

**Coral Bay Community Development District
Regular Meeting of the Board of Supervisors
May 8, 2008**

The regular meeting of the Board of the Board of Supervisors (the "Board") of the Coral Bay Community Development District (the "District" or "CBCDD"), was held at the Coral Bay Recreational Facility, 3101 South Bay Drive, Margate, Florida on Thursday, May 8, 2008 as provided in the notice of the meeting (which is on file with the Records of Proceedings maintained by the District), the CBCDD schedule of meetings published in the "Coral Bay Buzz," and posted signs at the entrances of the CBCDD. Materials distributed to the members of the Board in advance of or at the meeting also are on file with the meeting records.

First Item of Business: Call to Order and Determination of Quorum

Tony Spavento (Chair) called the meeting to order at approximately 7:00 p.m.

The following Supervisors were in attendance at the meeting, constituting a quorum of the Board:

Daniel Dean	Sandra McCormick (Vice Chair)
Ronald Gallucci	Tony Spavento (Chair)
John Hall	

Also present were District Manager Leigh Hoffman, Assistant District Manager Millie Otero, District Engineer Robert D. Cole and District Attorney Michael Pawelczyk.

Absent at this meeting was Treasurer Tina Hagen.

Eight residents and guests attended the meeting.

Second Item of Business: Pledge of Allegiance

The Chairman requested those in attendance to stand and recite the Pledge of Allegiance to the flag of the United States of America.

Third Item of Business: Approval of Minutes

Supervisor Dean moved to approve the minutes of the regular meeting held on March 13, 2008 with the following amendments:

Page 4 change vendor verification letter to Audit letter,

Pages 7 remove characters after word

Supervisor Hall seconded the motion. In a voice vote, the motion was unanimously approved

Supervisor Hall moved to approve the minutes of the regular meeting held on April 10, 2008 with the following amendments:

Page 2add: an ask if it

*Page five Supervisors name missing
Page seven Supervisors name missing
Page nine removes statement to sue*

Supervisor Dean seconded the motion. In a voice vote, the motion was unanimously approved.

Supervisor Dean moved to approve the minutes of the Workshop meeting held on April 23, 2008. Supervisor Hall seconded the motion. In a voice vote, the motion was unanimously approved.

Four Item of Business: Treasurer's Report

a. Audit 2005-'06 S. Davis & Associates audit charges negotiation process – Supervisor Dean after the last meeting negotiated with Shawn Davis and Associates on a fee adjustment due to extensive work conducted in the 2005-2006 Audit. Supervisor Dean provided a handout to the Board members outlining how the hours for the audit were distributed:

1. Dealing with the fixed assets depreciation schedule – this item is attributed with approximately fifty percent of the hours spent
2. Changes to the required accounting standards that occurred since the previous audit was undertaken
3. Dealing with FEMA payments to be applied and carried over
4. Adjustments to the financial statements based on the preceding three items

Supervisor Dean moved to approve the \$12,500 adjustment for the Audit 2005-06 as presented by Shawn Davis and Associates. Supervisor Hall seconded the motion. In a voice vote, the motion was unanimously approved

Supervisor McCormick asked Mr. Davis if poor record keeping caused part of the increased work needed. Shawn Davis responded that it was due in part to insufficient record keeping that had not corrected in prior years, and all the adjustments required for this audit. Mr. Davis further explained that the original 10,000-dollar fee plus the 12,500-dollar adjustment was about fifty percent realization of what was their actual expenses were for the 2005-2006 Audit. Supervisor Hall inquired on why this matter was not previously addressed. Tanya Davis responded that GASB-34 had made the reporting requirements major undertaking for all governmental entities and for auditors.

Supervisor Hall asked Shawn Davis if he was in a position to state when the 2006-2007 Audit would be completed. Mr. Davis responded it could be finished by the end of July. Tanya Davis stated they would move forward with the presenting the Engagement Letter. Michael Pawelczyk noted that S. Davis and Associates was bound under the previous agreement. Supervisor Dean stated he recalled the work for the fiscal year 2007 audit being previously approved. Mr. Pawelczyk agreed, but added that S. Davis & Associates needed to present an Engagement Letter for each year, based on the auditors' industry standards. Michael Pawelczyk recommended that the Board approve the Engagement letter subject to the review by District Management and District Counsel.

Supervisor Dean moved to authorize District Management and District Attorney to review and approve the Engagement Letter for the 2006-2007 Audit. Supervisor Hall seconded the motion. In a voice vote, the motion was unanimously approved.

Fifth Item of Business: Approval of Invoices

Supervisor Dean inquired on the status of the removal of the small gazebos in Peninsula Park. Leigh Hoffman reported an inspector visited the site and stopped the work until a permit was pulled. Mr. Hoffman explained he proceeded to contact Richard Noon and requested he pulled the permit and completed the demolition process. Supervisor Dean asked Mr. Noon what determines a permit requirement. Richard Noon responded that a permit is required on any commercial application.

Supervisor McCormick asked Michael Pawelczyk about the invoice charge for the Department of Elections. Mr. Pawelczyk responded that during prior management's tenure, the Division of Elections did not receive the Oath of Office for one of the Supervisors and that the situation has since been corrected.

Supervisor Dean noted the CHI invoice did not provide the detail on the nautical post repairs. Supervisor McCormick expressed a concern with the billing by hour. She would prefer to see it presented as projects for next years budget with a cost attached to it, and then it could be put out for bid.

After discussion, Supervisor Dean moved to approve the items listed in the Checking Account Transaction Register. Supervisor McCormick seconded the motion. In a voice vote, the motion was unanimously approved.

Sixth Item of Business: District Engineer's

a. PVC Fence - Robert Cole deferred to Millie Otero for an update on the PVC fence project. Millie Otero reported the contract was executed. She met with Victor Loli from Vic's General Services on site to discuss each area. Millie Otero reported that Mr. Loli stated the landscape portion was in progress while he was waiting for the materials to arrive.

b. Boat Ramp - Mr. Cole reported the boat ramp was completed with the installation of the fence. Robert Cole added that the fence was installed short. He does not see a problem for it to remain as is. Supervisor Dean expressed seeing a problem with the condition allowing for easy access. Mr. Cole responded any additions would look wrong and the removal to correct would not be recommended since the concrete was drilled to set the fence. Supervisor Dean asked Michael Pawelczyk if the fence as installed represents a liability for the District. Mr. Pawelczyk stated that he did not to see any added liability for the District. Robert Cole recommended leaving the fence as is, and added that the contractor would remove the rocks and temporary fence after final city inspection.

c. Peninsula Park - Robert Cole reported the roofing contractor would be in starting next week. He added once the roof is completed the railing and the water fountain would be installed by Richard Noon. Robert Cole consulted with a Landscape Architect who informed him of the

availability of a variety of pathway lights that would be somewhat vandal proof. He will e-mail pictures of the available fixtures to the Supervisors.

d. *Headwalls* – Mr. Cole conducted a Power Point presentation to display the condition of the shoreline and how the soil behind the headwalls was washed away. He offered three alternatives to address this project:

- a. To backfill 8 to 10 feet of shoreline;
- b. To cut the pipes and move back the headwalls;
- c. To place a concrete block mat to protect the pipe.

Mr. Cole's recommendation was to place the concrete mats to protect the pipes. Supervisor Dean asked Mr. Cole if the concrete mat installation minimizes the need for a barge. Robert Cole stated it does since it is a simpler application. Supervisor Dean inquired if a quote for this application could be requested. Mr. Cole explained he was working on the process. Chairman Spavento asked Mr. Cole how much of the project is necessary work and how much is esthetics. Robert Cole explained that protecting the pipes is necessary, to backfill or to cut the pipes and move the wall back that would be esthetics. Mr. Dean asked if the concrete mats could be used at Peninsula Park. Robert Cole stated that the slope at Peninsula Park was too steep for the mats to be effective. Supervisor McCormick asked Mr. Cole to inspect the area by the bridge at the entrance on South Bay Drive where it seems to be eroding. Supervisor Hall reminded Robert Cole that the headwalls project must be coordinated with Tina Hagen to ensure that the district fulfills the FEMA requirements.

Seventh Item of Business: District Attorney's Report

Michael Pawelczyk informed the Board that he did not have anything to report. At the May meeting Mr. Pawelczyk reported he was creating a disk for the District with all District-relevant documents that he had.

Eighth Item of Business: Audience Comments

At this point in the meeting, the Chairman indicated the Board would open the floor to comments and questions from the audience. Questions and comments related to, among other items,

1. When would Peninsula Park be open,
2. Status on the entrance gate,
3. Response to resident's newsletter
4. Status on the installation of the PVC fence
5. Security as a priority
6. Signs posted on pool hours

Ninth Item of Business: Supervisor's Comments

Supervisors responded to audience questions and commented on, among other items,

1. The posting of signs at the pools,
2. The establishment and enforcement of a zero tolerance policy,
3. The district to respond to resident's newsletter,
4. The status of the gates,

5. The vandalism occurring at the recreational facilities,
6. The status on the PVC fence.

Tenth Item of Business: District Treasurer's Report

2008-2009 Proposed budget – Supervisor Hall asked Mr. Pawelczyk what steps would be required in the event that the non ad-valorem assessment per home was increased from the prior year. Michael Pawelczyk explained if the amount is over last year's amount, it triggers a 30-day written notice to all owners prior to the public hearing. Supervisor Hall stated input must be given to District Management prior to the next meeting in order to finalize the proposed budget. Supervisor Dean saw the focus to be on the Major Projects category where the Board would prioritize the projects. Supervisor Hall requested District Management to forward an electronic copy of the proposed budget to all Supervisors to include a column with the year to date numbers and a 12-month projection.

District Engineer was excused at 9:00 p.m.

Eleventh Item of Business: District Manager's Report

Broward Beautiful Grant – Leigh Hoffman explained the rules have changed this year and the District does not qualify to apply. He added there is a way around the ruling: that is to have a Village be the applicant. Supervisor McCormick stated, a representative from Broward Beautiful informed her that although a taxing district cannot apply, a Homeowners Association within the district could apply. Supervisor Dean inquired as to how a Village could apply when it does not own the land. Supervisor McCormick explained, the application states that if the applicant does not own the land, a letter of authorization from the owner must be presented. Supervisor Dean asked Mr. Hoffman what IGM Landscaping proposed. Leigh Hoffman responded that he had a quote per large tree and he will request that the proposal be modified to provide specific trees and quantity to be planted for this project. Supervisor Dean inquired about the proposed location for the planting of the trees. Supervisor McCormick responded they would be shade trees along North Bay Drive. Supervisor Dean asked Supervisor McCormick if there was a Broward Beautiful Grant program for municipalities. Supervisor McCormick responded, the county does have an application for municipalities, but it was much more detailed and requires more paperwork than the application for HOA's. Supervisor Hall inquired about the status of a proposal to relocate trees from the Target parking area. Millie Otero responded that she had met with Terry Glen from IGM and that IGM will present a proposal to relocate the trees. Supervisor Hall requested expediting the proposal to possibly combine the project with the Broward Beautiful Grant.

Supervisor McCormick stated that Las Brisas was the Village selected to submit the Broward Beautiful application because they have the funds to match the grant. She further explained, she had spoken to four of the five Board members for Las Brisas and they had agreed to submit the application. Supervisor McCormick added, she would attend the Las Brisas Board meeting and if the proposal was approved, the President of the Board would sign the application. Supervisor McCormick asked Michael Pawelczyk about the need to draft a written agreement to state that Las Brisas Village Association would be reimbursed for funds layout for the Broward

Beautiful Grant. Michael Pawelczyk agreed to draft a simple agreement to present to the Board of Las Brisas.

Leigh Hoffman reported that two Supervisor seats are up for election this year. He informed the Board that the required Notice of Qualifying Period was scheduled for publishing in the Sun Sentinel as required by law. After discussion it was determined that the order of the Supervisors seats was correct on the District's website. Leigh Hoffman will contact the Board of Elections and supply the order of the Supervisor's seats as requested.

District Counsel had prepared an agreement for the engagement of a new towing company at the previous to the meeting. Leigh Hoffman reported that he is working with the towing company and he will have them review the agreement for signature.

Supervisor Dean inquired on the status of the Peninsula Park Pool. Millie Otero reported on her conversation with Alan Pearl from A Plus Pools. She stated that subsequent to the last meeting, Alan claimed there was a misunderstanding on the verbal quote of 8,700-dollars to remove three feet of concrete around the pool, expose the pipes, replace the pipes and backfill the area, and that it could not be done for that cost. He further stated to Ms. Otero that the project that would take approximately a month to complete and he would be referring a vendor to provide a quote for the project. Millie Otero added, the vendor called her twice but did not present a proposal. She then contacted Richard Noon for assistance in locating vendors to quote on the work. Richard Noon then explained that he and Ms. Otero had contacted several vendors in the past month that have then visited the site. He added they all were reluctant to submit a quote. Supervisor Dean asked Richard Noon what would need to be done in order for the vendors to be willing to conduct the work. Richard stated, to lift the concrete exposing the pipes and this would cost approximately 10,000-dollars. Supervisor McCormick asked Richard Noon how long it would take to lift the entire concrete deck. Richard Noon responded, to lift the concrete leaving one foot around the edge of the deck to be used to hold the pavers in place and dispose of the concrete would take two to three weeks. Supervisor Dean advised Mr. Noon to contact the District Engineer to inquire about the possible use of the removed concrete for the shoreline.

Supervisor Dean moved to rescind the motion of the April 10th meeting for 25,000-dollars for pool work. Supervisor Hall seconded the motion. In a voice vote, the motion was unanimously approved.

Supervisor Dean moved to approve up to 15,000-dollars to remove the concrete deck leaving one foot of concrete around the perimeter and authorize District Management to make an executive decision on the disposal of the hot tub. . Supervisor Hall seconded the motion. In a voice vote, the motion was unanimously approved.

Supervisor McCormick asked Leigh Hoffman if all the tax revenue was in for this year. Michael Pawelczyk stated that the district does not have all the funds since the tax certificates go on sale June first and monies would come in after that date.

Supervisor McCormick requested that District Management include a copy of the bank statement with the monthly reporting. Leigh Hoffman responded it would be forwarded to the District Treasurer to include with the monthly reports to the Board.

Twelfth Item of Business: Old Business

Supervisor Dean inquired on the status of the missing lamp for the entry posts on South Bay Drive. Millie Otero reported, she contacted RLS lighting they and they agreed to send the lamp Alliance's office. Supervisor Dean asked, when the irrigation pump for North Bay Drive would be working. Leigh Hoffman explained the pump was taken out for repair and the check was issued. He added, CHI would pick up the pump the following day for installation.

Chairman Spavento stated a concern with maintenance work performed on property. He added that safety projects are the priority and items such as repairing the nautical poles should receive prior approval. After discussion, it was concluded a different format for maintenance services was needed for the next fiscal year. Supervisor Dean stated management should have discretion to handle maintenance items. He added that a list of base maintenance items should be developed for the next fiscal year to have those items under contractual agreement, and items outside contract would be brought before the Board for discussion.

Supervisor Hall stated that he met with Barry Shapiro from TEM to discuss the gate requirements for North Bay Drive. Mr. Shapiro informed Supervisor Hall, that the cost for the South Bay Drive gate would remain at approximately 30,000-dollars. Mr. Shapiro informed Supervisor Hall, the airlock system would require a thirty feet area for the gate installation. Supervisor Dean expressed concern that people would tailgate and then drive through the gate. Supervisor Hall explained that airlocks add greater time to enter the community. Supervisor Hall added that he needed more direction for the North Bay Drive gate application in order to direct TEM on their quote. Supervisor Dean stated swing gates with arms for the entrance and exit lanes would be the first step in restoring the gates. He added leaving open the option for the airlock system. Supervisor Hall agreed to meet with Mr. Shapiro to discuss the proposed direction.

Thirteenth Item of Business: New Business

Pool attendant – Supervisor McCormick recommended hiring individuals to oversee the pool area. She added these individuals would not be lifeguards; they would instead walk the area and call the police when they observed any problems. Supervisor Dean directed District Management to solicit a quote for two summer pool attendants to work from 2:00 p.m. to 10:00 p.m.

Fourteenth Item of Business: Adjournment

Supervisor Dean moved to adjourn the meeting. The motion was seconded by Supervisor Hall. In a voice vote, the motion was unanimously approved. The meeting was adjourned at 11:26 p.m.

Leigh Hoffman, Secretary