



**AVE MARIA STEWARDSHIP  
COMMUNITY DISTRICT**

**COLLIER COUNTY  
REGULAR BOARD MEETING  
OCTOBER 4, 2022  
9:00 A.M.**

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

[www.avemariastewardshipcd.org](http://www.avemariastewardshipcd.org)

561.630.4922 Telephone  
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561.630.4923 Facsimile

**AGENDA**  
**AVE MARIA STEWARDSHIP COMMUNITY DISTRICT**  
**REGULAR BOARD MEETING**

**October 4, 2022**

**9:00 a.m.**

**Ave Maria Master Association (office/fitness center)**

**5080 Annunciation Circle, Unit 101**

**Ave Maria, Florida 34142**

**TO JOIN VIA ZOOM: <https://us02web.zoom.us/j/84351784590>**

**MEETING ID: 843 5178 4590 DIAL IN AT: 1-929-436-2866**

- A. Call to Order
- B. Pledge of Allegiance
- C. Invocation
- D. Proof of Publication.....Page 1
- E. Establish Quorum
- F. Additions or Deletions to Agenda
- G. Comments from the Public for Items Not on the Agenda
- H. Approval of Minutes
  - 1. September 13, 2022 Regular Board Meeting & Public Hearing Minutes.....Page 2
- I. Old Business
- J. New Business
  - 1. Consider Resolution No. 2022-25 – Adopting Construction Protocols.....Page 11
    - Audience Comments
  - 2. Consider Resolution No. 2022-26 – Setting the Landowners’ Meeting.....Page 13
    - Audience Comments
- K. Administrative Matters
  - 1. Legal Report
  - 2. Engineer Report
  - 3. Manager’s Report
    - a. AMSCD Projects Update.....Page 19
    - b. Financials.....Page 21
- L. Board Members Comments
- M. Adjourn

## Miscellaneous Notices



Published in Naples Daily News on September 23, 2022

### Location

Collier County,

### Notice Text

AVE MARIA STEWARDSHIP COMMUNITY DISTRICT FISCAL YEAR 2022/2023 REGULAR MEETING SCHEDULE NOTICE IS HEREBY GIVEN that the Board of Supervisors of the Ave Maria Stewardship Community District (the "District") will hold Regular Meetings in the Ave Maria Master Association located at 5080 Annunciation Circle, Suite 101, Ave Maria, Florida 34142, at 9:00 a.m. (\*\*unless otherwise noted\*\*) on the following dates: October 4, 2022 \*\*November 1, 2022 at 6:00 p.m.\*\* December 6, 2022 \*\*January 10, 2023 at 6:00 p.m.\*\* February 7, 2023 \*\*March 7, 2023 at 6:00 p.m.\*\* April 4, 2023 May 2, 2023 \*\*June 6, 2023 at 6:00 p.m.\*\* July 11, 2023 August 1, 2023 September 12, 2023 The District will also hold meetings utilizing communications media technology through the following login information: Join by URL for VIDEO ACCESS at: <https://us02web.zoom.us/j/84351784590> Meeting ID: 843 5178 4590 Join by PHONE at: 1-929-436-2866 Meeting ID: 843 5178 4590 \*\*The November 1, 2022, Regular Meeting will take place at 6:00 p.m. in the Ave Maria Master Association located at 5080 Annunciation Circle, Suite 101, Ave Maria, Florida 34142 and will also include the Landowners' Meeting.\*\* The purpose of the meetings is to conduct any and all 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 Agenda 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 more 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. Meetings 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 insure 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. AVE MARIA STEWARDSHIP COMMUNITY DISTRICT [www.avemariastewardshipcd.org](http://www.avemariastewardshipcd.org) Pub: Sept. 23, 2022 #5418129

**AVE MARIA STEWARDSHIP COMMUNITY DISTRICT  
REGULAR BOARD MEETING  
Ave Maria Master Association  
5080 Annunciation Circle, Unit 101  
Ave Maria, Florida 34142**

or

**TO JOIN VIA ZOOM: <https://us02web.zoom.us/j/83198051068>**

**MEETING ID: 831 9805 1068 DIAL IN AT: 1 929 436 2866**

**September 13, 2022**

**A. CALL TO ORDER**

The September 13, 2022, Regular Board Meeting of the Ave Maria Stewardship Community District (the “District”) was called to order at 9:00 a.m. in the Ave Maria Master Association located at 5080 Annunciation Circle, Unit 101, Ave Maria, Florida 34142. The meeting was also available via the Zoom information indicated above.

**B. PLEDGE OF ALLEGIANCE**

**C. INVOCATION**

Mr. Klucik led the meeting in prayer.

**D. PROOF OF PUBLICATION**

Proof of publication was presented indicating that notice of the Regular Board Meeting had been published in the *Naples Daily News* on August 19 and August 26, 2022, as legally required.

**E. ESTABLISH A QUORUM**

A quorum was established with the following:

**Board of Supervisors**

Chairman	Thomas Peek	Present
Vice Chair	Jay Roth	Present
Supervisor	Jeff Sonalia	Present
Supervisor	Tom DiFlorio	Present
Supervisor	Robb Klucik	Present

District Staff in attendance were:

District Manager	Andrew Karmeris	Special District Services, Inc.
District Manager	Todd Wodraska	Special District Services, Inc.
General Counsel	Alyssa Willson (via Zoom)	Kutak Rock, LLP

District Engineer	Ted Tryka	Agnoli Barber & Brundage, Inc.
Owner Representative	David Genson	Barron Collier Companies
Owner Representative	John Cheffy	Barron Collier Companies

Also present were the following:

Kim Twiss, Donnie Diaz, Roger Echols, and the following Ave Maria residents: David and Rae Arsenault, Vicki Wojciechowski, Jeff Plys, Joe and Bridget Cortina, Tom Schlessinger, Jacques Esuenari, Linda Jansen, Michael Horne, Bill Gradies, Bea and David Sanford, Claudette Leonard, John and Katalin Komar, Steve Kovach, Octavio Guas, John Turner, Diana Romero, Lazara Hernandez, Rich Curley, Ralph Brown and Jason Vogel.

There were also others present via Zoom.

**F. ADDITIONS OR DELETIONS TO THE AGENDA**

Lee Van Gelder from the Collier Sheriff’s Department was in attendance and his presentation was moved to the comments from the public section.

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

Lee Van Gelder of Collier Sheriff’s Department addressed the issues with golf cart driving age. He informed the Board that Florida statutes state a driver must be at least 14 years old to operate a golf cart. However, Ave Maria’s ordinance specifically says a learner’s permit is required to operate a golf care. Therefore, golf cart drivers in Ave Maria must have a learner’s permit or driver’s license.

David Samford had a question about the effect of the Mosquito Control District expansion on this year’s district budget. Mr. Karmeris stated that it would not be applicable until the fiscal year 2024 budget season.

Steve Kovac had a question about Ave Maria getting a post office or additional zip code. John Cheffy informed Mr. Kovac and the Board that the response from the postal service was no. There are not enough residents in Ave Maria yet to reach the threshold for an additional zip code.

There were multiple questions about parking around the town center from residents. Mr. Klucik informed the public and the Board that he spoke with the university president regarding parking. He stated that additional parking lots and areas are being planned by the university, for example, the area around the outdoor basketball court. He also added that the parking around the town center is public and functioning as designed.

Mr. Genson added that a permit for lights and a sign at Oil Well road was submitted and approval is expected later this fall.

**H. APPROVAL OF MINUTES**

**1. July 12, 2022, Regular Board Meeting**

The minutes of the July 12, 2022, Regular Board Meeting were presented for consideration.

A **motion** was made by Mr. DiFlorio, seconded by Mr. Roth and passed unanimously approving the minutes of the July 12, 2022, Regular Board Meeting.

## **I. PUBLIC HEARING – FISCAL YEAR 2022/2023 FINAL BUDGET**

Chairman Peek opened the Public Hearing at 9:25 a.m.

### **1. Proof of Publication**

Proof of publication was presented indicating that notice of the Public Hearing had been published in the *Naples Daily News* on August 19, 2022, and August 26, 2022, as legally required.

### **2. Receive Public Comment on Fiscal Year 2022/2023 Final Budget**

Beatrice Sanford asked if the Mosquito Control line item would be removed in this budget or next year's? Mr. Karmeris stated that it would be removed in Fiscal Year 2024's budget.

Rich Curling asked what effect additional homes being built had on the budget and whether they would be paying their share? Mr. Klucik explained how the assessments were determined and explained the methodology report that allocates those assessments on the land within the District. Multiple residents asked for copies of the methodology report be sent to them.

### **3. Consider Resolution No. 2022-19 – Adopting a Fiscal Year 2022/2023 Final Budget**

Resolution No. 2022-19 was presented, entitled:

#### **RESOLUTION 2022-19**

**THE ANNUAL APPROPRIATION RESOLUTION OF THE AVE MARIA STEWARDSHIP COMMUNITY DISTRICT (“DISTRICT”) 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 SUBJECT TO UPDATE TO ACTUAL.**

Mr. Klucik stated that he appreciated the increase in budget line items, as it appears to be closer to what the District actual spends annually. He then explained the budget process to the residents in attendance.

A **motion** was made by Mr. Roth, seconded by Mr. DiFlorio adopting Resolution No. 2022-19, as presented. Upon being put to a vote, the **motion** carried 5 to 0.

A **motion** was made by Mr. DiFlorio, seconded by Mr. Roth to close the Public Hearing at 10:05 a.m. Upon being put to a vote, the **motion** carried 5 to 0.

**4. Consider Resolution No. 2022-20 – Adopting an Annual Assessment Resolution for Fiscal Year 2022/2023**

Resolution No. 2022-20 was presented, entitled:

**RESOLUTION 2022-20**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE AVE MARIA STEWARDSHIP COMMUNITY DISTRICT 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.**

Ms. Willson presented the resolution and explained that it adopts the assessment amounts indicated in the just-approved final budget.

A **motion** was made by Mr. Roth, seconded by Mr. DiFlorio and passed unanimously adopting Resolution No. 2022-20, as presented.

**5. Consider Resolution No. 2022-21 – Adopting a Fiscal Year 2022/2023 Master Irrigation Utility System Budget**

Resolution No. 2022-21 was presented, entitled:

**RESOLUTION NO. 2022-21**

**A RESOLUTION OF THE AVE MARIA STEWARDSHIP COMMUNITY DISTRICT ADOPTING A FINAL FISCAL YEAR 2022/2023 BUDGET FOR THE MASTER IRRIGATION UTILITY SYSTEM**

A representative from Ave Maria Utilities was present via zoom to answer any questions about the irrigation budget.

Mr. Genson added that proposed increase to irrigation rates would be presented at either the October or November meeting to level out rates between commercial and residential.

Ms. Sanford asked about irrigation on medians, roads, etc. Mr. Genson stated that the utility only provides the water, it does not police the use of it. That responsibility falls on the individual HOAs and residents.

Roger Echols from Davey Tree added that parts have been ordered that will assist in monitoring and controlling the irrigation system.

A **motion** was made by Mr. Roth, seconded by Mr. DiFlorio and passed unanimously adopting Resolution No. 2022-21, as presented.

**J. OLD BUSINESS**

There was no old business to present.

**K. NEW BUSINESS**

**1. Consider Approval of Fiscal Year 2023 Developer Contribution & Deficit Funding Agreement**

Mr. Roth asked if this was similar or the same as the agreements approved in previous years. Ms. Willson confirmed that is the same and also includes the Utility Budget per Mr. Klucik's request.

A **motion** was made by Mr. DiFlorio, seconded by Mr. Roth and passed unanimously approving the Fiscal Year 2023 Developer Contribution & Deficit Funding Agreement as presented.

**2. Consider Approval of Amended and Restated Davey Tree Landscape Maintenance Agreement**

Mr. Willson presented. A discussion ensued regarding the scope of services exhibit matching the body of the agreement. The Board asked that Commerce Park and Anthem Parkway be added to the scope of services exhibit.

A **motion** was made by Mr. Roth, seconded by Mr. DiFlorio and passed unanimously approving the Amended and Restated Davey Tree Landscape Maintenance Agreement in substantial form.

**3. Consider Resolution No. 2022-22 – Awarding Ave Maria Boulevard Phase 2 Landscape Enhancement Project**

Ms. Willson presented.

**RESOLUTION NO. 2022-22**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE AVE MARIA STEWARDSHIP COMMUNITY DISTRICT REGARDING THE AWARD OF A PROFESSIONAL LANDSCAPING INSTALLATION SERVICES CONTRACT; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

Mr. Tryka stated that there is no concern with O'Donnell Landscapes being able to complete the project.

A **motion** was made by Mr. Roth, seconded by Mr. DiFlorio and passed unanimously adopting Resolution No. 2022-22, as presented.

**4. Consider Resolution No. 2022-23 – Adopting a Fiscal Year 2022/2023 Meeting Schedule**

Mr. Karmeris presented.



**RESOLUTION NO. 2022-23**  
**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE AVE**  
**MARIA STEWARDSHIP COMMUNITY DISTRICT, ESTABLISHING**  
**A REGULAR MEETING SCHEDULE FOR FISCAL YEAR 2022/2023**  
**AND SETTING THE TIME AND LOCATION OF SAID DISTRICT**  
**MEETINGS; AND PROVIDING AN EFFECTIVE DATE.**

Mr. Klucik asked that meeting schedule be adopted with the January meeting being moved to a night meeting. After board discussion, the board was in agreement that the January meeting be move to 6:00 p.m.

A **motion** was made by Mr. Klucik, seconded by Mr. Roth and passed unanimously approving Resolution No. 2022-23 – Adopting a Fiscal Year 2022/2023 Meeting Schedule as amended to move the January 10<sup>th</sup>, 2023 meeting to 6:00 p.m.

**5. Consider Approval of Easement between Lennar Homes & District Irrigation Line Maintenance**

Ms. Willson presented.

A **motion** was made by Mr. DiFlorio, seconded by Mr. Roth and passed unanimously approving Easement between Lennar Homes & District Irrigation Line Maintenance, as presented.

**6. Consider Resolution No. 2022-24 – Authorizing Approving Declaration of Restrictive Covenant in Conversation Area**

Mr. Genson presented.

A **motion** was made by Mr. Roth, seconded by Mr. DiFlorio and passed unanimously approving Resolution No. 2022-24 - Authorizing Approving Declaration of Restrictive Covenant in Conversation Area, as presented.

**L. ADMINISTRATIVE MATTERS**

**1. Legal Report**

Ms. Willson had nothing further to report.

Mr. Genson added the expansion of District Boundaries will go on the legislation agenda in March.

**2. Engineer's Report**

Mr. Tryka gave an update on the flashing signs around the National. He then informed the Board of a plan to do restriping of approximately 2 miles and 18 intersections around the town center. He added that this could be added to the signaging project.

Mr. Genson stated that Ave Maria Development was going to pay for the parking lots.

Mr. Klucik thanked the Developer for the publix pedestrian crosswalks.

A **motion** was made by Mr. DiFlorio, seconded by Mr. Roth and passed unanimously authorizing staff to prepare a bid package and gather proposals for striping project.

### **3. Manager's Report**

#### **a AMSCD Projects Update**

Mr. Genson went over the projects update and fielded questions from the Board.

#### **b. Financials**

Mr. Karmeris presented the financial report provided in the agenda package.

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

Chairman Peek congratulated Supervisors Klucik and DiFlorio for winning their Board Seats unopposed.

### **M. ADJOURNMENT**

There being no further business to come before the Board, the Regular Board Meeting was adjourned at 11:10 a.m. by Chairman Peek. There were no objections.

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**Secretary/Assistant Secretary**

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**Chair/Vice-Chairman**

# AVE MARIA STEWARDSHIP COMMUNITY DISTRICT

## SEPTEMBER 2022-DRAFT

Project Name	Start Date	End Date	Est. Cost	% Complete	Responsible Party	Comments
Landscaping S. AMB- Phase II	10/2022	TBD	TBD	0%	District	In upcoming fiscal year budget.
Pilot Program- Landscaping	11/2020	09/2022	TBD		AMD	Zeroscape design being explored
Anthem Parkway Phase 4	12/2020	09/2022	\$2.6M		AMD	Project underway but waiting for electric.
Anthem Parkway Phase 5		12/2022				Design and Permitting underway
Trees Replacement around Milano, Avilla and AMB	10/2022	TBD				See monthly landscape report.
Signage throughout community		Letter sent out			AMD	Builders agree there are too many signs and will implement a plan to reduce signage prior to the season.
Parking on District Roads	TBD	TBD				Developer Staff to contact trucking companies.
Town Core Striping						
<b>External Projects</b>						
Public School K-5	2023	08/2025			School District	School District took over project
Hospital	TBD	TBD	TBD			AMD has done everything on their end. It is in the hands of

# AVE MARIA STEWARDSHIP COMMUNITY DISTRICT

						the potential Hospital Providers
Ave Maria National Entrance – Speed and Golf Cart Signage	NA	NA	NA			No action recommended at this time. AMD will continue to monitor and further evaluate in master planning.

**RESOLUTION 2022-25**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE AVE MARIA STEWARDSHIP COMMUNITY DISTRICT ADOPTING CONSTRUCTION PROTOCOLS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Ave Maria Stewardship Community District (the “District”) is a local unit of special-purpose government created and existing pursuant to Chapter 2004-461, Laws of Florida, (the “Act”); and

**WHEREAS**, the Act authorizes the District to construct, install, acquire, operate and/or maintain systems and facilities for certain basic public infrastructure; and

**WHEREAS**, the District prequalified contractors for future District infrastructure construction and maintenance projects, including construction of roadways, stormwater management facilities, irrigation facilities, earthwork, landscape, hardscape, street lighting, and other public improvements and maintenance services including exotic vegetation removal and lake and littoral maintenance; and

**WHEREAS**, such prequalification is valid for a period of three (3) years until May 4, 2024, after which time the Board of Supervisors, at its own discretion, could extend the prequalification period for up to an additional two (2) years or begin the prequalification process again; and

**WHEREAS**, the District adopted Resolution 2022-16 adopting construction contracting protocols (the “Construction Contracting Protocols”); and

**WHEREAS**, the District desires to amend the construction protocols to include a process for reviewing and executing change orders as delayed review until a future board meeting may cause undue delay and increased cost to the District; and

**WHEREAS**, the District now desires to adopt amended Construction Contracting Protocols in accordance with Section 1 below.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE AVE MARIA STEWARDSHIP COMMUNITY DISTRICT:**

**SECTION 1.** The District shall adhere to the following amended Construction Contracting Protocols:

1. District Engineer and Construction Manager shall compile a scope of work to solicit bids from prequalified contractors. For construction projects in excess of \$200,000.00 such scope of work shall require bids to include the cost of a payment and performance bond.

2. District Engineer and Construction Manager shall review the bids and provide an analysis and recommendation to the Board of Supervisors.
3. Board of Supervisors shall review the analysis and recommendation which shall be accepted or rejected in accordance with the District's Rules of Procedures or as authorized by law.
4. In the event of selection of the contractor, Board shall authorize District staff to prepare the requisite agreement and District chairman or vice chairman to execute the agreement. District may require contractor to provide payment and performance bond or in its sole discretion may accept an alternate form of security as allowed pursuant to law.
5. During the course of construction, the District Manager is authorized to execute change orders after review and approval by the District Engineer if such change order is (1) less than or equal to \$200,000.00; (2) included within the original scope of work; and (3) funding, whether through applicable bond series construction account proceeds, developer authorized contribution, or through District budgeted-funds, is available. Change orders executed by the District Manager shall be included on the next Board meeting agenda for ratification. Change orders (1) in excess of \$200,000.00; (2) for additional items to be added to the scope of work; or (3) for which funding is not currently available shall be brought to the Board for consideration.
6. In the event District requires contracting for work for which there are no prequalified contractors, District shall procure such work in accordance with the District's Rules of Procedures.

**SECTION 2.** If any provision of this Resolution is held to be illegal or invalid, the other provisions shall remain in full force and effect.

**SECTION 3.** This Resolution shall become effective upon its passage and shall remain in effect unless rescinded or repealed.

**PASSED AND ADOPTED** this 4<sup>th</sup> day of October, 2022.

ATTEST:

**AVE MARIA STEWARDSHIP  
COMMUNITY DISTRICT**

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Chairman

**RESOLUTION 2022-26**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE AVE MARIA STEWARDSHIP COMMUNITY DISTRICT DESIGNATING A DATE, TIME AND LOCATION FOR A LANDOWNERS' MEETING AND ELECTION; PROVIDING FOR PUBLICATION; ESTABLISHING FORMS FOR THE LANDOWNER ELECTION; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.**

**WHEREAS**, Ave Maria Stewardship Community District ("**District**") is a local unit of special-purpose government created and existing pursuant to Chapter 2004-461, Laws of Florida, being situated entirely within Collier County, Florida; and

**WHEREAS**, the District's Board of Supervisors ("**Board**") is statutorily authorized to exercise the powers granted to the District; and

**WHEREAS**, the District is statutorily required to hold a meeting of the landowners of the District for the purpose of electing Board Supervisors for the District on a date in November established by the Board, which shall be noticed pursuant to Chapter 2004-461(4), Laws of Florida.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF AVE MARIA STEWARDSHIP COMMUNITY DISTRICT:**

1. **EXISTING BOARD SUPERVISORS; SEATS SUBJECT TO ELECTIONS.** The Board is currently made up of the following individuals:

<u>Seat Number</u>	<u>Supervisor</u>	<u>Term Expiration Date</u>
1	Thomas Peek	2024
2	Jeff Sonalia	2024
3	Robb Klucik	2022
4	Jay Roth	2022
5	Thomas DiFlorio	2022

This year, Seat 4, currently held by Jay Roth, is subject to a landowner election. The term of office for the successful landowner candidate shall commence upon election, and shall be for a four-year period. Seat 3, currently held by Robb Klucik, and Seat 5, currently held by Thomas DiFlorio, are subject to a General Election process to be conducted by the Collier County Supervisor of Elections, which General Election process was addressed by a separate resolution.

2. **LANDOWNER'S ELECTION.** In accordance with Chapter 2004-461(4), Laws of Florida, the meeting of the landowners to elect Board Supervisor(s) of the District shall be held on November 1, 2022, at 6:00 p.m., and located at Ave Maria Master Association (Office/Fitness Center), 5080 Annunciation Circle, Unit 101, Ave Maria, Florida 34142.

3. **PUBLICATION.** The District's Secretary is hereby directed to publish notice of the landowners' meeting and election in accordance with the requirements of Chapter 2004-461(4), Laws of Florida.

4. **FORMS.** A sample notice of landowners' meeting and election, proxy, ballot form and instructions were presented at such meeting and are attached hereto as **Exhibit A**. Such documents are

available for review and copying during normal business hours at the District's Local Records Office, located at \_\_\_\_\_, or at the office of the District Manager, Special District Services, Inc., located at 2501A Burns Road, Palm Beach Gardens, Florida 33410.

5. **SEVERABILITY.** The invalidity or unenforceability of any one or more provisions of this Resolution shall not affect the validity or enforceability of the remaining portions of this Resolution, or any part thereof.

6. **EFFECTIVE DATE.** This Resolution shall become effective upon its passage.

**PASSED AND ADOPTED THIS 4<sup>th</sup> DAY OF October 2022.**

**AVE MARIA STEWARDSHIP COMMUNITY  
DISTRICT**

**ATTEST:**

\_\_\_\_\_  
**CHAIRPERSON / VICE CHAIRPERSON**

\_\_\_\_\_  
**SECRETARY / ASSISTANT SECRETARY**



**EXHIBIT A**

**NOTICE OF LANDOWNERS' MEETING AND ELECTION AND MEETING OF THE BOARD OF SUPERVISORS  
OF THE AVE MARIA STEWARDSHIP COMMUNITY DISTRICT**

Notice is hereby given to the public and all landowners within Ave Maria Stewardship Community District (“District”) the location of which is located in Collier County, Florida, advising that a meeting of landowners will be held for the purpose of electing one (1) person to the District’s Board of Supervisors (“Board”, and individually, “Supervisor”). Immediately following the landowners’ meeting there will be convened a meeting of the Board for the purpose of considering certain matters of the Board to include election of certain District officers, and other such business which may properly come before the Board.

DATE: November 1, 2022  
TIME: 6:00 PM  
PLACE: Ave Maria Master Association (Office/Fitness Center)  
5080 Annunciation Circle, Unit 101  
Ave Maria, Florida 34142

Each landowner may vote in person or by written proxy. Proxy forms may be obtained upon request at the office of the District Manager, 2501A Burns Road, Palm Beach Gardens, Florida 33410, Ph: (561) 630-4922 (“District Manager’s Office”). At said meeting each landowner or his or her proxy shall be entitled to nominate persons for the position of Supervisor and cast one vote per acre of land, or fractional portion thereof, owned by him or her and located within the District for each person to be elected to the position of Supervisor. A fraction of an acre shall be treated as one acre, entitling the landowner to one vote with respect thereto. Platted lots shall be counted individually and rounded up to the nearest whole acre. The acreage of platted lots shall not be aggregated for determining the number of voting units held by a landowner or a landowner’s proxy. At the landowners’ meeting the landowners shall select a person to serve as the meeting chair and who shall conduct the meeting.

The landowners’ meeting and the Board meeting are open to the public and will be conducted in accordance with the provisions of Florida law. One or both of the meetings may be continued to a date, time, and place to be specified on the record at such meeting. A copy of the agenda for these meetings may be obtained from the District Manager’s Office. There may be an occasion where one or more supervisors will participate by telephone.

Any person requiring special accommodations to participate in these meetings is asked to contact the District Manager’s Office, at least 48 hours before the hearing. If you are hearing or speech impaired, please contact the Florida Relay Service by dialing 7-1-1, or 1-800-955-8771 (TTY) / 1-800-955-8770 (Voice), for aid in contacting the District Manager’s Office.

A person who decides to appeal any decision made by the Board with respect to any matter considered at the meeting is advised that such person will need a record of the 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 the appeal is to be based.

Andrew Karmeris  
District Manager  
Run Date(s): \_\_\_\_\_ & \_\_\_\_\_

PUBLISH: ONCE A WEEK FOR 2 CONSECUTIVE WEEKS, THE LAST DAY OF PUBLICATION TO BE NOT FEWER THAN 14 DAYS OR MORE THAN 28 DAYS BEFORE THE DATE OF ELECTION, IN A NEWSPAPER WHICH IS IN GENERAL CIRCULATION IN THE AREA OF THE DISTRICT

**INSTRUCTIONS RELATING TO LANDOWNERS' MEETING OF  
AVE MARIA STEWARDSHIP COMMUNITY DISTRICT  
FOR THE ELECTION OF SUPERVISORS**

DATE OF LANDOWNERS' MEETING: **November 1, 2022**

TIME: **6:00 P.M.**

LOCATION: **Ave Maria Master Association (Office/Fitness Center)  
5080 Annunciation Circle, Unit 101  
Ave Maria, Florida 34142**

Pursuant to Chapter 2004-461, Laws of Florida, after the Ave Maria Stewardship Community District ("**District**") has been established and the landowners have held their initial election, there shall be a subsequent landowners' meeting for the purpose of electing members of the Board of Supervisors ("**Board**") every two years until the District qualifies to have its board members elected by the qualified electors of the District. The following instructions on how all landowners may participate in the election are intended to comply with Chapter 2004-461(4), Laws of Florida

A landowner may vote in person at the landowners' meeting, or the landowner may nominate a proxy holder to vote at the meeting in place of the landowner. Whether in person or by proxy, each landowner shall be entitled to cast one vote per acre of land owned by him or her and located within the District, for each position on the Board that is open for election for the upcoming term. A fraction of an acre shall be treated as one (1) acre, entitling the landowner to one vote with respect thereto. For purposes of determining voting interests, platted lots shall be counted individually and rounded up to the nearest whole acre. Moreover, please note that a particular parcel of real property is entitled to only one vote for each eligible acre of land or fraction thereof; therefore, two or more people who own real property in common, that is one acre or less, are together entitled to only one vote for that real property.

At the landowners' meeting, the first step is to elect a chair for the meeting, who may be any person present at the meeting. The landowners shall also elect a secretary for the meeting who may be any person present at the meeting. The secretary shall be responsible for the minutes of the meeting. The chair shall conduct the nominations and the voting. If the chair is a landowner or proxy holder of a landowner, he or she may nominate candidates and make and second motions. Candidates must be nominated and then shall be elected by a vote of the landowners. Nominees may be elected only to a position on the Board that is open for election for the upcoming term.

This year, one (1) seat on the Board will be up for election in a landowner seat for a four-year period. The term of office for the successful landowner candidate shall commence upon election.

A proxy is available upon request. To be valid, each proxy must be signed by one of the legal owners of the property for which the vote is cast and must contain the typed or printed name of the individual who signed the proxy; the street address, legal description of the property or tax parcel identification number; and the number of authorized votes. If the proxy authorizes more than one vote, each property must be listed and the number of acres of each property must be included. The signature on a proxy does not need to be notarized.

**LANDOWNER PROXY**

**AVE MARIA STEWARDSHIP COMMUNITY DISTRICT  
COLLIER COUNTY, FLORIDA  
LANDOWNERS' MEETING – NOVEMBER 1, 2022**

KNOW ALL MEN BY THESE PRESENTS, that the undersigned, the fee simple owner of the lands described herein, hereby constitutes and appoints \_\_\_\_\_ ("**Proxy Holder**") for and on behalf of the undersigned, to vote as proxy at the meeting of the landowners of the Ave Maria Stewardship Community District to be held at Ave Maria Master Association (Office/Fitness Center), 5080 Annunciation Circle, Unit 101, Ave Maria, Florida 34142 on November 1, 2022 at 6:00 p.m., and at any adjournments thereof, according to the number of acres of unplatted land and/or platted lots owned by the undersigned landowner that the undersigned would be entitled to vote if then personally present, upon any question, proposition, or resolution or any other matter or thing that may be considered at said meeting including, but not limited to, the election of members of the Board of Supervisors. Said Proxy Holder may vote in accordance with his or her discretion on all matters not known or determined at the time of solicitation of this proxy, which may legally be considered at said meeting.

Any proxy heretofore given by the undersigned for said meeting is hereby revoked. This proxy is to continue in full force and effect from the date hereof until the conclusion of the landowners' meeting and any adjournment or adjournments thereof, but may be revoked at any time by written notice of such revocation presented at the landowners' meeting prior to the Proxy Holder's exercising the voting rights conferred herein.

\_\_\_\_\_  
Printed Name of Legal Owner

\_\_\_\_\_  
Signature of Legal Owner

\_\_\_\_\_  
Date

<u>Parcel Description</u>	<u>Acreage</u>	<u>Authorized Votes</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

[Insert above the street address of each parcel, the legal description of each parcel, or the tax identification number of each parcel. If more space is needed, identification of parcels owned may be incorporated by reference to an attachment hereto.]

**Total Number of Authorized Votes:** \_\_\_\_\_

NOTES: Pursuant to Chapter 2004-461(4), Laws of Florida, a fraction of an acre is treated as one (1) acre entitling the landowner to one vote with respect thereto. For purposes of determining voting interests, platted lots shall be counted individually and rounded up to the nearest whole acre. Moreover, two (2) or more persons who own real property in common that is one acre or less are together entitled to only one vote for that real property.

If the fee simple landowner is not an individual, and is instead a corporation, limited liability company, limited partnership or other entity, evidence that the individual signing on behalf of the entity has the authority to do so should be attached hereto (e.g., bylaws, corporate resolution, etc.).

**OFFICIAL BALLOT**

**AVE MARIA STEWARDSHIP COMMUNITY DISTRICT  
COLLIER COUNTY, FLORIDA  
LANDOWNERS' MEETING - NOVEMBER 1, 2022**

**For Election (2 Supervisors):** The two (2) candidates receiving the highest number of votes will each receive a four (4) year term, with the term of office for the successful candidates commencing upon election.

The undersigned certifies that he/she/it is the fee simple owner of land, or the proxy holder for the fee simple owner of land, located within the Ave Maria Stewardship Community District and described as follows:

<b><u>Description</u></b>	<b><u>Acreage</u></b>
_____	_____
_____	_____
_____	_____

[Insert above the street address of each parcel, the legal description of each parcel, or the tax identification number of each parcel.] [If more space is needed, identification of parcels owned may be incorporated by reference to an attachment hereto.]

or

**Attach Proxy.**

I, \_\_\_\_\_, as Landowner, or as the proxy holder of \_\_\_\_\_ (Landowner) pursuant to the Landowner's Proxy attached hereto, do cast my votes as follows:

SEAT #	NAME OF CANDIDATE	NUMBER OF VOTES
4		

Date: \_\_\_\_\_

Signed: \_\_\_\_\_

Printed Name: \_\_\_\_\_

# AVE MARIA STEWARDSHIP COMMUNITY DISTRICT

## OCTOBER 2022-DRAFT

Project Name	Start Date	End Date	Est. Cost	% Complete	Responsible Party	Comments
Landscaping S. AMB- Phase II	10/2022	TBD	TBD	0%	District	In upcoming fiscal year budget.
Pilot Program- Landscaping	11/2020	10/2022	TBD	TBD	AMD	Delay in getting transformers.
Anthem Parkway Phase 4	12/2020	10/2022	\$2.6M	TBD	AMD	Project underway but waiting for electric.
Anthem Parkway Phase 5	N/A	Public School Start	TBD	TBD	AMD	Design and Permitting underway
Trees Replacement around Milano, Avilla and AMB	10/2022	TBD	TBD	TBD	District	See monthly landscape report.
Signage throughout community	N/A	Letter sent out	N/A	N/A	AMD	Builders have 30 days to remove signage. Only 2 signs on Pope John Paul and Only 2 signs on Ave Maria Blvd allowed.
Parking on District Roads	TBD	TBD	N/A	N/A	AMD/District	Barron Collier CEO meeting with university to find solution.
Town Core Striping	TBD	TBD	TBD	0%	District	Staff authorized to prepare bid package and request proposals.
Asset Management	TBD	TBD	TBD	TBD	AMD/District	

# AVE MARIA STEWARDSHIP COMMUNITY DISTRICT

Reserve Funds (Irrigation and O&M)	TBD	TBD	TBD	TBD	District	
External Projects						
Public School K-5	2023	08/2024			School District	School District took over project
Hospital	TBD	TBD	TBD			AMD has done everything on their end. It is in the hands of the potential Hospital Providers
Ave Maria National Entrance – Speed and Golf Cart Signage	NA	NA	NA			No action recommended at this time. AMD will continue to monitor and further evaluate in master planning.

**Ave Maria Stewardship Community District**  
**Budget vs. Actual**  
**October 2021 through September 2022**

	<b>Oct '21 - Sep 22</b>	<b>21/22 Budget</b>	<b>\$ Over Budget</b>	<b>% of Budget</b>
<b>Expenditures</b>				
01-1130 · Payroll Tax Expense	734.40	612.00	122.40	120.0%
01-1131 · Supervisor Fees	9,600.00	8,000.00	1,600.00	120.0%
01-1310 · Engineering	71,499.00	55,000.00	16,499.00	130.0%
01-1311 · Management Fees	70,215.96	70,216.00	-0.04	100.0%
01-1312 · Secretarial Fees	4,500.00	4,500.00	0.00	100.0%
01-1313 · Website Management	2,499.96	2,500.00	-0.04	100.0%
01-1315 · Legal Fees	50,544.06	70,000.00	-19,455.94	72.21%
01-1320 · Audit Fees	18,100.00	13,000.00	5,100.00	139.23%
01-1330 · Arbitrage Rebate Fee	3,900.00	3,250.00	650.00	120.0%
01-1441 · Travel & Lodging	4,743.16	4,000.00	743.16	118.58%
01-1450 · Insurance	35,707.00	11,870.00	23,837.00	300.82%
01-1480 · Legal Advertisements	7,560.70	5,000.00	2,560.70	151.21%
01-1512 · Miscellaneous	7,603.98	4,000.00	3,603.98	190.1%
01-1513 · Postage and Delivery	1,257.50	1,750.00	-492.50	71.86%
01-1514 · Office Supplies	3,742.20	3,500.00	242.20	106.92%
01-1540 · Dues, License & Subscriptions	175.00	500.00	-325.00	35.0%
01-1541 · Misc Filing, Notices, etc.	0.00	500.00	-500.00	0.0%
01-1733 · Trustee Fees	33,612.38	27,000.00	6,612.38	124.49%
01-1734 · Continuing Disclosure Fee	10,500.00	9,000.00	1,500.00	116.67%
01-1735 · Assessment Roll	15,000.00	15,000.00	0.00	100.0%
01-1801 · Landscaping - Miscellaneous	6,930.00	30,000.00	-23,070.00	23.1%
01-1808 · Irrigation Repair	177,073.70	95,000.00	82,073.70	186.39%
01-1813 · Storm Cleanup - Electric	0.00	25,000.00	-25,000.00	0.0%
01-1814 · Storm Cleanup	0.00	25,000.00	-25,000.00	0.0%
01-1815 · Miscellaneous Maintenance	14,612.30	10,000.00	4,612.30	146.12%
01-1816 · Electric-Streetlights,Landscape	99,083.45	85,000.00	14,083.45	116.57%
01-1817 · Maintenance Street Sweeping	0.00	1,000.00	-1,000.00	0.0%
01-1818 · Striping & Traffic Markings	25,857.50	15,000.00	10,857.50	172.38%
01-1819 · Street Light Maintenance	169,280.61	80,000.00	89,280.61	211.6%
01-1820 · Maint Sidewalk/Curb Repairs	111,266.97	70,000.00	41,266.97	158.95%
01-1830 · Maintenance Contracts	670,682.92	630,000.00	40,682.92	106.46%
01-1831 · Tree Trimming	0.00	50,000.00	-50,000.00	0.0%
01-1832 · Storm Cleanup - Landscaping	0.00	25,000.00	-25,000.00	0.0%
01-1833 · Plant Replacement	144,513.86	90,000.00	54,513.86	160.57%
01-1834 · Mulch	119,136.60	140,000.00	-20,863.40	85.1%
01-1838 · Water Management & Drain	3,000.00	4,000.00	-1,000.00	75.0%
01-1839 · Entry Feature/Near Well Water	4,943.26	4,500.00	443.26	109.85%
01-1840 · Maintenance Misc. Utilities	2,846.92	0.00	2,846.92	100.0%

**Ave Maria Stewardship Community District**  
**Budget vs. Actual**  
**October 2021 through September 2022**

	<b>Oct '21 - Sep 22</b>	<b>21/22 Budget</b>	<b>\$ Over Budget</b>	<b>% of Budget</b>
01-1841 · Maintenance Irrigation Water	61,300.64	85,000.00	-23,699.36	72.12%
01-1842 · Maint Fountain/Repair	55,285.29	25,000.00	30,285.29	221.14%
01-1843 · Maintenance Rodent Control	7,500.00	8,000.00	-500.00	93.75%
01-1844 · Maint Equipment Repair	18,282.42	6,000.00	12,282.42	304.71%
01-1845 · Maint Signage Repair	30,352.00	10,000.00	20,352.00	303.52%
01-1846 · Maint Storm Drain Cleaning	78,750.75	10,000.00	68,750.75	787.51%
01-1847 · Mnt Drainage/Lke Mnt/Littorals	48,930.04	75,000.00	-26,069.96	65.24%
01-1848 · Maintenance Aerators	0.00	2,000.00	-2,000.00	0.0%
01-1850 · Maint-Preserve Maintenance	49,029.00	60,000.00	-10,971.00	81.72%
01-1853 · Maintenance Small Tools	9,842.65	2,500.00	7,342.65	393.71%
01-1854 · Maint Miscellaneous Repairs	2,225.25	0.00	2,225.25	100.0%
01-1855 · Maint Vehicle Lease/Fuel/Repair	2,564.79	20,000.00	-17,435.21	12.82%
01-1856 · Maint Mosquito Control	368,452.68	400,000.00	-31,547.32	92.11%
01-1858 · Maint Temp EMS/Fire Facility	119,654.44	40,000.00	79,654.44	299.14%
01-1859 · Maint-Administrative Supplies	1,161.78	0.00	1,161.78	100.0%
01-1862 · Maintenance Technicians	106,229.90	110,000.00	-3,770.10	96.57%
01-1863 · Maint Base Management Fee	20,857.25	20,000.00	857.25	104.29%
01-1864 · Maintenance Admin Payroll	56,838.84	55,000.00	1,838.84	103.34%
01-1890 · Maint-Reserve Fund	0.00	27,500.00	-27,500.00	0.0%
01-1891 · Maint Contingency	9,600.00	15,000.00	-5,400.00	64.0%
<b>Total Expense</b>	<b>2,947,581.11</b>	<b>2,659,698.00</b>	<b>287,883.11</b>	<b>110.82%</b>