

PALM BAY

COMMUNITY DEVELOPMENT DISTRICT

November 10, 2022

BOARD OF SUPERVISORS

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

November 3, 2022

Board of Supervisors
Palm Bay Community Development District

ATTENDEES: 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 Regular Meeting on November 10, 2022, immediately following the Landowners' Meeting, scheduled to commence 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. Administration of Oath of Office to Newly Elected Supervisors, *(the following to 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
4. Consideration of Resolution 2023-01, Canvassing and Certifying the Results of the Landowners' Election of Supervisors Held Pursuant to Section 190.006(2), Florida Statutes; and Providing for an Effective Date
5. Consideration of Resolution 2023-02, Designating Certain Officers of the District, and Providing for an Effective Date

6. Consideration of Resolution 2023-03, Relating to the Amendment of the General Fund Portion of the Budget for the Fiscal Year Beginning October 1, 2021 and Ending September 30, 2022; and Providing for an Effective Date
7. Acceptance of Unaudited Financial Statements as of September 30, 2022
8. Approval of August 2, 2022 Public Hearing and Regular Meeting Minutes
9. Staff Reports
 - A. District Counsel: *Straley Robin Vericker*
 - B. District Engineer: *Landmark Engineering & Surveying Corp.*
 - C. District Manager: *Wrathell, Hunt and Associates, LLC*
 - NEXT MEETING DATE: January 12, 2023 at 9:00 A.M.

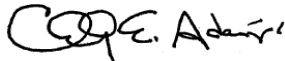
○ QUORUM CHECK

ROB BERGMAN	<input type="checkbox"/>	IN PERSON	<input type="checkbox"/>	PHONE	<input type="checkbox"/>	NO
	<input type="checkbox"/>	IN PERSON	<input type="checkbox"/>	PHONE	<input type="checkbox"/>	NO
	<input type="checkbox"/>	IN PERSON	<input type="checkbox"/>	PHONE	<input type="checkbox"/>	NO
VACANT	<input type="checkbox"/>	IN PERSON	<input type="checkbox"/>	PHONE	<input type="checkbox"/>	NO
	<input type="checkbox"/>	IN PERSON	<input type="checkbox"/>	PHONE	<input type="checkbox"/>	NO

10. Public Comments: Non-Agenda Items
11. Supervisors' Requests
12. 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

4

RESOLUTION 2023-01

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE PALM BAY COMMUNITY DEVELOPMENT DISTRICT CANVASSING AND CERTIFYING THE RESULTS OF THE LANDOWNERS’ ELECTION OF SUPERVISORS HELD PURSUANT TO SECTION 190.006(2), FLORIDA STATUTES, 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*, being situated entirely within Hillsborough County, Florida; and

WHEREAS, pursuant to Section 190.006(2), Florida Statutes, a landowners’ meeting is required to be held within 90 days of the District’s creation and every two years following the creation of the District for the purpose of electing supervisors of the District; and

WHEREAS, such landowners’ meeting was held on November 10, 2022, and the below recited persons were duly elected by virtue of the votes cast in his/her favor; and

WHEREAS, the Board of Supervisors of the District, by means of this Resolution, desire to canvass the votes and declare and certify the results of said election.

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

Section 1. The following persons are found, certified, and declared to have been duly elected as Supervisor of and for the District, having been elected by the votes cast in their favor as shown:

	Seat 2	__ Votes
	Seat 3	__ Votes
	Seat 5	__ Votes

Section 2. In accordance with Section 190.006(2), Florida Statutes, and by virtue of the number of votes cast for the Supervisor, the above-named persons are declared to have been elected for the following term of office:

	Seat 2	__-Year Term
	Seat 3	__-Year Term
	Seat 5	__-Year Term

Section 3. This resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED THIS 10TH DAY OF NOVEMBER, 2022.

Attest:

**PALM BAY COMMUNITY DEVELOPMENT
DISTRICT**

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

PALM BAY
COMMUNITY DEVELOPMENT DISTRICT

5

RESOLUTION 2023-02

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE PALM BAY COMMUNITY DEVELOPMENT DISTRICT DESIGNATING CERTAIN OFFICERS OF THE DISTRICT, AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Palm Bay Community Development District (“District”) is a local unit of special-purpose government created and existing pursuant to Chapter 190, Florida Statutes; and

WHEREAS, the Board of Supervisors of the District desires to designate certain Officers of the District.

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

SECTION 1. _____ is appointed Chair.

SECTION 2. _____ is appointed Vice Chair.

SECTION 3. Chuck Adams is appointed Secretary.

_____ is appointed Assistant Secretary.

_____ is appointed Assistant Secretary.

_____ is appointed Assistant Secretary.

Craig Wrathell is appointed Assistant Secretary.

SECTION 4. This Resolution supersedes any prior appointments made by the Board for Chair, Vice Chair, Secretary and Assistant Secretaries; however, prior appointments by the Board for Treasurer and Assistant Treasurer(s) remain unaffected by this Resolution.

SECTION 5. This Resolution shall become effective immediately upon its adoption.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

PASSED AND ADOPTED this 10th day of November, 2022.

ATTEST:

**PALM BAY COMMUNITY
DEVELOPMENT DISTRICT**

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

PALM BAY
COMMUNITY DEVELOPMENT DISTRICT

6

RESOLUTION 2023-03

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE PALM BAY COMMUNITY DEVELOPMENT DISTRICT RELATING TO THE AMENDMENT OF THE GENERAL FUND PORTION OF THE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2021 AND ENDING SEPTEMBER 30, 2022; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, on September 9, 2021, the Board of Supervisors (hereinafter referred to as the “Board”) of the Palm Bay Community Development District (hereinafter referred to as the “District”), adopted a Budget for Fiscal Year 2021/2022; and

WHEREAS, the Board desires to amend the General Fund portion of the budget previously approved for Fiscal Year 2022.

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

Section 1. The Fiscal Year 2021/2022 Budget is hereby amended in accordance with Exhibit “A” attached hereto; and

Section 2. This resolution shall become effective immediately upon its adoption, and shall be reflected in the monthly and Fiscal Year End September 30, 2022 Financial Statements and Audit Report of the District.

PASSED AND ADOPTED this 10th day of November, 2022.

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

EXHIBIT "A"

**PALM BAY
COMMUNITY DEVELOPMENT DISTRICT
GENERAL FUND AMENDED BUDGET
FISCAL YEAR 2022**

**PALM BAY
COMMUNITY DEVELOPMENT DISTRICT
AMENDED GENERAL FUND BUDGET
FISCAL YEAR 2022**

	Actual thru 09/30/2022	Adopted Budget	Budget to Actual Variance	Proposed Amendment Increase/ (Decrease)	Amended Budget
REVENUES					
Assessments	\$ 186,534	\$ 185,780	\$ (754)	\$ 754	\$ 186,534
Interest & miscellaneous	30,205	250	(29,955)	29,955	30,205
Total revenues	<u>216,739</u>	<u>186,030</u>	<u>(30,709)</u>	<u>30,709</u>	<u>216,739</u>
EXPENDITURES					
Professional					
Supervisors	2,584	5,383	2,799	-	5,383
Management	18,536	18,536	-	-	18,536
Audit	7,200	7,200	-	-	7,200
Legal	5,207	2,000	(3,207)	6,707	8,707
Engineering fees	1,325	-	(1,325)	-	-
Postage	393	425	32	-	425
Meeting room	916	1,000	84	-	1,000
Insurance	7,135	7,584	449	(449)	7,135
Printing and binding	548	548	-	-	548
Legal advertising	1,995	2,000	5	(5)	1,995
Other current charges	705	800	95	(95)	705
Annual district filing fee	175	175	-	-	175
Website	705	705	-	-	705
ADA website compliance	-	205	205	-	205
Tax bills	-	675	675	(675)	-
Total professional	<u>47,424</u>	<u>47,236</u>	<u>(188)</u>	<u>5,483</u>	<u>52,719</u>
Debt service					
Cost of issuance	3,500	-	(3,500)	3,500	3,500
Principal	40,000	-	(40,000)	40,000	40,000
Interest	1,521	-	(1,521)	1,521	1,521
Total debt service	<u>45,021</u>	<u>-</u>	<u>(45,021)</u>	<u>45,021</u>	<u>45,021</u>
Parks & recreation					
Boat lift repair and maintenance	3,885	6,000	2,115	-	6,000
Lake maintenance	2,477	2,500	23	-	2,500
Capital outlay	128,772	53,500	(75,272)	75,272	128,772
Total parks & recreation	<u>135,134</u>	<u>62,000</u>	<u>(73,134)</u>	<u>75,272</u>	<u>137,272</u>
Access control					
Telephone - gate	3,424	3,000	(424)	924	3,924
Insurance - property & causality	2,801	2,976	175	(175)	2,801
Repairs & maintenance - gate	41,321	28,000	(13,321)	17,321	45,321
Landscape maintenance	17,953	14,000	(3,953)	3,953	17,953
Contingency	3,984	750	(3,234)	8,234	8,984
Capital outlay	-	5,000	5,000	-	5,000
Total access control	<u>69,483</u>	<u>53,726</u>	<u>(15,757)</u>	<u>30,257</u>	<u>83,983</u>
Roadway/signage/street lighting					
Electric utility service	20,001	13,000	(7,001)	7,001	20,001
Repairs and maintenance	3,970	3,000	(970)	970	3,970
Total roadway/signage/street lighting	<u>23,971</u>	<u>16,000</u>	<u>(7,971)</u>	<u>7,971</u>	<u>23,971</u>

**PALM BAY
COMMUNITY DEVELOPMENT DISTRICT
AMENDED GENERAL FUND BUDGET
FISCAL YEAR 2022**

	<u>Actual thru 09/30/2022</u>	<u>Adopted Budget</u>	<u>Budget to Actual Variance</u>	<u>Proposed Amendment Increase/ (Decrease)</u>	<u>Amended Budget</u>
Other fees & charges					
Property appraiser	-	2,903	2,903	(2,903)	-
Tax collector	2,896	3,870	974	(974)	2,896
Total other fees & charges	<u>2,896</u>	<u>6,773</u>	<u>3,877</u>	<u>(3,877)</u>	<u>2,896</u>
Total expenditures	<u>323,929</u>	<u>185,735</u>	<u>(138,194)</u>	<u>160,127</u>	<u>345,862</u>
 Excess/(deficiency) of revenues over/(under) expenditures	 (107,190)	 295	 107,485	 (129,418)	 (129,123)
OTHER FINANCING SOURCES/(USES)					
Misc capital improvements loan proceeds	200,000	-	(200,000)	200,000	200,000
Total other financing sources	<u>200,000</u>	<u>-</u>	<u>(200,000)</u>	<u>200,000</u>	<u>200,000</u>
Net change in fund balances	92,810	295	(92,515)	70,582	70,877
Fund balances - beginning	8,269	62,720	54,451	(54,451)	8,269
Fund balances - ending	<u>\$ 101,079</u>	<u>\$ 63,015</u>	<u>\$(38,064)</u>	<u>\$ 16,131</u>	<u>\$ 79,146</u>

**PALM BAY
COMMUNITY DEVELOPMENT DISTRICT**

**UNAUDITED
FINANCIAL
STATEMENTS**

**PALM BAY
COMMUNITY DEVELOPMENT DISTRICT
FINANCIAL STATEMENTS
UNAUDITED
SEPTEMBER 30, 2022**

**PALM BAY
COMMUNITY DEVELOPMENT DISTRICT
BALANCE SHEET
GOVERNMENTAL FUNDS
SEPTEMBER 30, 2022**

	<u>Major Funds</u>	Total Governmental
ASSETS	General	Funds
Cash	\$ 110,760	\$ 110,760
Investments	500	500
Accounts receivable	250	250
Teco deposit	430	430
Assessments receivable	1,462	1,462
Total assets	<u>\$ 113,402</u>	<u>\$ 113,402</u>
 LIABILITIES AND FUND BALANCES		
Liabilities:		
Accounts payable	\$ 4,823	\$ 4,823
Lease deposit refundable	2,700	2,700
Due to other funds		
Enterprise	4,800	4,800
Total liabilities	<u>12,323</u>	<u>12,323</u>
 Fund Balances:		
Unassigned	101,079	101,079
Total fund balances	<u>101,079</u>	<u>101,079</u>
Total liabilities and fund balance	<u>\$ 113,402</u>	<u>\$ 113,402</u>

**PALM BAY
COMMUNITY DEVELOPMENT DISTRICT
GENERAL FUND
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
FOR THE PERIOD ENDED SEPTEMBER 30, 2022**

	Current Month	Year to Date	Budget	% of Budget
REVENUES				
Assessments	\$ -	\$ 186,534	\$ 185,780	100%
Interest & miscellaneous	2	30,205	250	12082%
Total revenues	<u>2</u>	<u>216,739</u>	<u>186,030</u>	117%
EXPENDITURES				
Professional				
Supervisors	-	2,584	5,383	48%
Management	1,545	18,536	18,536	100%
Audit	-	7,200	7,200	100%
Legal	61	5,207	2,000	260%
Engineering fees	-	1,325	-	N/A
Postage	13	393	425	92%
Meeting room	-	916	1,000	92%
Insurance	-	7,135	7,584	94%
Printing and binding	46	548	548	100%
Legal advertising	-	1,995	2,000	100%
Other current charges	45	705	800	88%
Annual district filing fee	-	175	175	100%
Website	705	705	705	100%
ADA website compliance	-	-	205	0%
Tax bills	-	-	675	0%
Total professional	<u>2,415</u>	<u>47,424</u>	<u>47,236</u>	100%
Debt service				
Cost of issuance	-	3,500	-	N/A
Principal	-	40,000	-	N/A
Interest	-	1,521	-	N/A
Total debt service	<u>-</u>	<u>45,021</u>	<u>-</u>	N/A
Parks & recreation				
Boat lift repair and maintenance	712	3,885	6,000	65%
Lake maintenance	219	2,477	2,500	99%
Capital outlay	-	128,772	53,500	241%
Total parks & recreation	<u>931</u>	<u>135,134</u>	<u>62,000</u>	218%
Access control				
Telephone - gate	405	3,424	3,000	114%
Insurance - property & causality	-	2,801	2,976	94%
Repairs & maintenance - gate	2,466	41,321	28,000	148%
Landscape maintenance	3,786	17,953	14,000	128%
Contingency	3,784	3,984	750	531%
Capital outlay	-	-	5,000	0%
Total access control	<u>10,441</u>	<u>69,483</u>	<u>53,726</u>	129%
Roadway/signage/street lighting				
Electric utility service	3,579	20,001	13,000	154%
Repairs and maintenance	368	3,970	3,000	132%
Total roadway/signage/street lighting	<u>3,947</u>	<u>23,971</u>	<u>16,000</u>	150%

**PALM BAY
COMMUNITY DEVELOPMENT DISTRICT
GENERAL FUND
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
FOR THE PERIOD ENDED SEPTEMBER 30, 2022**

	<u>Current Month</u>	<u>Year to Date</u>	<u>Budget</u>	<u>% of Budget</u>
Other fees & charges				
Property appraiser	-	-	2,903	0%
Tax collector	(1,462)	2,896	3,870	75%
Total other fees & charges	<u>(1,462)</u>	<u>2,896</u>	<u>6,773</u>	43%
Total expenditures	<u>16,272</u>	<u>323,929</u>	<u>185,735</u>	174%
Excess/(deficiency) of revenues over/(under) expenditures	(16,270)	(107,190)	295	
OTHER FINANCING SOURCES/(USES)				
Misc capital improvements loan proceeds	-	200,000	-	N/A
Total other financing sources	<u>-</u>	<u>200,000</u>	<u>-</u>	N/A
Net change in fund balances	(16,270)	92,810	295	
Fund balances - beginning	117,349	8,269	62,720	
Fund balances - ending	<u>\$ 101,079</u>	<u>\$ 101,079</u>	<u>\$ 63,015</u>	

**PALM BAY
COMMUNITY DEVELOPMENT DISTRICT
PROPRIETARY FUND
STATEMENT OF NET POSITION
SEPTEMBER 30, 2022**

ASSETS	Balance
Current assets:	
Cash - SunTrust	\$ 52,639
Accounts receivable - (net of allowances for uncollectible)	15,348
Due from governmental funds	4,800
Assessments receivable	175
Total current assets	72,962
Noncurrent assets:	
Utility plant and improvements	171,770
Less accumulated depreciation	(171,770)
Total capital assets, net of accumulated depreciation	-
Total noncurrent assets	-
Total assets	72,962
LIABILITIES	
Current liabilities:	
Accounts payable	10,370
Customer deposits payable	7,200
Total liabilities	17,570
NET POSITION	
Unrestricted	55,392
Total net position	\$ 55,392

**PALM BAY
COMMUNITY DEVELOPMENT DISTRICT
PROPRIETARY FUND
STATEMENT OF REVENUES, EXPENSES
AND CHANGES IN FUND NET POSITION
FOR THE PERIOD ENDED SEPTEMBER 30, 2022**

	Current Month	Year to Date	Budget	% of Budget
OPERATING REVENUES				
Assessment levy	\$ -	\$ 22,280	\$ 22,200	100%
Charges for sales and services:				
Water & sewer	8,820	118,023	110,000	107%
Interest	-	7	10	70%
Total operating revenues	<u>8,820</u>	<u>140,310</u>	<u>132,210</u>	106%
OPERATING EXPENSES				
Water & sewer - county	20,119	125,201	95,767	131%
Maintenance costs	6,222	37,262	20,000	186%
Other current charges	158	2,008	2,200	91%
Total operating expenses	<u>26,499</u>	<u>164,471</u>	<u>117,967</u>	139%
Operating income	<u>(17,679)</u>	<u>(24,161)</u>	<u>14,243</u>	-170%
NONOPERATING REVENUES/(EXPENSES)				
Property appraiser	-	-	(333)	0%
Tax collector	175	(271)	(444)	61%
Total nonoperating revenues/(expenses)	<u>175</u>	<u>(271)</u>	<u>(777)</u>	35%
Change in net position	<u>(17,504)</u>	<u>(24,432)</u>	<u>13,466</u>	
Total net position - beginning	<u>72,896</u>	<u>79,824</u>	<u>77,410</u>	
Total net position - ending	<u><u>\$ 55,392</u></u>	<u><u>\$ 55,392</u></u>	<u><u>\$ 90,876</u></u>	

**PALM BAY
COMMUNITY DEVELOPMENT DISTRICT**

MINUTES

DRAFT

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

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The Board of Supervisors of the Palm Bay Community Development District held a Public Hearing and Regular Meeting on August 2, 2022, 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
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FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Adams called the meeting to order at 9:03 a.m. Supervisors Bergman, Aschenbrenner, Margetis and Williamson were present in person. One seat is vacant.

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, 2021,
Prepared by Grau & Associates**

Mr. Adams presented the Audited Annual Financial Report for the Fiscal Year Ended September 30, 2021. There were no findings, irregularities or instances of noncompliance; it was an unmodified opinion, otherwise known as a clean audit.

38 **FOURTH ORDER OF BUSINESS** **Consideration of Resolution 2022-06,**
 39 **Hereby Accepting the Audited Financial**
 40 **Report for Fiscal Year Ended September 30,**
 41 **2021**

42
 43 Mr. Adams presented Resolution 2022-06.

44

45 **On MOTION by Mr. Bergman and seconded by Mr. Aschenbrenner with all in**
 46 **favor, Resolution 2022-06, Hereby Accepting the Audited Financial Report for**
 47 **Fiscal Year Ended September 30, 2021, was adopted.**

48

49

50 **FIFTH ORDER OF BUSINESS** **Consider Appointment of Qualified Elector**
 51 **to Fill Unexpired Term of Seat 4**

52

53 This item was deferred.

54

55 **SIXTH ORDER OF BUSINESS** **Administration of Oath of Office to Newly**
 56 **Appointed Supervisor *(the following will***
 57 ***be provided in a separate package)***

58

59 **A. Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees**

60 **B. Membership, Obligations and Responsibilities**

61 **C. Chapter 190, Florida Statutes**

62 **D. Financial Disclosure Forms**

63 **I. Form 1: Statement of Financial Interests**

64 **II. Form 1X: Amendment to Form 1, Statement of Financial Interests**

65 **III. Form 1F: Final Statement of Financial Interests**

66 **E. Form 8B – Memorandum of Voting Conflict**

67 This item was deferred.

68

69 **SEVENTH ORDER OF BUSINESS** **Consideration of Resolution 2022-01,**
 70 **Designating Certain Officers of the District,**
 71 **and Providing for an Effective Date**

72

73 This item was deferred.

74

75 **EIGHTH ORDER OF BUSINESS**

**Public Hearing on Adoption of Fiscal Year
2022/2023 Budget**

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77

78 **A. Proof/Affidavit of Publication**

79 The affidavit of publication was included for informational purposes.

80 **B. Consideration of Resolution 2022-07, Relating to the Annual Appropriations and**
81 **Adopting the Budgets for the Fiscal Year Beginning October 1, 2022, and Ending**
82 **September 30, 2023; Authorizing Budget Amendments; and Providing an Effective**
83 **Date**

84 Mr. Adams presented Resolution 2022-07 and noted the following:

85 ➤ The proposed Fiscal Year 2023 budget was unchanged since last presented.

86 ➤ General Fund and Enterprise Fund assessment levels remain unchanged, year-over-year,
87 while covering the cost of repayment of the loan taken out during the year and building Fund
88 Balance by approximately \$5,700.

89 ➤ A healthy surplus fund balance at the end of Fiscal Year 2023 is projected, which is
90 important due to the age of the community and potential necessary repairs.

91 **Mr. Adams opened the Public Hearing.**

92 No members of the public spoke.

93 **Mr. Adams closed the Public Hearing.**

94

95 **On MOTION by Mr. Williamson and seconded by Mr. Margetis, with all in**
96 **favor, Resolution 2022-37, Relating to the Annual Appropriations and Adopting**
97 **the Budgets for the Fiscal Year Beginning October 1, 2022, and Ending**
98 **September 30, 2023; Authorizing Budget Amendments; and Providing an**
99 **Effective Date, was adopted.**

100

101

102 **Mr. Margetis left the meeting briefly at 9:15 a.m.**

103

104 **NINTH ORDER OF BUSINESS**

Consideration of Resolution 2022-08,
Making a Determination of Benefit and
Imposing Special Assessments for Fiscal

105

106

Year 2022/2023; 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

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Mr. Adams presented Resolution 2022-08.

117

On MOTION by Mr. Bergman and seconded by Mr. Margetis, with all in favor, Resolution 2022-08, Making a Determination of Benefit and Imposing Special Assessments for Fiscal Year 2022/2023; 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.

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TENTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of June 30, 2022

Mr. Adams presented the Unaudited Financial Statements as of June 30, 2022.

The financials were accepted.

132

ELEVENTH ORDER OF BUSINESS

Approval of April 29, 2022 Regular Meeting Minutes

Mr. Adams presented the April 29, 2022 Regular Meeting Minutes.

137

On MOTION by Mr. Margetis and seconded by Mr. Aschenbrenner, with all in favor, the April 29, 2022 Regular Meeting Minutes, as presented, were approved.

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TWELFTH ORDER OF BUSINESS

Staff Reports

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A. District Counsel: *Straley Robin Vericker*

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146 There was no report.

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

148 There was no report.

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

150 • **NEXT MEETING DATE: November 10, 2022 at 9:00 a.m. [Landowners' and**
151 **Regular Meeting]**

152 ○ **QUORUM CHECK**

153 Discussion ensued regarding the Landowners' Election.

154 Mr. Adams stated Seats 2, 3 and 5, currently held by Supervisors Margetis,
155 Aschenbrenner and Williamson, respectively, will be up for election.

156

157 **THIRTEENTH ORDER OF BUSINESS**

Public Comments: Non-Agenda Items

158

159 No members of the public spoke.

160

161 **FOURTEENTH ORDER OF BUSINESS**

Supervisors' Requests

162

163 Mr. Aschenbrenner presented a video and discussed an incident in which the entrance
164 gate closed on a Tesla. He discussed the optic eye installed on the exit gate and stated the
165 entrance gate does not have an optic eye. He discussed safety concerns with the entrance gate.
166 While the incident was a piggyback scenario, the driver of the Tesla was not speeding and the
167 car was equipped with an RFID. The Tesla did not engage the weight-triggered safety loop; he
168 was unable to recreate the malfunction with his truck and believed it was due to the weight of
169 the vehicle. The gate company recommended installation of an optic eye.

170 The incident, video, gate-related safety concerns, liability, installation of a breakaway
171 gate arm, signage and an optic eye were discussed.

172

173 **On MOTION by Mr. Margetis and seconded by Mr. Aschenbrenner, with all in**
174 **favor, authorizing installation of an Optic Eye, reimbursement of \$3,784 to**
175 **Timberlake for the gate conflict and installation of signage stating "Gate Closes**
176 **Between Vehicles, was approved.**

177

178

179 Mr. Adams stated payment will be made to the claimant once the repair is completed
180 and a paid invoice is received.

181 Mr. Bergman voiced his opinion that new signage is needed for the Marina to advise

182 that all boats must be preapproved and that the transient dock is for short-term use.

183 Mr. Adams stated links to updated documents for new boats, transient dock use and

184 related procedures will be added to the CDD website. Documents will be updated as necessary

185 and informational signage and/or stickers will be posted in appropriate locations, including the

186 transient dock, boat ramp and boat lift.

187 Mr. Bergman stated signs might cost about \$75 each. A quote was requested for

188 replacement of rubber parts for the main lift and the dock; the cost is anticipated to be under

189 \$500. Mr. Adams stated funds are available for these purposes.

190 Mr. Bergman stated the mangroves at the main dock need to be trimmed. He will send

191 pictures to Mr. Adams so quotes can be obtained.

192 Discussion ensued regarding Baycut Landscaping (Baycut) and remaining uncompleted

193 work at the front entrance.

194 Mr. Bergman will discuss the scope of work with Baycut.

195 Mr. Aschenbrenner asked for the account information for the front gate and the marina

196 internet and cellular service providers.

197 Discussion ensued regarding the Envera system, redundancy and additional features.

198 Mr. Bergman asked if additional bumpers and cleats are needed at the transient dock.

199 Mr. Adams stated funds are available and suggested doing all such repairs.

200 Discussion ensued regarding the recently completed finger piers, lighting and associated

201 costs. The consensus was that the proposal received was very expensive and funds might be

202 better spent at the beach.

203 Less expensive alternatives, such as low-voltage lighting, were discussed, along with

204 safety lighting, motion lights and asking The Boat Club to pay for the lights.

205 Discussion ensued regarding potential beach improvements.

206 Mr. Bergman would ask the HOA what residents want at the beach and if the HOA will

207 split the cost. This item will be included on the November agenda.

208

209 **FIFTEENTH ORDER OF BUSINESS**

Adjournment

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212

On MOTION by Mr. Aschenbrenner and seconded by Mr. Margetis, with all in favor, the meeting adjourned at 10:15 a.m.

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[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

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221

Secretary/Assistant Secretary

Chair/Vice Chair

**PALM BAY
COMMUNITY DEVELOPMENT DISTRICT**

**STAFF
REPORTS**

PALM BAY COMMUNITY DEVELOPMENT DISTRICT

BOARD OF SUPERVISORS FISCAL YEAR 2022/2023 MEETING SCHEDULE

LOCATION

Courtyard by Marriott Tampa/Oldsmar, 4014 Tampa Road, Oldsmar, Florida 34677

DATE	POTENTIAL DISCUSSION/FOCUS	TIME
November 10, 2022	Landowner's Meeting and Regular Meeting	9:00 AM
January 12, 2023	Regular Meeting	9:00 AM
April 13, 2023	Regular Meeting	9:00 AM
July 13, 2023	Public Hearing & Regular Meeting	9:00 AM