

**CORAL BAY COMMUNITY DEVELOPMENT DISTRICT
MINUTES OF THE REGULAR MEETING OF THE BOARD OF SUPERVISORS
January 8, 2004**

1. **Roll Call.** Chair Mindy Lee called the meeting to order at 7:07p.m.. Also present were Vice-Chair Lewis Horn, Secretary Barry Shore, Treasurer Fred Bourdin, Supervisor John Hall, District Managers Dr. Irving Rosenbaum and Christopher Wallace, and District Engineer Jim Mullen. Mr. Hal Anderson was present for Mr. Dennis Lyles and acted as District Attorney.
2. **Pledge of Allegiance.**
3. **Presentations and Speakers Comments.**
4. **Supervisor's Requests and Comments.** During Speakers Comments, A Mr. Lawrence explained that he was asking for an extension to the District's ticketing and towing policy as he was seeking his Homeowner's Association and City of Margate permission to widen his driveway. Supervisor Hall moved to give Mr. Lawrence a 90-day extension on the District's policy. Secretary Shore seconded the motion and in a voice vote, the motion was unanimously adopted. **(Motion Passed 5-0).**
5. **Engineer's Report.** Mr. Mullen brought to the Board's attention that the developer of the lot next to Target who wants to give the District an easement on the canal north of the District had approached him. After discussing the merits and concerns of the proposal, the Board asked Mr. Mullen to let the developer know that the District would decline the offer.
6. **Attorney's Report.**
7. **District Manager's Report.**
8. **Committee Reports**
 - a. Intergovernmental Relations Committee
 - b. Budget
 - c. Fencing
 - d. Security
9. **Old Business**
 - a. **Benham Surveillance Video Contract.** Mr. Ken Rush, President of Benham Security, addressed the Board regarding the delays in installing the leased security system, and asked the Board to reconsider their vote to terminate the contract with Benham. After some discussion during which the Board expressed their concerns, Vice-Chair Lewis Horn moved to reinstate the contract with Benham. Secretary Shore seconded the motion,

and in a voice vote, the motion was unanimously adopted. **(Motion Passed 5-0).**

10. New Business

- a. **Consent Agenda.** Vice-Chair Lewis Horn moved to remove both Minutes Approval and Invoice Approval off the consent agenda.

i. **Minutes Approval**

1. **Regular Meeting of December 11, 2003.** Supervisor Hall asked that the minutes of the meeting be changed to note that the invoice approval for the District Attorney's was done over the objection of Secretary Shore and Supervisor Hall and asked that the changes be brought back to the next meeting.

- ii. **Invoice Approval. Superior Landscaping and Home Depot Contribution.** The Board discussed the landscaping that was recently installed by Superior and the circumstances wherein Home Depot made payment directly to Superior Landscaping and not the District. Discussion followed on how Superior should have addressed this issue and how the landscaping on 62nd Avenue would be addressed. Secretary Shore made a motion to withhold payment to Superior of their outstanding invoices until they paid the District the funds that Home Depot had sent them directly and until the landscaping was adequately replaced. Mr. Wallace noted to the Board that the circumstances wherein Home Depot paid Superior directly were unusual. He further stated that the District had not signed off on the work and that Superior would have to plant the landscaping agreed to in the proposal and replace any landscaping that was distressed. After more discussion, Secretary Shore and Treasurer Bourdin withdrew the motion and second. Treasurer Bourdin then moved to approve the invoices as presented. Vice-Chair Horn seconded and in a voice vote, the motion was unanimously adopted. **(Motion Passed 5-0).** **Chair Lee advised the Board that she would have to leave the meeting to tend to her infant child and passed the gavel to Vice-Chair Horn at 10:20 p.m.**

- b. **Meeting Dates in February.** Acting District Attorney Anderson discussed the need to set a meeting date for the Special Assessments Hearings in February. Discussion followed by the Board to hold the hearing on February 26th, but, so as to avoid having to pay Supervisors for an additional meeting, to include the Special Assessment Hearing on the February 12th meeting agenda, but then recess the meeting on February 12th to February 26th so that the meeting could be held at a larger room, if

available and also to accommodate the additional time needed to meet the statutory requirements of Florida Law.

- c. **A Resolution of the Board of Supervisors of the Coral Bay Community Development District declaring special assessments; indicating the location, nature, and estimated cost of those improvements which cost is to be defrayed in whole or in part by the special assessments; providing the portion of the estimated cost of the improvements to be defrayed in whole or in part by the special assessments; providing the manner in which such special assessments shall be made; designating lands upon which the special assessments shall be levied; providing for an assessment plat; authorizing the preparation of a preliminary assessment roll; providing for a public hearing to consider the advisability and propriety of said assessments and the related improvements; providing for notice of said public hearing; providing for publication of this resolution.** Acting District Attorney Anderson explained the proposed resolution. Secretary Shore moved to approve the Resolution and Treasurer Bourdin seconded and in a voice vote without further discussion and with Chair Lee being absent, the motion was unanimously adopted. **(Motion Passed 4-0).**

- d. **A Resolution of the Board of Supervisors of the Coral Bay Community Development District setting a public hearing to be held at 7:00 p.m. on February 26, 2004, at 3101 South Bay Drive, Margate, Florida, or other location at the discretion of the manager, for the purpose of hearing public comment on the levy of non ad valorem special assessments on certain property within the boundaries of the District pursuant to chapters 190, F.S., 170, F.S., and 197, F.S.** Acting District Attorney Anderson discussed the purpose of the resolution as presented. Discussion followed on the need to hold the meeting at a larger meeting room. Mr. Wallace indicated that while he thought the room at the Margate Senior Center would be available, he had not reserved it for the date now being considered. Alternate locations were discussed and it was agreed to amend the proposed resolution with language that would accommodate the change to another location. Secretary Shore moved to adopt the resolution with the proposed language change. Treasurer Bourdin seconded the motion and in a voice vote with Chair Lee being absent, the motion was unanimously adopted. **(Motion Passed 4-0).**

- e. **A Resolution of the Board of Supervisors of the Coral Bay Community Development District expressing its intent to utilize the uniform method of levy, collection, and enforcement of non-ad valorem assessments as authorized and permitted by section 197.3632, Florida Statutes; setting a public hearing to consider the use of the uniform method; expressing the need for a method to levy and enforce non-ad valorem assessments and setting forth the legal description of**

the real property within the District's jurisdictional boundaries that may or shall be subject to the levy of District non-ad valorem assessments. Acting District Attorney Anderson discussed the proposed resolution. Secretary Shore moved to approve the resolution and Treasurer Bourdin seconded the motion. Without further discussion and with Chair Lee being absent, the motion was unanimously adopted in a voice vote. **(Motion Passed 4-0).**

11. Adjournment. There being no further business, Treasurer Bourdin moved to adjourn the meeting. Secretary Shore seconded the motion, and with unanimous consent with Chair Lee being absent, the meeting was adjourned at approximately 11:00 p.m.