

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

The Board of Supervisors of the Palm Bay Community Development District held a Regular Meeting on October 17, 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
Speros Margetis	Assistant Secretary
Anthony Richards (via telephone)	Assistant Secretary

**Also present:**

Chuck Adams	District Manager
Martha Nadar	Resident

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

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

**SECOND ORDER OF BUSINESS**

**Public Comments: Agenda Items**

There being no public comments, the next item followed.

**THIRD ORDER OF BUSINESS**

**Consideration of Resolution 2020-01,  
Relating to the Amendment of the Annual  
Budget for the Fiscal Year Beginning  
October 1, 2018 and Ending September 30,  
2019; and Providing for an Effective Date**

Mr. Adams presented Resolution 2020-01. It was necessary to amend the Fiscal Year 2019 budget to avoid a finding in the audit, as certain expenditures exceeded budget; however, fund balances remained the same.

**On MOTION by Mr. Bergman and seconded by Mr. Williamson, with all in favor, Resolution 2020-01, Relating to the Amendment of the Annual Budget for the Fiscal Year Beginning October 1, 2018 and Ending September 30, 2019; and Providing for an Effective Date, was adopted.**

**FOURTH ORDER OF BUSINESS**

**Consideration of Straley Robin Vericker Proposal for District Counsel Services**

Mr. Adams presented the Straley Robin Vericker (SRV) proposal to serve as District Counsel. Since the Buchanan Ingersoll & Rooney PC (BI&R) representative left the firm, he recommended the change, as SRV has experience with CDDs and HOAs, along with the extensive legal services experience necessary to review the Agreement with the Palm Bay Boat Club.

**On MOTION by Mr. Aschenbrenner and seconded by Mr. Margetis, with all in favor, authorizing District Staff to terminate the Buchanan Ingersoll & Rooney PC Agreement and enter into an Agreement to engage Straley Robin Vericker, for District Counsel Services, effective immediately, was approved.**

Mr. Richards joined the meeting at 9:12 a.m., via telephone.

**FIFTH ORDER OF BUSINESS**

**Discussion: CDD Potentially Taking Over Boat Club**

Mr. Adams thanked Mr. Aschenbrenner for distributing the Declaration documents that created the Palm Bay Boat Club, which stated the CDD could potentially assume responsibilities. He recommended that, since the documents were over 20 years old, SRV review these documents to ensure no other laws were adopted along the way that may impede that opportunity. For presentation in January, legal staff should prepare an outline of the process the District would need to follow to take over responsibilities.

Mr. Aschenbrenner stated Section 15 indicated the Association shall be subject to the authority of the CDD. Mr. Adams stated that private individuals own the boat slips, known as "finger docks", and the CDD owns and operates the cradle, ramp and bulkhead.

**SIXTH ORDER OF BUSINESS**

**Update: Marina Seawall**

Mr. Bergman stated that Mr. Brown, of MB Marine Construction (MBMC), would commence work two weeks following receipt of the permits; the project would take about three weeks to complete.

Mr. Bergman distributed a proposal to install aluminum bunks to replace the wooden ones. The consensus was to proceed with also installing two flat cat bunks for pontoon boats and jet skis; the additional proposal would be provided to Mr. Adams.

**On MOTION by Mr. Margetis and seconded by Mr. Richards, with all in favor, authorizing District Staff to proceed with replacement of the wood bunks with aluminum bunks and installation of two flat cat bunks, in a not-to-exceed amount of \$4,926, was approved.**

**SEVENTH ORDER OF BUSINESS**

**Update: Beach Park**

Mr. Richards presented a proposal to install a gangway and kayak launch; since the CDD is tax exempt, taxes would be deducted from the proposal.

A recommendation was made to install two pilings on the beach side to connect the plank to avoid added stress to the seawall. Discussion ensued regarding whether to use standard wood materials or concrete backfill, the same materials used for the beach repair. Mr. Adams stated that \$35,000 was budgeted for the beach park update; the Ray Woods proposal to remove and repair the seawall with wood was \$14,000, or \$30,000 for corrugated vinyl. It was noted that the original amount budgeted was \$35,000 to install wood for the dock and seawall project, which would be exceeded if corrugated materials were used. It was noted that Mr. Woods retired. Discussion ensued regarding the budget, which material to use to shore up the beach bulkhead/seawall and delay installing the dock, completing the dock and launch simultaneously, purchasing additional racks, etc. Confirmation would be obtained from the vendor that the proposal presented in April, to repair the beach seawall, was still valid. Mr. Adams stated he would move funds out of the Enterprise Fund to offset costs, if necessary, once the proposal figures are confirmed.

▪ **Public Comments: Non-Agenda Items**

**This item, previously the Twelfth Order of Business, was presented out of order.**

Ms. Martha Nadar, a resident, commended Mr. Williamson on getting the paver project completed. She asked if maintenance to reseal the pavers was scheduled. The contractor who resealed her driveway recommended doing it every three to four years and advised that the pavers should never be pressure washed. Information about the product used by the contractor, longevity of the sealant, etc., would be presented at the next meeting.

A Board Member asked which entity has the responsibility for maintaining the road out of the community, "Long Boat", as the County paved to a certain area but not the entire area.

Discussion ensued regarding the HOA's annual donation to the County for the use of the park, an easement assigned to the District up to the sidewalk, confirmation that the District owned the road up to the sign, etc. Mr. Adams identified the locations and owners of the park, roadways, sidewalks and preserve areas on the map. Mr. Richards asked for the street sweeping day to be changed so that it does not conflict with garbage pickup. It was noted that the sidewalks would be pressure washed early next week.

**EIGHTH ORDER OF BUSINESS**

**Consideration of Proposals for Kayak Canoe Storage Rack**

- A. EZ Dock**
- B. Paddle Products**
  - **Continued Discussion of the Update: Beach Park**

A Board Member stated he would like to proceed with the dock project due to favorable weather conditions. Discussion ensued regarding the budget, seawall materials, prioritizing projects, relocate existing benches if possible, etc.

**On MOTION by Mr. Margetis and seconded by Mr. Williamson, with all in favor, proceeding with beach upgrades, in a not-to-exceed amount of \$35,000 to repair/replace the seawall and to use any remaining funds to install a kayak launch and purchase two kayak storage racks and two benches, was approved.**

**NINTH ORDER OF BUSINESS**

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

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

**TENTH ORDER OF BUSINESS**

**Approval of July 11, 2019 Public Hearing and Regular Meeting Minutes**

Mr. Adams presented the July 11, 2019 Public Hearing and Regular Meeting Minutes.

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

**ELEVENTH 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***

- **NEXT MEETING DATE: January 9, 2020 at 9:00 A.M.**
  - **QUORUM CHECK**

All Supervisors confirmed their attendance at the January 9, 2020 meeting.

**TWELFTH ORDER OF BUSINESS**

**Public Comments: Non-Agenda Items**

This item was presented following the Seventh Order of Business.

**THIRTEENTH ORDER OF BUSINESS**

**Supervisors' Requests**

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

**FOURTEENTH ORDER OF BUSINESS**

**Adjournment**

There being nothing further to discuss, the meeting adjourned.

**On MOTION by Mr. Williamson and seconded by Mr. Margetis, with all in favor, the meeting adjourned at 10:43 a.m.**

  
Secretary/Assistant Secretary

  
Chair/Vice Chair