

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

The Board of Supervisors of the Palm Bay Community Development District held a Regular Meeting on April 13, 2023 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
Speros Margetis (via telephone)	Assistant Secretary
Joseph Timberlake	Assistant Secretary
Win Williamson	Assistant Secretary

Also present, were:

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 9:04 a.m. Supervisors Aschenbrenner, Bergman, Timberlake and Williamson were present. Supervisor Margetis was attending via telephone.

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, 2022,
Prepared by Grau & Associates**

Mr. Grau presented the Audited Financial Report for Fiscal Year Ended September 30, 2022 and noted the pertinent information. The CDD might have to increase the sewer rates or investments due to consistent losses in the Proprietary Fund over the last few years. There

were no findings, irregularities or instances of noncompliance; it was an unmodified opinion, otherwise known as a clean opinion.

In response to the comment about increasing sewer fees, Mr. Bergman asked if the reason for the shortfalls in the Proprietary Fund were because of the neighborhood project upgrades. Mr. Adams stated it was because the County increased its water sewer rates and it is now time the CDD consider a rate increase, since the last one was about six years ago.

Mr. Adams responded to questions and explained that another reason for the deficit is due to the CDD decision to switch vendors to increase the level of the service. He considered maintenance costs to be normal and recalled that the CDD redid the lift station. The drainage pipes are the only other asset that needs to be addressed; a proposal will be presented later in the meeting. Updated Water/Sewer Rates/Fees will be prepared for consideration at a public hearing in July. He suggested a 20% to 25% increase to fully cover all expenditures.

FOURTH ORDER OF BUSINESS

Consideration of Resolution 2023-04, Hereby Accepting the Audited Financial Report for Fiscal Year Ended September 30, 2022

On MOTION by Mr. Bergman and seconded by Mr. Aschenbrenner, with all in favor, Resolution 2023-04, Hereby Accepting the Audited Financial Report for Fiscal Year Ended September 30, 2022, was adopted.

FIFTH ORDER OF BUSINESS

Consideration of Resolution 2023-05, Approving a Proposed Budget for Fiscal Year 2023/2024 and Setting a Public Hearing Theron Pursuant to Florida Law; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing an Effective Date

Mr. Adams presented Resolution 2023-05. He reviewed the proposed Fiscal Year 2024 budget, compared to the Fiscal Year 2023 budget, highlighting any line item increases, decreases and adjustments, and explained the reasons for any changes. Regarding the Water/Sewer Rates and Fees, there will be a true-up but that is not reflected for the purposes of the budget public hearing because it will be user-fee based.

On MOTION by Mr. Williamson and seconded by Mr. Margetis, with all in favor, Resolution 2023-05, Approving a Proposed Budget for Fiscal Year 2023/2024, and Setting a Public Hearing Theron Pursuant to Florida Law for July 13, 2023 at 9:00 a.m., at the Courtyard by Marriott Tampa/Oldsmar, 4014 Tampa Road, Oldsmar, Florida 34677; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing an Effective Date, was adopted.

SIXTH ORDER OF BUSINESS

Consideration of All South Underground, LLC, Estimate 204432 for Jet-Vac Services on Hatteras Drive Storm Drainage Pipe

Mr. Williamson presented the All South Underground, LLC proposal for pipe cleaning. He will find out if the video inspection rate is for the entire system. Obtaining other proposals has been difficult.

Mr. Margetis stated this and another area towards the park flood to ankle deep heights. He believes it is partly due to a homeowner’s yard improvements and not installing a silt fence.

Discussion ensued regarding flooding due to construction debris, the pipe entry point location and the intent to use surplus funds.

To avoid delays, the consensus was to proceed with the video inspection first, which includes a report, while Mr. Adams obtains an invoice from M.R.I. Underwater Specialists (MRI).

Mr. Adams discussed pipe inspection protocols in other CDDs.

On MOTION by Mr. Bergman and seconded by Mr. Williamson, with all in favor, All South Underground, LLC, Estimate 204432 for Jet-Vac Services of approximately 900’ in the Hatteras Drive Storm Drainage Pipe, in a not-to-exceed amount of \$11,228.37, subject to proceeding first with the video inspection, adjusting the proposal for pipe cleaning based on the results of the video inspection and Mr. Adams securing a proposal from M.R.I. Underwater Specialists, was approved.

SEVENTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of February 28, 2023

Mr. Adams presented the Unaudited Financial Statements as of February 28, 2023.

The financials were accepted.

Approval of Minutes

A. January 12, 2023 Landowners' Meeting

On MOTION by Mr. Aschenbrenner and seconded by Mr. Timberlake, with all in favor, January 12, 2023 Landowners' Meeting Minutes, as presented, were approved.

B. January 12, 2023 Regular Meeting

On MOTION by Mr. Williamson and seconded by Mr. Margetis, with all in favor, January 12, 2022 Regular Meeting Minutes, as presented, were approved.

NINTH ORDER OF BUSINESS

Staff Reports

- A. District Counsel: Straley Robin Vericker**
- B. District Engineer: Landmark Engineering & Surveying Corp.**
There were no District Counsel or District Engineer reports.
- C. District Manager: Wrathell, Hunt and Associates, LLC**
 - **NEXT MEETING DATE: July 13, 2023 at 9:00 AM**
 - **QUORUM CHECK**

TENTH ORDER OF BUSINESS

Public Comments: Non-Agenda Items

No members of the public spoke.

ELEVENTH ORDER OF BUSINESS

Supervisors' Requests

Mr. Bergman reported the following:

- A walkthrough was conducted with Jared and Baycut Landscaping (Baycut) in response to the HOA wanting to enhance the front gate area.

Mr. Bergman reviewed the scope of work in the \$4,200 proposal emailed to Mr. Adams and stated that some of the cost is already part of the CDD's regular maintenance plan. The

consensus was to proceed with the project and approve costs of no more than \$2,500 above the regular quarterly maintenance costs.

- The Envera System proposal to extend monitoring services to the beach area will be presented at the next meeting.
- Purchasing another kayak rack to avoid kayakers tying them to the trees is suggested.

The Board agreed.

Mr. Williamson proposed considering adding minimal items, such as seating, picnic tables on foundations, fire pit and gazebo back to the beach area. Mr. Margetis and others agreed. Mr. Williamson will take the lead on this.

Mr. Margetis left the meeting at 10:00 a.m.

- Adding ongoing agenda items for signage and continued discussion/update on the homeowner seawall marina, until these matters are resolved, was suggested.

Regarding the seawall/marina, Mr. Aschenbrenner stated he spoke to a few homeowners of the area and one homeowner is refusing to maintain the seawall because he is convinced that, per the survey, it does not touch his property. Per the homeowner, if forced, he will hire an attorney. It was noted that the homeowner obtained approval to install the dock.

- Two checks for the marina remotes were submitted.

Mr. Bergman left the meeting at 10:04 a.m.

Discussion ensued regarding polling the homeowners about the terms of the Consent to Encroachment Agreement and residents that already executed the Consent to Use of Easement.

Mr. Adams discussed an option to re-record the Tract B plat with the survey, which would result in the CDD backing away from any ownership wherein homeowners encroach their seawall into Tract B. The survey did not include the dock; that would be another cost.

TWELFTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Aschenbrenner and seconded by Mr. Williamson, with all in favor, the meeting adjourned at 10:32 a.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]



Secretary/Assistant Secretary



Chair/Vice Chair