

PALM BAY

COMMUNITY DEVELOPMENT DISTRICT

January 12, 2023

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

January 5, 2023

ATTENDEES:
Please identify yourself each time you speak to facilitate accurate transcription of meeting minutes.

Board of Supervisors
Palm Bay Community Development District

Dear Board Members:

The Board of Supervisors of the Palm Bay Community Development District will hold a Regular Meeting on January 12, 2023, 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. Consider Appointment to Fill Unexpired Term of Seat 4; *Term Expires November 2024*
 - Administration of Oath of Office to Newly Appointed Supervisor

- 6. Consideration of Resolution 2023-02, Designating Certain Officers of the District, and Providing for an Effective Date
- 7. 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
- 8. Discussion: Boat Lift Remote Program
- 9. Acceptance of Unaudited Financial Statements as of November 30, 2022
- 10. Approval of August 2, 2022 Public Hearing and Regular Meeting Minutes
- 11. 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: April 13, 2023 at 9:00 AM

- 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 |
| | <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 |

- 12. Public Comments: Non-Agenda Items
- 13. Supervisors' Requests
- 14. 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 January 12, 2023, 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 12TH DAY OF JANUARY, 2023.

Attest:

**PALM BAY COMMUNITY DEVELOPMENT
DISTRICT**

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

PALM BAY
COMMUNITY DEVELOPMENT DISTRICT

6

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 12th day of January, 2023.

ATTEST:

**PALM BAY COMMUNITY
DEVELOPMENT DISTRICT**

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

PALM BAY
COMMUNITY DEVELOPMENT DISTRICT

7

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 12th day of January, 2023.

ATTEST

**PALM BAY COMMUNITY
DEVELOPMENT DISTRICT**

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
NOVEMBER 30, 2022**

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

| | <u>Major Funds</u> | Total Governmental |
|--|--------------------|-----------------------|
| ASSETS | General | Funds |
| Cash | \$ 105,263 | \$ 105,263 |
| Investments | 503 | 503 |
| Accounts receivable | 250 | 250 |
| Teco deposit | 430 | 430 |
| Total assets | <u>\$ 106,446</u> | <u>\$ 106,446</u> |
| LIABILITIES AND FUND BALANCES | | |
| Liabilities: | | |
| Lease deposit refundable | 2,700 | 2,700 |
| Due to other funds | | |
| Enterprise | <u>7,496</u> | <u>7,496</u> |
| Total liabilities | <u>10,196</u> | <u>10,196</u> |
| Fund Balances: | | |
| Unassigned | <u>96,250</u> | <u>96,250</u> |
| Total fund balances | <u>96,250</u> | <u>96,250</u> |
| Total liabilities and fund balance | <u>\$ 106,446</u> | <u>\$ 106,446</u> |

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

| | Current Month | Year to Date | Budget | % of Budget |
|--|------------------|-----------------|----------------|----------------|
| REVENUES | | | | |
| Assessments | \$ 25,973 | \$ 25,973 | \$ 185,780 | 14% |
| Interest & miscellaneous | 2 | 4 | 250 | 2% |
| Total revenues | <u>25,975</u> | <u>25,977</u> | <u>186,030</u> | 14% |
| EXPENDITURES | | | | |
| Professional | | | | |
| Supervisors | - | - | 5,383 | 0% |
| Management | 1,545 | 3,090 | 18,536 | 17% |
| Audit | - | - | 7,200 | 0% |
| Legal | - | - | 2,000 | 0% |
| Postage | - | - | 425 | 0% |
| Meeting room | - | - | 1,000 | 0% |
| Insurance | - | 7,670 | 7,584 | 101% |
| Printing and binding | 46 | 91 | 548 | 17% |
| Legal advertising | 1,278 | 1,662 | 2,000 | 83% |
| Other current charges | 45 | 94 | 800 | 12% |
| Annual district filing fee | - | 175 | 175 | 100% |
| Website | - | - | 705 | 0% |
| ADA website compliance | - | - | 205 | 0% |
| Tax bills | - | - | 675 | 0% |
| Total professional | <u>2,914</u> | <u>12,782</u> | <u>47,236</u> | 27% |
| Parks & recreation | | | | |
| Boat lift repair and maintenance | 282 | 564 | 6,000 | 9% |
| Lake maintenance | 439 | 439 | 2,500 | 18% |
| 2022 Note repayment | - | 2,983 | 46,083 | 6% |
| Total parks & recreation | <u>721</u> | <u>3,986</u> | <u>54,583</u> | 7% |
| Access control | | | | |
| Telephone - gate | - | 291 | 3,000 | 10% |
| Insurance - property & causality | - | 3,081 | 2,976 | 104% |
| Repairs & maintenance - gate | 2,766 | 5,582 | 28,000 | 20% |
| Landscape maintenance | 1,091 | 2,182 | 16,000 | 14% |
| Contingency | - | - | 750 | 0% |
| Capital outlay | - | - | 5,000 | 0% |
| Total access control | <u>3,857</u> | <u>11,136</u> | <u>55,726</u> | 20% |
| Roadway/signage/street lighting | | | | |
| Electric utility service | 1,728 | 1,728 | 13,000 | 13% |
| Repairs and maintenance | 184 | 184 | 3,000 | 6% |
| Total roadway/signage/street lighting | <u>1,912</u> | <u>1,912</u> | <u>16,000</u> | 12% |

**PALM BAY
COMMUNITY DEVELOPMENT DISTRICT
GENERAL FUND
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
FOR THE PERIOD ENDED NOVEMBER 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 | 519 | 519 | 3,870 | 13% |
| Total other fees & charges | <u>519</u> | <u>519</u> | <u>6,773</u> | 8% |
| Total expenditures | <u>9,923</u> | <u>30,335</u> | <u>180,318</u> | 17% |
| | | | | |
| Excess/(deficiency) of revenues over/(under) expenditures | 16,052 | (4,358) | 5,712 | |
| | | | | |
| Fund balances - beginning | 80,198 | 100,608 | 41,711 | |
| Fund balances - ending | <u>\$ 96,250</u> | <u>\$ 96,250</u> | <u>\$ 47,423</u> | |

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

| ASSETS | <u>Balance</u> |
|---|-------------------------|
| Current assets: | |
| Cash - SunTrust | \$ 44,152 |
| Accounts receivable - (net of allowances for uncollectible) | 16,361 |
| Due from governmental funds | <u>7,496</u> |
| Total current assets | <u>68,009</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>68,009</u> |
| LIABILITIES | |
| Current liabilities: | |
| Customer deposits payable | <u>7,380</u> |
| Total liabilities | <u>7,380</u> |
| NET POSITION | |
| Unrestricted | 60,629 |
| Total net position | <u><u>\$ 60,629</u></u> |

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

| | Current Month | Year to Date | Budget | % of Budget |
|---|------------------|------------------|-------------------|----------------|
| OPERATING REVENUES | | | | |
| Assessment levy | \$ 3,102 | \$ 3,102 | \$ 22,200 | 14% |
| Charges for sales and services: | | | | |
| Water & sewer | 9,854 | 18,142 | 110,000 | 16% |
| Interest | 1 | 1 | 10 | 10% |
| Total operating revenues | <u>12,957</u> | <u>21,245</u> | <u>132,210</u> | 16% |
| OPERATING EXPENSES | | | | |
| Water & sewer - county | 11,515 | 11,515 | 95,767 | 12% |
| Maintenance costs | 475 | 3,586 | 20,000 | 18% |
| Other current charges | 163 | 326 | 2,200 | 15% |
| Total operating expenses | <u>12,153</u> | <u>15,427</u> | <u>117,967</u> | 13% |
| Operating income | <u>804</u> | <u>5,818</u> | <u>14,243</u> | 41% |
| NONOPERATING REVENUES/(EXPENSES) | | | | |
| Property appraiser | - | - | (333) | 0% |
| Tax collector | (62) | (62) | (444) | 14% |
| Total nonoperating revenues/(expenses) | <u>(62)</u> | <u>(62)</u> | <u>(777)</u> | 8% |
| Change in net position | 742 | 5,756 | 13,466 | |
| Total net position - beginning | 59,887 | 54,873 | 100,364 | |
| Total net position - ending | <u>\$ 60,629</u> | <u>\$ 60,629</u> | <u>\$ 113,830</u> | |

**PALM BAY
COMMUNITY DEVELOPMENT DISTRICT**

MINUTES

DRAFT

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

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37

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 |
|-------------|------------------|

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**

76

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

107
108
109
110
111
112
113
114
115
116

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.

118
119
120
121
122
123
124

125
126

TENTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of June 30, 2022

127
128
129

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

130
131

The financials were accepted.

132

ELEVENTH ORDER OF BUSINESS

Approval of April 29, 2022 Regular Meeting Minutes

133
134
135

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

136
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.

138
139
140
141
142

TWELFTH ORDER OF BUSINESS

Staff Reports

143
144

A. District Counsel: *Straley Robin Vericker*

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

210

211

212

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

213

214

215

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

216

217

218

219

220

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 CANCELED DUE TO WEATHER | Landowner's Meeting and Regular Meeting | 9:00 AM |
| December 15, 2022 CANCELED NO QUORUM | 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 |