

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

Public Hearings and a Regular Meeting of the Palm Bay Community Development District's Board of Supervisors were held on **Thursday, July 13, 2017 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
Gary Miller	Assistant Secretary
Win Williamson	Assistant Secretary

**Also present:**

Chuck Adams	District Manager
Darrell Crawford	Resident

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Mr. Adams called the meeting to order at 9:04 a.m. Supervisors Bergman, Aschenbrenner, Miller and Williamson were present, in person. Supervisor Turner was not present.

**SECOND ORDER OF BUSINESS**

**Public Comments**

There being no public comments, the next item followed.

**THIRD ORDER OF BUSINESS**

**Public Hearing to Hear Public Comment and Objections on the Adoption of Rate Study Amendment #4 to Chapter I of the Rules of Procedure Relating to the Water & Sewer Fees and Charges and Delinquent Bills Pursuant to Sections 120.54, 190.012 and 190.035, Florida Statutes**

**A. Affidavits of Publication**

- **Notice of Rule Development**
- **Notice of Rule Making for a Rate Setting**

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

**B. Consideration of Resolution 2017-5, Adopting Rate Study Amendment #4 to Chapter I of the Rules of Procedure Relating to the Water & Sewer Fees and Charges and Delinquent Bills; Providing a Severability Clause; and Providing an Effective Date**

Mr. Adams presented Resolution 2017-5. He highlighted the rate study and the percentage decreases in user rate fees in the "Proposed New Fee Structure." Since the District possessed surplus revenue in the Enterprise Fund, it could give back with rate reductions. Regarding irrigation rates, due to this year's drought, the June 1 billing, for May usage, indicated that irrigation revenues would be at 90% at the end of May, well above the pro-rata 75%. Another aspect of the amendment was related to the true-up on how the tiers were set, which created issues with Severn Trent's software program; the adjustment makes their calculations easier. Lastly, the delinquency language was changed to 20 days from the date of the bill, ensuring clarity and consistency as to when a bill became delinquent. Other changes included the billing office move from Florida to Houston, a digital deposit system would be established to facilitate collections, providing EZ-pay capability to all residents and enabling seasonal residents to run a balance on their accounts. In response to a question, Mr. Adams confirmed that the last two years of the rate study was the sample. Regarding whether residents would receive a discount, Mr. Adams stated that there would be a reduction in the base rate from \$6.21 to \$4.77, per 1,000 gallons, and the next tier would be reduced to \$6.01 from \$7.16. A Board Member asked for the percentage of property owners that utilized over 15,000 gallons of water. Mr. Adams was unsure but the average monthly bill was \$130, whereas, the base should be \$107.35.

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

Mr. Darrell Crawford, a resident, stated that he was pleased with the changes in billing and looked forward to the property owners reaping the benefits.

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

**On MOTION by Mr. Miller and seconded by Mr. Aschenbrenner, with all in favor, Resolution 2017-5, Adopting Rate Study Amendment #4 to Chapter I of the Rules of Procedure Relating to Relating to the Water & Sewer Fees and Charges and Delinquent Bills; Providing a Severability Clause; and Providing an Effective Date, was adopted.**

**FOURTH ORDER OF BUSINESS**

**Update: Brick Paver Project**

Mr. Bergman stated that, although the paver project was completed, he noticed a dozen or so cracked pavers that should be replaced. The contractor presented a proposal to power wash, clean, sand and seal the pavers, at a 10% discount. Mr. Bergman would ask for replacement of the cracked pavers to be included in the maintenance program. In response to a question regarding the price, Mr. Bergman stated that, with the 10% discount, the cost would be \$10,800. In response to Board Member's questions, Mr. Adams confirmed that the initial sealing of the pavers was the most expensive and maintenance was required every three to five years. Mr. Bergman was pleased that the contract stipulated that cracked or broken pavers would be replaced within the first year. A Board Member asked whether funds were budgeted for paver maintenance. Mr. Adams stated that sufficient fund balance was available.

**FIFTH ORDER OF BUSINESS**

**Update: New Dock Project**

Mr. Adams stated that the deposit was paid and an architect was assigned; however, he had not heard from Mr. Turner, of J Foster Consulting.

**SIXTH ORDER OF BUSINESS**

**Discussion/Consideration: Entry Gate Technology Upgrades**

Mr. Aschenbrenner recently met with representatives from Envera Systems (Envera). The security system would be costly, similar to the dock and the marina but could be scaled out with additional phases. The security system would replace the old entry system, which was outdated and substandard. A Virtual Guard Service (VGS) was previously retrofitted at the Hillsboro Gate. The proposal included an aerial view of the neighborhood, a kiosk for the keypad and a pole with high definition (HD) cameras aimed at the entrance and exit gates, which would be monitored, around-the-clock, by virtual guards in Sarasota. It also included a stacking

camera, on the roof, and a license plate camera and scanner, positioned in the bushes. Every homeowner would receive a windshield sticker to enter and exit and mobile apps, with unique system identifiers, would also be distributed. Service contractors, nannies or frequent guests could be placed on a permanent list, which would record driver licenses and grant access. One of the most impressive aspects of the VGS was that, if an incident arose, still photos and videos could be sent to law enforcement, within minutes. The proposal also contained options, such as two LED barrier arms and keyfobs. Discussion ensued regarding the new technology, the old security system and pricing. Mr. Adams stated that eliminating the two LED barrier arms would reduce the initial investment from \$47,557.02 to \$33,000 and the annual, recurring fees would be \$25,000.

**On MOTION by Mr. Bergman and seconded by Mr. Williamson, with all in favor, the Envera Systems proposal for entry gate technology upgrades, in a not-to-exceed capital investment amount of of \$45,000, with recurring annual charges not-to-exceed \$25,000, and granting the Chair flexibility to finalize negotiations and make technological changes, based on today's conversation, were approved.**

**SEVENTH ORDER OF BUSINESS**

**Discussion: Boat Club Assets Potential Turn Over to the CDD**

Mr. Adams stated that each Board Member had a boat slip but the Boat Club owned the main walkway and asked if they owned the slips or leased them from the Boat Club. Mr. Miller stated that there was confusion with regard to the fees. Mr. Adams stated that it was necessary to first determine who was in charge and then reach a consensus that there was a need for turn over to the District. The concern was with the costs, public safety liability, insurance requirements and budgeting, if the District undertook a new asset in the marina. Although this item could not be included in the Fiscal Year 2017 budget, now was a good time to consider logistics and timing of the transfer for incorporation into Fiscal Year 2018 budget. Mr. Miller stated that the Boat Club was part of the attraction to the neighborhood and a big reason why a lot of people resided in the District. Mr. Adams stated that, if the Board wanted, the middle gangway could be opened to general public access. Discussion ensued regarding the costs, safety concerns, HOA bylaws and funding sources. Mr. Miller asked Management for guidance, once a consensus was

reached. Mr. Adams would also confer with District Counsel, if necessary; however, it would be best to determine the guidelines and details of the transaction, prior to presentation to District Counsel, to save on legal fees.

Mr. Williamson stated that a concerned resident forwarded an email regarding the condition of the sidewalks. Upon inspection and photographing the sidewalks, which fell under the “Roads,” he noted numerous cracked, and a few broken and lifted sidewalks, which were a tripping hazard. Although some were more severe than others, he felt that the sidewalk issue should be addressed. Mr. Adams stated that, generally, lifts over a ½” are deemed a trip hazard and should be addressed, which coincides with Americans with Disabilities Act (ADA) codes. Lifts of up to about 1½” to 2” could be ground, which was less costly than repairing an entire panel. The consensus was, if a sidewalk had not lifted, it was left alone. Mr. Williamson asked if a lifted sidewalk with an adjacent oak tree could be ground. Mr. Adams stated that, if it was evident that the tree was encroaching underneath, the sidewalk would need to be ground and the tree roots would be trimmed with a buzz saw. Mr. Williamson would obtain an estimate.

Mr. Aschenbrenner stated that the lights at the main gates were out and another was out on Hatteras. Mr. Williamson stated that Tampa Electric Company (TECO) was contacted regarding the outages but had not responded. In response to a question regarding whether there was a fee for TECO to make the repairs, Mr. Adams stated that the District currently had lease, power and maintenance agreements with TECO. Mr. Miller would contact TECO.

**EIGHTH ORDER OF BUSINESS**

**Public Hearing to Hear Comments and Objections on the Adoption of the District’s Final Budget for Fiscal Year 2017/2018, Pursuant to Florida Law**

**A. Affidavit of Publication**

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

**B. Consideration of Resolution 2017-6, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2017, and Ending September 30, 2018; Authorizing Budget Amendments; and Providing an Effective Date**

Mr. Adams presented Resolution 2017-6. Certain items, discussed in today’s meeting, would impact the budget and items were amended, as follows, to maintain the same assessment levels, year-over-year, in the General Fund:

Page 1, “Boat lift repair and maintenance”: Reduced from \$7,500 to \$5,000.

Under “Access Control/Entry”, “Repair and maintenance – gate”, Mr. Adams clarified the \$25,000 was for Envera’s recurring costs.

Under “Access Control/Entry”, “Capital Outlay,”: Increased from \$5,000 to \$50,000, to account for the access control upgrade project

“Capital outlay”, under “Roadway/signage/street lighting”: Reduced from \$5,000 to \$2,500.

There was a use of fund balance to offset those adjustments and the gate system. Assessments would remain unchanged at \$1,642.32, per unit, and there were no changes in the water and sewer fund, year-over-year, and the assessment portion, intended to cover fixed costs, remained unchanged, at \$165.10, per unit. The adjustments would reduce the “Fund balance – ending (projected)” from \$90,290 to \$32,790, for Fiscal Year 2018, assuming the District remained within its budget. Regarding the Enterprise Fund, it was anticipated that expenses and revenues would remain unchanged, at \$168,072, bearing in mind that a portion of that would offset the depreciation, which was required to be kept in the Enterprise Fund.

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

No members of the public spoke.

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

**On MOTION by Mr. Williamson and seconded by Mr. Miller, with all in favor, Resolution 2017-6, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2017, and Ending September 30, 2018, as amended; Authorizing Budget Amendments; and Providing an Effective Date, was adopted.**

**NINTH ORDER OF BUSINESS**

**Consideration of Resolution 2017-7, Imposing Special Assessments and Certifying an Assessment Roll; Providing a Severability Clause; and Providing an Effective Date**

Mr. Adams presented Resolution 2017-7.

**On MOTION by Mr. Miller and seconded by Mr. Bergman, with all in favor, Resolution 2017-7, Imposing Special Assessments and Certifying an Assessment Roll; Providing a Severability Clause; and Providing an Effective Date, was adopted.**

**TENTH ORDER OF BUSINESS**

**Consideration of Resolution 2017-8, Adopting the Annual Meeting Schedule for Fiscal Year 2017/2018**

Mr. Adams presented Resolution 2017-8. Meetings would be held the second Thursday of October, January, April and July, at 9:00 a.m., at this location.

**On MOTION by Mr. Aschenbrenner and seconded by Mr. Williamson, with all in favor, Resolution 2017-8, Adopting the Annual Meeting Schedule for Fiscal Year 2017/2018, was adopted.**

**ELEVENTH ORDER OF BUSINESS**

**Approval of Unaudited Financial Statements as of May 31, 2017**

Mr. Adams presented the Unaudited Financial Statements as of May 31, 2017. Assessment revenue collections were at 96%, Water & Sewer in the "Proprietary Fund", was at 81%.

**TWELFTH ORDER OF BUSINESS**

**Approval of April 13, 2017 Regular Meeting Minutes**

Mr. Adams presented the April 13, 2017 Regular Meeting Minutes and asked for any deletions, additions or corrections.

**On MOTION by Mr. Bergman and seconded by Mr. Aschenbrenner, with all in favor, the April 13, 2017 Regular Meeting Minutes, as presented, were approved.**

**THIRTEENTH ORDER OF BUSINESS                      Staff Reports**

**A.     District Counsel**

There being no report, the next item followed.

**B.     District Engineer**

There being no report, the next item followed.

**C.     District Manager**

Mr. Adams reminded the Board to contact him regarding any continued dialogue about the Boat Club facilities to strategize the transition. In response to a question regarding the Sunshine Law, Mr. Adams stated that, if the Board arranged a Club meeting, Management would post it on the website as a CDD workshop so legal advertising would not be required but Management would request summary minutes of the meeting.

**FOURTEENTH ORDER OF BUSINESS                      Supervisors' Requests**

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

**FIFTEENTH ORDER OF BUSINESS                      Adjournment**

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

**On MOTION by Mr. Aschenbrenner and seconded by Mr. Miller, with all in favor, the meeting adjourned at 10:45 a.m.**

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]



  
Secretary/Assistant Secretary

  
Chair/Vice Chair