

**CORAL BAY COMMUNITY DEVELOPMENT DISTRICT
MINUTES OF THE REGULAR MEETING OF THE BOARD OF SUPERVISORS
April 12, 2007**

1. **Roll Call.** Chair Tony Spavento called the meeting to order at 7:00 p.m. Also present were Vice-Chair Sandra McCormick, and Supervisors John Hall, Dan Dean, and Ron Gallucci. Also in attendance were District Manager Irving Rosenbaum, Secretary Christopher Wallace, Treasurer Tina Hagen, District Attorney Michael Pawelczyk, and District Engineer Jim Mullen.
2. **Pledge of Allegiance.**

Supervisor Hall moved to make item 12(a), District Manager Selection, the next item of business and to add as the next item discussion on gating and security. Supervisor Dean seconded the motion. After some discussion, Supervisor Hall amended his motion, and Supervisor Dean his second, to make item 12(a), District Manager Selection, item 3 on the agenda; item 4(a) will be the priority list of projects; and item 4(b) will be Gating and Security. Also, the Treasurer's report would be moved up to item 7(a). In a voice vote, the motion was unanimously passed and the agenda amended. **(Motion passed, 5-0).**

3. **District Manager Selection.** The Board discussed how they would select the District Manager. The District Manager and District Attorney briefed the Board on a ranking process wherein each Board member would rank their first choice number 1 and their second choice number 2. The total combined rank from all 5 Supervisors that produced the lowest score would be the top ranked candidate. Each Supervisor submitted their ranking sheet. Alliance Property Systems was the top ranked firm with 7 total points and 3 first place votes. New Community Strategies ranked second with 8 total points and 2 first place votes. Mr. Pawelczyk discussed how to make a motion for the rankings. Vice-Chair McCormick echoed the language of the District's Attorney and moved to accept the rankings and to authorize Supervisor Dean and Mr. Pawelczyk to negotiate a contract with Alliance Property Systems and bring it back to the next meeting. Supervisor Dean seconded the motion. In a voice vote, the motion was unanimously passed. **(Motion passed, 5-0).** Mr. Pawelczyk suggested that it would be appropriate to give notice to the current management company in accordance with their contract with the District. Supervisor Dean moved to have Mr. Pawelczyk prepare a notice to terminate the contract for convenience. Vice-Chair McCormick seconded the motion, and in a voice vote, the motion unanimously passed. **(Motion passed, 5-0)**
4. **Added Agenda Items**
 - a. **Project Priority List.** Treasurer Hagen presented the list of projects and the Board discussed each of the projects.
 - b. **Gating and Security.** The Board discussed the on-going gate issues. The Board directed the District Engineer to bring back for the next meeting a list of gating consultants. Management was asked to contact gate

contractors to get proposals and proposed solutions to the problems at the gates. Board members would email management their list of concerns with the current gating system.

5. Approval of Minutes.

a. March 8, 2007 minutes. Vice-Chair McCormick moved to table the approval of the minutes to the next meeting. Supervisor Dean seconded the motion and in a voice vote, the minutes were tabled to the next meeting. **(Motion passed, 5-0)**

6. Approval of Invoices. Supervisor Hall moved to approve the invoices. Vice-Chair McCormick seconded the motion, and in a voice vote, the invoices were approved. **(Motion passed, 5-0).**

7. Presentations. There were no presentations at the meeting.

8. Audience Comments. There were no audience comments.

9. Supervisor Comments. There were no Supervisor's comments. The Treasurer's report was moved to this portion of the meeting.

a. Treasurer's Report. Ms. Hagen discussed the budget status, particularly the engineering and attorney expenses. Mr. Pawelczyk offered to bring back estimates of current and projected costs at the next meeting. Ms. Hagen commented on the security costs and the possibility of reducing some of the patrol time to save money.

10. District Engineer's Report. Mr. Mullen discussed the bid on the District's fencing that are due May 4th. The boat ramp replacement project contract has been awarded but the contractor has not signed the contract yet. The peninsula park building renovation encountered some problems and more work would need to be done, as the City is requiring additional work. The architect is working on amended design. Mr. Mullen informed the Board that the headwall repairs funded by FEMA are going to require additional documentation before FEMA approves the scope of work.

11. District Attorney's Report. Mr. Pawelczyk discussed the status of the Benham contract. Mr. Cochran of his firm was scheduling a mediation session. Mr. Pawelczyk discussed the issue Vice-Chair McCormick had raised at the previous meeting wherein she had reviewed the Florida Statutes governing special districts and felt that the Board could change officers if they chose to do so. Mr. Pawelczyk noted in his research that the Board could not change officers until there is a change in the Board. He further noted that the section of the Statutes previously referenced did not apply to community development districts. Mr. Pawelczyk discussed his research on whether the District had to keep the playground equipment at the Tot Lot or if it could be removed. He noted that he could not find any restriction on the change of use of the property and informed the Board that they could remove the equipment if they chose to do so.

12. District Manager's Report. Mr. Wallace expressed his disappointment that the Board chose not to continue with their company. Mr. Wallace discussed the audit status and informed the Board that the Auditor General's office had made some changes to how auditors would be selected and suggested to the Board that they name themselves as the audit selection committee. Supervisor Hall moved to do

so, and Supervisor Dean seconded the motion. In a voice vote, the motion unanimously passed. **(Motion passed, 5-0).**

13. Old Business.

- a. **Security Patrols For Vandalism.** The Board discussed the current performance of Kent Security and noted that he had some information from another security company. Supervisor Hall moved to reconsider the invoices, particularly for Kent Security. Supervisor Dean seconded the motion and in a voice vote, the item was brought up for reconsideration. **(Motion to reconsider passed 5-0).** Supervisor Hall moved to hold the check to Kent Security. Vice-Chair McCormick seconded the motion. Mr. Wallace informed the Board that many of the items they were unhappy with (weekly reports, moving the sensor system, etc.), were not part of the agreement with Kent Security, even though their personnel had promised to provide the services or make the required changes. Mr. Wallace noted that the prior field supervisor had been terminated by Kent and that a new supervisor had recently been named. He reminded the Board that they had moved to withhold payment from the previous security company and that that company was now considering litigation against the District. Mr. Wallace suggested that rather than withhold payment, the Board have Kent Security come to the next meeting to hear their concerns. He encouraged the Board to try to maintain good relations with vendors rather than stopping payment when issues arise. After some discussion, Supervisor Hall withdrew his motion and that management communicate the Board's displeasure to the vendor. Vice-Chair McCormick withdrew her second and the previous vote on the invoices remained effective.

14. New Business.

- a. **City of Margate Resolution (Supervisor Hall).** Supervisor Hall indicated that he wanted a public apology from the City Council, via a resolution from the Board, with copies to the media, for comments made during the Best Buy agenda item. Mr. Hall moved to have the District Attorney draft a resolution for the next meeting to this effect. Supervisor Dean seconded for discussion. The Board discussed the request. After discussion the motion failed. **(Motion failed, 1-4, with Supervisor Hall for and all others against).**
- b. **Wall Gaps and Lattice Works.** Supervisor Hall discussed the small gaps in the new wall that occur between the sidewalk and the wall where they sometimes meet. Mr. Mullen said he would send Supervisor Hall the contract for the wall to determine what should have been filled in.
- c. **Discussion To Have Two Meetings Per Month.** Chair Spavento asked the Board to consider his suggestion to have a workshop every month in addition to the regular meeting. He noted all of the projects that were currently underway and that were also being planned for the future. Vice-Chair McCormick noted that this was her busy time of year and it would be difficult to have additional meetings. Supervisor Gallucci noted that he

would be out of town on some of the upcoming weeks. Owing to calendar conflicts, it was agreed not to have any additional meetings at this time.

- d.* **Resolution/motion/directive to obtain new withdrawal permits from SFWMD.** This item had already been addressed.
- e.* **Disposition of Tot Lot.** This item was discussed under the District Attorney's report.
- f.* **Set date for security workshop.** A date was not set at this time.

15. New Action Items. Mr. Wallace read the action items from the new meeting and noted he would add these to the outstanding action items from the previous meeting. (*Action items attached to minutes*)

16. Adjournment. There being no further business, Supervisor Dean moved to adjourn the meeting. Supervisor Hall seconded the motion and in a voice vote the motion was passed and the meeting was adjourned at 12:10 a.m. (**Motion passed, 5-0**)

Action Items From The April 12, 2007, Meeting:

Items Outstanding From The March meeting:

1. Repair cap on monument wall in Mallory Harbor.
2. Install garbage can in tot lot.
3. Audit.
4. Compile list of District rules.
5. Reports from Kent Security.

New Items From the April Meeting

1. Board to give management a list of problems with the gates and then management will contact gate companies.
2. Give Stiles irrigation bills to Supervisor Dean
3. Remove Pay Phones.
4. Send Best Buy developer the bill for the District meetings.
5. Invite Kent Security to Board meeting.
6. Contact IGM to see if the supports on the new palms on North Bay Drive can be removed.
7. Have IGM trim landscaping from around the new light fixtures.