



**AVENIR  
COMMUNITY DEVELOPMENT  
DISTRICT**

**CITY OF PALM BEACH GARDENS  
SPECIAL BOARD MEETING  
NOVEMBER 30, 2022  
12:30 P.M.**

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

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

**AGENDA**  
**AVENIR COMMUNITY DEVELOPMENT DISTRICT**  
2501A Burns Road  
Palm Beach Gardens, Florida 33410  
Call-in #: 877-402-9753; 4411919  
**SPECIAL BOARD MEETING**  
November 30, 2022  
12:30 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. November 14, 2022 Regular Board Meeting.....Page 2
- G. Old Business
- H. New Business
  - 1. Consider Approval of Term Sheet for Assessment Area Three Bonds.....Page 6
- I. Administrative Matters
- J. Board Member Comments
- K. Adjourn

**AVENIR COMMUNITY DEVELOPMENT DISTRICT  
NOTICE OF SPECIAL BOARD OF SUPERVISORS' MEETING**

The Board of Supervisors (the "Board") of the Avenir Community Development District (the "District") will hold a Special Board Meeting on November 30, 2022, at 12:30 p.m. in The Oaks Center located at 2501A Burns Road, Palm Beach Gardens, Florida 33410 for the purpose of considering bond documents any other business that may properly come before the Board.

A copy of the agenda may be obtained from the District's website seven (7) days prior to the Special Board Meeting or at the offices of the District Manager, 2501A Burns Road, Palm Beach Gardens, Florida 33410, Telephone: (561) 630-4922 and/or toll free at 1-877-737-4922, during normal business hours.

The Special Board Meeting is open to the public and will be conducted in accordance with the provisions of Florida law for community development districts. The Special Board Meeting may be continued to a date, time, and place to be specified on the record at the meeting. There may be occasions when staff or Supervisors may participate by speaker telephone.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the District Office at (561) 630-4922 at least forty-eight (48) hours prior to the meeting. If you are hearing or speech impaired, please contact the Florida Relay Service at 1-800-955-8770, for aid in contacting the District Office.

Each person who decides to appeal any decision made by the Board with respect to any matter considered at the Special Board Meeting is advised that person will need a record of proceedings and that accordingly, the person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which such appeal is to be based.

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

**AVENIR COMMUNITY DEVELOPMENT DISTRICT**

**[www.avenircdd.org](http://www.avenircdd.org)**

**PUBLISH: PALM BEACH DAILY BUSINESS REVIEW 11/23/22**

**AVENIR COMMUNITY DEVELOPMENT DISTRICT  
REGULAR BOARD MEETING  
NOVEMBER 14, 2022**

**A. CALL TO ORDER**

The November 14, 2022, Regular Board Meeting of the Avenir Community Development District (the “District”) was called to order at 12:30 p.m. in the offices of Special District Services, Inc. located at 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* October 17, 2022, as part of the District’s Fiscal Year 2022/2023 Meeting Schedule, 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 Eduardo Stern and it was in order to proceed with the meeting.

Also in attendance were: Jason Pierman of Special District Services, Inc.; District Counsel Michael Pawelczyk of Billing, Cochran, Lyles, Mauro & Ramsey, P.A.; District Engineer Carlos Ballbe of Ballbe & Associates (via phone); and Clubhouse Reps Rick Salvatore, Gina Sanchez and Sherry Ward.

Also present was Michael McElligott of Special District Services, Inc.

**D. ADDITIONS OR DELETIONS TO THE 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. October 27, 2022, Public Hearing & Regular Board Meeting**

The minutes of the October 27, 2022, Public Hearing & Regular Board Meeting were presented for consideration.

A **motion** was made by Mr. Lopez, seconded by Ms. Cepero and passed unanimously approving the minutes of the October 27, 2022, Public Hearing & Regular Board Meeting, as presented.

**G. OLD BUSINESS**

**1. Update Regarding Buffer Wall Easement Encroachments**

Mr. Pierman noted that he had contacted Mr. Tight to ask if the HOAs would be amenable to assuming maintenance of the interior walls and was awaiting a response.

## **H. NEW BUSINESS**

- 1. Consider Centerline Spine Road Phase 4 – Change Order No. 4**
- 2. Consider Ranger Northlake Boulevard Phase 1 – Change Order No. 2**
- 3. Consider Ranger Northlake Boulevard Phase 1 – Change Order No. 3**
- 4. Consider JW Cheatham Northlake Boulevard Phase 2 – Change Order No. 1**

Mr. Pierman suggested that Mr. Ballbe present all of the change orders and that the Board consider them with one motion.

Mr. Ballbe presented Centerline Spine Road Phase 4 - Change Order No. 4 for drainage system revisions in the amount of \$11,116.25; Ranger Northlake Blvd Phase 1 - Change Order No. 2 for a mast arm assembly material cost increase in the amount of \$38,571.06; Ranger Northlake Blvd Phase 1 - Change Order No. 3 for storm drainage material cost increase in the amount of \$11,282.32; and JW Cheatham Northlake Blvd Phase 2 - Change Order No. 1 for modifications to drainage structures in the amount of \$62,667.84.

A **motion** was made by Ms. Cepero, seconded by Mr. Lopez and unanimously passed approving all four change orders.

- 5. Consider Expanded Landscape Maintenance Proposal**
- 6. Consider Proposed Landscape Maintenance Increase**

Mr. Pierman presented the expanded landscape maintenance proposal from CPM, explaining that the landscaping for Phase 3 had come online and it was necessary to amend the CPM agreement to include the added area. He also presented a proposed landscape maintenance cost increase of 5% that CPM had requested due to increases in their costs, and suggested that the Board consider the items together, as one motion, directing staff to draft an amendment to the current agreement.

A **motion** was made by Ms. Cepero, seconded by Mr. Lopez and unanimously passed accepting CPM's expanded landscape maintenance proposal, as well as the proposed 5% increase for landscape maintenance services, directing staff to draft an amendment to the current agreement, and authorizing the Chair to execute the agreement.

## **7. Consider SUA Developer's Agreements – Town Center Bypass Road**

Mr. Ballbe explained that these agreements were for the District's Town Center Roads in which water and sewer utilities are located. He further noted that there were no fees associated with the agreements, and that these agreements would be subject to the same changes that were made for the Phase 5 and 6 agreements.

A **motion** was made by Ms. Cepero, seconded by Mr. Lopez and unanimously passed approving the agreements, subject to the staff review, with the same changes that were made to the Phase 5 and 6 agreements.

## **8. Consider Pod 15 – Land Conveyance Swap: Avenir CDD & Avenir Development**

Mr. Ballbe explained that the District had acquired land from the developer to build lakes in Assessment Area #2. Due to the City’s request that we reshape the lakes, portions of the land need to be conveyed between the developer and District to true-up what was done. The developer is going to make up the balance of the land swap in Assessment Area #2 so the District receives an equal or greater amount of land in Assessment Area #2. Mr. Pawelczyk suggested that the Board approve the land swap in concept, authorize the preparation of documents, consult with bond counsel and verify that the swapped land has the same benefit.

A **motion** was made by Ms. Cepero, seconded by Mc. Lopez and unanimously passed authorizing the execution of the swap agreement, after consulting bond counsel and the methodology consultant.

## **9. Consider Resolution No. 2022-13 – Adopting a Fiscal Year 2021/2022 Amended Budget**

Mr. Pierman presented Resolution No. 2022-13, entitled:

### **RESOLUTION NO. 2022-13**

#### **A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE AVENIR COMMUNITY DEVELOPMENT DISTRICT AUTHORIZING AND ADOPTING AN AMENDED FINAL FISCAL YEAR 2021/2022 BUDGET (“AMENDED BUDGET”), PURSUANT TO CHAPTER 189, FLORIDA STATUTES; AND PROVIDING AN EFFECTIVE DATE.**

Mr. McElligott explained that the amended budget purposefully overestimates line items to ensure that expenses are covered for the audit. He noted that the shortfall would be made through developer funding. Ms. Cepero questioned the clubhouse line items, noting that some of them seemed less than they should be. Following discussion, Mr. Pierman suggested that Ms. Cepero and staff meet to review each line item to ensure accuracy.

A **motion** was made by Ms. Cepero, seconded by Mc. Lopez and unanimously passed to adopt Resolution No. 2022-13, subject to the Chair’s review.

### **I. CLUBHOUSE**

#### **1. Clubhouse Management Update**

Mr. Salvatore presented the Clubhouse Report, noting that work that was approved at the last meeting had been completed.

#### **2. Consider South Florida Select Homes’ Agreement – Sidewalk Installation**

Mr. Pierman presented South Florida Select Homes’ proposal to install a sidewalk and lighting leading to the fitness center.

A **motion** was made by Ms. Cepero, seconded by Mr. Lopez and unanimously passed approving the proposal and authorizing staff to draft an agreement for the project, and further authorizing the Chair to execute the agreement.

### **3. Consider Proposed Landscape Maintenance Increase**

Mr. Pierman noted that the Board had already discussed this item, but because it was a separate portion of the agreement, it was in order to have a separate motion.

A **motion** was made by Ms. Cepero, seconded by Mr. Lopez and unanimously passed accepting CPM's proposed 5% increase for landscape maintenance services, directing staff to draft an amendment to the current agreement, and authorizing the Chair to execute the agreement.

### **4. Consider Authorization to Engage Square POS System**

Mr. Pierman noted that there did not appear to be any reason not to move forward with the Square POS system, with Mr. Salvatore explaining that the Social Security number needed was purely for verification, and does not tie the account to the individual.

A **motion** was made by Ms. Cepero, seconded by Mr. Lopez and unanimously passed to move forward with engaging the Square POS system, subject to legal and staff review.

## **J. ADMINISTRATIVE MATTERS**

Mr. Pierman noted that the next meeting would be held on December 15, 2022, at which time the Board would consider resolutions setting the bond public hearing for January 26, 2023.

## **K. BOARD MEMBER COMMENTS**

There were no further Board Member comments.

## **L. ADJOURNMENT**

There being no further business to come before the Board, a **motion** was made by Mr. Lopez, seconded by Ms. Cepero and passed unanimously adjourning the Regular Board Meeting at 1:16 p.m.

**ATTESTED BY:**

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Secretary/Assistant Secretary

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Chairperson/Vice-Chair

**CONSIDER APPROVAL OF TERM  
SHEET FOR ASSESSMENT AREA  
THREE BONDS**

**TO BE DISTRIBUTED  
UNDER SEPARATE COVER**