

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

The Board of Supervisors of the Palm Bay Community Development District held a Public Hearing and Regular Meeting on July 11, 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
Joe Aschenbrenner	Vice Chair
Win Williamson	Assistant Secretary

**Also present:**

Chuck Adams	District Manager
Tony Grau (via telephone)	Grau & Associates

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Mr. Adams called the meeting to order at 9:18 a.m. Supervisors Bergman, Aschenbrenner and Williamson were present, in person. Supervisors Richards and Margetis were not present.

**SECOND ORDER OF BUSINESS**

**Public Comments: Agenda Items**

There being no public comments, the next item followed.

**THIRD ORDER OF BUSINESS**

**Presentation of Audited Financial Report  
for Fiscal Year Ended September 30, 2018,  
Prepared by Grau and Associates**

Mr. Grau presented the Audited Financial Report for Fiscal Year Ended September 30, 2018. There were no findings, irregularities or instances of noncompliance; it was a clean audit.

In response to a Board Member’s question, Mr. Adams stated “Boat slip revenue” was received as a result of the sale of two boat slips and the CDD no longer owns boat slips.

**FOURTH ORDER OF BUSINESS**

**Consideration of Resolution 2019-05, Hereby Accepting the Audited Financial Report for the Fiscal Year Ended September 30, 2018**

**On MOTION by Mr. Williamson and seconded by Mr. Bergman, with all in favor, Resolution 2019-05, Hereby Accepting the Audited Financial Report for the Fiscal Year Ended September 30, 2018, was adopted.**

**FIFTH ORDER OF BUSINESS**

**Public Hearing on Adoption of Fiscal Year 2019/2020 Budget**

**A. Proof/Affidavit of Publication**

The proof of publication was provided for informational purposes.

**B. Consideration of Resolution 2019-06, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2019, and Ending September 30, 2020; Authorizing Budget Amendments; and Providing an Effective Date**

Mr. Adams reviewed the proposed Fiscal Year 2020 budget and stated it was unchanged since the April meeting. Assessments would remain the same year-over-year. Unspent budgeted funds for the fiscal year for special projects, including the sea wall and the beach park, would accumulate in fund balance. Discussion ensued regarding methods and goals for building the fund balance for special projects and emergency repairs. Although hurricane roadway cleanup would be a CDD-recognized expense, which may be reimbursable by Federal Emergency Management Agency (FEMA) grants, the process could take up to two years. Discussion ensued regarding seawall durability and construction methods.

**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 2019-06, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2019, and Ending September 30, 2020; Authorizing Budget Amendments; and Providing an Effective Date, was adopted.

**SIXTH ORDER OF BUSINESS**

Consideration of Resolution 2019-07, Making a Determination of Benefit and Imposing Special Assessments for Fiscal Year 2019/2020; 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

Mr. Adams presented Resolution 2019-07.

On MOTION by Mr. Williamson and seconded by Mr. Bergman, with all in favor, Resolution 2019-07, Making a Determination of Benefit and Imposing Special Assessments for Fiscal Year 2019/2020; 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, was adopted.

**SEVENTH ORDER OF BUSINESS**

Consideration of Resolution 2019-08, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2019/2020 and Providing for an Effective Date

Mr. Adams presented Resolution 2019-08.

**On MOTION by Mr. Aschenbrenner and seconded by Mr. Williamson, with all in favor, Resolution 2019-08, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2019/2020 and Providing for an Effective Date, was adopted.**

**EIGHTH ORDER OF BUSINESS**

**Update: Marina Seawall**

Mr. Bergman stated that payment was made to MB Marine Construction (MBMC). The survey was completed and the permits were pending. Mr. Adams stated that permit applications were sent to MBMC for submission. Mr. Berman stated logistics would be coordinated when the permits are received. The seawall would be backfilled with concrete, with a top layer of soil.

**NINTH ORDER OF BUSINESS**

**Update: Boat Lift**

Mr. Bergman reported the following:

➤ Boat Lift Remote Control System: The project was nearly completed. After the remotes are installed and activated, residents would need to be instructed on how to use the remote with the boat lift. Motors, protective rooflines, boxes and wiring were installed. The tethered wiring that moves with the motor showed wear and would eventually require replacement. An aluminum roof would not be installed above the boat lift; therefore, the funds would be credited back to the District and a more attractive option may be considered in the future.

Regarding information posted in the marina, Mr. Adams stated it was best to list his contact information and he could forward inquiries to the Board.

➤ Boat Lift Remote Control System (continued): A timer was installed.

Discussion ensued regarding onboarding new residents and the division of responsibilities, creating a document and/or instructional video which could be posted on the HOA and CDD websites or emailed to residents, whether a second motor made it possible to increase the weight limit, necessary boat lift area repairs and/or replacements, obtaining quotes. Regarding weight limit and boat length, Mr. Adams stated he would email the rules to

Mr. Bergman to edit, as necessary, and include the new lift procedures. Something in writing should be obtained from FHS or MBMC, if larger boats could be accommodated.

**TENTH ORDER OF BUSINESS****Update: Beach Park**

Mr. Bergman stated there was no progress to report. Discussion ensued regarding easements, quotes and contractors. A Board Member suggested completing the park in phases, beginning with the previously approved projects. Mr. Adams stated \$35,000 was budgeted. Discussion ensued regarding outstanding proposals, surveys, seawall construction and the kayak launch proposals and permits, including the options to rebuild as originally constructed versus sturdier, more expensive construction. Mr. Adams stated the aluminum gangway for kayaks, with a handrail along one side, would likely be hinged at the seawall with a floating dock that rises and falls with the tide, and may require a permit.

- **Update: Sidewalks and Streets**

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

Mr. Williamson stated that sidewalks were completed; however, the corners were cracking because, while they are supposed to be built 4" deep, they were less than ½" deep. Damage resulted from mail trucks, especially at the corners of driveways. The contractor did a great job with the pavers at the front entrance. Discussion ensued regarding raising the pavers to address the water, installing an access pipe or filler and/or raising the plate.

- **Update: Pressure Washing**

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

Mr. Williamson stated the pressure washing proposal was received. The budget was \$3,000 and the \$2,900 quote did not include the curbing around the islands or the gutters outside the gate. He thought all should be cleaned at the same time, which would bring the cost to \$3,200. The Board agreed the price was acceptable and that pressure washing needed to be done each year or every other year. Mr. Aschenbrenner voiced his opinion that the French drains were slimy and slippery. Mr. Adams stated it may make sense to spot treat slip and fall areas right away and pressure wash the entire community in the fall; if the entire community could be done every October, it may last an entire year. Mr. Williamson stated the

proposal included the permit for utilizing fire hydrant water versus homeowners' water. All agreed the price was acceptable and that the proposal should include the pad above the lift station. Mr. Williamson asked whether the Board has the authority to do this since the final price would be over the budgeted \$3,000. Mr. Adams replied affirmatively.

**ELEVENTH ORDER OF BUSINESS**

**Acceptance of Unaudited Financial Statements as of May 31, 2019**

Mr. Adams presented the Unaudited Financial Statements as of May 31, 2019. The financials were accepted.

**TWELFTH ORDER OF BUSINESS**

**Approval of April 11, 2019 Regular Meeting Minutes**

Mr. Adams presented the April 11, 2019 Regular Meeting Minutes.

**On MOTION by Mr. Aschenbrenner and seconded by Mr. Williamson, with all in favor, the April 11, 2019 Regular Meeting Minutes, as presented, were approved.**

**THIRTEENTH 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***

- **176 Registered Voters in District as of April 15, 2019**

There were 176 registered voters residing within the District as of April 15, 2019.

**FOURTEENTH ORDER OF BUSINESS**

**Public Comments: Non-Agenda Items**

There being no public comments, the next item followed.

**FIFTEENTH ORDER OF BUSINESS**

**Supervisors' Requests**

Discussion ensued regarding the Boat Club. Funds were sent to keep the corporation active and it was decided that, since the HOA would take over invoicing dues, the CDD would not continue assessing for dues. In response to the question of whether the CDD could obtain a type of loan not available to the Boat Club for a boat dock, Mr. Adams stated that the CDD must own any improvements it constructs. An easement would be a logistical issue since 100% consensus would be required. Mr. Bergman disagreed and stated he read the Boat Club's original charter; he would forward it to Mr. Adams. Discussion ensued regarding the Boat Club's ability to collect fees and maintain boat docks, the possibility of installing new boat slips, Boat Club functions, ownership of the gangway and fingers and owners' rights.

Mr. Bergman noted a sewage odor by the front gate. Mr. Adams stated he would have U.S. Filter look into it, there may be a need to clean a grease filter. Issues related to water billing and the website were addressed.

**SIXTEENTH ORDER OF BUSINESS**

**Adjournment**

There being nothing further to discuss, the meeting adjourned.

**On MOTION by Mr. Aschenbrenner and seconded by Mr. Williamson, with all in favor, the meeting adjourned at 10:44 a.m.**

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

  
Secretary/Assistant Secretary

  
Chair/Vice Chair