

**Coral Bay Community Development District  
Regular Meeting of the Board of Supervisors**

**August 14, 2008**

The regular meeting 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, August 14, 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 are also 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  
John Hall

Sandra McCormick (Vice Chair)  
Tony Spavento (Chair)

Supervisor Gallucci was not present at the meeting.

Also present were District Manager Leigh Hoffman, Assistant District Manager Millie Otero, for the District Engineer Donald Shaver and District Attorney Michael Pawelczyk.

Treasurer Tina Hagen was not present at the meeting, but the monthly financial reports were provided to all via email prior to the meeting.

Four 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 McCormick requested from the Board to defer to the September meeting the approval of the minutes of the meeting held on July 10, 2008 and the minutes of the budget workshop held on July 24, 2008. Supervisor McCormick provided to District Management the revisions to the minutes.

Supervisor McCormick distributed to the Board two documents that explained the reasons for eliminating the practice of recording the following in the minutes: the name of the mover of a motion, the name of the second for a motion, and the details of the vote (i.e. who voted for and who voted against); the vote count would still be included. The Board discussed the advantages and possible disadvantages of the change to current practice.

*Supervisor McCormick moved to eliminate recording in the minutes the movers, the seconds and the names associated with the votes. Supervisor Hall seconded the motion.*

Supervisor Hall asked the District Attorney what the legal requirements on the recording of movers, seconds and votes in the minutes. Mr. Pawelczyk responded that there are no government requirements; it is the decision of the Board to record the movers, seconds and names associated with the votes. He added that a second is intended to get a motion on the floor for discussion and is not interpreted as agreement with the motion.

*After discussion in a voice vote the motion failed. (Motion failed, 2-2. Spavento - no, Dean - no, McCormick - yes, Hall - yes).*

#### **Fourth Item of Business: Approval of Invoices**

Supervisor Dean stated that he received a phone call from Tina Hagen prior to the meeting to inform him that there were five checks issued after all the reports had been distributed. Supervisor Hall expressed that there should be a cut off date for the submission of invoices by vendors. Michael Pawelczyk stated that in a previous discussion it was decided to include a cut off date for the submission of invoices on new vendor contracts. Supervisor Dean emphasized that a cut off date for submission of invoices must be established with the current vendors.

*Supervisor Hall moved to approve the check numbers 10642 through 10668 listed in the Checking Account Transaction Register. Supervisor Dean seconded the motion. In a voice vote, the motion was unanimously approved.*

The Board reviewed the five checks generated after the Checking Account Transaction Register was submitted for approval.

*After discussion Supervisor Hall moved to approve check numbers 10669 through 10673. Supervisor Dean seconded the motion. In a voice vote, the motion was unanimously approved.*

The Board discussed the need to establish a cut off date for the submission of invoices from the current vendors. Michael Pawelczyk recommended leaving it to the District Manager to advise all vendors of the deadline for the submission of invoices. Supervisor McCormick requested from District Management to have all information forwarded to the Board two business days prior to the meeting.

#### **Fifth Item of Business: Presentations**

There were no Presentations at the meeting.

### **Sixth Item of Business: District Engineer's Report**

Donald Shaver reviewed Robert Cole's report dated August 13, 2008 sent to the Board in advance of the meeting and, commented on, among other items, the following matters:

- a. *PVC Fence* – Mr. Shaver reported that they conducted a walk-through on site with Vic's General Services to identify the sections of fencing on Southwind Lane that are to be replaced. Vic's General Services ordered the materials to rectify the problem.
- b. *Peninsula Park* – Donald Shaver reported that the Peninsula Park building roof was completed. He added that the railings were measured and they are under fabrication. The stucco bands will be done next. Donald Shaver informed the Board that the lowest qualified vendor for the pool restoration was Aqualogic. Supervisor Dean asked Mr. Shaver how they determined that Aqualogic was the lowest qualified vendor. Donald Shaver explained that they met with the vendor and reviewed all aspects of their proposal to ensure that all the required items were included. Mr. Shaver suggested having all four bidding companies attend the next Board meeting. Supervisor Dean expressed concern with the limited time the Board had to review all the documents forwarded by the District Engineer. Michael Pawelczyk explained that the Board could recess the meeting to a later date, at which time the discussion will be resumed and, the contract can be awarded. Chairman Spavento requested from the Board to move the topic of the Peninsula Park pool to the end of the meeting.
- c. *Peninsula Park erosion* – Donald Shaver reported that the plans for Peninsula Park shoreline were in progress and are expected to be completed in two weeks. He added that they supplied information to Treasurer Tina Hagen for the submission to FEMA on the shoreline erosion, headwalls, and docks.

### **Seventh Item of Business: District Attorney's Report**

Michael Pawelczyk reported that he prepared a General Services Agreement to use in the future with vendors. He added that the agreement was forwarded to the District Manager for review.

Chairman Spavento asked the District Attorney's opinion of the newsletter distributed by a resident in the community. Mr. Pawelczyk responded that some of the information pertaining to the CDD was not accurate. Chairman Spavento asked Mr. Pawelczyk for a legal opinion on this resident making a public figure of himself in the community. Michael Pawelczyk responded that he would have to research the matter before rendering an opinion, if so requested by the Board.

### **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. Those comments and questions included:

1. The enforcement of the zero lot line;
2. expedient repair of the wall after a vehicular accident;
3. the publishing of the Buzz;
4. the need to minimize the vandalism in the community.

### **Ninth Item of Business: Supervisor's Comments**

Supervisors commented on the following, among other items,

1. Zero lot line violation procedures are governed by the homeowners associations;
2. vandalism class reports to be sent monthly to the Board;
3. surveillance would be part of the gate project;
4. recent vehicle accidents in the community;
5. the city's Police Department will go into the community to conduct a traffic enforcement study;
6. the need for road repairs throughout the District;
7. the need for articles in order to publish the Buzz;
8. the vandalism is not out of control in the community.

### **Tenth Item of Business: District Treasurer's Report**

Supervisor Dean expressed that he would prefer that the Peninsula Park pool be invoiced in the current fiscal year. He reminded the Board that this would be the last opportunity to discuss any additions to the list of major projects prior to the budget hearing. Supervisor Dean requested that a discussion of the possible addition of a second guardhouse on North Bay Drive, be included in the discussion of the gates that is already a topic later on the agenda.

### **Seventh Item of Business: District Manager's Report**

Millie Otero reported that IGM Landscaping trimmed all the tree limbs hanging over the wall. She added that IGM scheduled for the following week to trim the hedges at Southwind Lane.

Don Shaver reported that Xpert Pools' repair of the pipe surrounding the Peninsula Park pool did not meet building code. He added that Xpert Pools failed to use purple primer for the repair of the pipe. The Board discussed the options to correct this problem. Mr. Shaver stated that two of the bidders for the pool restoration included correcting the repair as part of their proposal. District Management was directed to forward a copy of the Xpert Pools agreement to the District Attorney for review.

Millie Otero reported that after several attempts to meet with Alan Pearl from A Plus Pools. a meeting had been scheduled for Monday August 18, 2008 at 3:00 PM. Supervisor McCormick stated that she would be present at the meeting to serve as a witness.

Ms. Otero informed the Board that Excel Electric had removed the landscape fixtures on North Bay Drive entrance, all wires were capped and the fixtures were stored for future use.

Chairman Spavento inquired if the Board had received copies of the pictures taken of lots in Islamorada that were obstructing the District's lake easement. Leigh Hoffman had copies on hand, which were passed along for the Board to review. After the Board reviewed the pictures it was determined that the fences and the hedges of those lots clearly encroach on the 20-foot easement of the District. Chairman Spavento informed the Board that the Islamorada homeowners Association had

sent each owner a Notice of Violation. After discussion District Management was directed to send Notices of Violation from the CBCDD as well as to conduct a survey around the lake to identify any other lots that could be encroaching on the District's easement.

### **Twelfth Item of Business: Old Business**

Michael Pawelczyk requested, if possible, that all documents from District Management that are forwarded for the meeting be compiled in one pdf file.

The resolution for the District Managers authority was tabled to the September meeting.

Supervisor Dean summarized the major issues discussed at the meeting with the City Engineer Emilio Esteban on August 1, 2008:

- a. Equipment cannot be installed on the sidewalk;
- b. it is not a problem to have the gate opening next to the sidewalk;
- c. concern with all guest entrance traffic directed to South Bay Drive;
- d. moving the sidewalk on North Bay Drive;
- e. the installation of crosswalks on North Bay Drive.

Prior to the meeting all the Board members received a pdf file with four proposed models for the gates on North Bay Drive. Supervisor Hall expressed concern with the model that relocated the sidewalk to the north side of the road on North Bay Drive. Michael Pawelczyk mentioned to the Board that a District that he represents uses a surveillance system called ENVERA. He explained that the ENVERA system offer remote surveillance that is activated by motion detectors. Mr. Pawelczyk will provide District Management with the contact information for ENVERA. District Management was directed to contact ENVERA to request a quote for the District. The District Engineer was directed to proceed with the development of design solutions for the gates on North Bay Drive.

### **Thirteenth Item of Business: New Business**

Chairman Spavento inquired about the possibility of painting directional arrows on the exit lanes at the two intersections with NW 62 Avenue. District Management was directed to call the city of Margate to request the approval for the painting of the directional arrows.

Allstate Management submitted a proposal for the purchase of carp for the lake. The Board directed District Management to have the carp placed in the lake as per the recommendation of Allstate Management.

### **Fourteenth Item of Business: Recess**

*Supervisor Dean moved to recess the meeting of August 14, 2008, to reconvene on Thursday August 28<sup>th</sup> at 7:00 p.m. Supervisor Hall seconded the motion. In a voice vote, the motion was unanimously approved. The meeting was recessed at 10:50 p.m.*

**Coral Bay Community Development District  
Continuation of the Regular Meeting of the Board of Supervisors**

**August 28, 2008**

The regular meeting 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, August 14, 2008 the meeting was recessed to reconvene on Thursday August 28, 2008. The signs were posted at the entrances of the CBCDD. Materials distributed to the members of the Board in advance of or at the meeting are also on file with the meeting records.

Tony Spavento (Chair) called the reconvened meeting to order at approximately 7:06 p.m.

Supervisor Gallucci was present for the resumed session of the meeting. Also in attendance was Treasurer Tina Hagen. District Manager Leigh Hoffman was not present.

**Fifteenth Item of Business: The Peninsula Park pool restoration**

The District Engineer distributed to the Board a schedule of bid items for the Peninsula Park pool. Robert Cole explained what each contractor included in his or her proposal. Robert Cole reported that his office produced a list of all items included by the highest bidder, with the source of the list unidentified, and submitted the list to the lowest bidder for response. Robert Cole then distributed the written response from Aqualogic (lowest bidder) to the Board. Aqualogic indicated that all the items on the list were included as part of the scope of work and amount quoted in their bid, with the exception of the furnishing and installation of the chemical feeders. Aqualogic provided a written quote for an additional \$4,365 for labor and materials to furnishing and installation the chemical feeders. Supervisor Dean expressed concern with the range of the bids. Robert Cole explained that the major difference was reflected in the mobilization category, and that the estimates for each of the other corresponding bid items were very close for all four contractors. Tina Hagen suggested calling the references furnished by the contractor. The Board concluded that based on the provided information Aqualogic was the lowest qualified bidder for the restoration of the Peninsula Park pool, subject to satisfactory reference checks by District Management.

*Supervisor Hall moved to award the contract for the restoration of the Peninsula Park pool for a cost of \$70,889 subject to verification with corporate entities and with the State of Florida. Supervisor Dean seconded the motion. In a voice vote the motion was unanimously approved.*

**Sixteenth Item of Business: Adjournment**

*Supervisor Hall moved to adjourn the meeting. Supervisor Dean seconded the motion. In a voice vote, the motion was unanimously approved. The meeting was adjourned at 7:50 p.m.*

---

Leigh Hoffman, Secretary