

**MINUTES OF MEETING  
PALM BAY  
COMMUNITY DEVELOPMENT DISTRICT**

A Regular Meeting of the Palm Bay Community Development District's Board of Supervisors was held on **Thursday, January 15, 2015 at 9:30 a.m.**, at the **Courtyard by Marriott Tampa/Oldsmar, 4014 Tampa Road, Oldsmar, Florida 34677.**

**Present and constituting a quorum were:**

Jeff Croskey	Chair
Rob Bergman	Vice Chair
James Webb Jones	Assistant Secretary

**Also present:**

Chuck Adams	District Manager
Tamara Cutts	Homeowners' Association Representative

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Mr. Adams called the meeting to order at 9:33 a.m., and noted, for the record, that Supervisors Bergman, Croskey and Jones were present, in person. Supervisor Aschenbrenner was not present. One seat is vacant.

**SECOND ORDER OF BUSINESS**

**Public Comments**

There being no public comments, the next item followed.

**THIRD ORDER OF BUSINESS**

**Administration of Oath of Office to Newly Elected Supervisors, Joe Aschenbrenner [Seat 3] and James Webb Jones [Seat 5] (*the following to be provided in separate package*)**

Mr. Adams, a Notary of the State of Florida and duly authorized, administered the Oath of Office to Mr. Jones. The Oath of Office will be administered to Mr. Aschenbrenner at the next meeting.

- A. Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees**

- B. Membership, Obligations and Responsibilities**
- C. Financial Disclosure Forms**
  - i. Form 1: Statement of Financial Interests**
  - ii. Form 1X: Amendment to Form 1, Statement of Financial Interests**
  - iii. Form 1F: Final Statement of Financial Interests**
- D. Form 8B – Memorandum of Voting Conflict**

Mr. Adams indicated that, as an incumbent, Mr. Jones is familiar with all disclosure documents. He reported that Mr. Jones completed Form 1 earlier this year and reminded him, that he is subject to the provisions of the Sunshine Law.

**FOURTH ORDER OF BUSINESS**

**Consideration of Resolution 2015-1, Canvassing and Certifying the Results of the Landowners’ Election**

Mr. Adams presented Resolution 2015-1 for the Board’s consideration. He stated that there were seven voting units represented at the Landowners’ Meeting on November 20, 2014. Seven votes were cast for Mr. Lane, for Seat 2 and Mr. Aschenbrenner, for Seat 3, and six votes were cast for Mr. Jones, for Seat 5. Mr. Lane and Mr. Aschenbrenner were elected to serve four-year terms and Mr. Jones will serve a two-year term. Mr. Adams pointed out that all voting units were verified as valid and legitimate.

**On MOTION by Mr. Croskey and seconded by Mr. Jones, with all in favor, Resolution 2015-1, Canvassing and Certifying the Results of the Landowners’ Election, was adopted.**

**FIFTH ORDER OF BUSINESS**

**Consideration of Resolution 2015-2, Declaring a Vacancy in Seat 2**

Mr. Adams noted that Mr. Lane was elected to Seat 2; however, due to his untimely passing, the Board is required, by Statute, to declare a vacancy in Seat 2.

**On MOTION by Mr. Croskey and seconded by Mr. Bergman, with all in favor, Resolution 2015-2, Declaring a Vacancy in Seat 2, was adopted.**

**A. Discussion/Consideration of Appointment to Seat 2**

Mr. Adams advised that the Board has the opportunity to appoint someone to fill Seat 2, for the remainder of the term, which expires November, 2018. He suggested appointing an individual who is available during the summer, when the draft budget presentation and budget adoption occur.

There being no nominations, this item was deferred.

**B. Administration of Oath of Office**

This item was deferred.

**SIXTH ORDER OF BUSINESS**

**Consideration of Resolution 2015-3,  
Electing Officers of the District**

Mr. Adams presented Resolution 2015-3 for the Board's consideration. He advised that, following an election or appointment, the Board is required to reconsider its slate of officers.

Mr. Adams reported that he serves as Secretary and Mr. Craig Wrathell serves as an Assistant Secretary and Treasurer. He requested that the Board appoint a Chair and Vice Chair and the remainder of the Board Members as Assistant Secretaries. Mr. Adams indicated that Mr. Croskey served as Chair and Mr. Lane as Vice Chair.

In response to a question, Mr. Adams explained that there is no requirement to change the officer structure; at a minimum, the officers are changed every two years, following an election or appointment. He noted that, if the Board makes an appointment at the next meeting, it must re-consider the slate of officers again.

Mr. Jones nominated Mr. Croskey to serve as Chair. Mr. Croskey accepted the nomination.

No other nominations were made for Chair.

Mr. Adams requested nominations for Vice Chair.

Mr. Jones nominated Mr. Bergman to serve as Vice Chair.

No other nominations were made for Vice Chair.

Mr. Adams advised that Mr. Croskey will serve as Chair, Mr. Bergman as Vice Chair, Mr. Jones and Mr. Aschenbrenner as Assistant Secretaries, he will serve as Secretary and Mr. Wrathell as an Assistant Secretary and Treasurer.

**On MOTION by Mr. Jones and seconded by Mr. Croskey, with all in favor, Resolution 2015-3, Electing Officers of the District, as nominated, was adopted.**

**SEVENTH ORDER OF BUSINESS**

**Approval of Minutes**

**A. October 9, 2014 Regular Meeting**

Mr. Adams presented the October 9, 2014 Regular Meeting Minutes and asked for any additions, deletions or corrections.

The following change was made:

Line 18 and throughout: Change "Linda Roark" to "Tamara Cutts"

**On MOTION by Mr. Jones and seconded by Mr. Croskey, with all in favor, the October 9, 2014 Regular Meeting Minutes, as amended, were approved.**

**B. November 20, 2014 Landowners' Meeting**

Mr. Adams presented the November 20, 2014 Landowners' Meeting Minutes and asked for any additions, deletions or corrections.

**On MOTION by Mr. Croskey and seconded by Mr. Bergman, with all in favor, the November 20, 2014 Landowners' Meeting Minutes, as presented, were approved.**

**EIGHTH ORDER OF BUSINESS**

**Other Business**

Mr. Croskey reported that the street signs were completed and the invoice was provided to Mr. Adams. Mr. Adams requested that Mr. Croskey re-send the invoice, as he did not receive it.

Mr. Croskey commented that the District received good prices and the streets look great.

Mr. Croskey asked whether Mr. Jeremy Brongo, an HOA member who questioned the low spots, was contacted.

Mr. Jones confirmed that he contacted Mr. Brongo and recalled mentioning at a prior meeting, that the roads were not built correctly because the area is flat; the highest elevation for a house is 12'. Mr. Jones suspected that the entire base must be removed and resurfaced; he

estimated a cost of \$1 million. He expressed concern about the long-term impact to residents, especially after residents complained about not being able to reach their homes for a few hours but believed that every time the roads are resurfaced, the number of low areas will be minimal.

Mr. Jones was impressed with some of the tie-ins near Mr. Bergman's house, as he thought that the contractor would have had to break through the concrete. Mr. Bergman pointed out that the area seems to drain well and asked if the roads should be sealed, annually. Mr. Jones indicated that the roads will be monitored and addressed if cracks occur. He suggested budgeting for another repaving, in eight to ten years, to coincide with repaving West Hillsborough Avenue.

Mr. Croskey pointed out that the areas of road that were saw cut eroded faster. Mr. Jones agreed that saw cutting made the roads worse and noted that Azzarelli Paving and Site Development (Azzarelli) tried to make it better, which he appreciated.

Ms. Cutts reported that a resident complained about water causing mildew on their driveway, due to puddles at the back of Cay Cove Court. Mr. Jones recalled advising the contractor about buildups because residents could slip.

Mr. Croskey requested that Mr. Jones inspect Ms. Linda Roark's driveway, on Cay Cove, to determine if saw cutting or creating a ditch, from Ms. Roark's driveway to a drain in the middle of the cul-de-sac, would alleviate the water backups.

Mr. Croskey commented that the contractor did a great job on the coordination and the finished product; he felt that it was well planned and executed. Mr. Jones stated that he was surprised with how quickly the work was completed.

Mr. Bergman asked what residents will be told when they question whether there will be puddles every year and whether the areas will be patched. Mr. Jones indicated that the areas will be sealed, as removing the base would cost \$1 million.

Ms. Cutts advised that residents are more concerned about the asphalt crumbling and how long it takes for repairs to be completed. She recommended that the Board present an annual plan to residents.

Mr. Jones suggested analyzing the roads in August, September or October, during the heavy rainy season, to determine the condition of the roads, since asphalt typically crumbles in the summer months.

Mr. Croskey inquired about the status of the pavers. Mr. Jones indicated that, if the Board agreed to replace the pavers, he would contact a landscape and pool company. Mr. Jones

did not believe that the pavers could be saved, as it entails regrading the base and resetting the pavers; however, he will ask if it can be done. Mr. Croskey suggested flipping the broken pavers over. Mr. Adams advised that a total change out of the pavers was required because the pavers cannot be matched; they are cobblestone and have rounded edges.

Mr. Jones preferred to start over but purchase pavers with the same thickness; he will contact pool and paver companies. Mr. Croskey suggested contacting Green Thumb Nursery. Mr. Bergman noted nurseries on Linebaugh Avenue, just north of the airport.

Discussion ensued regarding the cost for new pavers. Mr. Adams advised that new pavers are not cheap. Mr. Jones estimated \$2 to \$3 per square foot, for labor. Mr. Croskey believed that the paver area is 30 x 30.

Mr. Croskey asked if the lights were repaired. Ms. Cutts replied affirmatively and explained that she hired an electrician to remove some conduit that was exposed, due to the new landscaping. Ms. Cutts reported that, when she spoke to the electrician about installing upgraded lights, the electrician mentioned the poor condition of the box in back of the gate; apparently, old cables were never removed. Ms. Cutts considered having the landscaper place mulch over the cables but there are coils of cable. Mr. Croskey will contact Mr. John Whistler regarding burying the conduit and suggested uplifting the five remaining palms at the entrance.

Mr. Bergman reported that he contacted TECO, in early December, regarding the light at the exit gate to his neighborhood, and was told that someone was coming out; however, no one did. Mr. Adams suggested that Mr. Bergman continue contacting TECO until they come out.

Ms. Cutts asked for a timeline for repairing the pits in the wall. Mr. Adams recalled that Mr. Lane was handling this project and suggested designating someone to temporarily handle this issue and other landscaping issues. Mr. Jones volunteered.

Ms. Cutts reported that she obtained a quote from Baycut for annual weeding and fertilizing the front gate areas and swale and suggested that Mr. Jones address the blowing of debris issue with Baycut. Mr. Jones agreed.

Ms. Cutts recommended removing two hibiscus plants, by the concrete path, and replacing them with a heartier plant. She will provide quotes to the HOA, who she believed should pay for this expenditure.

Mr. Croskey asked if Ms. Cutts wanted to work with Mr. Joe Thomas on the hibiscus removal and replacement. Ms. Cutts preferred to work with Mr. Croskey but will speak with Mr. Thomas about the plants.

Mr. Croskey asked Ms. Cutts about the wall color, as she did not want gray and Mr. Lane suggested a more tropical looking color. Ms. Cutts suggested tan.

Mr. Jones suggested viewing the entryway of the new townhomes on West Hillsborough Avenue, before the bridge, near Hungry Howies, which is tan, with an accent color.

Mr. Croskey recalled that paint swatches were provided to the HOA for selection.

Mr. Jones recalled that dark tan was mentioned to hide the black dust. Mr. Croskey felt that dark tan was too dark and not tropical. Mr. Jones will obtain quotes for both sides of the entire front wall.

Mr. Jones pointed out that a pillar shifted, due to overgrown tree roots, and the square cap on the top was cracked; however, he has an extra cap from the pillar that was removed when he purchased his property. Mr. Adams suggested asking Baycut to perform a root cut and straighten the pillar.

Mr. Croskey asked Mr. Jones to obtain a quote to paint the pole at the lift station.

Regarding the lift station, Mr. Croskey pointed out that, the last time the alarm was activated, a wet wipe was found in the pump. Mr. Adams reported that the pumps are being upgraded from two horse-power to three horse-power, which will cost \$10,000 or \$11,000, and will be paid for with excess funds in the Enterprise Fund; the pumps will have a bigger inlet, better grinding system and more thrust.

In response to Mr. Jones' question, Mr. Adams indicated that only two pumps would be upgraded. Mr. Adams noted that the last water bill contained a reminder to residents not to flush hard items down the toilet.

Ms. Cutts reported that all of the front gate codes are being changed and will be active on February 1, 2015; all residents will receive a letter and signs will be posted. She pointed out that no one complained or commented about the letter regarding the street resurfacing and anticipated no issues.

Mr. Cutts indicated that four unlocked cars were broken into on Monday night but nothing was stolen. Mr. Jones recalled that, the last time cars were broken into, the thief lived in the community. Ms. Cutts pointed out that it occurred ten years ago and was a crime spree.

Ms. Cutts reported that a pile of tires and bricks were found on the other side of the wall, which were used by children to climb over the wall.

In response to Mr. Jones question, Ms. Cutts explained that the gate codes were last changed eight years ago; the decision was made to change the codes after 100 teenagers attended

a party, in November. She pointed out that, when the police arrived at the residence, which is on the beach, there were “hordes” of teenagers running away. The teenagers lit a bonfire under the new volleyball net and damaged it.

Mr. Croskey asked who purchased the volleyball net. Mr. Adams indicated that Mr. Lane purchased it and submitted an invoice for reimbursement. Mr. Croskey asked if Mr. Brongo hung the net. Mr. Adams indicated that Mr. Brongo volunteered to hang the net. Ms. Cutts advised that this was not done and suggested that Mr. Brongo hang the net in coordination with a community barbecue. Mr. Croskey will ask Mr. Brongo.

Ms. Cutts submitted a request from residents for more sand on the beach and for weekly sand raking. Mr. Croskey pointed out that the beach was a perk and the people who use the beach should maintain it. Ms. Cutts reported that the steps going down to the water are dangerous. Mr. Croskey suggested that the CDD pay Mr. Brongo to build new steps, since he is a contractor. Mr. Adams requested that Mr. Croskey coordinate this work with Mr. Brongo.

Ms. Cutts questioned how often street cleaning occurs. Mr. Adams indicated once per month. Ms. Cutts noted several areas where acorns are ground into the new asphalt. Mr. Croskey noted that acorns fall from a tree at the exit gate and cars crush them.

Ms. Cutts reported that the new boards on the boat dock are falling off. Mr. Croskey will email Mr. Brongo. Ms. Cutts asked when the boat lift is due for maintenance. Mr. Jones indicated that, typically, maintenance is performed in the spring; he will review this. Mr. Adams confirmed that money was budgeted for this expenditure.

Ms. Cutts asked if it is possible to raise the speed sign pole at the front gate. Mr. Croskey advised that he is looking for a pole to match the street signs and asked about the possibility of consolidating the signs. Ms. Cutts reported that one street sign is new and the Neighborhood Watch sign is being removed. Mr. Jones agreed with removing the Neighborhood Watch sign because the community no longer has a Neighborhood Watch. Ms. Cutts stated that, due to new security at the Hillsborough gate, a security guard will no longer drive around the neighborhoods or tow cars. She pointed out that the gate would be unmanned at night because these are county roads.

Mr. Croskey indicated that the Neighborhood Watch signs will be removed and the “children at play”, speed limit and “no parking/towing” signs will be consolidated. Ms. Cutts suggested leaving the new sign and merging the speed limit and “children at play” signs into one.



Mr. Croskey asked if Ms. Cutts wanted a white sign to match the street signs or a black sign to match the poles. Ms. Cutts preferred a black pole with a white sign.

Ms. Cutts reported that she contacted the Fire Department because someone wanted to paint their fire hydrants; she discovered that three fire hydrants were never inspected and the fire hydrant outside of the gate was inspected by the county in September, 2014. She provided a quote for \$60 to paint each fire hydrant, except for the one on Cape Hatteras Drive; the contractor can start next week. Ms. Cutts pointed out that the fire hydrants will be inspected annually.

In response to Mr. Croskey’s question, Ms. Cutts indicated that the contractor will either paint the fire hydrants bright red or off-white; she preferred bright red. She explained that the color at the top of the fire hydrant indicates the water pressure; for example, the color of the fire hydrant outside of the gate is off-white with a tan top. Ms. Cutts indicated that a tech repairs the fire hydrants and removes rust; a replacement fire hydrant can cost \$4,500.

Mr. Croskey asked if the fire hydrant has a rubber or metal valve. Mr. Adams indicated that the valve is metal. In response to Mr. Croskey’s question, Mr. Adams indicated that the fire hydrants are flushed occasionally but suggested having an inspection performed first, as he assumed that the county owned and operated the fire hydrants.

Mr. Adams directed Ms. Cutts to proceed with painting the fire hydrants and have the contractor send an invoice to the CDD.

Mr. Bergman voiced his understanding that the roads were public. Mr. Adams explained that a public entity owns the roads but they are referred to as private roads.

Mr. Croskey thanked Ms. Cutts for looking into this matter and asked whether she preferred for a Board Member to schedule the work. Ms. Cutts replied affirmatively and will provide the contact information to Mr. Croskey.

**NINTH ORDER OF BUSINESS**

**Staff Reports**

**A. Attorney**

There being no report, the next item followed.

**B. Engineer**

There being no report, the next item followed.

**C. Manager**

**i. Approval of Unaudited Financial Statements as of November 30, 2014**

Mr. Adams presented the Unaudited Financial Statements as of November 30, 2014. He reported limited activity, which is typical for this time of year.

**ii. NEXT MEETING: April 16, 2015 at 9:30 A.M.**

Mr. Adams reported that the next regular meeting will be held on April 16, 2015 at 9:30 a.m. The annual audit for Fiscal Year 2014 and the draft budget for Fiscal Year 2016 will be presented at the meeting, as well as consideration of an appointment to the open seat.

**TENTH ORDER OF BUSINESS**

**Supervisors' Requests**

There being no Supervisors' requests, the next item followed.

**ELEVENTH ORDER OF BUSINESS**

**Adjournment**

There being no further business to discuss, the meeting adjourned.

**On MOTION by Mr. Croskey and seconded by Mr. Jones,  
with all in favor, the meeting adjourned at 10:14 a.m.**

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

  
Secretary/Assistant Secretary

  
Chair/Vice Chair