

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

The Board of Supervisors of the Palm Bay Community Development District held a Regular Meeting on April 11, 2019 at 9:00 a.m., at the Courtyard by Marriott Tampa/Oldsmar, 4014 Tampa Road, Oldsmar, Florida 34677.

Present and constituting a quorum were:

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

Also present:

Chuck Adams	District Manager
Angela Chittum	Resident and HOA Vice Chair
John Chiaradio	Resident and Palm Bay Board Director

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Adams called the meeting to order at 9:03 a.m. Supervisors Bergman, Aschenbrenner, Williamson and Margetis were present, in person. Supervisor Richards was not present.

SECOND ORDER OF BUSINESS

Public Comments: Agenda Items

There being no public comments, the next item followed.

THIRD ORDER OF BUSINESS

Consideration of Resolution 2019-04, Approving a Proposed Budget for Fiscal Year 2019/2020 and Setting a Public Hearing Thereon Pursuant to Florida Law; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing an Effective Date

This item was presented following the Seventh Order of Business.

FOURTH ORDER OF BUSINESS

Update: Marina Bulkhead and Board Lift Repairs Needed; Bulkhead, Roof over Motors, Future Upgrade of Two Pushing Motors and Re-Wiring at New Control Box

Mr. Bergman reported the following:

- The contractor commenced work but the project was progressing slowly.
- Roofs Over Motors: Four dog houses to protect the motors were being installed this week; the four remaining ones would be installed by next week.
- Lift motors and rewiring: Work continued; everything was expected to be operational by the weekend.
- Remote control system: Contractor was determining whether they could provide what was originally promised.
- Bulkhead/seawall repair: Surveyor was expected to submit the surveys for the bulkhead and beach next week. MB Marine Construction, Inc. (MBMC) was waiting for the surveys needed to obtain permits from the County before commencing work.
- A proposal was being obtained from Ray Woods to replace the carpet on the skids. Whether any wood needed replacing was pending but it was not included in the deck proposal.

Mr. Bergman felt that, although there were discussions about improving communications between the District and residents, further discussions were necessary. Several residents complained about not being able to use the boat lifts or being notified they would be down. Discussion ensued regarding how the District could communicate better, whether to compile an email database, having the HOA newsletter advise residents that notices relating to all District information are at the exit gate, the issue of email addresses becoming public record if a database was created, etc. Going forward, the District would send the HOA Board, Ms. Chittum, a resident and HOA Vice Chair, and Mr. Chiaradio, a resident and Palm Bay Board Director, notifications of District business to e-blast to residents.

FIFTH ORDER OF BUSINESS

Update: Baycut

Mr. Bergman stated that Baycut’s contract was executed; he was waiting to receive the project timeline. Palm tree trimming was scheduled for twice a year, around May and November. The District would send the schedule to the HOA to e-blast to all residents with the option to engage Baycut to trim their trees as well. He would remind Baycut to pick up debris rather than blowing it into the park.

Ms. Chittum asked about maintenance of the overgrown foliage at the front entrance; she would email the locations to Mr. Bergman to pass on to Baycut. Discussion ensued regarding planting annuals, the new Palm Bay monument sign on Cape Hatteras that was replacing the existing sign. Solar lights would be purchased instead of running electrical wire.

SIXTH ORDER OF BUSINESS

Update: Roadways/Sidewalks

- **Discussion: Sidewalk Power Washing**

Mr. Williamson reported the following:

- Curb King, the lowest of the three bidders on the sidewalk repair project, would take over because the original contractor refused to execute the District’s Standard Agreement.

Since Curb King’s \$6,778 bid to repair all the trip hazard areas was well below \$12,000 that the Board approved he suggested adding areas involving cosmetic work to the original scope of work.

- A power washing proposal would be obtained from Curb King.

- He and Ms. Chittum would identify and mark sidewalk areas for cosmetic work before the walkthrough with the contractor.

- Curb King quoted \$585 to cut and replace the 12 uneven pavers in front of the gate by the keypad; the pavers would be provided by the District.

Mr. Williamson was directed to purchase a pallet of pavers and submit the bill for reimbursement. Mr. Williamson would ask Curb King to install two grates by the front gate and find out if they would haul the damaged pavers marked with a cross that the other contractor left. A work order would be put in for the front gate to be opened, when needed, in conjunction with the repairs at the front gate. The HOA would e-blast about the upcoming projects.

On MOTION by Mr. Aschenbrenner and seconded by Bergman, with all in favor, adjusting the previously approved not-to-exceed amount of \$12,000 to \$15,000 for sidewalk and roadway repairs, pressure washing, paver repair and purchasing pavers, was approved.

Mr. Adams would see if the street sweeper could change the service day to Thursday or Friday, to prevent conflicts with garbage pickup.

SEVENTH ORDER OF BUSINESS

Update: Beach

Mr. Richards reported the following:

- Resident feedback: Requests were for a kayak dock with storage, exercise equipment, a covered picnic table and fire pit.
- Once the seawall is straightened and framed out, some existing items could be strategically moved to be able to add the new items.
- The following quotes from Ray Woods Construction Co. Inc. (RWCC) were distributed:
 - Build gazebo: \$26,775
 - Install pad for gym equipment: \$3,916
 - Seawall: \$14,000
- Outdoor-Fit: Purchasing Helios outdoor gym equipment, for \$9,565, was recommended, as it has no moving parts and is considered indestructible. Once ordered, it takes approximately six weeks to make. A 12 x 12 pad for the equipment would be needed.

Mr. Richards felt that further discussions were needed to determine how much to spend, whether to do projects in phases and which projects to include in each phase; however, the seawall must be addressed first. Discussion ensued regarding whether to replace the sand with sod, whether to survey residents rather than spending funds on items residents do not want and focusing on the kayak launch and storage the first year, as it is specific to the marina and gazebo, the fire pit and bench the next year and gym equipment to follow.

Discussion ensued regarding whether to spend \$14,000 to rebuild the seawall using the same materials, tiebacks, etc., or spending \$30,000 to rebuild it with corrugated concrete, the same as the material being used for the Marina bulkhead, which would last longer.

Mr. Adams stated there was \$45,000 to \$50,000 in capital outlay and the Board could decide in October, at the beginning of Fiscal Year 2020, which projects to expend funds, which leaves time to obtain more community feedback. Discussion ensued regarding the overgrown mangroves, improving the appearance of them, installing an A-NIKS Insect Control System that uses natural chemicals to make the beach area more appealing and to hold HOA events, adding lighting, etc. Mr. Adams recommended engaging a licensed professional pest control specialist to maintain the mangroves and install a treatment system, as they are more familiar with Florida law with regard to mangroves. Now that the decision was to first repair the seawall and install a cut, Mr. Richards would obtain a quote for the cut and advise Baycut to begin trimming the Brazilian Pepper trees.

- **Consideration of Resolution 2019-04, Approving a Proposed Budget for Fiscal Year 2019/2020 and Setting a Public Hearing Thereon Pursuant to Florida Law; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing an Effective Date**

This item, previously the Third Order of Business, was presented out of order.

Mr. Adams presented the proposed Fiscal Year 2020 budget. A few lines items were adjusted in an effort to have assessments remain flat, as in prior years.

Mr. Bergman asked about the District's discussions with the Boat Club to take over the Club. Mr. Williamson stated he paid and filed the Boat Club's annual fees with the County and was trying to meet with Greg. He would schedule and notice a meeting with the Boat Club and its members to discuss structure and the forthcoming assessments. The HOA Community Appearance Board (CAB) intends to send violation notices to the Boat Club.

The following changes were made to the proposed Fiscal Year 2020 budget:

Page 1, "Capital outlay - dock": Change "dock" to "bulkhead" and "\$25,000" to "\$35,000"

Page 1, "Capital outlay": Change "\$20,000" to "\$10,000"

Mr. Adams presented Resolution 2019-04. For quorum purposes, Supervisors Bergman, Williamson and Aschenbrenner confirmed their attendance at the July meeting.

On MOTION by Mr. Aschenbrenner and seconded by Mr. Margetis, with all in favor, Resolution 2019-04, Approving a Proposed Budget for Fiscal Year 2019/2020, as amended, and Setting a Public Hearing Thereon Pursuant to Florida Law for July 11, 2019 at 9:00 a.m., at the Courtyard By Marriott Tampa/Oldsmar, 4014 Tampa Road, Oldsmar, FL 34677; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing an Effective Date, was adopted.

EIGHTH ORDER OF BUSINESS

Approval of Unaudited Financial Statements as of February 28, 2019

Mr. Adams presented the Unaudited Financial Statements as of February 28, 2019. The financials were accepted.

NINTH ORDER OF BUSINESS

Approval of January 10, 2019 Regular Meeting Minutes

Mr. Adams presented the January 10, 2019 Regular Meeting Minutes.

On MOTION by Mr. Margetis and seconded by Mr. Williamson, with all in favor, the January 10, 2019 Regular Meeting Minutes, as presented, were approved.

TENTH ORDER OF BUSINESS

Staff Reports

A. District Counsel: *Buchanan Ingersoll & Rooney PC*

There being no report, the next item followed.

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

There being no report, the next item followed.

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

- **NEXT MEETING DATE: July 11, 2019 at 9:00 A.M.**

The next meeting will be held on July 11, 2019 at 9:00 a.m.

ELEVENTH ORDER OF BUSINESS

Public Comments: Non-Agenda Items

There being no public comments, the next item followed.

TWELFTH ORDER OF BUSINESS

Supervisors' Requests

A Board Member asked how the District was addressing owners of deteriorating docks behind the homes that extend over the Marina waterway, which is CDD-owned, the same issue as the Boat Club. Mr. Adams stated any owners having closing issues may request a Consent to Use of Easement Agreement from the District which states the owner is responsible for the dock's upkeep and indemnifies the District from any liability. The District is taxed not on the land but \$1,500 for the traveling boat lift, which is considered an improvement and on which property owners are assessed. Although the CDD owns the entire tract it assigned an easement over the entire tract to the HOA, which gives the HOA the right to enforce repairs; the HOA may already have Consent Agreements confirming that owners cannot restrict access to the docks.

It was noted that the front gate was working a lot better now that the hours were changed. A homeowner who claimed the exit gate closed on their car and damaged it was paid \$800. Installing a sign to prevent further incidents was suggested, as this has occurred several times over the years. Mr. Adams suggested signage at entrances and exits stating "Caution Gate Closes Between Each Vehicle". Signs would be purchased and installed on the pillar with the HOA meeting notification sign.

THIRTEENTH ORDER OF BUSINESS

Adjournment

There being nothing further to discuss, the meeting adjourned.

On MOTION by Mr. Bergman and seconded by Mr. Aschenbrenner, with all in favor, the meeting adjourned at 10:52 a.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]


Secretary/Assistant Secretary


Chair/Vice Chair