

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

The Board of Supervisors of the Palm Bay Community Development District held a Regular Meeting on Thursday, January 10, 2019 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
Win Williamson	Assistant Secretary
Anthony Richards	Assistant Secretary
Speros Margetis	Assistant Secretary

**Also present:**

Chuck Adams	District Manager
John Chiardio	Resident and Palm Bay Board Director
Daryl Crawford	Resident and HOA President
Cyndi Berardi	Resident
Jeff Lynn	Resident
Mike Dietrich	Resident
Wendy Popielarcheck	Resident
Eric Sheridan	Resident

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Mr. Adams called the meeting to order at 9:03 a.m. Supervisors Bergman, Williamson, Richards and Margetis were present, in person. Supervisor Aschenbrenner was not present.

**SECOND ORDER OF BUSINESS**

**Public Comments: Agenda Items**

Mr. John Chiardio, a resident and Palm Bay Board Director, noted a few dangerous spots on the sidewalks in need of repair. Numerous safety and appearance issues relating to the Boat Club and the dock around the marina should be addressed, including the pylon breaking free, different colors of paint, garbage and a lack of insurance. Mr. Adams stated that these items would be addressed later in the meeting.

Mr. Eric Sheridan, a resident, requested an update on the beach. Mr. Adams stated that an update would be provided later in the meeting.

THIRD ORDER OF BUSINESS

Consideration of Resolution 2019-02, Canvassing and Certifying the Results of the Landowners' Election of Supervisors Held Pursuant to Section 190.006(2), Florida Statutes

Mr. Adams presented Resolution 2019-02. The results were:

Seat 2	Speros Margetis	13 votes	Four-year Term
Seat 3	Joe Aschenbrenner	14 votes	Four-year Term
Seat 5	Win Williamson	12 votes	Two-year Term

On MOTION by Mr. Richards and seconded by Mr. Bergman, with all in favor, Resolution 2019-02, Canvassing and Certifying the Results of the Landowners' Election of Supervisors Held Pursuant to Section 190.006(2), Florida Statutes, was adopted.

FOURTH ORDER OF BUSINESS

Administration of Oath of Office to Newly Elected Supervisors, Speros Margetis, [SEAT 2], Joe Aschenbrenner [SEAT 3] and Win Williamson [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. Speros Margetis and Mr. Win Williamson. He provided and explained the following items:

- 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

FIFTH ORDER OF BUSINESS

Consideration of Resolution 2019-03, Electing the Officers of the Palm Bay Community Development District, Hillsborough County, Florida

Mr. Adams presented Resolution 2019-03. Mr. Richards nominated the existing slate of officers, as follows, with the addition of Mr. Speros Margetis as an Assistant Secretary:

Chair	Rob Bergman
Vice Chair	Joe Aschenbrenner
Secretary	Chuck Adams
Treasurer	Craig Wrathell
Assistant Secretary	Win Williamson
Assistant Secretary	Anthony Richards
Assistant Secretary	Speros Margetis
Assistant Secretary	Craig Wrathell
Assistant Treasurer	Jeff Pinder

No other nominations were made.

**On MOTION by Mr. Richards and seconded by Mr. Williamson, with all in favor, Resolution 2019-03, Electing the Officers of the Palm Bay Community Development District, Hillsborough County, Florida, as nominated, was adopted.**

**SIXTH ORDER OF BUSINESS**

**Continued Discussion: Review of Marina Bulkhead and Boat Lift Repairs Needed: Bulkhead, Roof over Motors, Future Upgrade of Two Pushing Motors and Re-Wiring at New Control Box**

Mr. Bergman distributed a proposal from FHS that contained four options, as follows:

- Option #1: \$14,385 for new power trollies with four dog houses.
- Option #2: \$15,985 for new power trollies with eight dog houses.
- Option #3: \$19,485 for new power trollies with eight dog houses and new control box.
- Option #4: \$21,885 for new power trollies with eight dog houses and a new control box, plus a remote control system.

Mr. Bergman recommended Option #4. A Board Member asked if the elevation would be changed. Mr. Bergman stated that the control box would be raised and replaced with a brand new fully weather-proof one that is up to code. The wireless boxes cost \$500 each. As to the responsiveness of the contractor and the project timeline, Mr. Bergman stated that FHS recently hired a new representative who was very responsive and, upon receipt of the parts,

installation should occur within one week. Mr. Adams stated that there are no financial issues with this or the next item because \$50,000 was set aside in the Fiscal Year 2019 budget and \$50,000 from the Fiscal Year 2018 budget went unspent. He concurred with selecting Option #4. Discussion ensued regarding cost, wiring, dog houses, motors, steel beams and cables.

**On MOTION by Mr. Richards and seconded by Mr. Margetis, with all in favor, the FHS Proposal Option #4 for new power trollies with eight dog houses and new control box, plus remote control system, in the amount of \$21,885, was approved.**

Mr. Bergman presented a \$3,890 decking proposal from Ray Woods Construction Co. Inc., and a proposal from MB Marine Construction, Inc., to repair the bulkhead. Mr. Adams stated that funds were available to cover both projects. Discussion ensued regarding the quotes, existing deck, new deck material, dredging, seawall, backfill, geotubes and permitting.

**On MOTION by Mr. Bergman and seconded by Mr. Richards, with all in favor, the Ray Woods Construction Co. Inc., proposal for decking, in the amount of \$3,890, was approved.**

**On MOTION by Mr. Williamson and seconded by Mr. Richards, with all in favor, the MB Marine Construction, Inc., proposal to repair the bulkhead, in the amount of \$29,892, was approved.**

**SEVENTH ORDER OF BUSINESS**

**Update: Baycut**

Mr. Bergman presented an updated Baycut Agreement, in the amount of \$11,400, and outlined the additional work that would be performed, including installing annuals, palm tree trimming, frond removal and beach maintenance. Discussion ensued.

**On MOTION by Mr. Richards and seconded by Mr. Margetis, with all in favor, the Baycut Agreement for landscaping and beach maintenance, in the amount of \$11,400, was approved.**

**EIGHTH ORDER OF BUSINESS**

**Update: Roadways/Sidewalks**

Mr. Williamson obtained a \$7,800 proposal for sidewalk repairs, with \$1,000 down. The contract included grinding 75% of the driveway transitions but excluded areas that require replacement, not grinding; the contract did not address the concrete. Although the cracked sidewalks should be repaired, some were not trip hazards and the contractor would not guarantee that the pavers would be protected. Another contractor would inspect the sidewalks after the holidays. Mr. Adams stated if the driveway is lower than the sidewalk, it is a liability for the homeowner and, if it is the other way around, it is a liability for the District. He noted that pavers are prone to sinking before the sidewalk. The Board and Staff discussed safety concerns, certain resident driveways, sunken pavers, Americans with Disabilities Act (ADA) compliance, grinding, concrete replacement and a not-to-exceed or ceiling amount. Mr. Adams stated that some fund balance would be utilized for the repair work. The Board’s consensus was to repair the areas with major issues.

**On MOTION by Mr. Richards and seconded by Mr. Margetis, with all in favor, the proposal for sidewalk repairs, in a not to exceed amount of \$12,000, was approved.**

Mr. Bergman obtained a \$3,000 quote for power washing. He asked for input, as it would be a recurring annual charge but not all sidewalks were unsightly. Discussion ensued regarding whether pressure washing was a priority, homeowners pressure washing, the HOA, timing, sidewalk repairs and liability. This item was deferred to the next meeting.

**NINTH ORDER OF BUSINESS**

**Update: Beach**

Mr. Bergman stated that Baycut would perform a beach cleanup and the Board should consider repairing the seawall or building a ramp for kayaks and boats. In response to a question regarding permitting, Mr. Adams stated the District was granted a permit, which is good for five years. Discussion ensued regarding constructing a walkway, a floating aluminum ramp, a kayak dock with storage, a fire pit and conducting a survey to gather resident feedback. Mr. Bergman felt it best to table this item to the next meeting; he would obtain quotes.

**TENTH ORDER OF BUSINESS**

**Approval of Unaudited Financial Statements as of November 30, 2018**

Mr. Adams presented the Unaudited Financial Statements as of November 30, 2018.

The financials were accepted.

**ELEVENTH ORDER OF BUSINESS**

**Approval of Minutes**

**A. October 11, 2018 Regular Meeting**

Mr. Adams presented the October 11, 2018 Regular Meeting Minutes.

**On MOTION by Mr. Williamson and seconded by Mr. Richards, with all in favor, the October 11, 2018 Regular Meeting Minutes, as presented, were approved.**

**B. November 8, 2018 Landowners' Meeting**

Mr. Adams presented the November 8, 2018 Landowners' Meeting Minutes.

**On MOTION by Mr. Bergman and seconded by Mr. Margetis, with all in favor, the November 8, 2018 Landowners' Meeting Minutes, as presented, were approved.**

**TWELFTH ORDER OF BUSINESS**

**Staff Reports**

**A. District Counsel: *Buchanan Ingersoll & Rooney PC***

There being no report, the next item followed.

**B. District Engineer: *Landmark Engineering & Surveying Corp.***

There being no report, the next item followed.

**C. District Manager: *Wrathell, Hunt and Associates, LLC***

Mr. Adams reported the following:

- Research of the potential with the Boat Club dock was underway but was confusing because of ownership and responsibility, in relation to the gangway versus the finger piers.
- Regarding the bulkheads around the marina adjacent to homeowner sites, the opinion was that the adjacent homeowner is responsible, as it lands between their property lines.
- The Architectural Review Committee (ARC) oversees issues with disrepair or different colors of paint and the need to enforce the Declarations.

In response to Mr. Bergman's question, Mr. Adams confirmed that the adjacent homeowners are responsible for repairs and maintenance of the bulkhead and marina

bordering their property lines. In response to a question regarding the easement, Mr. Adams stated that there was not an easement dedicated to common use, around the perimeter, for a peripheral walkway of continuity. Discussion ensued regarding the gangway, the finger piers, the Boat Club, insurance, HOA versus CDD responsibilities and enforcement.

- **NEXT MEETING DATE: April 11, 2019 at 9:00 A.M.**

The next meeting will be held on April 11, 2019 at 9:00 a.m.

**THIRTEENTH ORDER OF BUSINESS**

**Public Comments: Non-Agenda Items**

A Board Member stated that he obtained a \$3,800 proposal to upgrade the Palm Bay Monument sign. The sign would be 48” wide by 44” tall, fabricated of tile and marble and be larger than the existing sign. The proposal did not include lighting, as it was not needed. Mr. Adams asked that the proposal be emailed to him.

**On MOTION by Mr. Richards and seconded by Mr. Margetis, with all in favor, the Palm Bay Monument sign upgrade, in the amount of \$3,800, was approved.**

**FOURTEENTH ORDER OF BUSINESS**

**Supervisors’ Requests**

Mr. Bergman asked to go over Board Member roles and responsibilities.

- Mr. Bergman would supervise Baycut and the marina.
- Mr. Richards would oversee the beach.
- Mr. Williamson would oversee the sidewalks and roadways.
- Mr. Margetis would work on the Boat Club.
- Mr. Aschenbrenner would oversee the front gate and security.

Mr. Adams asked to be informed of when the marina would need water body work so that he could hire a contractor.

**FIFTEENTH ORDER OF BUSINESS**

**Adjournment**

There being nothing further to discuss, the meeting adjourned.

**On MOTION by Mr. Williamson and seconded by Mr. Richards, with all in favor, the meeting adjourned at 10:34 a.m.**

CopSA.  
Secretary/~~Assistant~~ Secretary

PS Bay  
Chair/~~Vice~~ Chair