditure
Miscellaneous Maintenance	0	0	100,000	Miscellaneous Maintenance
<b>TOTAL EXPENDITURES</b>	<b>\$ 100,594</b>	<b>\$ 94,125</b>	<b>\$ 233,733</b>	
<b>REVENUES LESS EXPENDITURES</b>	<b>\$ 1,332</b>	<b>\$ 4,129,092</b>	<b>\$ 5,540,144</b>	
Bond Payments - Series 2018	0	(4,129,092)	(4,667,504)	2020 P & I Payments Less Earned Interest
Bond Payments - Series 2019	0	0	(439,600)	2020 P & I Payments Less Earned Interest
<b>BALANCE</b>	<b>\$ 1,332</b>	<b>\$ -</b>	<b>\$ 433,040</b>	
County Appraiser & Tax Collector Fee	0	0	(199,198)	
Discounts For Early Payments	0	0	(233,842)	
<b>EXCESS/ (SHORTFALL)</b>	<b>\$ 1,332</b>	<b>\$ -</b>	<b>\$ -</b>	

**DETAILED PROPOSED DEBT SERVICE FUND BUDGET - SERIES 2018**  
**AVENIR COMMUNITY DEVELOPMENT DISTRICT**  
**FISCAL YEAR 2019/2020**  
**OCTOBER 1, 2019 - SEPTEMBER 30, 2020**

	FISCAL YEAR 2017/2018	FISCAL YEAR 2018/2019	FISCAL YEAR 2019/2020	
REVENUES	ACTUAL	BUDGET	BUDGET	COMMENTS
Interest Income	22,528	500	500	Projected Interest For 2018/2019
NAV Tax Collection 2018-1	0	0	2,098,851	Maximum Debt Service Collection
NAV Tax Collection 2018-2 (Taxable & Tax-Exempt)	0	0	1,704,971	Maximum Debt Service Collection
NAV Tax Collection 2018-3	0	0	863,682	Maximum Debt Service Collection
Landowner Contribution	0	2,064,296	0	Capitalized Interest Set-Up Through May 2019
Capitalized Interest	0	2,064,796	0	Capitalized Interest Set-Up Through May 2019
<b>Total Revenues</b>	<b>\$ 22,528</b>	<b>\$ 4,129,592</b>	<b>\$ 4,668,004</b>	
<b>EXPENDITURES</b>				
Principal Payments 2018-1	0	0	425,000	Principal Payment Due In 2020
Principal Payments 2018-2 Taxable	0	0	0	No Principal Payment Due In 2020
Principal Payments 2018-2	0	0	0	No Principal Payment Due In 2020
Principal Payments 2018-3	0	0	150,000	Principal Payment Due In 2020
Interest Payments 2018-1	0	1,732,500	1,703,605	Interest Payments Due In 2020
Interest Payments 2018-2 Taxable	0	1,457,155	1,442,583	Interest Payments Due In 2020
Interest Payments 2018-2	0	274,950	269,451	Interest Payments Due In 2020
Interest Payments 2018-3	0	664,987	660,675	Interest Payments Due In 2020
Bond Redemption	0	0	16,690	Estimated Excess Debt Collections
<b>Total Expenditures</b>	<b>\$ -</b>	<b>\$ 4,129,592</b>	<b>\$ 4,668,004</b>	
<b>Excess/ (Shortfall)</b>	<b>\$ 22,528</b>	<b>\$ -</b>	<b>\$ -</b>	

Notes

Capitalized Interest Was Set-Up Through May 2019  
Interest Payments Estimated Due To True-Up Payments

True-Up Payments:

Series 2018-1: \$703,211  
Series 2018-2: \$541,937

**Series 2018-1 Bond Information**

Original Par Amount =	\$31,500,000	Annual Principal Payments Due =	May 1st
Interest Rate =	5.50%	Annual Interest Payments Due =	May 1st & November 1st
Issue Date =	May 2018		
Maturity Date =	May 2049		

**Series 2018-2 Taxable Bond Information**

Original Par Amount =	\$18,445,000	Annual Principal Payments Due =	N/A
Interest Rate =	7.90%	Annual Interest Payments Due =	May 1st & November 1st
Issue Date =	May 2018		
Maturity Date =	May 2029		

**Series 2018-2 Bond Information**

Original Par Amount =	\$4,700,000	Annual Principal Payments Due =	N/A
Interest Rate =	5.85%	Annual Interest Payments Due =	May 1st & November 1st
Issue Date =	May 2018		
Maturity Date =	May 2029		

**Series 2018-3 Bond Information**

Original Par Amount =	\$11,565,000	Annual Principal Payments Due =	May 1st
Interest Rate =	5.75%	Annual Interest Payments Due =	May 1st & November 1st
Issue Date =	May 2018		
Maturity Date =	May 2049		

**DETAILED PROPOSED DEBT SERVICE FUND BUDGET - SERIES 2019**

AVENIR COMMUNITY DEVELOPMENT DISTRICT

FISCAL YEAR 2019/2020

OCTOBER 1, 2019 - SEPTEMBER 30, 2020

	FISCAL YEAR 2017/2018	FISCAL YEAR 2018/2019	FISCAL YEAR 2019/2020	
REVENUES	ACTUAL	BUDGET	BUDGET	COMMENTS
Interest Income	0	0	0	Projected Interest For 2019/2020
NAV Tax Collection	0	0	0	On-Roll Debt Assessments Commence In 2020/2021
Landowner Contribution	0	0	439,600	Capitalized Interest Set-Up Through May 2020
Capitalized Interest	0	0	439,600	Capitalized Interest Set-Up Through May 2020
<b>Total Revenues</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 879,200</b>	
<b>EXPENDITURES</b>				
Principal Payments	0	0	0	No Principal Payments Due In 2020
Interest Payments	0	0	879,200	Interest Payments Due In 2020
<b>Total Expenditures</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 879,200</b>	
<b>Excess/ (Shortfall)</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	

Note: Capitalized Interest Was Set-Up Through May 2020

**Series 2019 Bond Information**

Original Par Amount =	\$15,700,000	Annual Principal Payments Due =	May 1st
Interest Rate =	5.60%	Annual Interest Payments Due =	May 1st & November 1st
Issue Date =	April 2019		
Maturity Date =	May 2050		

**Avenir Community Development District  
Assessment Comparison (Parcels A-1 - A-5)**

	Fiscal Year Original Projected Assessment	Fiscal Year 2016/2017 Assessment Before Discount*	Fiscal Year 2017/2018 Assessment Before Discount*	Fiscal Year 2018/2019 Assessment Before Discount*	Fiscal Year 2019/2020 Projected Assessment Before Discount*
O&M Assessment For Parcel A-1	\$ -	\$ -	\$ -	\$ -	\$ 96.05
Debt (2018-1) Assessment For Parcel A-1	\$ 1,952.50	\$ -	\$ -	\$ -	\$ 1,952.50
Debt (2018-2) Assessment For Parcel A-1	\$ 1,665.43	\$ -	\$ -	\$ -	\$ 1,665.43
Debt (2018-3 Clubhouse) Assessment For Parcel A-1	\$ 742.00	\$ -	\$ -	\$ -	\$ 742.00
<b>Total</b>	<b>\$ 4,359.93</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 4,455.98</b>
O&M Assessment For Parcel A-2	\$ -	\$ -	\$ -	\$ -	\$ 96.05
Debt (2018-1) Assessment For Parcel A-2	\$ 1,863.75	\$ -	\$ -	\$ -	\$ 1,863.75
Debt (2018-2) Assessment For Parcel A-2	\$ 1,589.75	\$ -	\$ -	\$ -	\$ 1,589.75
Debt (2018-3 Clubhouse) Assessment For Parcel A-2	\$ 742.00	\$ -	\$ -	\$ -	\$ 742.00
<b>Total</b>	<b>\$ 4,195.50</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 4,291.55</b>
O&M Assessment For Parcel A-3	\$ -	\$ -	\$ -	\$ -	\$ 96.05
Debt (2018-1) Assessment For Parcel A-3	\$ 1,775.00	\$ -	\$ -	\$ -	\$ 1,775.00
Debt (2018-2) Assessment For Parcel A-3	\$ 1,514.03	\$ -	\$ -	\$ -	\$ 1,514.03
Debt (2018-3 Clubhouse) Assessment For Parcel A-3	\$ 742.00	\$ -	\$ -	\$ -	\$ 742.00
<b>Total</b>	<b>\$ 4,031.03</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 4,127.08</b>
O&M Assessment For Parcel A-4	\$ -	\$ -	\$ -	\$ -	\$ 96.05
Debt (2018-1) Assessment For Parcel A-4	\$ 2,041.25	\$ -	\$ -	\$ -	\$ 2,041.25
Debt (2018-2) Assessment For Parcel A-4	\$ 1,741.14	\$ -	\$ -	\$ -	\$ 1,741.14
Debt (2018-3 Clubhouse) Assessment For Parcel A-4	\$ 742.00	\$ -	\$ -	\$ -	\$ 742.00
<b>Total</b>	<b>\$ 4,524.39</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 4,620.44</b>
O&M Assessment For Parcel A-5 (50 Foot)	\$ -	\$ -	\$ -	\$ -	\$ 96.05
Debt (2018-1) Assessment For Parcel A-5 (50 Foot)	\$ 1,775.00	\$ -	\$ -	\$ -	\$ 1,775.00
Debt (2018-2) Assessment For Parcel A-5 (50 Foot)	\$ 1,514.03	\$ -	\$ -	\$ -	\$ 1,514.03
Debt (2018-3 Clubhouse) Assessment For Parcel A-5 (50 Foot)	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Total</b>	<b>\$ 3,289.03</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 3,385.08</b>
O&M Assessment For Parcel A-5 (60 Foot)	\$ -	\$ -	\$ -	\$ -	\$ 96.05
Debt (2018-1) Assessment For Parcel A-5 (60 Foot)	\$ 1,863.75	\$ -	\$ -	\$ -	\$ 1,863.75
Debt (2018-2) Assessment For Parcel A-5 (60 Foot)	\$ 1,589.73	\$ -	\$ -	\$ -	\$ 1,589.73
Debt (2018-3 Clubhouse) Assessment For Parcel A-5 (60 Foot)	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Total</b>	<b>\$ 3,453.48</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 3,549.53</b>
O&M Assessment For S.F. Villas	\$ -	\$ -	\$ -	\$ -	\$ 96.05
Debt (2018-1) Assessment For S.F. Villas	\$ 1,000.00	\$ -	\$ -	\$ -	\$ 1,000.00
Debt (2018-2) Assessment For Parcel S.F. Villas	\$ 852.98	\$ -	\$ -	\$ -	\$ 852.98
Debt (2018-3 Clubhouse) Assessment For S.F. Villas	\$ 742.00	\$ -	\$ -	\$ -	\$ 742.00
<b>Total</b>	<b>\$ 2,594.98</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 2,691.03</b>
O&M Assessment For Econ Dev	\$ -	\$ -	\$ -	\$ -	\$ 96.05
Debt (2018-1) Assessment For Econ Dev	\$ 2,000.00	\$ -	\$ -	\$ -	\$ 2,000.00
Debt (2018-2) Assessment For Econ Dev	\$ -	\$ -	\$ -	\$ -	\$ -
Debt (2018-3 Clubhouse) Assessment For Econ Dev	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Total (Per Acre)</b>	<b>\$ 2,000.00</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 2,096.05</b>
O&M Assessment For Town Center	\$ -	\$ -	\$ -	\$ -	\$ 96.05
Debt (2018-1) Assessment For Town Center	\$ 2,000.00	\$ -	\$ -	\$ -	\$ 2,000.00
Debt (2018-2) Assessment For Town Center	\$ 1,705.95	\$ -	\$ -	\$ -	\$ 1,705.95
Debt (2018-3 Clubhouse) Assessment For Town Center	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Total (Per Acre)</b>	<b>\$ 3,705.95</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 3,802.00</b>

\* Assessments Include the Following :  
4% Discount for Early Payments  
1% County Tax Collector Fee  
1% County Property Appraiser Fee

Community Information	First Phase	Second Phase	Second Phase	TOTAL UNITS	
First Phase					
Parcel A-1	98	Parcel A-6	246	Phase 1	2,135
Parcel A-2	92	Parcel A-7	50	Phase 2	496
Parcel A-3	119	Parcel A-8	99	Total Units	2,631
Parcel A-4	107	Parcel A-9	101		
Parcel A-5	267	Total Second Phase	496	<b>TOTAL RESIDENTIAL UNITS</b>	
Parcel A-5	202			Phase 1	1,135
SF Villas	250			Phase 2	496
First Phase Residentia	1,135			Total Units	1,631
Econ Dev (50 Acres)	500			<b>TOTAL CLUBHOUSE UNITS</b>	
Town Center (53 Acres)	500			Phase 1	666
Total First Phase	2,135			Phase 2	496
				Total Units	1,162

For Operations & Maintenance (O&M) Assessments Purposes- Econ Dev and Town Center count as approximately 500 units each.

Note: Parcel A-5 Is Not Assessed For Clubhouse Assessment - Receives No Special Benefit

## Avenir Community Development District Assessment Comparison (Parcels A-6 - A-9)

	Fiscal Year Original Projected Assessment	Fiscal Year 2016/2017 Assessment Before Discount*	Fiscal Year 2017/2018 Assessment Before Discount*	Fiscal Year 2018/2019 Assessment Before Discount*	Fiscal Year 2019/2020 Projected Assessment Before Discount*
O&M Assessment For Parcel A-6	\$ -	\$ -	\$ -	\$ -	\$ 96.05
Debt (2019) Assessment For Parcel A-6	\$ 2,322.00	\$ -	\$ -	\$ -	\$ -
<u>Debt (2018-3 Clubhouse) Assessment For Parcel A-6</u>	<u>\$ 742.00</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 742.00</u>
<b>Total</b>	<b>\$ 3,064.00</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 838.05</b>
O&M Assessment For Parcel A-7	\$ -	\$ -	\$ -	\$ -	\$ 96.05
Debt (2019) Assessment For Parcel A-7	\$ 2,554.00	\$ -	\$ -	\$ -	\$ -
<u>Debt (2018-3 Clubhouse) Assessment For Parcel A-7</u>	<u>\$ 742.00</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 742.00</u>
<b>Total</b>	<b>\$ 3,296.00</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 838.05</b>
O&M Assessment For Parcel A-8	\$ -	\$ -	\$ -	\$ -	\$ 96.05
Debt (2019) Assessment For Parcel A-8	\$ 2,554.00	\$ -	\$ -	\$ -	\$ -
<u>Debt (2018-3 Clubhouse) Assessment For Parcel A-8</u>	<u>\$ 742.00</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 742.00</u>
<b>Total</b>	<b>\$ 3,296.00</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 838.05</b>
O&M Assessment For Parcel A-9	\$ -	\$ -	\$ -	\$ -	\$ 96.05
Debt (2019) Assessment For Parcel A-9	\$ 1,983.00	\$ -	\$ -	\$ -	\$ -
<u>Debt (2018-3 Clubhouse) Assessment For Parcel A-9</u>	<u>\$ 742.00</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 742.00</u>
<b>Total</b>	<b>\$ 2,725.00</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 838.05</b>

\* Assessments Include the Following :

- 4% Discount for Early Payments
- 1% County Tax Collector Fee
- 1% County Property Appraiser Fee

Community Information	First Phase	Second Phase	SecondPhase	TOTAL UNITS	
Parcel A-1	98	Parcel A-6	246	Phase 1	2,135
Parcel A-2	92	Parcel A-7	50	Phase 2	496
Parcel A-3	119	Parcel A-8	99	Total Units	2,631
Parcel A-4	107	Parcel A-9	101		
Parcel A-5	267	Total Second Phase	496	<u>TOTAL RESIDENTIAL UNITS</u>	
Parcel A-5	202			Phase 1	1,135
SF Villas	250			Phase 2	496
First Phase Residential	1,135			Total Units	1,631
Econ Dev (50 Acres)	500			<u>TOTAL CLUBHOUSE UNITS</u>	
Town Center (53 Acres)	500			Phase 1	666
Total First Phase	2,135			Phase 2	496
				Total Units	1,162

For Operations & Maintenance (O&M) Assessments Purposes- Econ Dev and Town Center count as approximately 500 units each.

Note: Parcel A-5 Is Not Assessed For Clubhouse Assessment - Receives No Special Benefit



April 17, 2019

Proposal #04-19-074

Mr. Jason Pierman, District Manager  
Avenir Community Development District  
c/o Special District Services, Inc.  
2501A Burns Road, Suite A  
Palm Beach Gardens, FL 33410  
Ph: (561)630-4922  
[JPierman@sdsinc.org](mailto:JPierman@sdsinc.org)

**Re: Agreement for professional services relating to the “Avenir Community Development District” project located in Palm Beach Gardens, Florida.**

Dear Mr. Pierman:

Thank you for the opportunity to present you with this agreement for professional services for the “Avenir Community Development District” project. The scope of this agreement is to provide professional Surveying services of the subject property.

**SCOPE OF SERVICES**

**1). DISTRICT LAND SURVEYING SERVICES**

Consultant shall conduct Land Surveying Services for the Avenir Community Development District in accordance with the Standards of Practice set forth in Chapter 5J-17 adopted by the Florida State Board of Professional Surveyors and Mappers, pursuant to Chapter 472.027 Florida Statutes. Hourly rate schedule is as follows:

Principals.....	\$190.00/hr.
Expert Witness Testimony .....	\$275.00/hr.
Laser Scanning Survey Crew .....	\$250.00/hr.
GPS Survey Crew .....	\$165.00/hr.
Robotic Survey Crew .....	\$140.00/hr.
Field Survey Crew .....	\$140.00/hr.
Professional Land Surveyor .....	\$140.00/hr.
CADD/Technician/Draftsperson.....	\$100.00/hr.
Office Technician.....	\$75.00/hr.
Prints .....	\$0.30/s.f.
Mylars .....	\$4.50/s.f.

Federal Express/Overnight Deliveries .....	\$25.00/each
Federal Express First Overnight Deliveries .....	\$75.00/each
Courier Deliveries .....	Cost plus 10%

**2). GENERAL PROVISIONS**

- A. The terms of this agreement shall be effective for one (1) year from the date of execution of this contract and may be renegotiated at the option of the Consultant.
- B. Receipt of this agreement (signed by all parties) shall be considered by Caulfield & Wheeler, Inc. as notice to proceed.
- C. Statements for the professional services rendered by Caulfield & Wheeler, Inc. under this agreement will be invoiced monthly based on a work-in-progress or completed basis and payment is due upon the Client's receipt of the invoice or statement. Invoices not paid within 60 days of the date of the invoice shall be deemed delinquent. Upon any invoice or statement becoming delinquent, Caulfield & Wheeler, Inc. may:
  - 1. Deem this agreement terminated. Caulfield & Wheeler, Inc. and Client shall thereupon have no further rights or obligations under this agreement and all fees and costs owed by Client through the date of termination shall be immediately due and payable; and/or
  - 2. Withhold all work product of Caulfield & Wheeler, Inc. under this agreement, including all drawings, surveys, plats, reports, calculations, specifications, and all other data, and not deliver the same to the Client, and discontinue performing and providing professional services under this proposal until payment in full of all outstanding statements is received; file lien against the property for all outstanding invoices.

Client acknowledges that Consultant will not be held liable for any damages incurred resulting from Consultant withholding work product or discontinuing services due to delinquency of payment of invoices on the part of the Client.

Caulfield & Wheeler, Inc. may request that the final statement be paid simultaneously with the delivery to the Client of the final work product due under this agreement. Fees for Caulfield & Wheeler, Inc.'s professional services under this agreement and costs incurred shall be due and payable by Client whether or not the Client, for any reason, fails or elects not to proceed with the Project.

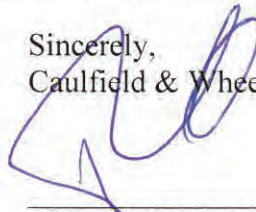
- D. The Client shall be responsible for the payment of all reimbursable items (i.e. blueprints, printing, Engineering mylars, plat mylars, authorized travel, filing fees, permits, assessments, or governmental related fees).

- E. The obligation to provide further services under this agreement may be terminated by either party upon receipt of written notice within seven (7) days in the event of a substantial failure by the other party to perform in accordance with the terms hereof through no fault of the terminating party. In the event of any termination, Consultant shall be paid for all services rendered to the date of termination including all reimbursable expenses and terminating expenses.
- F. Revisions and/or additional services requested outside the scope of this agreement will be invoiced at the prevailing hourly rates.
- G. All electronic files are the property of Caulfield & Wheeler, Inc. Hard copies of the data contained in the electronic files will be provided to Client upon request.
- H. This Agreement may be assigned to another entity upon payment in full of outstanding invoices sent prior to the assignment request.

**PURSUANT TO FLORIDA STATUTE 558.0035, AN INDIVIDUAL EMPLOYEE OR AGENT MAY NOT BE HELD INDIVIDUALLY LIABLE FOR NEGLIGENCE.**

This agreement, consisting of three (3) pages, represents the entire understanding between Caulfield & Wheeler, Inc., Consultant; and Avenir Community Development District, Client, with respect to the project and may only be modified in writing signed by all parties.

Sincerely,  
Caulfield & Wheeler, Inc.



\_\_\_\_\_  
David P. Lindley, PLS  
Sr. Vice President

Accepted by:  
Avenir Community Development District

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date



**CONSIDER APPROVAL OF  
MAINTENANCE AGREEMENT  
(AVENIR POD A1)**

**TO BE DISTRIBUTED  
UNDER SEPARATE COVER**

**CONSIDER APPROVAL OF  
MAINTENANCE AGREEMENT  
(AVENIR POD A3)**

**TO BE DISTRIBUTED  
UNDER SEPARATE COVER**

**CONSIDER APPROVAL OF  
MAINTENANCE AGREEMENT  
(AVENIR POD A1)**

**TO BE DISTRIBUTED  
UNDER SEPARATE COVER**

**CONSIDER APPROVAL OF  
MAINTENANCE AGREEMENT  
(AVENIR POD A3)**

**TO BE DISTRIBUTED  
UNDER SEPARATE COVER**