

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

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
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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.

FOURTH ORDER OF BUSINESS

Consideration of Resolution 2022-06, Hereby Accepting the Audited Financial Report for Fiscal Year Ended September 30, 2021

Mr. Adams presented Resolution 2022-06.

On MOTION by Mr. Bergman and seconded by Mr. Aschenbrenner with all in favor, Resolution 2022-06, Hereby Accepting the Audited Financial Report for Fiscal Year Ended September 30, 2021, was adopted.

FIFTH ORDER OF BUSINESS

Consider Appointment of Qualified Elector to Fill Unexpired Term of Seat 4

This item was deferred.

SIXTH ORDER OF BUSINESS

Administration of Oath of Office to Newly Appointed Supervisor *(the following will 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. Chapter 190, Florida Statutes**
- D. 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**
- E. Form 8B – Memorandum of Voting Conflict**

This item was deferred.

SEVENTH ORDER OF BUSINESS

Consideration of Resolution 2022-01, Designating Certain Officers of the District, and Providing for an Effective Date

This item was deferred.

EIGHTH ORDER OF BUSINESS

Public Hearing on Adoption of Fiscal Year 2022/2023 Budget

A. Proof/Affidavit of Publication

The affidavit of publication was included for informational purposes.

B. Consideration of Resolution 2022-07, Relating to the Annual Appropriations and Adopting the Budgets for the Fiscal Year Beginning October 1, 2022, and Ending September 30, 2023; Authorizing Budget Amendments; and Providing an Effective Date

Mr. Adams presented Resolution 2022-07 and noted the following:

- The proposed Fiscal Year 2023 budget was unchanged since last presented.
- General Fund and Enterprise Fund assessment levels remain unchanged, year-over-year, while covering the cost of repayment of the loan taken out during the year and building Fund Balance by approximately \$5,700.
- A healthy surplus fund balance at the end of Fiscal Year 2023 is projected, which is important due to the age of the community and potential necessary repairs.

Mr. Adams opened the Public Hearing.

No members of the public spoke.

Mr. Adams closed the Public Hearing.

On MOTION by Mr. Williamson and seconded by Mr. Margetis, with all in favor, Resolution 2022-37, Relating to the Annual Appropriations and Adopting the Budgets for the Fiscal Year Beginning October 1, 2022, and Ending September 30, 2023; Authorizing Budget Amendments; and Providing an Effective Date, was adopted.

Mr. Margetis left the meeting briefly at 9:15 a.m.

NINTH ORDER OF BUSINESS

Consideration of 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

Mr. Adams presented Resolution 2022-08.

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.

TENTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of June 30, 2022

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

The financials were accepted.

ELEVENTH ORDER OF BUSINESS

Approval of April 29, 2022 Regular Meeting Minutes

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

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.

TWELFTH ORDER OF BUSINESS

Staff Reports

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

There was no report.

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

There was no report.

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

- **NEXT MEETING DATE: November 10, 2022 at 9:00 a.m. [Landowners’ and Regular Meeting]**

- **QUORUM CHECK**

Discussion ensued regarding the Landowners’ Election.

Mr. Adams stated Seats 2, 3 and 5, currently held by Supervisors Margetis, Aschenbrenner and Williamson, respectively, will be up for election.

THIRTEENTH ORDER OF BUSINESS

Public Comments: Non-Agenda Items

No members of the public spoke.

FOURTEENTH ORDER OF BUSINESS

Supervisors’ Requests

Mr. Aschenbrenner presented a video and discussed an incident in which the entrance gate closed on a Tesla. He discussed the optic eye installed on the exit gate and stated the entrance gate does not have an optic eye. He discussed safety concerns with the entrance gate. While the incident was a piggyback scenario, the driver of the Tesla was not speeding and the car was equipped with an RFID. The Tesla did not engage the weight-triggered safety loop; he was unable to recreate the malfunction with his truck and believed it was due to the weight of the vehicle. The gate company recommended installation of an optic eye.

The incident, video, gate-related safety concerns, liability, installation of a breakaway gate arm, signage and an optic eye were discussed.

On MOTION by Mr. Margetis and seconded by Mr. Aschenbrenner, with all in favor, authorizing installation of an Optic Eye, reimbursement of \$3,784 to Timberlake for the gate conflict and installation of signage stating “Gate Closes Between Vehicles, was approved.

Mr. Adams stated payment will be made to the claimant once the repair is completed and a paid invoice is received.

Mr. Bergman voiced his opinion that new signage is needed for the Marina to advise that all boats must be preapproved and that the transient dock is for short-term use.

Mr. Adams stated links to updated documents for new boats, transient dock use and related procedures will be added to the CDD website. Documents will be updated as necessary and informational signage and/or stickers will be posted in appropriate locations, including the transient dock, boat ramp and boat lift.

Mr. Bergman stated signs might cost about \$75 each. A quote was requested for replacement of rubber parts for the main lift and the dock; the cost is anticipated to be under \$500. Mr. Adams stated funds are available for these purposes.

Mr. Bergman stated the mangroves at the main dock need to be trimmed. He will send pictures to Mr. Adams so quotes can be obtained.

Discussion ensued regarding Baycut Landscaping (Baycut) and remaining uncompleted work at the front entrance.

Mr. Bergman will discuss the scope of work with Baycut.

Mr. Aschenbrenner asked for the account information for the front gate and the marina internet and cellular service providers.

Discussion ensued regarding the Envera system, redundancy and additional features.

Mr. Bergman asked if additional bumpers and cleats are needed at the transient dock. Mr. Adams stated funds are available and suggested doing all such repairs.

Discussion ensued regarding the recently completed finger piers, lighting and associated costs. The consensus was that the proposal received was very expensive and funds might be better spent at the beach.

Less expensive alternatives, such as low-voltage lighting, were discussed, along with safety lighting, motion lights and asking The Boat Club to pay for the lights.

Discussion ensued regarding potential beach improvements.

Mr. Bergman would ask the HOA what residents want at the beach and if the HOA will split the cost. This item will be included on the November agenda.

FIFTEENTH ORDER OF BUSINESS

Adjournment

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

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]


Secretary/Assistant Secretary


Chair/Vice Chair