

PALM BAY

COMMUNITY DEVELOPMENT DISTRICT

December 17, 2020

BOARD OF SUPERVISORS

SPECIAL MEETING

AGENDA

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

December 10, 2020

Board of Supervisors
Palm Bay Community Development District

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

Dear Board Members:

The Board of Supervisors of the Palm Bay Community Development District will hold a Special Meeting on December 17, 2020, *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, [SEATS 1, 4 & 5], *(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 2021-01, 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 2021-02, Designating a Chair, a Vice Chair, a Secretary, Assistant Secretaries, a Treasurer and an Assistant Treasurer of the Bonita Landing Community Development District, and Providing for an Effective Date

- 6. Discussion/Update: Marina Boundary Ownership, Boat Club Activities and Beach Seawall Project
 - 7. Acceptance of Unaudited Financial Statements as of October 31, 2020
 - 8. Approval of October 8, 2020 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 14, 2021 at 9:00 a.m.

○ QUORUM CHECK

SEAT 1*		<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
SEAT 2	SPIROS 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*		<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
SEAT 5*		<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO

**Seats 1, 4 & 5 subject to December 17, 2020 Landowners' Election*

- 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
CONFERENCE ID: 8593810

PALM BAY
COMMUNITY DEVELOPMENT DISTRICT

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RESOLUTION 2021-01

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 December 17, 2020, 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 1	Votes _____
_____	Seat 4	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:

_____	4-Year Term
_____	4-Year Term
_____	2-Year Term

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

PASSED AND ADOPTED THIS 17th DAY OF DECEMBER, 2020.

Attest:

**PALM BAY COMMUNITY DEVELOPMENT
DISTRICT**

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

**PALM BAY
COMMUNITY DEVELOPMENT DISTRICT**

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RESOLUTION 2021-02

A RESOLUTION DESIGNATING A CHAIR, A VICE CHAIR, A SECRETARY, ASSISTANT SECRETARIES, A TREASURER AND AN ASSISTANT TREASURER OF THE PALM BAY COMMUNITY DEVELOPMENT DISTRICT, 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 in Hillsborough County, Florida; and

WHEREAS, the Board of Supervisors of the District desires to appoint the below-recited persons to the offices specified.

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

1. **DISTRICT OFFICERS.** The District officers are as follows:

_____ is appointed Chair

_____ is appointed Vice Chair

Chesley (Chuck) E. Adams, Jr. is appointed Secretary

_____ is appointed Assistant Secretary

_____ is appointed Assistant Secretary

_____ is appointed Assistant Secretary

Craig Wrathell is appointed Assistant Secretary

Craig Wrathell is appointed Treasurer

Jeff Pinder is appointed Assistant Treasurer

2. **EFFECTIVE DATE.** This Resolution shall become effective immediately upon its adoption.

Adopted this 17th day of December, 2020.

ATTEST:

PALM BAY COMMUNITY DEVELOPMENT DISTRICT

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

PALM BAY
COMMUNITY DEVELOPMENT DISTRICT

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**PALM BAY
COMMUNITY DEVELOPMENT DISTRICT
FINANCIAL STATEMENTS
UNAUDITED
OCTOBER 31, 2020**

**PALM BAY
COMMUNITY DEVELOPMENT DISTRICT
BALANCE SHEET
GOVERNMENTAL FUNDS
OCTOBER 31, 2020**

	<u>Major Funds</u>	Total Governmental
ASSETS	General	Funds
Cash	\$ 51,160	\$ 51,160
Investments	495	495
Accounts receivable	250	250
Teco deposit	430	430
Total assets	<u>\$ 52,335</u>	<u>\$ 52,335</u>
LIABILITIES AND FUND BALANCES		
Liabilities:		
Accounts payable	\$ 611	\$ 611
Lease deposit refundable	2,700	2,700
Due to other funds		
Enterprise	<u>2,719</u>	<u>2,719</u>
Total liabilities	<u>6,030</u>	<u>6,030</u>
Fund Balances:		
Unassigned	<u>46,305</u>	<u>46,305</u>
Total fund balances	<u>46,305</u>	<u>46,305</u>
Total liabilities and fund balance	<u>\$ 52,335</u>	<u>\$ 52,335</u>

**PALM BAY
COMMUNITY DEVELOPMENT DISTRICT
GENERAL FUND
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
FOR THE PERIOD ENDED OCTOBER 31, 2020**

	Current Month	Year to Date	Budget	% of Budget
REVENUES				
Assessments	\$ -	\$ -	\$ 151,014	0%
Interest & miscellaneous	1	1	250	0%
Total revenues	<u>1</u>	<u>1</u>	<u>151,264</u>	0%
EXPENDITURES				
Professional				
Supervisors	1,077	1,077	5,383	20%
Management	1,544	1,544	18,536	8%
Audit	-	-	7,200	0%
Legal	-	-	2,000	0%
Postage	-	-	425	0%
Meeting room	-	-	1,000	0%
Insurance	6,894	6,894	6,650	104%
Printing and binding	46	46	548	8%
Legal advertising	-	-	1,500	0%
Other current charges	-	-	800	0%
Annual district filing fee	-	-	175	0%
Website	-	-	705	0%
ADA website compliance	-	-	205	0%
Tax bills	-	-	1,500	0%
Total professional	<u>9,561</u>	<u>9,561</u>	<u>46,627</u>	21%
Parks & recreation				
Boat lift repair and maintenance	-	-	6,000	0%
Lake maintenance	-	-	2,500	0%
Capital outlay - dock	-	-	15,000	0%
Total parks & recreation	<u>-</u>	<u>-</u>	<u>23,500</u>	0%
Access control				
Telephone - gate	-	-	3,000	0%
Insurance - property & causality	2,705	2,705	2,500	108%
Repairs & maintenance - gate	2,165	2,165	27,000	8%
Landscape maintenance	-	-	15,000	0%
Contingency	-	-	750	0%
Capital outlay	-	-	10,000	0%
Total access control	<u>4,870</u>	<u>4,870</u>	<u>58,250</u>	8%
Roadway/signage/street lighting				
Electric utility service	-	-	13,000	0%
Repairs and maintenance	-	-	3,000	0%
Total roadway/signage/street lighting	<u>-</u>	<u>-</u>	<u>16,000</u>	0%

**PALM BAY
COMMUNITY DEVELOPMENT DISTRICT
GENERAL FUND
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
FOR THE PERIOD ENDED OCTOBER 31, 2020**

	<u>Current Month</u>	<u>Year to Date</u>	<u>Budget</u>	<u>% of Budget</u>
Other fees & charges				
Property appraiser	-	-	2,360	0%
Tax collector	-	-	3,146	0%
Total other fees & charges	-	-	5,506	0%
Total expenditures	<u>14,431</u>	<u>14,431</u>	<u>149,883</u>	10%
 Excess/(deficiency) of revenues over/(under) expenditures	 (14,430)	 (14,430)	 1,381	
 Fund balances - beginning	 60,735	 60,735	 83,480	
Fund balances - ending	<u>\$ 46,305</u>	<u>\$ 46,305</u>	<u>\$ 84,861</u>	

**PALM BAY
COMMUNITY DEVELOPMENT DISTRICT
PROPRIETARY FUND
STATEMENT OF NET POSITION
OCTOBER 31, 2020**

ASSETS	<u>Balance</u>
Current assets:	
Cash - SunTrust	\$ 105,992
Accounts receivable - (net of allowances for uncollectible)	10,366
Due from governmental funds	<u>2,719</u>
Total current assets	<u>119,077</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>119,077</u>
 LIABILITIES	
Current liabilities:	
Customer deposits payable	<u>7,110</u>
Total liabilities	<u>7,110</u>
 NET POSITION	
Unrestricted	<u>111,967</u>
Total net position	<u><u>\$ 111,967</u></u>

**PALM BAY
COMMUNITY DEVELOPMENT DISTRICT
PROPRIETARY FUND
STATEMENT OF REVENUES, EXPENSES
AND CHANGES IN FUND NET POSITION
FOR THE PERIOD ENDED OCTOBER 31, 2020**

	Current Month	Year to Date	Budget	% of Budget
OPERATING REVENUES				
Assessment levy	\$ -	\$ -	\$ 22,200	0%
Charges for sales and services:				
Water & sewer	8,188	8,188	110,000	7%
Interest	1	1	10	10%
Total operating revenues	<u>8,189</u>	<u>8,189</u>	<u>132,210</u>	6%
OPERATING EXPENSES				
Water & sewer - county	-	-	95,767	0%
Maintenance costs	-	-	20,000	0%
Other current charges	172	172	2,200	8%
Total operating expenses	<u>172</u>	<u>172</u>	<u>117,967</u>	0%
Operating income	<u>8,017</u>	<u>8,017</u>	<u>14,243</u>	56%
NONOPERATING REVENUES/(EXPENSES)				
Property appraiser	-	-	(333)	0%
Tax collector	-	-	(444)	0%
Total nonoperating revenues/(expenses)	<u>-</u>	<u>-</u>	<u>(777)</u>	0%
Change in net position	8,017	8,017	13,466	
Total net position - beginning	103,950	103,950	171,450	
Total net position - ending	<u>\$ 111,967</u>	<u>\$ 111,967</u>	<u>\$ 184,916</u>	

PALM BAY
COMMUNITY DEVELOPMENT DISTRICT

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DRAFT

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

The Board of Supervisors of the Palm Bay Community Development District held a Virtual Regular Meeting on October 8, 2020 at 9:00 a.m., via Zoom at <https://us02web.zoom.us/j/82371838205>, and at 1 929-205-6099, Meeting ID: 823 7183 8205, for both.

Present were:

Rob Bergman	Chair
Joe Aschenbrenner	Vice Chair
Win Williamson	Assistant Secretary
Anthony Richards	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 9:02 a.m. All Supervisors were present. In consideration of the COVID-19 pandemic, this meeting was being held virtually, via Zoom, and telephonically, as permitted under the Florida Governor’s Executive Orders, allowing local governmental public meetings to occur by means of communications media technology, including virtually and telephonically.

SECOND ORDER OF BUSINESS

Public Comments: Agenda Items

There being no public comments, the next item followed.

THIRD ORDER OF BUSINESS

Discussion: Addition of Envera Cameras to Boat Dock/Lift and Marina

38 Mr. Aschenbrenner stated work was complete and the Envera camera was operational.
39 He displayed footage and discussed the software and apps required for viewing. Discussion
40 ensued regarding storage of video footage, virtual guard services, costs, technology, potential
41 for future expansion, sharing access to the system, monitoring, camera positioning and posting
42 of a sign.

43 Mr. Bergman suggested posting the Marina's email address, marina@palmbaycdd.net,
44 at the Marina to facilitate incident reporting and response.

45

46 **FOURTH ORDER OF BUSINESS**

**Discussion: Addition of Cameras to
47 Beach/Kayak Launch**

48

49 Mr. Aschenbrenner stated he thought an additional camera at the kayak launch area
50 was not necessary at this time. Discussion ensued regarding the progress of the additional
51 seawall.

52 ▪ **Update/Discussion: Baycut**

53 **This item was an addition to the agenda.**

54 Mr. Bergman stated there were some complaints about the level of service provided by
55 Baycut, including grass being blown into the Marina and unsatisfactory palm tree maintenance.
56 Management was apologetic and stated they would work to correct these issues. The contract
57 allowed for cancellation with 30 days' notice.

58 ▪ **Update/Discussion: Kayak Launch**

59 **This item was an addition to the agenda.**

60 Mr. Richards stated that he and Mr. Aschenbrenner installed the second kayak rack,
61 which was already full. To better serve kayakers and to discourage long-term storage, Mr.
62 Margetis suggested requiring users to register and pay a nominal fee for an assigned spot.
63 Discussion ensued regarding annual leasing and program administration.

64 ▪ **Update/Discussion: Streets**

65 **This item was an addition to the agenda.**

66 Mr. Williamson stated that Scorpion Paving completed the sidewalk repair; sealing
67 would proceed when the weather and scheduling permit. A logistical plan was being developed

68 to seal the streets to protect pavers and resident driveways. Discussion ensued regarding the
69 need for an email list for e-blast purposes and for notifications to residents before undertaking
70 the sealing project, which would encompass all asphalt within the community. The asphalt
71 would be sealed in phases and require a minimum 24 hours of drying time, during which,
72 residents would be unable to access their driveways and garages. Discussion ensued regarding
73 the logistics of the project, given the narrow roads.

74 ▪ **Update/Discussion: Boat Club Activities**

75 **This item was an addition to the agenda.**

76 Mr. Adams stated that surveying the marina tract line and seawall commenced; a title
77 report, sketches and legal descriptions would be prepared for each property in the marina
78 tract. The Boat Club slips were already identified and the final report would show all recorded
79 boat slip ownership within the marina parcel.

80 Mr. Bergman stated that letters were being sent to impacted owners in the marina.
81 Discussion ensued regarding the CDD's position about structures built on District property,
82 without permission, and the District's recourse.

83 Mr. Richards discussed proposals received from Bay Dock and MB Marine; Bay Dock was
84 more expensive. He discussed the estimates, processes utilized when installing docks, Boat
85 Club fees and expenses and options for boat lifts.

86 Discussion ensued regarding the proposals, costs, temporary loss of access to the center
87 dock and boat docks, potential start dates, rising lumber and construction costs, partnership
88 with the Boat Club, the condition of the docks, the urgency of the project, the possibility of a
89 special assessment and the next steps.

90 Mr. Adams stated he would review the proposals and develop a financing plan that
91 names the Boat Club owners as a special class of beneficiaries subject to special assessment.

92 Discussion continued regarding the proposals, costs, logistics, liability and the next
93 steps.

94 Mr. Margetis stated he would solicit additional proposals and prepare a summary to
95 facilitate the decision making process. He suggested obtaining an underwater survey.

96

97 **On MOTION by Mr. Richards and seconded by Mr. Aschenbrenner, with all in**
 98 **favor, authorizing a survey of the gangway dock poles, in not-to-exceed**
 99 **amount of \$1,000, was approved.**

100

101

102 **FIFTH ORDER OF BUSINESS**

**Acceptance of Unaudited Financial
Statements as of August 31, 2020**

103

104

105 Mr. Adams presented the Unaudited Financial Statements as of August 31, 2020. A
 106 budget amendment would be considered at a future meeting in order to move funds from the
 107 “Water & sewer” fund to the General Fund. Discussion ensued regarding the need for a survey
 108 mapping the water shutoff valves. Mr. Adams stated he would attempt to locate archived
 109 construction documents. The financials were accepted.

110

111 **SIXTH ORDER OF BUSINESS**

**Approval of July 9, 2020 Virtual Public
Hearing and Regular Meeting Minutes**

112

113

114 Mr. Adams presented the July 9, 2020 Virtual Public Hearing and Regular Meeting
 115 Minutes.

116

117 **On MOTION by Mr. Margetis and seconded by Mr. Richards, with all in favor,**
 118 **the July 9, 2020 Virtual Public Hearing and Regular Meeting Minutes, as**
 119 **presented, were approved.**

120

121

122 **SEVENTH ORDER OF BUSINESS**

Staff Reports

123

124 **A. District Counsel: *Straley Robin Vericker***

125 There being no report, the next item followed.

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

127 There being no report, the next item followed.

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

129 **I. LANDOWNERS’ MEETING: November 12, 2020 at 9:00 a.m. (*Board Members***
 130 ***not required to attend*)**

131 **II. NEXT MEETING DATE: January 14, 2021 at 9:00 a.m.**

132 • QUORUM CHECK

133

134 **EIGHTH ORDER OF BUSINESS**

Public Comments: Non-Agenda Items

135

136 There were no public comments.

137

138 **NINTH ORDER OF BUSINESS**

Supervisors' Requests

139

140 Mr. Margetis asked if the seawall was budgeted. Mr. Adams stated that funds were
141 included in the Fiscal Year 2020 budget; however, emergency expenses were incurred related
142 to the boat lift.

143 Mr. Adams stated a business meeting could be scheduled following the Landowners'
144 meeting, if necessary.

145 Mr. Margetis asked if the beach and dock projects should be combined for financing
146 purposes. Mr. Adams stated he would present options at a future meeting.

147

148 **TENTH ORDER OF BUSINESS**

Adjournment

149

150 There being nothing further to discuss, the meeting adjourned.

151

152 **On MOTION by Mr. Margetis and seconded by Mr. Bergman, with all in favor,**
153 **the meeting adjourned at 10:50 a.m.**

154

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156

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[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

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Secretary/Assistant Secretary

Chair/Vice Chair

PALM BAY
COMMUNITY DEVELOPMENT DISTRICT

9C

PALM BAY COMMUNITY DEVELOPMENT DISTRICT

BOARD OF SUPERVISORS FISCAL YEAR 2020/2021 MEETING SCHEDULE

LOCATION

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

DATE	POTENTIAL DISCUSSION/FOCUS	TIME
October 8, 2020	Regular Meeting	9:00 AM
November 12, 2020 CANCELED	Landowners' Meeting	9:00 AM
December 17, 2020	Rescheduled Landowners' Meeting & Special Meeting	9:00 AM
January 14, 2021	Regular Meeting	9:00 AM
April 8, 2021	Regular Meeting	9:00 AM
July 8, 2021	Public Hearing & Regular Meeting	9:00 AM