

**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, July 14, 2016 at 9:00 a.m.**, at the **Courtyard by Marriott Tampa/Oldsmar, 4014 Tampa Road, Oldsmar, Florida 34677.**

Present and constituting a quorum were:

Rob Bergman	Chair
Joe Aschenbrenner	Vice Chair
James Webb Jones	Assistant Secretary

Also present:

Chuck Adams	District Manager
Gary Miller	Resident
Dave Rauscher	HOA

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Adams called the meeting to order at 9:10 a.m., and noted, for the record, that Supervisors Bergman, Aschenbrenner and Webb Jones were present, in person. Supervisor Turner was not present. Seat 4 remained vacant.

SECOND ORDER OF BUSINESS

Public Comments

There being no public comments, the next item followed.

▪ **Appointment of Mr. Gary Miller to Seat 4, Term Expires November, 2016**

*****This item was an addition to the agenda.*****

Mr. Adams stated that a letter of intent was received from Mr. Gary Miller for the vacancy in Seat 4.

Mr. Jones nominated Mr. Miller to fill Seat 4; term expires November, 2016. No other nominations were made.

On MOTION by Mr. Jones and seconded by Mr. Bergman, with all in favor, the appointment of Mr. Gary Miller to Seat 4, term expires November 2016, was approved.

- **Administration of Oath of Office to Newly Elected Supervisor (*the following to be provided in a separate package*)**

*****This item was an addition to the agenda.*****

Mr. Adams, a Notary of the State of Florida and duly authorized, administered the Oath of Office to Supervisor Miller. Mr. Adams provided and briefly explained the following items:

- i. **Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees**
- ii. **Membership, Obligations and Responsibilities**
- iii. **Financial Disclosure Forms**
 - **Form 1: Statement of Financial Interests**
 - **Form 1X: Amendment to Form 1, Statement of Financial Interests**
 - **Form 1F: Final Statement of Financial Interests**
 - **Form 8B - Memorandum of Voting Conflict**

- **Resolution 2016-9 Electing the Officers of the Palm Bay Community Development District**

*****This item was an addition to the agenda.*****

Mr. Adams presented Resolution 2016-9 for the Board's consideration. Mr. Croskey previously served as Chair, leaving one officer, Mr. Bergman, as Vice Chair. The Board may consider nominating a Chair and Vice Chair or a Chair, with the remaining Board Members serving as Assistant Secretaries.

Mr. Bergman was nominated as Chair and Mr. Aschenbrenner was nominated as Vice Chair. Mr. Adams would serve as Secretary, Mr. Wrathell as Treasurer and the remaining Board Members as Assistant Secretaries.

On MOTION by Mr. Aschenbrenner and seconded by Mr. Jones, with all in favor, Resolution 2016-9, Electing the Officers of the District, as nominated, was adopted.

THIRD ORDER OF BUSINESS

**Presentation of Audited Financial Report
for Fiscal Year Ended September 30,
2015, Prepared by Grau & Associates**

Mr. Adams presented the Audited Financial Statements for the fiscal year ended September 30, 2015. The audit was unqualified, meaning a clean audit. The “Notes to Required Supplementary Information”, on Page 24, reflected the budget amendment to decrease revenues by \$313 and increase appropriations by \$68,686. These changes were related to the roadway resurfacing funds appropriated for Fiscal Year 2014 but not expended until Fiscal Year 2015. The “Independent Auditor’s Report on Internal Control Over Financial Reporting and on Compliance and Other Matters”, on Page 25, reflected no findings. The “Independent Auditor’s Report on Compliance With the Requirements of Section 218.415, Florida Statutes” noted no triggers for a state of financial emergency. With regard to the “Report to Management”, on Page 29, under “2015-01 Internal Control over Billing”, Mr. Adams stated that the District had a tiered billing program for the water/sewer fund. Due to a software glitch, the District overcharged for usage, resulting in estimated total overbilling of \$5,300. Management would adjust the fee structure to match software billing capabilities and research the Hillsborough County rates to determine whether adjustments were necessary. A Notice of Intent was required, with regard to the consideration of rules, fees and charges and a Public Hearing must be noticed so that the public may comment and provide testimony on the fees and charges and/or rules to be considered.

FOURTH ORDER OF BUSINESS

**Consideration of Resolution 2016-4,
Accepting the Audited Financial Report
for the Fiscal Year Ended September 30,
2015**

Mr. Adams presented Resolution 2016-4 for the Board’s consideration.

On MOTION by Mr. Aschenbrenner and seconded by Mr. Jones, with all in favor, Resolution 2016-4, Accepting the Audited Financial Report for the Fiscal Year Ended September 30, 2015, was adopted.

FIFTH ORDER OF BUSINESS

Public Hearing to Hear Comments and Objections on the Adoption of the District's Final Budget for Fiscal Year 2016/2017, Pursuant to Florida Law

A. Affidavit of Publication

Mr. Adams presented the affidavit of publication for today's Public Hearing.

B. Consideration of Resolution 2016-5, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2016, and Ending September 30, 2017; Authorizing Budget Amendments; and Providing an Effective Date

Mr. Adams presented Resolution 2016-5 for the Board's consideration. The only significant change, from the previous meeting, was a reduction in "Access Control", under "Capital Outlay", where the "Total roadway/signage/street lighting" was reduced from \$65,000 to \$50,000, in anticipation of the completion of the paver brick project in Fiscal Year 2016. Pertaining to "Boat lift repair and maintenance", expensive problems continued to arise and attention must be paid. \$12,000 was expended, thus far, in emergency repairs for trolleys, electrical and controls and the lift was showing its age.

Mr. Bergman provided Quotation D0160707-01 for bunk options, from Florida Handling Systems (FHS), who performed repairs on the boat lifts. Replacement of the wood bunk material, adding carpet to the bunks, cleaning rust from the cradle and applying cold galvanizing solution, including materials and labor, was \$1,672. To replace the pontoon bunks, at the same time, was an additional \$1,224; if replaced on a separate occasion, the cost was \$1,574. Mr. Bergman recommended completing all of the work at the same time. Project completion was expected to take three to four weeks. The option for complete cradle service and replacement of added bunk hardware was \$2,896. Mr. Adams stated that the repairs would be considered capital outlay.

The Board concurred that the work was necessary and approved Quotation D0160707-01 from FHS, in the amount of \$2,896.

Mr. Bergman discussed additional boat lift repairs and indicated that, for \$20,000 to \$25,000, the lift should last another ten years.

Mr. Adams stated that, currently, \$50,000 was programmed for "Capital outlay", for Fiscal Year 2017. Budgeting \$75,600 for capital outlay would result in a \$1,997.31 assessment. \$7,500 was sufficient for routine maintenance, once the capital items were managed.

*****Mr. Adams opened the Public Hearing.*****

No members of the public spoke.

*****Mr. Adams closed the Public Hearing.*****

On MOTION by Mr. Aschenbrenner and seconded by Mr. Bergman, with all in favor, Resolution 2016-5, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2016, and Ending September 30, 2017; Authorizing Budget Amendments; and Providing an Effective Date, was adopted.

SIXTH ORDER OF BUSINESS

Consideration of Resolution 2016-6, Imposing Special Assessments and Certifying an Assessment Roll; Providing a Severability Clause; and Providing an Effective Date

Mr. Adams presented Resolution 2016-6 for the Board's consideration.

On MOTION by Mr. Jones and seconded by Mr. Bergman, with all in favor, Resolution 2016-6, Imposing Special Assessments and Certifying an Assessment Roll; Providing a Severability Clause; and Providing an Effective Date, was adopted.

SEVENTH ORDER OF BUSINESS

Consideration of Resolution 2016-7, Adopting the Annual Meeting Schedule for Fiscal Year 2016/2017

Mr. Adams presented Resolution 2016-7 for the Board's consideration. Regular Meetings would be held on the second Thursday of the month, in October, January, April and July, at 9:00 a.m., at this location. The Landowners' Meeting would be held in November.

On MOTION by Mr. Aschenbrenner and seconded by Mr. Bergman, with all in favor, Resolution 2016-7, Adopting the Annual Meeting Schedule for Fiscal Year 2016/2017, was adopted.

EIGHTH ORDER OF BUSINESS

Consideration of Resolution 2016-8, Designating a Date, Time and Location for a Landowners' Meeting; Providing for Publication; Providing for an Effective Date

Mr. Adams presented Resolution 2016-8 for the Board's consideration.

On MOTION by Mr. Bergman and seconded by Mr. Aschenbrenner, with all in favor, Resolution 2016-8, Designating Thursday, November 10, 2016 at 9:00 A.M., at this location, for a Landowners' Meeting; Providing for Publication; Providing for an Effective Date, was adopted.

NINTH ORDER OF BUSINESS

Approval of Unaudited Financial Statements as of May 31, 2016

Mr. Adams presented the Unaudited Financial Statements as of May 31, 2016. Assessment revenue collections were at 97%. The "Website" line item was over budget due to set up and population.

TENTH ORDER OF BUSINESS

Approval of May 5, 2016 Public Hearing and Regular Meeting Minutes

Mr. Adams presented the May 5, 2016 Public Hearing and Regular Meeting Minutes and asked for any additions, deletions or corrections.

Line 163: Change "Bergman" to "Aschenbrenner"

On MOTION by Mr. Bergman and seconded by Mr. Aschenbrenner, with all in favor, the May 5, 2016 Public Hearing and Regular Meeting Minutes, as amended, were approved.

ELEVENTH ORDER OF BUSINESS

Other Business

Mr. Jones received the pattern requested by the HOA, similar to the current pattern but more sandstone and larger. Mr. Perkins, of Associated Construction Products, Inc., (ACP) would be notified that the pattern arrived.

A Board Member recalled that the Board agreed on the color and larger pattern, called Alpine. In response to a question, Mr. Jones stated that the project was expected to take two weeks. Re-leveling and compaction would take longer to complete. Mr. Adams would receive the color options from Mr. Jones and distribute them to the Board and the Board would provide feedback to him, directly. Mr. Jones would advise Mr. Perkins of the chosen paver and to coordinate with Mr. Adams, going forward. The only question that remained was color.

Mr. Miller asked how long the lift would be out of service. Mr. Bergman stated that the bunk and electric should only take one or two days. Mr. Adams stated that a notice should be posted ahead of time indicating that the lift would be out of service. Mr. Jones suggested communicating with the HOA so that residents could be informed that the paving was commencing and could contract with ACP, directly, if they wanted stone work or their driveways repaved.

Mr. Aschenbrenner stated that the limit cams at the front gate were going bad. A quote was received for \$450, which would be forwarded to Mr. Adams. A switch was installed to turn off the key pad; however, it locked up on several occasions. The board was replaced, twice, and a switch was installed to reset it. Mr. Aschenbrenner would continue to monitor the system but was concerned for its longevity.

Mr. Aschenbrenner apologized for not following up on the WiFi discussed at the previous meeting. The current technology for the gate was outdated. There were concerns that the old equipment would break and inquired about current technology. High speed internet was essential; the current DSL system was shared and performance was poor. Mr. Adams would forward the Verizon account information. Mr. Aschenbrenner would investigate the new technology to see what was available.

With regard to the marina, Mr. Bergman stated that bids were being obtained to repair the boat slips owned by the CDD and the leased slip. Safety lights would be added to the dock area for those walking and boating at night.

TWELFTH ORDER OF BUSINESS

Staff Reports

A. District Attorney

There being no report, the next item followed.

B. District Engineer

There being no report, the next item followed.

C. District Manager

There being no report, the next item followed.

THIRTEENTH ORDER OF BUSINESS

Supervisors' Requests

Mr. Jones resigned from the Board, effective immediately. Mr. Adams advised that a template resignation letter would be forwarded to Mr. Jones.

On MOTION by Mr. Bergman and seconded by Mr. Miller, with all in favor, the resignation of Mr. James Webb-Jones, effective immediately, was accepted.

FOURTEENTH ORDER OF BUSINESS

Adjournment

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

On MOTION by Mr. Bergman and seconded by Mr. Aschenbrenner, with all in favor, the meeting adjourned at 10:20 a.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

Secretary/Assistant Secretary

C. S. A.

Chair/Vice Chair

Roberts Bay