

# **PALM BAY**

## **COMMUNITY DEVELOPMENT DISTRICT**

**July 28, 2023**

## **BOARD OF SUPERVISORS PUBLIC HEARING AND REGULAR MEETING AGENDA**

**PALM BAY  
COMMUNITY DEVELOPMENT DISTRICT**

**AGENDA  
LETTER**

**Palm Bay Community Development District**  
**OFFICE OF THE DISTRICT MANAGER**  
**2300 Glades Road, Suite 410W•Boca Raton, Florida 33431**  
**Phone (561) 571-0010•Fax (561) 571-0013•Toll-Free (877) 276-0889**

July 21, 2023

Board of Supervisors  
Palm Bay Community Development District

<b>ATTENDEES:</b> Please identify yourself each time you speak to facilitate accurate transcription of meeting minutes.
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Dear Board Members:

The Board of Supervisors of the Palm Bay Community Development District will hold a Public Hearing and Regular Meeting on July 28, 2023 at 9:00 a.m., at the Courtyard by Marriott Tampa/Oldsmar, 4014 Tampa Road, Oldsmar, Florida 34677. The agenda is as follows:

1. Call to Order/Roll Call
2. Public Comments: Agenda Items
3. Public Hearing on Adoption of Fiscal Year 2023/2024 Budget
  - A. Proof/Affidavit of Publication
  - B. Consideration of Resolution 2023-06, Relating to the Annual Appropriations and Adopting the Budgets for the Fiscal Year Beginning October 1, 2023, and Ending September 30, 2024; Authorizing Budget Amendments; and Providing an Effective Date
4. Consideration of Resolution 2023-07, Making a Determination of Benefit and Imposing Special Assessments for Fiscal Year 2023/2024; 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
5. Consideration of Resolution 2023-08, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2023/2024 and Providing for an Effective Date
6. Acceptance of Unaudited Financial Statements as of June 30, 2023
7. Approval of April 13, 2023 Regular Meeting Minutes
8. Staff Reports
  - A. District Counsel: *Straley Robin Vericker*

- B. District Engineer: *Landmark Engineering & Surveying Corp.*
- C. District Manager: *Wrathell, Hunt and Associates, LLC*

- 189 Registered Voters in District as of April 15, 2023
- NEXT MEETING DATE: October 12, 2023 at 9:00 AM

○ QUORUM CHECK

SEAT 1	ROB BERGMAN	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
SEAT 2	SPEROS MARGETIS	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
SEAT 3	JOE ASCHENBRENNER	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
SEAT 4	JOSEPH TIMBERLAKE	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
SEAT 5	WIN WILLIAMSON	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO

- 9. Public Comments: Non-Agenda Items
- 10. Supervisors' Requests
- 11. Adjournment

Should you have any questions, please do not hesitate to contact me directly at 239-464-7114.

Sincerely,



Chesley E. Adams, Jr.  
 District Manager

**FOR BOARD MEMBERS AND STAFF TO ATTEND BY TELEPHONE**  
**CALL IN NUMBER: 1-888-354-0094**  
**PARTICIPANT PASSCODE: 229 774 8903**

**PALM BAY  
COMMUNITY DEVELOPMENT DISTRICT**

**3A**

# Tampa Bay Times

Published Daily

STATE OF FLORIDA  
COUNTY OF Hillsborough

Before the undersigned authority personally appeared **Carol Chewning** who on oath says that he/she is **Legal Advertising Representative** of the **Tampa Bay Times** a daily newspaper printed in St. Petersburg, in Pinellas County, Florida; that the attached copy of advertisement, being a Legal Notice in the matter **RE: Notice of Public Hearing and Regular Meeting** was published in said newspaper by print in the issues of: **7/ 9/23, 7/16/23** or by publication on the newspaper's website, if authorized, on

Affiant further says the said **Tampa Bay Times** is a newspaper published in **Hillsborough** County, Florida and that the said newspaper has heretofore been continuously published in said **Hillsborough** County, Florida each day and has been entered as a second class mail matter at the post office in said **Hillsborough** County, Florida for a period of one year next preceding the first publication of the attached copy of advertisement, and affiant further says that he/she neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

\_\_\_\_\_  
Signature Affiant

Sworn to and subscribed before me this **07/16/2023**

  
\_\_\_\_\_  
Signature of Notary Public

Personally known       X       or produced identification

Type of identification produced \_\_\_\_\_



**PALM BAY COMMUNITY DEVELOPMENT DISTRICT**

**NOTICE OF PUBLIC HEARING TO CONSIDER THE ADOPTION OF THE FISCAL YEAR 2023/2024 BUDGET; AND NOTICE OF REGULAR BOARD OF SUPERVISORS' MEETING.**

The Board of Supervisors of the Palm Bay Community Development District will hold a Public Hearing on July 28, 2023 at 9:00 a.m., at the Courtyard by Marriott Tampa/Oldsmar, 4014 Tampa Road, Oldsmar, Florida 34677 for the purpose of hearing comments and objections on the adoption of the proposed budget ("**Proposed Budget**") of the District for the fiscal year beginning October 1, 2023 and ending September 30, 2024 ("**Fiscal Year 2023/2024**"). A regular board meeting of the District will also be held at that time where the Board may consider any other business that may properly come before it. A copy of the agenda and Proposed Budget may be obtained by contacting the offices of the District Manager, c/o Wrathell, Hunt & Associates, 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431, at (877) 276-0889 ("**District Manager's Office**"), during normal business hours, or by visiting the District's website at [www.palmbaycddnet](http://www.palmbaycddnet).

The public hearing and meeting are open to the public and will be conducted in accordance with the provisions of Florida law. The public hearing and meeting may be continued to a date, time, and place to be specified on the record at the meeting. There may be occasions when Board Supervisors or District Staff may participate by speaker telephone.

Any person requiring special accommodations at this hearing and meeting because of a disability or physical impairment should contact the District Office at (877) 276-0889 at least forty-eight (48) hours prior to the hearing and meeting. If you are hearing or speech impaired, please contact the Florida Relay Service by dialing 7-1-1, or 1-800-955-8771 (TTY) / 1-800-955-8770 (Voice), for aid in contacting the District Office.

Each person who decides to appeal any decision made by the Board with respect to any matter considered at the public hearing or meeting is advised that person will need a record of proceedings and that accordingly, the person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which such appeal is to be based.

**District Manager**  
07/09/2023, 07/16/2023

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**PALM BAY**  
**COMMUNITY DEVELOPMENT DISTRICT**

**3B**

**RESOLUTION 2023-06**

**THE ANNUAL APPROPRIATION RESOLUTION OF THE PALM BAY COMMUNITY DEVELOPMENT DISTRICT (“DISTRICT”) RELATING TO THE ANNUAL APPROPRIATIONS AND ADOPTING THE BUDGETS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2023, AND ENDING SEPTEMBER 30, 2024; AUTHORIZING BUDGET AMENDMENTS; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the District Manager has, prior to the fifteenth (15<sup>th</sup>) day in June, 2023, submitted to the Board of Supervisors (“**Board**”) of the Palm Bay Community Development District (“**District**”) a proposed budget (“**Proposed Budget**”) for the fiscal year beginning October 1, 2023 and ending September 30, 2024 (“**Fiscal Year 2023/2024**”) along with an explanatory and complete financial plan for each fund of the District, pursuant to the provisions of Section 190.008(2)(a), *Florida Statutes*; and

**WHEREAS**, at least sixty (60) days prior to the adoption of the Proposed Budget, the District filed a copy of the Proposed Budget with the local governing authorities having jurisdiction over the area included in the District pursuant to the provisions of Section 190.008(2)(b), *Florida Statutes*; and

**WHEREAS**, the Board set a public hearing thereon and caused notice of such public hearing to be given by publication pursuant to Section 190.008(2)(a), *Florida Statutes*; and

**WHEREAS**, the District Manager posted the Proposed Budgets on the District’s website at least two days before the public hearing; and

**WHEREAS**, Section 190.008(2)(a), *Florida Statutes*, requires that, prior to October 1st of each year, the Board, by passage of the Annual Appropriation Resolution, shall adopt a budget for the ensuing fiscal year and appropriate such sums of money as the Board deems necessary to defray all expenditures of the District during the ensuing fiscal year; and

**WHEREAS**, the District Manager has prepared a Proposed Budget, whereby the budget shall project the cash receipts and disbursements anticipated during a given time period, including reserves for contingencies for emergency or other unanticipated expenditures during the fiscal year.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE PALM BAY COMMUNITY DEVELOPMENT DISTRICT:**

**SECTION 1. BUDGET**

- a. The Board has reviewed the Proposed Budget, a copy of which is on file with the office of the District Manager and at the District’s Local Records Office, and hereby approves certain amendments thereto, as shown in Section 2 below.

- b. The Proposed Budget, attached hereto as **Exhibit A**, as amended by the Board, is hereby adopted in accordance with the provisions of Section 190.008(2)(a), *Florida Statutes* ("**Adopted Budget**"), and incorporated herein by reference; provided, however, that the comparative figures contained in the Adopted Budget may be subsequently revised as deemed necessary by the District Manager to reflect actual revenues and expenditures.
- c. The Adopted Budget, as amended, shall be maintained in the office of the District Manager and at the District's Local Records Office and identified as "The Budget for the Palm Bay Community Development District for the Fiscal Year Ending September 30, 2024".
- d. The Adopted Budget shall be posted by the District Manager on the District's official website within thirty (30) days after adoption, and shall remain on the website for at least 2 years.

**SECTION 2. APPROPRIATIONS**

There is hereby appropriated out of the revenues of the District, for Fiscal Year 2023/2024, the sum of \$318,016 to be raised by the levy of assessments and/or otherwise, which sum is deemed by the Board to be necessary to defray all expenditures of the District during said budget year, to be divided and appropriated in the following fashion:

TOTAL GENERAL FUND	\$184,806
ENTERPRISE FUND	<u>\$133,210</u>
<b>TOTAL ALL FUNDS</b>	<b>\$318,016</b>

**SECTION 3. BUDGET AMENDMENTS**

Pursuant to Section 189.016, *Florida Statutes*, the District at any time within Fiscal Year 2023/2024 or within sixty (60) days following the end of Fiscal Year 2023/2024 may amend its Adopted Budget for that fiscal year as follows:

- a. The Board may authorize an increase or decrease in line item appropriations within a fund by motion recorded in the minutes if the total appropriations of the fund do not increase.
- b. The District Manager or Treasurer may authorize an increase or decrease in line item appropriations within a fund if the total appropriations of the fund do not increase and if the aggregate change in the original appropriation item does not exceed \$10,000 or 10% of the original appropriation.

- c. By resolution, the Board may increase any appropriation item and/or fund to reflect receipt of any additional unbudgeted monies and make the corresponding change to appropriations or the unappropriated balance.
- d. Any other budget amendments shall be adopted by resolution and consistent with Florida law.

The District Manager or Treasurer must establish administrative procedures to ensure that any budget amendments are in compliance with this Section 3 and Section 189.016, *Florida Statutes*, among other applicable laws. Among other procedures, the District Manager or Treasurer must ensure that any amendments to budget under subparagraphs c. and d. above are posted on the District’s website within five (5) days after adoption and remain on the website for at least 2 years.

**SECTION 4. EFFECTIVE DATE.** This Resolution shall take effect immediately upon adoption.

**PASSED AND ADOPTED THIS 28TH DAY OF JULY, 2023**

ATTEST:

**PALM BAY COMMUNITY DEVELOPMENT  
DISTRICT**

\_\_\_\_\_  
Secretary/Assistant Secretary

\_\_\_\_\_  
Chair/Vice Chair, Borad of Supervisors

**Exhibit A:** Fiscal Year 2023/2024 Budget

**Exhibit A: Fiscal Year 2023/2024 Budget**

**PALM BAY  
COMMUNITY DEVELOPMENT DISTRICT  
PROPOSED BUDGET  
FISCAL YEAR 2024**

**PALM BAY  
COMMUNITY DEVELOPMENT DISTRICT  
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**PALM BAY  
COMMUNITY DEVELOPMENT DISTRICT  
GENERAL FUND BUDGET  
FISCAL YEAR 2024**

	Fiscal Year 2023				Proposed Budget FY 2024
	Adopted Budget FY 2023	Actual Through 2/28/2023	Projected Through 9/30/2023	Total Actual & Projected	
<b>REVENUES</b>					
Assessment levy - gross	\$ 193,521				\$ 192,246
Allowable discounts (4%)	(7,741)				(7,690)
Assessment levy - net	185,780	\$ 170,239	\$ 15,541	\$ 185,780	184,556
Interest & miscellaneous	250	16	234	250	250
Total revenues	186,030	170,255	15,775	186,030	184,806
<b>EXPENDITURES</b>					
<b>Professional &amp; administrative fees</b>					
Supervisors	5,383	1,076	4,307	5,383	5,383
Management	18,536	7,723	10,813	18,536	18,536
Audit	7,200	-	7,200	7,200	7,200
Legal	2,000	61	1,939	2,000	2,000
Postage	425	205	220	425	425
Meeting room	1,000	196	804	1,000	1,000
Insurance	7,584	7,670	-	7,670	8,000
Printing and binding	548	228	320	548	548
Legal advertising	2,000	4,175	1,000	5,175	2,000
Other current charges	800	241	559	800	800
Annual district filing fee	175	175	-	175	175
Website	705	-	705	705	705
ADA website compliance	205	-	205	205	205
Tax bills	675	-	675	675	675
Total professional & administrative fees	47,236	21,750	28,747	50,497	47,652
<b>Parks and recreation services</b>					
Boat lift repair and maintenance	6,000	2,416	3,584	6,000	6,000
Lake maintenance	2,500	1,097	1,403	2,500	2,500
2022 Note repayment	46,083	2,983	43,100	46,083	44,575
Total parks and recreation	54,583	6,496	48,087	54,583	53,075
<b>Access Control/Entry</b>					
Telephone - gate	3,000	1,348	1,652	3,000	3,000
Insurance - property and casualty	2,976	3,081	-	3,081	3,600
Repair and maintenance - gate	28,000	14,730	13,270	28,000	28,000
Landscape maintenance	16,000	6,143	9,857	16,000	16,000
Capital outlay	5,000	-	5,000	5,000	3,000
Contingency	750	-	750	750	750
Total access control	55,726	25,302	30,529	55,831	54,350

**PALM BAY  
COMMUNITY DEVELOPMENT DISTRICT  
GENERAL FUND BUDGET  
FISCAL YEAR 2024**

	Fiscal Year 2023			Proposed Budget FY 2024	
	Adopted Budget FY 2023	Actual Through 2/28/2023	Projected Through 9/30/2023		Total Actual & Projected
<b>Roadway/signage/street lighting</b>					
Electric utility service	13,000	7,062	5,938	13,000	14,000
Repairs and maintenance	3,000	735	2,265	3,000	3,000
Total roadway/signage/street lighting	<u>16,000</u>	<u>7,797</u>	<u>8,203</u>	<u>16,000</u>	<u>17,000</u>
<b>Other fees &amp; charges</b>					
Property appraiser & tax collector	6,773	4,016	2,757	6,773	6,729
Total other fees & charges	<u>6,773</u>	<u>4,016</u>	<u>2,757</u>	<u>6,773</u>	<u>6,729</u>
 Total expenditures and other charges	 <u>180,318</u>	 <u>65,361</u>	 <u>118,323</u>	 <u>183,684</u>	 <u>178,806</u>
 Excess/(deficiency) of revenues over/(under) expenditures	 5,712	 104,894	 (102,548)	 2,346	 6,000
 Fund balance - beginning (unaudited)	 39,711	 100,608	 205,502	 100,608	 102,954
Fund balance - ending (projected)	<u>\$ 45,423</u>	<u>\$ 205,502</u>	<u>\$ 102,954</u>	<u>\$ 102,954</u>	<u>\$ 108,954</u>

**PALM BAY  
COMMUNITY DEVELOPMENT DISTRICT  
DEFINITIONS OF GENERAL FUND EXPENDITURES**

**EXPENDITURES**

Supervisors	\$ 5,383
<p>Statutory set at \$200 (plus applicable taxes) for each meeting of the Board of Supervisors not to exceed \$4,800 for each fiscal year. The District anticipates meeting five times.</p>	
Management	18,536
<p><b>Wrathell, Hunt and Associates, LLC</b> specializes in managing community development districts in the State of Florida by combining the knowledge, skills and experiences of a team of professionals to ensure compliance with all governmental requirements of the District, develop financing programs, administer the issuance of tax exempt bond financing's and finally operate and maintain the assets of the community.</p>	
Audit	7,200
<p>The District is required to annually undertake an independent examination of its books, records and accounting procedures. This audit is conducted pursuant to Florida State Law and the Rules of the Florida Auditor General.</p>	
Legal	2,000
<p>Straley, Robin, Vericker provides on-going general counsel and legal representation. These lawyers are confronted with issues relating to public finance, public bidding, rulemaking, open meetings, public records, real property dedications, conveyances and contracts. In this capacity, they provide services as "local government lawyers," realizing that this type of local government is very limited in its scope - providing infrastructure and services to development.</p>	
Postage	425
<p>Mailing of agenda packages, overnight deliveries, correspondence, etc.</p>	
Meeting room	1,000
<p>The use of the room for board meetings.</p>	
Insurance	8,000
<p>The District carries public officials liability and general liability insurance. The limit of liability for this coverage is set at \$1,000,000 for general liability (\$2,000,000 general aggregate) and \$1,000,000 for public officials liability.</p>	
Printing and binding	548
<p>Letterhead, envelopes, copies, etc.</p>	
Legal advertising	2,000
<p>The District advertises in the Tampa Tribune for monthly meetings, special meetings, public hearings, bidding, etc. Based on prior year's experience.</p>	
Other current charges	800
<p>Bank charges and other miscellaneous expenses incurred during the year.</p>	
Annual district filing fee	175
<p>Annual fee paid to the Department of Economic Opportunity.</p>	
Website	705
ADA website compliance	205
Tax bills	675

**PALM BAY  
COMMUNITY DEVELOPMENT DISTRICT  
DEFINITIONS OF GENERAL FUND EXPENDITURES**

**EXPENDITURES (Continued)**

**Parks and recreation services**

The following categories are considered to be incidental to the daily operations.	
Boat lift repair and maintenance	6,000
The District is responsible for the repair and maintenance of the boat lift.	
Lake maintenance	2,500
The District is responsible for the repair and maintenance of its water management facilities.	
2022 Note repayment	44,575
The District anticipates miscellaneous capital repairs and annual repayment of 2021 note beginning in fiscal year 2022.	

**Access Control/Entry**

Telephone - gate	3,000
For communication purposes at the gate, which includes monthly services with Spectrum and Frontier.	
Insurance - property and casualty	3,600
This item covers the property and casualty of the District's facilities, which is the catwalk at the marina (\$25,000), lift station (\$50,000), security gate (\$50,000), fountain (\$5,000), boat lift (\$125,000), entrance sign (\$4,000) for a total of \$259,000.	
Repair and maintenance - gate	28,000
The District is responsible for the repair and maintenance of the facilities. For fiscal year 2021 this also includes recurring monthly costs for Envera gate monitoring.	
Landscape maintenance	16,000
This District contracts with an outside company to maintain the landscaping of District land. The contract provides for equipment, labor and materials. Costs also include mulching, tree trimming, on-call services and blowing off streets (twice monthly).	
Capital outlay	3,000
For fiscal year 2021, this includes one time capital costs for updating the main entry landscaping etc.	
Contingency	750
The purpose of this account is to provide for unexpected expenditures that may be incurred during the upcoming fiscal year.	

**Roadway/signage/street lighting**

The following categories are considered to be incidental to the daily operations.	
Electric utility service	14,000
Repairs and maintenance	3,000
Other Fees & Charges	
Property appraiser & tax collector	6,729
The tax collector's fee is 2% of the assessments.	
Total expenditures	<u><u>\$178,806</u></u>

**Palm Bay**

Community Development District

2022 Note

\$200,000

**Amortization Schedule**

<b>Payment Date</b>	<b>Payment Amount</b>	<b>Interest Paid</b>	<b>Principal Paid</b>	<b>Remaining Balance</b>
05/01/2022	41,520.83	1,520.83	40,000.00	160,000.00
11/01/2022	3,066.67	3,066.67	-	160,000.00
05/01/2023	43,016.67	3,016.67	40,000.00	120,000.00
11/01/2023	2,300.00	2,300.00	-	120,000.00
05/01/2024	42,275.00	2,275.00	40,000.00	80,000.00
11/01/2024	1,533.33	1,533.33	-	80,000.00
05/01/2025	41,508.33	1,508.33	40,000.00	40,000.00
11/01/2025	766.67	766.67	-	40,000.00
05/01/2026	40,754.17	754.17	40,000.00	-
Total	<u>\$129,137.50</u>	<u>\$9,137.50</u>	<u>\$120,000.00</u>	

**PALM BAY  
COMMUNITY DEVELOPMENT DISTRICT  
ENTERPRISE FUND  
FISCAL YEAR 2024**

	Fiscal Year 2023				Proposed Budget FY 2024
	Adopted Budget FY 2023	Actual Through 2/28/2023	Projected Through 9/30/2023	Total Actual & Projected	
<b>OPERATING REVENUES</b>					
Assessment levy - gross	\$ 23,125				\$ 24,167
Allowable discounts (4%)	(925)				(967)
Assessment levy - net*	22,200	\$ 20,334	\$ 1,866	\$ 22,200	23,200
Charges for sales and services:					
Water and sewer	110,000	45,350	64,650	110,000	110,000
Interest	10	2	8	10	10
Total revenues	132,210	65,686	66,524	132,210	133,210
<b>OPERATING EXPENDITURES</b>					
Water and sewer - county	95,767	46,017	49,750	95,767	95,767
Maintenance costs*	20,000	12,918	7,082	20,000	21,000
Other current charges*	2,200	819	1,381	2,200	2,200
Total operating expenditures	117,967	59,754	58,213	117,967	118,967
Operating income	14,243	5,932	8,311	14,243	14,243
<b>NONOPERATING REVENUES/(EXPENSES)</b>					
Property appraiser	(333)	-	(333)	(333)	(348)
Tax collector	(444)	(407)	(37)	(444)	(464)
Total nonoperating revenues/(expenses)	(777)	(407)	(370)	(777)	(812)
Change in net assets	13,466	5,525	7,941	13,466	13,431
Total net assets - beginning (unaudited)	100,364	54,873	60,398	54,873	68,339
Total net assets - ending (projected)	\$ 113,830	\$ 60,398	\$ 68,339	\$ 68,339	\$ 81,770

**PALM BAY  
COMMUNITY DEVELOPMENT DISTRICT  
PROJECTED ASSESSMENTS PER UNIT**

Assessment Summary						
Description	General Fund	Debt Service Fund	Enterprise Fund	Total assessment	Percent change over prior year	
Fiscal year 2024	\$ 1,922.46	\$ -	\$ 241.67	\$ 2,164.13	-0.11%	
Fiscal year 2023	\$ 1,935.21	\$ -	\$ 231.25	\$ 2,166.46		

**PALM BAY  
COMMUNITY DEVELOPMENT DISTRICT**

**4**

**RESOLUTION 2023-07**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE PALM BAY COMMUNITY DEVELOPMENT DISTRICT MAKING A DETERMINATION OF BENEFIT AND IMPOSING SPECIAL ASSESSMENTS FOR FISCAL YEAR 2023/2024; 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.**

**WHEREAS**, the Palm Bay Community Development District ("**District**") is a local unit of special-purpose government established by, and pursuant to Chapter 190, *Florida Statutes*, for the purpose of providing, operating and maintaining infrastructure improvements, facilities and services to the lands within the District; and

**WHEREAS**, the District is located in Hillsborough County, Florida ("**County**"); and

**WHEREAS**, the District has constructed or acquired various infrastructure improvements and provides certain services in accordance with the District's adopted capital improvement plan and Chapter 190, *Florida Statutes*; and

**WHEREAS**, the Board of Supervisors of the District ("**Board**") hereby determines to undertake various operations and maintenance and other activities described in the District's budget ("**Adopted Budget**") for the fiscal year beginning October 1, 2023 and ending September 30, 2024 ("**Fiscal Year 2023/2024**"), attached hereto as **Exhibit A**; and

**WHEREAS**, the District must obtain sufficient funds to provide for the operation and maintenance of the services and facilities provided by the District as described in the Adopted Budget; and

**WHEREAS**, the provision of such services, facilities, and operations is a benefit to lands within the District; and

**WHEREAS**, Chapter 190, *Florida Statutes*, provides that the District may impose special assessments on benefitted lands within the District; and

**WHEREAS**, it is in the best interests of the District to proceed with the imposition of the special assessments for operations and maintenance in the amount set forth in the Adopted Budget; and

**WHEREAS**, the District has previously levied an assessment for debt service, which the District desires to collect for Fiscal Year 2023/2024; and

**WHEREAS**, Chapter 197, *Florida Statutes*, provides a mechanism pursuant to which such special assessments may be placed on the tax roll and collected by the local tax collector ("**Uniform Method**"), and the District has previously authorized the use of the Uniform Method

by, among other things, entering into agreements with the Property Appraiser and Tax Collector of the County for that purpose; and

**WHEREAS**, it is in the best interests of the District to adopt the assessment roll (“**Assessment Roll**”) attached to this Resolution as **Exhibit “B”**, and to certify the portion of the Assessment Roll related to certain developed property (“**Tax Roll Property**”) to the County Tax Collector pursuant to the Uniform Method and to directly collect the portion of the Assessment Roll relating to the remaining property (“**Direct Collect Property**”), all as set forth in **Exhibit B**; and

**WHEREAS**, it is in the best interests of the District to permit the District Manager to amend the Assessment Roll adopted herein, including that portion certified to the County Tax Collector by this Resolution, as the Property Appraiser updates the property roll for the County, for such time as authorized by Florida law.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE PALM BAY COMMUNITY DEVELOPMENT DISTRICT:**

**SECTION 1. BENEFIT & ALLOCATION FINDINGS.** The provision of the services, facilities, and operations as described in **Exhibit A** confers a special and peculiar benefit to the lands within the District, which benefit exceeds or equals the cost of the assessments. The allocation of the assessments to the specially benefitted lands, as shown in **Exhibits A and B**, and is hereby found to be fair and reasonable.

**SECTION 2. ASSESSMENT IMPOSITION.** Pursuant to Chapters 170, 190 and 197, *Florida Statutes*, and using the procedures authorized by Florida law for the levy and collection of special assessments, a special assessment for operation and maintenance is hereby imposed and levied on benefitted lands within the District and in accordance with **Exhibits A and B**. The lien of the special assessments for operations and maintenance imposed and levied by this Resolution shall be effective upon passage of this Resolution. Moreover, pursuant to Section 197.3632(4), *Florida Statutes*, a lien amount shall serve as the “maximum rate” authorized by law for operation and maintenance assessments.

**SECTION 3. COLLECTION AND ENFORCEMENT; PENALTIES; INTEREST.**

- A. **Tax Roll Assessments.** The operations and maintenance special assessments and previously levied debt service special assessments imposed on the Tax Roll Property shall be collected at the same time and in the same manner as County taxes in accordance with the Uniform Method, as set forth in **Exhibits A and B**.
- B. **Future Collection Methods.** The decision to collect special assessments by any particular method – e.g., on the tax roll or by direct bill – does not mean that such method will be used to collect special assessments in future years, and the District

reserves the right in its sole discretion to select collection methods in any given year, regardless of past practices.

**SECTION 4. ASSESSMENT ROLL.** The Assessment Roll, attached to this Resolution as **Exhibit “B,”** is hereby certified for collection. That portion of the Assessment Roll which includes the Tax Roll Property is hereby certified to the County Tax Collector and shall be collected by the County Tax Collector in the same manner and time as County taxes. The proceeds therefrom shall be paid to the District.

**SECTION 5. ASSESSMENT ROLL AMENDMENT.** The District Manager shall keep apprised of all updates made to the County property roll by the Property Appraiser after the date of this Resolution, and shall amend the Assessment Roll in accordance with any such updates, for such time as authorized by Florida law, to the County property roll. After any amendment of the Assessment Roll, the District Manager shall file the updates in the District records.

**SECTION 6. SEVERABILITY.** The invalidity or unenforceability of any one or more provisions of this Resolution shall not affect the validity or enforceability of the remaining portions of this Resolution, or any part thereof.

**SECTION 7. EFFECTIVE DATE.** This Resolution shall take effect upon the passage and adoption of this Resolution by the Board.

**PASSED AND ADOPTED** this 28th day of July, 2023.

ATTEST:

**PALM BAY COMMUNITY DEVELOPMENT  
DISTRICT**

\_\_\_\_\_  
Secretary/Assistant Secretary

\_\_\_\_\_  
Chair/Vice Chair, Board of Supervisors

**Exhibit A:** Budget  
**Exhibit B:** Assessment Roll (Uniform Method)  
Assessment Roll (Direct Collect)

**PALM BAY**  
**COMMUNITY DEVELOPMENT DISTRICT**

**5**

**RESOLUTION 2023-08**

**A RESOLUTION OF THE PALM BAY COMMUNITY DEVELOPMENT DISTRICT DESIGNATING DATES, TIMES AND LOCATIONS FOR REGULAR MEETINGS OF THE BOARD OF SUPERVISORS OF THE DISTRICT FOR FISCAL YEAR 2023/2024 AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, the Palm Bay Community Development District ("District") is a local unit of special-purpose government created by, and existing pursuant to Chapter 190, *Florida Statutes*, and situated entirely within Hillsborough County, Florida; and

**WHEREAS**, the Board of Supervisors of the District ("Board") is statutorily authorized to exercise the powers granted to the District; and

**WHEREAS**, all meetings of the Board shall be open to the public and governed by the provisions of Chapter 286, *Florida Statutes*; and

**WHEREAS**, the Board is statutorily required to file annually, with the local governing authority and the Florida Department of Economic Opportunity, a schedule of its regular

**NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE PALM BAY COMMUNITY DEVELOPMENT DISTRICT**

**SECTION 1. ADOPTING REGULAR MEETING SCHEDULE.** Regular meetings of the District's Board shall be held during Fiscal Year 2023/2024 as provided on the schedule attached hereto as **Exhibit A**.

**SECTION 2. FILING REQUIREMENT.** In accordance with Section 189.015(1), *Florida Statutes*, the District's Secretary is hereby directed to file a schedule of the District's regular meetings annually with Hillsborough County and the Florida Department of Economic Opportunity.

**SECTION 3. EFFECTIVE DATE.** This Resolution shall take effect immediately upon adoption.

**PASSED AND ADOPTED** this 28th day of July, 2023.

ATTEST:

**PALM BAY COMMUNITY DEVELOPMENT DISTRICT**

\_\_\_\_\_  
Secretary/Assistant Secretary

\_\_\_\_\_  
Chair/Vice Chair, Board of Supervisors

Exhibit "A"

<b>PALM BAY COMMUNITY DEVELOPMENT DISTRICT</b>		
<b>BOARD OF SUPERVISORS FISCAL YEAR 2023/2024 MEETING SCHEDULE</b>		
<b>LOCATION</b>		
<i>Courtyard by Marriott Tampa/Oldsma, 4014 Tampa Road, Oldsma, Florida 34677</i>		
<b>DATE</b>	<b>POTENTIAL DISCUSSION/FOCUS</b>	<b>TIME</b>
<b>October 12, 2023</b>	<b>Regular Meeting</b>	<b>9:00 AM</b>
<b>January 11, 2024</b>	<b>Regular Meeting</b>	<b>9:00 AM</b>
<b>April 11, 2024</b>	<b>Regular Meeting</b>	<b>9:00 AM</b>
<b>July 11, 2024</b>	<b>Public Hearing &amp; Regular Meeting</b>	<b>9:00 AM</b>

**PALM BAY  
COMMUNITY DEVELOPMENT DISTRICT**

**UNAUDITED  
FINANCIAL  
STATEMENTS**

**PALM BAY  
COMMUNITY DEVELOPMENT DISTRICT  
FINANCIAL STATEMENTS  
UNAUDITED  
JUNE 30, 2023**

**PALM BAY  
COMMUNITY DEVELOPMENT DISTRICT  
BALANCE SHEET  
GOVERNMENTAL FUNDS  
JUNE 30, 2023**

	<u>Major Funds</u>	<u>Total</u>
	<u>General</u>	<u>Governmental</u>
<b>ASSETS</b>	<b>Funds</b>	<b>Funds</b>
Cash*	\$ 135,180	\$ 135,180
Investments	516	516
Accounts receivable	250	250
Teco deposit	430	430
Total assets	<u>\$ 136,376</u>	<u>\$ 136,376</u>
<b>LIABILITIES AND FUND BALANCES</b>		
<b>Liabilities:</b>		
Accounts payable	\$ 4,200	\$ 4,200
Lease deposit refundable	2,700	2,700
Due to other funds		
Enterprise	<u>1,559</u>	<u>1,559</u>
Total liabilities	<u>8,459</u>	<u>8,459</u>
<b>Fund Balances:</b>		
Unassigned	<u>127,917</u>	<u>127,917</u>
Total fund balances	<u>127,917</u>	<u>127,917</u>
Total liabilities and fund balance	<u>\$ 136,376</u>	<u>\$ 136,376</u>

\*Account is unreconciled as statement was not recieved by the agenda ship date.

**PALM BAY  
COMMUNITY DEVELOPMENT DISTRICT  
GENERAL FUND  
STATEMENT OF REVENUES, EXPENDITURES,  
AND CHANGES IN FUND BALANCES  
FOR THE PERIOD ENDED JUNE 30, 2023**

	Current Month	Year to Date	Budget	% of Budget
<b>REVENUES</b>				
Assessments	\$ 3,987	\$ 186,920	\$ 185,780	101%
Interest & miscellaneous	-	27	250	11%
Total revenues	<u>3,987</u>	<u>186,947</u>	<u>186,030</u>	100%
<b>EXPENDITURES</b>				
<b>Professional</b>				
Supervisors	-	2,153	5,383	40%
Management	1,545	13,902	18,536	75%
Audit	-	7,200	7,200	100%
Legal	-	463	2,000	23%
Postage	195	534	425	126%
Meeting room	-	196	1,000	20%
Insurance	-	7,670	7,584	101%
Printing and binding	46	411	548	75%
Legal advertising	-	4,175	2,000	209%
Other current charges	-	386	800	48%
Annual district filing fee	-	175	175	100%
Website	-	-	705	0%
ADA website compliance	-	-	205	0%
Tax bills	-	-	675	0%
Total professional	<u>1,786</u>	<u>37,265</u>	<u>47,236</u>	79%
<b>Parks &amp; recreation</b>				
Boat lift repair and maintenance	-	10,788	6,000	180%
Lake maintenance	219	1,974	2,500	79%
2022 Note repayment	-	45,983	46,083	100%
Total parks & recreation	<u>219</u>	<u>58,745</u>	<u>54,583</u>	108%
<b>Access control</b>				
Telephone - gate	296	2,524	3,000	84%
Insurance - property & causality	-	3,081	2,976	104%
Repairs & maintenance - gate	-	25,218	28,000	90%
Landscape maintenance	1,146	11,698	16,000	73%
Contingency	-	434	750	58%
Capital outlay	-	-	5,000	0%
Total access control	<u>1,442</u>	<u>42,955</u>	<u>55,726</u>	77%
<b>Roadway/signage/street lighting</b>				
Electric utility service	1,924	14,853	13,000	114%
Repairs and maintenance	184	1,470	3,000	49%
Total roadway/signage/street lighting	<u>2,108</u>	<u>16,323</u>	<u>16,000</u>	102%

**PALM BAY  
COMMUNITY DEVELOPMENT DISTRICT  
GENERAL FUND  
STATEMENT OF REVENUES, EXPENDITURES,  
AND CHANGES IN FUND BALANCES  
FOR THE PERIOD ENDED JUNE 30, 2023**

	<u>Current Month</u>	<u>Year to Date</u>	<u>Budget</u>	<u>% of Budget</u>
<b>Other fees &amp; charges</b>				
Property appraiser	-	-	2,903	0%
Tax collector	80	4,350	3,870	112%
Total other fees & charges	<u>80</u>	<u>4,350</u>	<u>6,773</u>	64%
Total expenditures	<u>5,635</u>	<u>159,638</u>	<u>180,318</u>	89%
Excess/(deficiency) of revenues over/(under) expenditures	(1,648)	27,309	5,712	
Fund balances - beginning	129,565	100,608	41,711	
Fund balances - ending	<u>\$ 127,917</u>	<u>\$ 127,917</u>	<u>\$ 47,423</u>	

**PALM BAY  
COMMUNITY DEVELOPMENT DISTRICT  
PROPRIETARY FUND  
STATEMENT OF NET POSITION  
JUNE 30, 2023**

<b>ASSETS</b>	<u>Balance</u>
Current assets:	
Cash - SunTrust*	\$ 8,017
Accounts receivable - (net of allowances for uncollectible)	20,376
Due from governmental funds	<u>1,559</u>
Total current assets	<u>29,952</u>
Noncurrent assets:	
Utility plant and improvements	171,770
Less accumulated depreciation	<u>(171,770)</u>
Total capital assets, net of accumulated depreciation	<u>-</u>
Total noncurrent assets	<u>-</u>
Total assets	<u>29,952</u>
 <b>LIABILITIES</b>	
Current liabilities:	
Customer deposits payable	<u>7,380</u>
Total liabilities	<u>7,380</u>
 <b>NET POSITION</b>	
Unrestricted	<u>22,572</u>
Total net position	<u>\$ 22,572</u>

\*Account is unreconciled as statement was not recieved by the agenda ship date.

**PALM BAY  
COMMUNITY DEVELOPMENT DISTRICT  
PROPRIETARY FUND  
STATEMENT OF REVENUES, EXPENSES  
AND CHANGES IN FUND NET POSITION  
FOR THE PERIOD ENDED JUNE 30, 2023**

	Current Month	Year to Date	Budget	% of Budget
<b>OPERATING REVENUES</b>				
Assessment levy	\$ 476	\$ 22,327	\$ 22,200	101%
Charges for sales and services:				
Water & sewer	5,601	84,184	110,000	77%
Interest	-	3	10	30%
Total operating revenues	<u>6,077</u>	<u>106,514</u>	<u>132,210</u>	81%
<b>OPERATING EXPENSES</b>				
Water & sewer - county	12,708	91,043	95,767	95%
Contractual maintenance costs	6,502	28,893	20,000	144%
Repairs & maintenance	-	10,823	-	N/A
Other current charges	-	1,312	2,200	60%
Total operating expenses	<u>19,210</u>	<u>132,071</u>	<u>117,967</u>	112%
Operating income	<u>(13,133)</u>	<u>(25,557)</u>	<u>14,243</u>	-179%
<b>NONOPERATING REVENUES/(EXPENSES)</b>				
Property appraiser	-	-	(333)	0%
Tax collector	(9)	(447)	(444)	101%
Total nonoperating revenues/(expenses)	<u>(9)</u>	<u>(447)</u>	<u>(777)</u>	58%
Change in net position	(13,142)	(26,004)	13,466	
Total net position - beginning	35,714	48,576	100,364	
Total net position - ending	<u>\$ 22,572</u>	<u>\$ 22,572</u>	<u>\$ 113,830</u>	

**PALM BAY  
COMMUNITY DEVELOPMENT DISTRICT**

**MINUTES**

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

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4  
5 The Board of Supervisors of the Palm Bay Community Development District held a  
6 Regular Meeting on April 13, 2023 at 9:00 a.m., at the Courtyard by Marriott Tampa/Oldsma,  
7 4014 Tampa Road, Oldsma, Florida 34677.

8  
9 **Present were:**

10		
11	Rob Bergman	Chair
12	Joe Aschenbrenner	Vice Chair
13	Speros Margetis (via telephone)	Assistant Secretary
14	Joseph Timberlake	Assistant Secretary
15	Win Williamson	Assistant Secretary
16		

17 **Also present, were:**

18		
19	Chuck Adams	District Manager
20	Tony Grau (via telephone)	Grau & Associates
21		

22  
23 **FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

24  
25 Mr. Adams called the meeting to order at 9:04 a.m. Supervisors Aschenbrenner,  
26 Bergman, Timberlake and Williamson were present. Supervisor Margetis was attending via  
27 telephone.

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29 **SECOND ORDER OF BUSINESS**

**Public Comments: Agenda Items**

30  
31 There were no public comments.

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33 **THIRD ORDER OF BUSINESS**

**Presentation of Audited Financial Report  
for Fiscal Year Ended September 30, 2022,  
Prepared by Grau & Associates**

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37 Mr. Grau presented the Audited Financial Report for Fiscal Year Ended September 30,  
38 2022 and noted the pertinent information. The CDD might have to increase the sewer rates or  
39 investments due to consistent losses in the Proprietary Fund over the last few years. There

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

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

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

52

53 **FOURTH ORDER OF BUSINESS**

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

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**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.**

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64 **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**

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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.

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**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.

118 EIGHTH ORDER OF BUSINESS

Approval of Minutes

119

120 A. January 12, 2023 Landowners' Meeting

121

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

125

126

127 B. January 12, 2023 Regular Meeting

128

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

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134 NINTH ORDER OF BUSINESS

Staff Reports

135

136 A. District Counsel: Straley Robin Vericker

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

138 There were no District Counsel or District Engineer reports.

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

- 140 • NEXT MEETING DATE: July 13, 2023 at 9:00 AM

- 141 ○ QUORUM CHECK

142

143 TENTH ORDER OF BUSINESS

Public Comments: Non-Agenda Items

144

145 No members of the public spoke.

146

147 ELEVENTH ORDER OF BUSINESS

Supervisors' Requests

148

149 Mr. Bergman reported the following:

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

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

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

156 ➤ The Envera System proposal to extend monitoring services to the beach area will be  
157 presented at the next meeting.

158 ➤ Purchasing another kayak rack to avoid kayakers tying them to the trees is suggested.  
159 The Board agreed.

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

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

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

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

170 ➤ Two checks for the marina remotes were submitted.

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

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

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

178

179 **TWELFTH ORDER OF BUSINESS**

**Adjournment**

180

181

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

184

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[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

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Secretary/Assistant Secretary

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Chair/Vice Chair

**PALM BAY  
COMMUNITY DEVELOPMENT DISTRICT**

**STAFF  
REPORTS**



*Craig Latimer*  
**Supervisor of Elections**

Our Vision: To be the best place in America to vote

GOVERNOR'S  
STERLING  
AWARD  
RECIPIENT

April 21, 2023

To whom it may concern,

As per F.S. 190.006, you'll find the number of qualified registered electors for your Community Development District as of April 15, 2023, listed below.

Community Development District	Number of Registered Electors
Palm Bay	189

We ask that you respond to our office with a current list of CDD office holders by **June 1<sup>st</sup>** and that you update us throughout the year if there are changes. This will enable us to provide accurate information to potential candidates during filing and qualifying periods.

Please note it is the responsibility of each district to keep our office updated with current district information. If you have any questions, please do not hesitate to contact me at (813) 384-3944 or [ewhite@votehillsborough.gov](mailto:ewhite@votehillsborough.gov).

Respectfully,

Enjoli White  
Senior Candidate Services Manager

