

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

The Board of Supervisors of the Palm Bay Community Development District held a Regular Meeting on July 8, 2021, at 9:00 a.m., at the Courtyard by Marriott Tampa/Oldsmar, 4014 Tampa Road, Oldsmar, Florida 34677.

Present were:

Rob Bergman	Chair
Joe Aschenbrenner	Vice Chair
Win Williamson	Assistant Secretary
Speros Margetis	Assistant Secretary

Also present, were:

Chuck Adams	District Manager
Greg Froelich	Boat Club
Benjamin Whited	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.

SECOND ORDER OF BUSINESS

Public Comments: Agenda Items

There were no public comments.

THIRD ORDER OF BUSINESS

**Presentation of Audited Financial Report
for Fiscal Year Ended September 30, 2020,
Prepared by Grau & Associates**

This item was deferred.

FOURTH ORDER OF BUSINESS

Consideration of Resolution 2021-04, Hereby Accepting the Audited Financial Report for Fiscal Year Ended September 30, 2020

This item was deferred.

FIFTH ORDER OF BUSINESS

Consideration of Resolution 2021-05, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2021/2022 and Providing for an Effective Date

Mr. Adams presented Resolution 2021-05. Meetings would continue to be held on the second Thursday in October, January, April and July.

On MOTION by Mr. Aschenbrenner and seconded by Mr. Margetis, with all in favor, Resolution 2021-05, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2021/2022 and Providing for an Effective Date, was adopted.

SIXTH ORDER OF BUSINESS

Acceptance of Resignation of Supervisor Anthony Richards, Seat 4 (*Term Expires November 2024*)

Mr. Adams presented the letter of resignation from Mr. Richards from Seat 4.

On MOTION by Mr. Margetis and seconded by Mr. Bergman, with all in favor, the resignation of Mr. Anthony Richards from Seat 4, dated May 25, 2021, was accepted.

SEVENTH ORDER OF BUSINESS

Consider Appointment of Qualified Elector to Fill Unexpired Term of Seat 4

This item was deferred.

EIGHTH ORDER OF BUSINESS

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

- 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**

This item was deferred.

NINTH ORDER OF BUSINESS

Consideration of Resolution 2021-06, Designating a Chair, a Vice Chair, a Secretary, Assistant Secretaries, a Treasurer and an Assistant Treasurer of the Palm Bay Community Development District, and Providing for an Effective Date

This item was deferred.

TENTH ORDER OF BUSINESS

Update: Marina Survey and Legal Notices for Marina Homeowners

Mr. Adams surmised that the circulated Consent to Use Agreements were not well-received by property owners, as there were no responses. He recalled Mr. Whited mentioning that ownership would be more appealing than an easement. Regarding Mr. Whited’s previous request to purchase the property next to his home, Mr. Adams recommended authorizing Staff to surplus sell the parcel to him, and doing the same for all pieces along the seawall frontage, as they do not provide any value to the CDD. Asked if surplus selling is different from getting the property appraised, Mr. Adams stated the value of the property would be less than the cost to appraise it. To proceed, the Board must decide what portion the CDD will retain, have the tract surveyed and make it a part of the legal description to the deed. Asked about the costs to the homeowner, Mr. Adams stated Mr. Whited would be responsible for the survey, legal

description, advertising and transaction costs, such as recording fees with the clerk of courts, and a base minimum bid amount set by the Board. Mr. Whited must also submit a bid as part of the surplus sale. Regarding the possibility of someone else bidding on the property, Mr. Adams stated the Board has the discretion to award in a manner that is in the best interest of the CDD.

Discussion ensued regarding the surplus selling process, base amount, the parking lot, ownership of the sidewalk beside the boat ramp, bid submission by other marina area homeowners, age and condition of the seawall, liability for seawall maintenance and re-drafting and sending the Consent to Use Agreement to property owners. Mr. Adams would re-write the letter, clarifying that homeowners are responsible for maintaining the seawall because they are the sole beneficiaries and inform them they could purchase tracts adjacent to their properties, if there is an interest. The letter would be emailed to the Board for review and approval prior to distribution. Mr. Adams asked for a few stakes to be put in the ground in the interim and stated he would contact the same surveyor that surveyed the marina and order a sketch and legal description, which will be a part of the recorded deed.

On MOTION by Mr. Aschenbrenner and seconded by Mr. Margetis, with all in favor, setting a surplus sale base bid of \$1,000, plus transaction costs for the parcel adjacent to the Whited property and the remainder of the parcels around the marina adjacent to property owners, was approved.

ELEVENTH ORDER OF BUSINESS

Update: Boat Club Dock

Mr. Froelich reported the following:

- He obtained an estimate for the sidewalk, which would be constructed with the same materials as the marina and the dock and would be light grey in color.
- The fiberglass board would connect from the current sidewalk and out to the marina. The dock would extend out 56' to an even line where bend-docks end and connect at 90°.
- As residents asked for a gazebo in the beach area, like the gazebo in the front of the community, a \$16,320 bid was obtained from the construction company that built the marina.
- The bid to repair the fingers and widen the very last finger past Mr. Bergman's slip by 6' was \$133,790; the Boat Club (BC) is responsible for \$24,000 and the CDD is responsible for \$109,790. Electrical and plumbing costs would be another \$14,000, which is a BC responsibility.

➤ The CDD would be responsible for additional electrical costs totaling \$92,000, plus a contingency. The consensus was to allocate \$105,000 for those costs.

Discussion ensued regarding project costs, obtaining a five-year, 4% interest rate loan to finance the CDD’s portion of the improvements, the timeline of the dock project, the sidewalk, additional gazebo, kayak launch, sand, lumber costs and adding \$50,000 to the loan amount for reserves or “seawall recovery monies”. Mr. Adams recapped that \$200,000 would be financed for the main gangway plus water and electrical and the gazebo, boat ramp seawall repair, beach canopy and beach seawall recovery. A flat assessment would be levied on all 100 units, meaning the assessments would increase by \$360. For noticing purposes, the assessment amount would be \$2,175. He reiterated his request for stakes to be put in the ground and for Management to be informed of what has been done and agreed on.

TWELFTH ORDER OF BUSINESS

Discussion: Fiscal Year 2022 Budget and Setting Assessment Amounts

This item was addressed during the Eleventh Order of Business.

THIRTEENTH ORDER OF BUSINESS

Update: Beach Planning Topics: Design, Lighting, Electric, Envera

This item was addressed during the Eleventh Order of Business.

FOURTEENTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of May 31, 2021

Mr. Adams presented the Unaudited Financial Statements as of May 31, 2021. The financials were accepted.

FIFTEENTH ORDER OF BUSINESS

Approval of April 8, 2021 Regular Meeting Minutes

Mr. Adams presented the April 8, 2021 Regular Meeting Minutes.

On MOTION by Mr. Bergman and seconded by Mr. Margetis, with all in favor, the April 8, 2021 Regular Meeting Minutes, as presented, were approved.

SIXTEENTH ORDER OF BUSINESS

Staff Reports

A. District Counsel: *Straley Robin Vericker*

There was no report.

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

There was no report.

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

I. 180 Registered Voters in District as of April 15, 2021

There were 180 registered voters residing within the District as of April 15, 2021.

II. NEXT MEETING DATE: September 9, 2021 at 9:00 a.m.

o QUORUM CHECK

The next meeting would be held on September 9, 2021.

Mr. Bergman stated that he would not be able to attend the next meeting. Mr. Adams noted that the remaining Supervisors must attend, in person to establish a quorum and to appoint the new Board Member.

SEVENTEENTH ORDER OF BUSINESS

Public Comments: Non-Agenda Items

There were no public comments.

EIGHTEENTH ORDER OF BUSINESS

Supervisors' Requests

There were no Supervisors' requests.


NINETEENTH ORDER OF BUSINESS

Adjournment

There being nothing further to discuss, the meeting adjourned.

On MOTION by Mr. Williamson and seconded by Mr. Bergman, with all in favor, the meeting adjourned at 10:11a.m.


Secretary/~~Assistant Secretary~~


Chair/~~Vice Chair~~