

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

The Board of Supervisors of the Palm Bay Community Development District held 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.

Present were:

Rob Bergman	Chair
Joe Aschenbrenner	Vice Chair
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 9:13 a.m. Supervisors Bergman, Aschenbrenner and Margetis were present, in person. Supervisors Richards and Williamson were not present.

SECOND ORDER OF BUSINESS

Public Comments: Agenda Items

There were no public comments.

THIRD ORDER OF BUSINESS

Administration of Oath of Office to Newly Elected Supervisors, [SEATS 1, 4, & 5], (*the following to be provided in a separate package*)

Mr. Adams, a Notary of the State of Florida and duly authorized, administered the Oath of Office to Mr. Bergman. Since Mr. Bergman was an incumbent, there was no need to review the following items:

- 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

FOURTH ORDER OF BUSINESS

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

Mr. Adams presented Resolution 2021-01. He recapped the Landowners’ Election results, as follows:

Seat 1	Rob Bergman	7 votes	4-year Term
Seat 4	Anthony Richards	7 votes	4-year Term
Seat 5	Win Williamson	6 votes	2-year Term

On MOTION by Mr. Margetis and seconded by Mr. Bergman, with all in favor, 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, was adopted.

FIFTH ORDER OF BUSINESS

Consideration of Resolution 2021-02, 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

Mr. Adams presented Resolution 2021-02. The consensus was to keep the same slate of officers, as follows:

Rob Bergman	Chair
Joe Aschenbrenner	Vice Chair
Chuck Adams	Secretary

Win Williamson	Assistant Secretary
Speros Margetis	Assistant Secretary
Anthony Richards	Assistant Secretary
Craig Wrathell	Assistant Secretary
Craig Wrathell	Treasurer
Jeff Pinder	Assistant Treasurer

No other nominations were made.

On MOTION by Mr. Aschenbrenner and seconded by Mr. Margetis, with all in favor, Resolution 2021-02, 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, as stated, was adopted.

SIXTH ORDER OF BUSINESS

Discussion/Update: Marina Boundary Ownership, Boat Club Activities and Beach Seawall Project

Mr. Adams stated that copies of the marina survey were previously distributed to the Board related to Consent to Use of Easement Agreements to property owners who have built docks in the marina area. Utilizing Lot #49 as an example, Mr. Adams explained that the Agreements acknowledge that residents built improvements within the boundaries of CDD-owned properties and that the District would allow maintenance of the improvements, at the residents' own risk, and that the CDD is indemnified from anything that could go wrong with those improvements, including bodily injury while utilizing those facilities. Most importantly, if the facilities must be removed by the District for its use of the property, it would be removed at the property owner's expense. In addition, the survey revealed that, in most cases, the seawall is on the marina side of the property line and varies from 2' of the District's side of the property line to the adjacent property owner's line to 3", which is the narrowest point. The Board could assume responsibility for the seawall, replace it or assess just those property owners that are affected by it. He recommended presenting surrounding property owners with a Consent to Use of Easement Agreement that includes the seawall encroachment and indicates to the property owners that that seawall is solely there for the benefit of their property.

Discussion ensued regarding the Consent to Use of Easement Agreement, the seawall being an encroachment onto District property, property owners being responsible for replacing the seawall, recouping costs if the seawall is replaced by the District, assuming responsibility for the walkway, installing a fence, boat slips, boat ram and the District taking legal action against property owners who refuse to sign the Agreement.

Regarding Boat Club activities, Mr. Aschenbrenner reported that electricians and insurance companies surveyed the dock and there was a lot of discussion regarding whether the CDD should raise the lift and the gangway. The electrician pointed out items that are not up to code and pose safety hazards and submitted an estimate. Mr. Aschenbrenner also obtained an estimate from Mr. Matt Brown.

Discussion ensued regarding the electrician’s findings, dock reconstruction, the marina, boatlifts, power outlets/boxes, switches, temporary tie-off costs, replacing the existing poles, constructing a multi-use pavilion for events, cost estimates, financing options, assessment increases and time frame of the dock project. Mr. Aschenbrenner would contact Mr. Brown, obtain pricing and facilitate a Boat Club meeting, prior to the next CDD meeting.

SEVENTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of October 31, 2020

Mr. Adams presented the Unaudited Financial Statements as of October 31, 2020. The financials were accepted.

EIGHTH ORDER OF BUSINESS

Approval of October 8, 2020 Regular Meeting Minutes

Mr. Adams presented the October 8, 2020 Regular Meeting Minutes.

On MOTION by Mr. Aschenbrenner and seconded by Mr. Bergman, with all in favor, the October 8, 2020 Regular Meeting Minutes, as presented, were approved.

NINTH ORDER OF BUSINESS

Staff Reports

A. District Counsel: *Straley Robin Vericker*

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: January 14, 2021 at 9:00 a.m.**
 - **QUORUM CHECK**

The next meeting would be held on January 14, 2021 at 9:00 a.m.

TENTH ORDER OF BUSINESS

Public Comments: Non-Agenda Items

There were no public comments.

ELEVENTH ORDER OF BUSINESS

Supervisors' Requests

Asked for an update on the roadway, Mr. Adams stated he contacted Scorpion and there was no interest in applying the sealant to the road; the project has been placed on hold.

Mr. Aschenbrenner stated that the stripe plates on the head gate must be replaced, as they were not working. Quotes were obtained and forwarded to the Management. Discussion ensued regarding displaying signage alerting residents to use their fobs, two-sided combination locks, replacing the stripe plates, the gate and a portable welder.

The Board and Staff discussed issues with Baycut and engaging another residential landscaper who is already servicing the general area, catch basins and sediment removal by a dump truck. Mr. Aschenbrenner would research sediment removal options and provide an update at the next meeting.

TWELFTH ORDER OF BUSINESS

Adjournment

There being nothing further to discuss, the meeting adjourned.

On MOTION by Mr. Margetis and seconded by Mr. Aschenbrenner, with all in favor, the meeting adjourned at 10:59 a.m.


Secretary/Assistant Secretary


Chair/Vice Chair