PALM BAY

COMMUNITY DEVELOPMENT DISTRICT

January 14, 2021
BOARD OF SUPERVISORS
REGULAR 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

January 7, 2021

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 14, 2021, 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, Anthony Richards [SEAT 4] and Win Williamson [SEAT 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. Discussion: Marina Survey and Legal Notices for Marina Homeowners
- 5. Update: Boat Club Dock
- 6. Discussion: Marina FHS Service Quotes (Remotes and Other Repairs)
- 7. Discussion: Marina Dredging Project

Board of Supervisors Palm Bay Community Development District January 14, 2021, Regular Meeting Agenda Page 2

- 8. Update: Beach Seawall
- 9. Beach Planning Topics: Design, Lighting, Electric, Envera
- 10. Acceptance of Unaudited Financial Statements as of November 30, 2020
- 11. Approval of Minutes
 - A. December 17, 2020 Landowners' Meeting
 - B. December 17, 2020 Special Meeting
- 12. 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 8, 2021 at 9:00 a.m.
 - QUORUM CHECK

ROB BERGMAN	IN PERSON	PHONE	No
SPIROS MARGETIS	IN PERSON	PHONE	☐ No
JOE ASCHENBRENNER	IN PERSON	PHONE	☐ No
ANTHONY RICHARDS	IN PERSON	PHONE	☐ No
WIN WILLIAMSON	IN PERSON	PHONE	☐ No

- 13. Public Comments: Non-Agenda Items
- 14. Supervisors' Requests
 - Update: Sediment Removal Options (Supervisor Aschenbrenner)
- 15. 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

PALM BAY
COMMUNITY DEVELOPMENT DISTRICT
FINANCIAL STATEMENTS
UNAUDITED
NOVEMBER 30, 2020

PALM BAY COMMUNITY DEVELOPMENT DISTRICT BALANCE SHEET GOVERNMENTAL FUNDS NOVEMBER 30, 2020

		Total
	Major Funds	Governmental
ASSETS	General	Funds
Cash	\$ 53,503	\$ 53,503
Investments	496	496
Accounts receivable	250	250
Teco deposit	430	430
Total assets	\$ 54,679	\$ 54,679
LIABILITIES AND FUND BALANCES Liabilities: Lease deposit refundable Due to other funds Enterprise Total liabilities	2,700 4,565 7,265	2,700 4,565 7,265
Fund Balances: Unassigned Total fund balances Total liabilities and fund balance	47,414 47,414 \$ 54,679	47,414 47,414 \$ 54,679

PALM BAY COMMUNITY DEVELOPMENT DISTRICT GENERAL FUND

STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES FOR THE PERIOD ENDED NOVEMBER 30, 2020

	Current Month	Year to Date	Budget	% of Budget
REVENUES				
Assessments	\$ 12,811	\$ 12,811	\$ 151,014	8%
Interest & miscellaneous		1	250	0%
Total revenues	12,811	12,812	151,264	8%
EXPENDITURES				
Professional				
Supervisors	-	1,077	5,383	20%
Management	1,545	3,089	18,536	17%
Audit	, -	, -	7,200	0%
Legal	61	61	2,000	3%
Postage	88	88	425	21%
Meeting room	-	-	1,000	0%
Insurance	_	6,894	6,650	104%
Printing and binding	45	91	548	17%
Legal advertising	1,543	1,543	1,500	103%
Other current charges	-	-	800	0%
Annual district filing fee	175	175	175	100%
Website	-	-	705	0%
ADA website compliance	_	_	205	0%
Tax bills	625	625	1,500	42%
Total professional	4,082	13,643	46,627	29%
Parks & recreation				
Boat lift repair and maintenance	91	91	6,000	2%
Lake maintenance	205	205	2,500	8%
Capital outlay - dock	64	64	15,000	0%
Total parks & recreation	360	360	23,500	2%
Total parks & recreation			23,300	2 /0
Access control				
Telephone - gate	480	480	3,000	16%
Insurance - property & causality	-	2,705	2,500	108%
Repairs & maintenance - gate	2,530	4,695	27,000	17%
Landscape maintenance	2,410	2,410	15,000	16%
Contingency	-	-	750	0%
Capital outlay			10,000	0%
Total access control	5,420	10,290	58,250	18%
Roadway/signage/street lighting				
Electric utility service	1,435	1,435	13,000	11%
Repairs and maintenance	149	149	3,000	5%
Total roadway/signage/street lighting	1,584	1,584	16,000	10%
·		.,	. 5,555	

PALM BAY COMMUNITY DEVELOPMENT DISTRICT GENERAL FUND STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES FOR THE PERIOD ENDED NOVEMBER 30, 2020

	Current Month	Year to Date	Budget	% of Budget
Other fees & charges				
Property appraiser	-	-	2,360	0%
Tax collector	256	256	3,146	8%
Total other fees & charges	256	256	5,506	5%
Total expenditures	11,702	26,133	149,883	17%
Excess/(deficiency) of revenues over/(under) expenditures	1,109	(13,321)	1,381	
Fund balances - beginning Fund balances - ending	46,305 \$ 47,414	60,735 \$ 47,414	83,480 \$ 84,861	

PALM BAY COMMUNITY DEVELOPMENT DISTRICT PROPRIETARY FUND STATEMENT OF NET POSITION NOVEMBER 30, 2020

ASSETS	Balance
Current assets:	
Cash - SunTrust	\$ 93,867
Accounts receivable - (net of allowances for uncollectible)	19,827
Due from governmental funds	4,565
Total current assets	118,259
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	118,259
LIABILITIES	
Current liabilities:	
Customer deposits payable	7,290
Total liabilities	7,290
i otal ilabilities	7,290
NET POSITION	
Unrestricted	110,969
Total net position	\$ 110,969

PALM BAY COMMUNITY DEVELOPMENT DISTRICT PROPRIETARY FUND STATEMENT OF REVENUES, EXPENSES AND CHANGES IN FUND NET POSITION FOR THE PERIOD ENDED NOVEMBER 30, 2020

	Current Month	Year to Date	Budget	% of Budget	
OPERATING REVENUES	Worten		Daaget	Buagot	
Assessment levy	\$ 1,884	\$ 1,884	\$ 22,200	8%	
Charges for sales and services:					
Water & sewer	9,281	17,469	110,000	16%	
Interest	1	2	10	20%	
Total operating revenues	11,166	19,355	132,210	15%	
OPERATING EXPENSES					
Water & sewer - county	8,554	8,554	95,767	9%	
Maintenance costs	3,399	3,399	20,000	17%	
Other current charges	173	345	2,200	16%	
Total operating expenses	12,126	12,298	117,967	10%	
Operating income	(960)	7,057	14,243	50%	
NONOPERATING REVENUES/(EXPENSES)					
Property appraiser	-	_	(333)	0%	
Tax collector	(38)	(38)	(444)	9%	
Total nonoperating revenues/(expenses)	(38)	(38)	(777)	5%	
Change in net position	(998)	7,019	13,466		
Total net position - beginning	111,967	103,950	171,450		
Total net position - ending	\$ 110,969	\$ 110,969	\$ 184,916		

PALM BAY COMMUNITY DEVELOPMENT DISTRICT

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1 2 3		MINUTES OF PALM I COMMUNITY DEVELO	BAY				
4 5		A Landowners' Meeting of the Palm Bay (Community Development District was held on				
6	Decen	December 17, 2020 at 9:00 a.m., at the Courtyard by Marriott Tampa/Oldsmar, 4014 Tampa					
7	Road,	Road, Oldsmar, Florida 34677.					
8							
9 10		Present at the meeting were:					
11 12 13 14 15 16		Chuck Adams Joe Aschenbrenner Speros Margetis Rob Bergman	District Manager Resident Resident Resident				
17 18	FIRST	ORDER OF BUSINESS	Call to Order/Roll Call				
19		Mr. Adams called the meeting to order at 9:09 a.m. In addition to himself, residents Mr.					
20 21	Joe As	schenbrenner, Mr. Rob Bergman and Mr. Sp	eros Margetis were present, in person.				
22 23	SECO	ND ORDER OF BUSINESS	Proof of Publication				
24 25		The proof of publication was provided for	informational purposes.				
26 27 28	THIRD	ORDER OF BUSINESS	Election of Chair to Conduct Landowners' Meeting				
29		Those in attendance agreed to Mr. Adams	s serving as Chair to conduct the Landowners'				
30 31	meeti	ng.					
32 33	FOUR	TH ORDER OF BUSINESS	Election of Supervisors [SEATS 1, 4 & 5]				
34		Mr. Adams stated that Seats 1, 4 and 5, cu	rrently held by Supervisors Bergman, Richards				
35	and W	/illiamson, respectively, were up for election	1.				
36	A.	Nominations					
37		Mr. Margetis nominated Mr. Rob Bergmar	for Seat 1.				
38	Mr. Bergman nominated Mr. Anthony Richards for Seat 4.						

39		Mr. Aschenbrenner nominated Mr. Win Williamson for Seat 5.					
40		No other no	No other nominations were made.				
41	В.	Casting of Ba	allots				
42		I. Dete	I. Determine Number of Voting Units Represented				
43		A total of 7 v	oting units were	represe	nted, as follows:		
44		Rob Bergma	n	3 reside	nt proxy votes	1 individual vote	
45		Speros Marg	etis	1 reside	nt proxy vote	1 individual vote	
46		Joe Aschenb	renner	0 reside	nt proxy votes	1 individual vote	
47		II. Dete	rmine Number o	of Voting	Units Assigned by P	roxy	
48		A total of 4 v	otes were assigr	ned via p	roxy, as listed above		
49		The followin	g votes were cas	t by Mr.	Bergman:		
50		Seat 1	Rob Bergman		4 votes		
51		Seat 4	Anthony Richa	ards	4 votes		
52		Seat 5	seat 5 Win Williamson		4 votes		
53		The following votes were cast by Mr. Margetis:					
54		Seat 1	Seat 1 Rob Bergman		2 votes		
55		Seat 4	Anthony Richa	ards	2 votes		
56		Seat 5	Win Williamso	on	2 votes		
57		The followin	g votes were cas	t by Mr.	Aschenbrenner:		
58		Seat 1	Rob Bergman		1 votes		
59		Seat 4	Anthony Richa	ards	1 votes		
60		Seat 5	Win Williamso	on	0 votes		
61	C.	Ballot Tabula	ation and Result	:S			
62		Mr. Adams r	eported the follo	owing bal	llot tabulation, resul	ts and term lengths:	
63		Seat 1	Rob Bergman		7 votes	4-year Term	
64		Seat 4	Anthony Richa	ards	7 votes	4-year Term	
65		Seat 5	Win Williamso	on	6 votes	2-year Term	
66							
67 60	FIFTH	ORDER OF BU	ISINESS		Landowners'	Questions/Comments	
68 69		There being no Landowners' questions or comments, the next item followed.					

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71	SIXTH ORDER OF BUSINESS	Adjournment	
72			
73	There being no further busine	ess to discuss, the meeting adjourned at 9:12 a.r	n.
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77	[SIGNATURES	APPEAR ON THE FOLLOWING PAGE	

	PALM BAY CDD	DRAFT	December 17, 2020
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85	Secretary/Assistant Secretary	Chair/Vice Chair	

PALM BAY COMMUNITY DEVELOPMENT DISTRICT

DRAFT

1 2 3			UTES OF MEETING PALM BAY DEVELOPMENT DISTRICT
4 5		The Board of Supervisors of the	Palm Bay Community Development District held a
6	Spec	ial Meeting on December 17, 202	20, immediately following the Landowners' Meeting
7	sched	duled to commence at 9:00 a.m.,	at the Courtyard by Marriott Tampa/Oldsmar, 4014
8	Tamp	oa Road, Oldsmar, Florida 34677.	
9 10		Present were:	
11 12 13 14		Rob Bergman Joe Aschenbrenner Speros Margetis	Chair Vice Chair Assistant Secretary
15 16 17 18		Also present, were: Chuck Adams	District Manager
19 20 21 22	FIRST	FORDER OF BUSINESS Mr. Adams called the meeting	Call to Order/Roll Call ng to order at 9:13 a.m. Supervisors Bergman
23	Asch		ent, in person. Supervisors Richards and Williamsor
24		not present.	
25			
26 27	SECC	OND ORDER OF BUSINESS	Public Comments: Agenda Items
28 29		There were no public comments.	
30 31 32 33 34	THIR	D 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)
35		Mr. Adams, a Notary of the State	of Florida and duly authorized, administered the Oath
36	of Of	fice to Mr. Bergman. Since Mr. Berg	man was an incumbent, there was no need to review
37	the f	ollowing items:	
38	A.	Guide to Sunshine Amendment a	nd Code of Ethics for Public Officers and Employees
39	В.	Membership, Obligations and Res	sponsibilities

40	C.	Financial Disclosure Forms							
41		I. Fo	Form 1: Statement of Financial Interests						
42		II. Fo	Form 1X: Amendment to Form 1, Statement of Financial Interests						
43		III. Fo	Form 1F: Final Statement of Financial Interests						
44	D.	Form 8B	B – Memorandum of Voting Conflict						
45									
46 47 48 49 50 51 52 53	FOUR		OF BUSINESS ms presented Resolution	2021-0	the Landown Held Pursual Florida Statu Effective Date	nd Certifying the Resu ers' Election of Super nt to Section 190.0 Ites and Providing fo	visors 06(2), or an		
54	results	s, as follow	·						
55		Seat 1	Rob Bergman	7 vot	es	4-year Term			
56		Seat 4	Anthony Richards	7 vot	es	4-year Term			
57		Seat 5	Win Williamson	6 vot	es	2-year Term			
58									
59 60 61 62	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.								
63 64 65 66 67 68 69 70 71	FIFTH	ORDER OF	BUSINESS		Designating a Secretary, Treasurer and Palm Bay	of Resolution 202 a Chair, a Vice Cha Assistant Secretaries an Assistant Treasurer of Community Develop roviding for an Effective	of the oment		
72		Mr. Adan	ns presented Resolution 20)21-02. ⁻	The consensus	was to keep the same sl	ate of		
73	officer	rs, as follov	vs:						
74		Ro	ob Bergman		Chair				
75		Jo	e Aschenbrenner		Vice Chair				
76		Cł	nuck Adams		Secretary				

77	Win Williamson	Assistant Secretary
78	Speros Margetis	Assistant Secretary
79	Anthony Richards	Assistant Secretary
80	Craig Wrathell	Assistant Secretary
81	Craig Wrathell	Treasurer
82	Jeff Pinder	Assistant Treasurer
83	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

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TWELFTH ORDER OF BUSINESS Adjournment

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There being nothing further to discuss, the meeting adjourned.

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

DRAFT

December 17, 2020

PALM BAY CDD

PALM BAY COMMUNITY DEVELOPMENT DISTRICT

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