



**AVENIR
COMMUNITY DEVELOPMENT
DISTRICT**

**CITY OF PALM BEACH GARDENS
REGULAR BOARD MEETING
MAY 14, 2019
12:00 P.M.**

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

www.avenircdd.org
561.630.4922 Telephone
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AGENDA
AVENIR COMMUNITY DEVELOPMENT DISTRICT
Greenberg Traurig, P.A.
5100 Town Center Circle, Suite 400
Boca Raton, Florida 33486
REGULAR BOARD MEETING
May 14, 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 25, 2019 Regular Board Meeting.....Page 2
- G. Old Business
- H. New Business
 - 1. Other Items/Updates
- I. Administrative Matters
- J. Board Member Comments
- K. Adjourn

Palm Beach Daily Business Review

May 3, 2019

Miscellaneous Notices

AVENIR COMMUNITY DEVELOPMENT DISTRICT REVISED 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 at the offices of GREENBERG TRAUIG, P.A., 5100 Town Center Circle, Suite 400, Boca Raton, Florida 33486 at 12:00 p.m. on the following dates:

May 14, 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

5/3 19-02/0000397209P

**AVENIR COMMUNITY DEVELOPMENT DISTRICT
REGULAR BOARD MEETING
APRIL 25, 2019**

A. CALL TO ORDER

The Regular Board Meeting of the Avenir Community Development District was called to order at 12:03 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 Regular Board Meeting had been published in *The Palm Beach Daily Business Review* on October 12, 2018, as legally required.

C. ESTABLISH A QUORUM

A quorum was established with the following Supervisors in attendance: Chairperson Virginia Cepero, Vice Chairman Roberto Horowitz and Supervisor Daniel Lopez and it was in order to proceed with the meeting.

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

Also present was Rosa Schechter.

D. ADDITIONS OR DELETIONS TO AGENDA

There were no additions or deletions to the agenda.

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. April 4, 2019, Public Hearing & Special Board Meeting

The minutes of the April 4, 2019, Public Hearing & Special Board Meeting were presented for approval.

A **motion** was made by Ms. Cepero, seconded by Mr. Lope and passed unanimously approving the minutes of the April 4, 2019, Public Hearing & Special Board Meeting, as presented.

G. OLD BUSINESS

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

H. NEW BUSINESS

1. Consider Resolution No. 2019-10 – Adopting a Fiscal Year 2019/2020 Proposed Budget

Resolution No. 2019-10 was presented, entitled:

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.

Mr. Pierman explained that the budget assumed all assessments would be collected through the tax roll. However, some could be directly billed to the developer, should the developer wish. It was noted that parcels A1 through A5 were platted. Upon discussion, the Board directed staff to increase the Miscellaneous Maintenance line item to \$250,000.

A **motion** was made by Ms. Cepero, seconded by Mr. Lopez and passed unanimously to adopt Resolution No. 2019-10, as amended, setting the Public Hearing for June 27, 2019.

2. Consider Approval of District Surveying Contract with Caulfield & Wheeler

Mr. Pierman presented the District Surveying Contract with Caulfield & Wheeler, noting that the Board had previously selected Caulfield & Wheeler through the RFQ process.

A **motion** was made by Mr. Horowitz, seconded by Mr. Lopez and passed unanimously approving the District Surveying Contract with Caulfield & Wheeler, as presented.

3. Consider Change in Meeting Location

Mr. Pierman noted that Mr. Sanford had offered the use of his Boca office for District meetings.

A **motion** was made by Mr. Horowitz, seconded by Mr. Lopez, and unanimously passed to move the meeting location to the offices of Greenberg Traurig, P.A., 5100 Town Center Circle, Suite 400, Boca Raton, Florida 33486, and to move the May meeting date to May 14th.

4. Consider Approval of Maintenance Agreement (Avenir POD A1)

5. Consider Approval of Maintenance Agreement (Avenir POD A3)

6. Consider Approval of Maintenance Agreement (Avenir POD A1)

7. Consider Approval of Maintenance Agreement (Avenir POD A3)

Mr. Pierman explained that the four agreements were between the District and the Toll Brother HOAs, and were needed for the sale of property. Mr. Pawelczyk noted that the agreements were still being finalized, and that staff needs to determine the location, identify improvements, and determine who is responsible for each item. Ms. Schechter explained that there were two agreements for each pod: one for the lakes and one for common areas.

A **motion** was made by Ms. Cepero, seconded by Mr. Lopez, and unanimously passed to approve all four agreements, two each for Pods 1 and 3, in substantial form, subject to final staff review.

8. Consider Approval of Temporary Utility Access Easement

Mr. Pawelczyk explained that the easement allows access easement and is needed for Tracts R1 and R2 for water main access.

A **motion** was made by Ms. Cepero, seconded by Mr. Lopez and passed unanimously approving the Temporary Utility Access Easement, as presented.

9. Consider Approval of Partial Release of Blanket Access Agreement

Mr. Pawelczyk explained that the Partial Release of Blanket Access Easement releases Toll Brothers from the portion not needed by the District.

A **motion** was made by Ms. Cepero, seconded by Mr. Lopez and passed unanimously approving the Partial Release of Blanket Access Agreement, as presented.

10. Consider Approval of Partial Release of Collateral Assignment

11. Consider Approval of Partial Release of True-Up Agreement

Mr. Pawelczyk suggested that both the Collateral Assignment and True Up Agreement releases be considered together. He noted that the Series 2018 Bond approved the True Up Agreement and Collateral Assignment, but provided provisions allowing for their release, provided the developer maintains a constant number of units. There are restrictive covenants in the sales documents that mandate Toll Brothers construct a certain number of units. Mr. Pawelczyk noted that the documents were still under review, and needed to be reviewed by bond counsel, and asked for flexibility in altering the documents, as needed.

A **motion** was made by Ms. Cepero, seconded by Mr. Lopez, and unanimously passed to authorize the execution of both the Collateral Assignment and True Up Agreement releases, subject to legal review.

12. Other Items/Updates

Mr. Pierman explained that Mr. Bongard had asked the Board to consider two lake interconnect easements for A1 and A3 to permit the District to install, maintain, repair and replace drainage piping connecting the lakes with A1 and A3. Mr. Pawelczyk explained that the plat does not show the interconnects, and we need authorization to execute and accept the lake interconnect easements.

A **motion** was made by Ms. Cepero, seconded by Mr. Lopez, and unanimously passed authorizing staff to execute and accept the lake interconnect easements, subject to legal and engineering review.

Mr. Pierman noted that the City had requested a letter from the District acknowledging that the enhanced landscaping improvements at the entrance would be partially on District property. Mr. Pawelczyk offered to draft the letter for the District Manager to sign.

A **motion** was made by Ms. Cepero, seconded by Mr. Lopez, and unanimously passed authorizing staff to create and execute the letter to the City of Palm Beach Gardens to allow the landscaping on District property.

I. ADMINISTRATIVE MATTERS

Mr. Pierman noted that the next meeting would take place on May 14th at Greenberg Traurig's offices in Boca Raton.

J. BOARD MEMBER COMMENTS

There were no comments from the Board Members.

K. ADJOURNMENT

There being no further business to come before the Board, a **motion** was made by Ms. Cepero, seconded by Mr. Lopez and passed unanimously to adjourn the meeting at 12:32 p.m.

ATTESTED BY:

Secretary/Assistant Secretary

Chairperson/Vice-Chair