

1 **MINUTES OF MEETING**

2 **AVALON GROVES**

3 **COMMUNITY DEVELOPMENT DISTRICT**

4 The Regular Meeting of the Board of Supervisors of the Avalon Groves Community Development
5 District was held on Thursday, February 23, 2023 at 1:25 p.m., at the Avalon Groves Amenity Center,
6 17555 Sawgrass Bay Blvd., Clermont, Florida 34714, with Microsoft Teams conference call available.

7 **FIRST ORDER OF BUSINESS – Roll Call**

8 Mr. Krause called the meeting to order and conducted roll call.

9 Present and constituting a quorum were:

10	Candice Smith (S5)	Board Supervisor, Chairwoman
11	William Tyler Flint (S4)	Board Supervisor, Vice Chairman
12	Bill Fife (S1)	Board Supervisor, Assistant Secretary
13	Michael Aube (S3)	Board Supervisor, Assistant Secretary

14 Also present were:

15	Larry Krause	District Manager, DPFM Management and Consulting
16	Jere Earlywine (<i>via phone</i>)	District Counsel, Kutak Rock LLP
17	Greg Woodcock (<i>via phone</i>)	District Engineer, Stantec
18	Dana Bryant	Yellowstone
19	Tim Quinlan	Evergreen Lifestyles Management (HOA)
20	Meredith Hammock	Kilinski Van Wyk
21	Frank Delosa	Resident (HOA Vice President)
22	Cheri Johnson	Resident (HOA President)
23	Brad Jeremer	Resident

24 *The following is a summary of the discussions and actions taken at the February 23, 2023 Avalon Groves*
25 *CDD Board of Supervisors Regular Meeting.*

26 **SECOND ORDER OF BUSINESS – Audience Comments – Agenda Items** (*Limited to 3 minutes per*
27 *individual for agenda items*)

28 There being none, the next item followed.

29 **THIRD ORDER OF BUSINESS – Staff Reports**

30 A. District Counsel – *Jere Earlywine, Kutak Rock LLP*

31 *A copy of the proposed Quit Claim Deed walked on by Mr. Earlywine is attached to these*
32 *minutes.*

33 Mr. Earlywine commented on the progress of the commercial intersection connection at Sawgrass
34 Bay Blvd. He also discussed a proposed Quit Claim Deed that would transfer a buffer area
35 between the homes and the conservation area within the Pulte section from the HOA to the CDD.
36 This would allow the CDD to maintain that area. Ms. Smith added that it was always the CDD’s
37 intent to maintain the area, but because Pulte drew up and signed off on deed, they didn’t account
38 for those areas being properly assigned. Before executing the deed, it would be submitted to the
39 HOA’s legal counsel for review.

40 On a MOTION by Ms. Smith, SECONDED by Mr. Aube, WITH ALL IN FAVOR, the Board approved
41 the deed in substantial form, authorized the Chair to sign it and staff to record it, for the Avalon Groves
42 Community Development District.

43 Mr. Earlywine stated the plat for Edgemont had been approved, the improvements are basically
44 done, so staff is putting together the necessary acquisition documents which will be presented at
45 the March meeting. This would be the last project completion item for Edgemont and close out
46 the construction account side, so all that would be for the CDD is operation and maintenance.

47 B. District Engineer

48 Mt. Woodcock acknowledged receipt of the District's engineering contract and it was currently
49 under review with his legal team.

50 C. District Manager – *Larry Krause, DPF*

51 1. Landscape Maintenance Report – *Dana Bryant, Yellowstone*

52 Mr. Bryant noted his team were monitoring the wells and the irrigation near the
53 construction project on Sawgrass Bay Blvd. He had toured the ponds with Mr. Krause to
54 review the trees to be replaced with Cypress. Mulch is complete. Playgrounds were re-
55 mulched. Residents are tampering with the irrigation, valves and backflow equipment at
56 Butterfly Pea Court – this is affecting the plants.

57 Ms. Smith stated that it is code for retention ponds is 3 canopy trees to be planted for
58 every 150 ft of retention pond bank, planted a minimum of 40 ft from the top of the bank
59 line and include a 10 ft clear zone for maintenance. Trees installation is required at the
60 time of certification. Mr. Krause noted there is \$15,000 allocated to landscape
61 replenishment in the budget, that does not have anything allocated to it according to the
62 January financials.

63 He stated that the Village entrance plantings and the playground perimeter were under
64 review. Ms. Smith has allocated some funds in the developer's budget to fill in the areas
65 at Village 3 with the railing and landscaping to make them look similar to villages 1 and
66 2.

67 Mr. Bryant was directed to provide a tree count at the next meeting in order for the Board
68 to have more information on the proposal for tree replacement along the ponds
69 (\$325/tree).

70 On a MOTION by Mr. Fife, SECONDED by Mr. Aube, WITH ALL IN FAVOR, the Board approved the
71 installation of approximately 30 trees in the amount not to exceed \$10,000, for the Avalon Groves
72 Community Development District.

73 Mr. Bryant noted the HOA had requested the Bahia at Village 3 be changed to St.
74 Augustine. Ms. Smith noted that everything behind the sidewalk at Village 3 is to be
75 maintained by the CDD.

76 2. Exhibit 1: Field Inspection Report – *DPFG*

77 Mr. Krause reviewed his report.

78 3. Exhibit 2: Aquatic Maintenance Report – *Steadfast Environmental*

79 Mr. Krause informed the Board that vehicle access to the ponds behind Passionflower
80 Blvd. was not possible on the platted access easements because of house placement,
81 fencing, landscaping and terrain.

82 D. HOA Amenity Manager – *Tim Quinlan, Evergreen Lifestyles Management*

83 Mr. Quinlan informed the Board of some of the projects completed on the HOA-maintained
84 facilities. The new HOA Board was elected on January 21, 2023.

85 **FOURTH ORDER OF BUSINESS – Business Matters**

86 A. Exhibit 3: Consideration and Ratification of Legal Services Agreement Transfer to Kutak Rock

87 The CDD contracts with the firm, not the individual lawyer. Kutak Rock is a national firm that
88 specializes in special district and bond finance work. The rates would remain the same. Ms. Smith
89 explained that Mr. Earlywine has worked for the District on its establishment through every bond
90 issuances, transition and typically handles the construction side. She requested the Board allow the
91 District to retain him as legal counsel through the completion of the last projects of Edgemont and
92 the Sanctuary. The Board can terminate and engage lawyers at will, there are no RFP or RFQ
93 requirements under the Florida Statutes.

94 On a MOTION by Mr. Fife, SECONDED by Mr. Flint, WITH ALL IN FAVOR, the Board ratified the
95 legal services agreement transfer to Kutak Rock LLP, for the Avalon Groves Community Development
96 District.

97 B. Exhibit 4: Discussion on Pet Waste Station Proposals

98 Mr. Krause will obtain additional quotes for comparison, which will give Supervisors something
99 to discuss with the community.

100 C. Exhibit 5: Discussion on Adding Solar Power Outlets at Monuments in Conjunction with
101 Monument Solar Lights

102 Solar power light and outlet quotes do not labor and additional materials. Updated proposals have
103 not yet been received for adding electrical outlets.

104 D. Exhibit 6: Discussion on Amended License Agreement for Use of District Property

105 This item to be approved in substantial form and will be forwarded to the HOA for their approval.

106 On a MOTION by Mr. Aube, SECONDED by Mr. Fife, WITH ALL IN FAVOR, the Board approved the
107 access agreement with the HOA to install a bulletin board at the mailboxes in Village One, with the
108 inclusion of the termination clause amendment, for the Avalon Groves Community Development District.

109 **FIFTH ORDER OF BUSINESS – Administrative Matters/Consent Agenda**

110 A. Exhibit 7: Consideration for Approval – The Minutes of the Board of Supervisors Regular Meeting
111 Held January 26, 2023

112 Approval contingent on Line 136 correcting “mailbox” to “bulletin board.”

113 B. Exhibit 7: Consideration for Acceptance – The January 2023 Unaudited Financial Report

114 On a MOTION by Ms. Smith, SECONDED by Mr. Aube, WITH ALL IN FAVOR, the Board approved all
115 items of the Consent Agenda, with the Minutes to include the requested correction to line 136, for the
116 Avalon Groves Community Development District.

117 **SIXTH ORDER OF BUSINESS – Audience Comments – New Business** *(Limited to 3 minutes per*
118 *individual for non-agenda items)*

119 Mr. DeLosa questioned the mulch being complete. The tot lot on Gold Crest Loop has exposed
120 irrigation lines, and adjacent trees have no mulch. He observed weeds in every mulched bed.

121 Mr. Jermer disagreed with the Landscape report assessment of the Butterfly Pea Court irrigation
122 area and maintenance.

123 **SEVENTH ORDER OF BUSINESS – Supervisors Requests** *(Includes Next Meeting Agenda Items*
124 *Requests)*

125 Ms. Smith commented that budget season was approaching and management will be pulling
126 together the actuals. This would be the time for the Board to get any proposals in and start thinking
127 about what the community needs to include in next year’s budget.

128 Mr. Aube requested the action items, draft agenda packets and approved minutes be added to the
129 CDD website. He also requested the agenda be displayed on the available screen at the clubhouse
130 during the meeting. Mr. Flint volunteered to handle this at future meetings.

131 Mr. Aube also requested full participation by each Supervisor, and suggested alternating meeting
132 times each month between afternoon and evening.

133 Mr. Fife requested adding the meeting schedule to the next agenda for consideration.

134 **EIGHTH ORDER OF BUSINESS – Action Items Summary**

135 *The District Manager’s summary of the action items are as follows:*

- 136 1. DM – obtain additional quotes for Pet Waste Stations (6-12)
- 137 2. DM – get quotes on adding electric outlets to village entrances from Klinger
- 138 3. DM – add CDD meeting schedule item for discussion on next meeting agenda

139 **NINTH ORDER OF BUSINESS – Next Meeting Quorum Check**

140 *Confirmation of Quorum for Next Meeting Scheduled for 1 p.m. on March 23, 2023 at the Avalon Groves*
141 *Amenity Center (17555 Sawgrass Bay Blvd., Clermont, Florida 34714)*


142 All Supervisors in attendance confirmed their intent to be physically present at the next meeting,
143 which would establish a quorum.

144 **TENTH ORDER OF BUSINESS – Adjournment**

145 On a MOTION by Mr. Fife, SECONDED by Mr. Flint, WITH ALL IN FAVOR, the Board adjourned the
146 meeting at 2:58 p.m., for the Avalon Groves Community Development District.

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

150 **Meeting minutes were approved at a meeting by vote of the Board of Supervisors at a publicly noticed**
151 **meeting held on** March 23, 2023.

152 
153 _____
Signature



Signature

Larry B. Krouse Jr

Printed Name

William Tyler Flint

Printed Name

154 Title: Secretary Assistant Secretary

Title: Chairman Vice Chairman

PREPARED BY AND RETURN TO:

Jere Earlywine, Esq.
Kutak Rock LLP
107 West College Avenue
Tallahassee, Florida 32301

QUIT CLAIM DEED

THIS QUIT CLAIM DEED, dated this ___ day of _____, 2023, by and from **SERENOA PROPERTY OWNERS ASSOCIATION, INC.**, a Florida not-for-profit corporation, whose address is 2100 S. Hiwassee Rd., Orlando, Florida 32835 (hereinafter called the "Grantor"), and the **AVALON GROVES COMMUNITY DEVELOPMENT DISTRICT**, a local unit of special-purpose government, whose address is 250 International Parkway, Suite 208, Lake Mary, Florida 32746 (hereinafter called the "Grantee").

(Whenever used herein the terms "Grantor and Grantee" shall include all of the parties of this instrument and their heirs, legal representatives, successors and assigns.)

WITNESSETH:

WHEREAS, Grantor wishes to quit claim its interest in certain portions of land, as more specifically identified and set forth in the attached **Exhibit A** hereto, which by this reference is incorporated herein ("Property"); and

WHEREAS, Grantor hereby determines that execution and delivery of this quit claim deed to Grantee is in Grantor's best interests.

NOW, THEREFORE, Grantor, for and in consideration of the sum of \$10.00 and other valuable consideration to it in hand paid by Grantee, the receipt whereof is hereby acknowledged, does hereby quit-claim unto Grantee forever, all the right, title, interest, claim and demand, if any, which Grantor has in and to the Property situate, lying and being in Osceola County, State of Florida, attached hereto as **Exhibit A**.

TO HAVE AND TO HOLD the same together with all and singular appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title interest, lien, equity and claim whatsoever of Grantor, either in law or equity, to the only proper use, benefit and behalf of Grantee forever.

IN WITNESS WHEREOF, the Grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered

**SERENOA PROPERTY OWNERS
ASSOCIATION, INC.**, a Florida not-
for-profit corporation

Print Name: _____

By: _____
Its: _____

Print Name: _____

STATE OF FLORIDA
COUNTY OF _____

The foregoing instrument was acknowledged before me by means of physical presence or online notarization this ____ day of _____, 2023, by _____, as _____ of Serenoa Property Owners Association, Inc., a Florida not-for-profit corporation, who [] is personally known to me or has produced _____ as identification.

Notary Public

Exhibit A

Description of the Property

TRACTS O-1, O-2, O-3, O-4 AND O-5, SERENOA LAKES PHASE 1, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 74, PAGES 65 THROUGH 75 OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

TRACTS OS-2, OS-3, OS-4 AND OS-5, SERENOA LAKES PHASE 2, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 76, PAGES 40 THROUGH 46 OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.