

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

**September 11, 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, September 11, 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	Sandra McCormick (Vice Chair)
John Hall	Tony Spavento (Chair)
Ronald Gallucci	

Also present were for the District Engineer Robert Cole, District Attorney Michael Pawelczyk, District Treasurer Tina Hagen, District Manager Leigh Hoffman and Assistant District Manager Millie Otero.

Five 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.

Supervisor Spavento requested all those present to observe a moment of silence in remembrance of September 11, 2001.

**Third Item of Business: Approval of Minutes**

*Supervisor Dean moved to approve the minutes as revised for the Regular Board meeting held on July 10, 2008. Supervisor Hall seconded the motion. In a voice vote, the motion was unanimously approved.*

*Supervisor Dean moved to approve the minutes as revised for the budget workshop held on July 24, 2008. Supervisor Hall seconded the motion. In a voice vote, the motion was unanimously approved.*

*Supervisor Hall moved to approve the minutes of the regular Board meeting held on August 14, 2008 with the following amendments:*

*tenth item of business second line - **this** would be;*

*seventh item of business second paragraph – as per revised hard copy supplied by Michael Pawelczyk. Supervisor Dean seconded the motion. In a voice vote, the motion was unanimously approved.*

*Supervisor McCormick moved to table to the next meeting the approval of the minutes of the budget hearing held on August 28, 2008. Supervisor Hall seconded the motion. In a voice vote, the motion was unanimously approved.*

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

*After discussion Supervisor Hall moved to approve the checks listed in the Checking Account Transaction Register and the Supplemental Register. Supervisor Dean seconded the motion. In a voice vote, the motion was unanimously approved.*

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

Tanya Davis from S. Davis & Associates presented to the Board the 2007 Audited Financial Statement. Michael Pawelczyk referred to page 11 of the Financial Statements and asked Ms. Davis how foreclosures would affect the District's income. Tanya Davis deferred to District Management to respond. Leigh Hoffman explained that it would be an issue of timing because revenue would be collected in a longer period of time. Tina Hagen added that the delay in receiving the revenue would not affect the District at this time, but it must be considered for future fiscal years.

Ms. Davis reported the following on the Financial Statements:

- a. Pages 3 to 12 is the Management's Discussion and Analysis
- b. Pages 13 to 18 denote that:
  - i. assets increased very little; there was an increase in investment earning; increases in capital assets due to the new light poles at the North Bay Drive and South Bay; Drive entrances as well as the renovation of the lighthouse in Peninsula Park;
  - ii. Liabilities have decreased due to the decrease in the amount of invoices outstanding at fiscal year end and the decrease in the outstanding advances from FEMA;
  - iii. Profit & Loss – the funds almost doubled from the prior year is shown on page 17;
- c. Pages 25-26 explains the freezing of the State Board of Administration funds and the Districts ability to withdraw funds;
- d. Page 28, Note 4 related to Capital Assets points out a decrease column which represents the transfer of work in progress to depreciable assets;
- e. Page 29 Long Term Debt reflects the interest paid on the bond of \$557,181;

- f. Page 31 The Auditor's letter on internal controls states, a positive variance for the general fund;
- g. The Auditor's letter on internal control states that no problems were found in the internal controls.
- h. Pages 34 to 36 The Management Letter reports that all prior year findings were corrected, there were no violations or fraud found, and therefore no new findings were reported for 2007.

The page numbers were adjusted to reference the final version of the Audited Financial Statements.

*Supervisor Dean moved to accept the Audited Financial Statements for the year ended September 30, 2007, pending any changes to the bottom of page 27 in reference to revisions to the figures for the SBA fund. Dana Moss, Tina Hagen and District Management to conduct the final revision; and final approval is to be obtained from Supervisor Dean and Supervisor McCormick. Supervisor Hall seconded the motion. In a voice vote, the motion was unanimously approved.*

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

Robert Cole reviewed the status report dated September 11, 2008 sent to the Board in advance of the meeting and, commented on, among other items, the following matters:

- a. *PVC Fence* – Robert Cole reported that the minor problems with the fence on Southwind Lane were resolved. The final inspection will be scheduled with the City of Margate.
- b. *Peninsula Park* – Mr. Cole informed the Board that the railing is the only item that is needed to complete the lighthouse project. Robert Cole reported that the revised contract for Aqualogic for the pool restoration project would be forwarded to the District Attorney. Supervisor Dean asked Mr. Cole what was the expected commencement date for the project. Robert Cole responded that in approximately two weeks.
- c. *Peninsula Park erosion* – Robert Cole reported that the project was back on track and ready to be put out for bid. Mr. Cole asked Tina Hagen what was the status with the FEMA funding for this project. Ms Hagen explained that due to the recent hurricanes FEMA placed the District on a waiting list. She added that she had communicated with the Florida Public Assistance Coordinator and he was in the process of speaking to a FEMA representative for direction. Tina Hagen recommended having the bid package prepared in order to proceed as soon as FEMA approves. The Board directed the District Engineer to proceed to prepare the bid package.
- d. *Owners request* - Robert Cole had a request from a lot owner in Fay's Cove for approval of the plans to fill the shoreline in their lot. Mr. Cole expressed not to have a problem with the request as long as it follows the original plan. Michael Pawelczyk explained that the District could request for a bond to be posted to ensure that the work is done correctly. Robert Cole stated that he would have the vendor post the bond.

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

Michael Pawelczyk informed the Board that he reviewed the agreement signed with Xpert Pools for the repair of leaks at the Peninsula Park pool. He stated that the agreement offered no warranty on the work or requirements to complete the work to applicable codes and regulations. The Board requested for the District Attorney to send a letter to Xpert Pools to request they conduct the repairs as per the city code or pay cost for it to be done by the vendor selected to conduct the pool restoration.

The Board inquired on the status of the reimbursement due from A Plus Pools from the deposit paid for the Peninsula park pool resurfacing. Millie Otero responded that to date District management had not received the reimbursement from A Plus Pools. She added that the 30-day deadline would expire on September 17, 2008. The Board directed District Management, if the reimbursement is not received, to forward all the information concerning this reimbursement to the District Attorney.

### **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. How the District funds are being spent;
2. does the shoreline erosion project include individually owned lots;
3. update on possible action against New Community Strategies;
4. has an study been done for the gate system;
5. status on the installation of a surveillance system;
6. the hedges along Southwind Lane;
7. Complement to the work done by the landscape company.

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

Supervisors commented on the following, among other items,

1. The District was awarded a \$7,500 grant from Broward Beautiful;
2. the community's expectation of the gates; e.g., the gates are mainly for traffic control;
3. a new Buzz was published;
4. the contract was awarded for the peninsula Park pool restoration;
5. the work that will be done in Peninsula Park;
6. the shoreline restoration project addresses common areas not individual private lots;
7. direction to District Management to have IGM Landscape fill in the gaps on the Southwind Lane hedges;
8. landscape lights at the entrance of South Bay Drive need to be removed;
9. maintenance item needed: the repair or replacement of the meeting room door;
10. early payment of the bond;
11. posting of the village's meetings on the website.

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

Tina Hagen had no information to add regarding the budget reports that had been distributed prior to the meeting. There were no questions.

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

Millie Otero reported on the following items:

- a. The neighboring property Cypress Pointe will remove the graffiti on their fence facing North Bay Drive.
- b. The damaged FPL pole was reported to them and will be repaired within ten days.
- c. Excel Electric was on site to correct the breakers that were tripped at the South Bay Drive entrance and to conduct the electrical installation of pump seven on North Bay Drive.
- d. Coral Springs High School was informed of students parking at the Tennis Courts. The Vice-Principal informed Ms. Otero that he would make an announcement over the school's PA system advising the students to refrain from parking on District property.
- e. Letters were sent to the three lot owners in Islamorada that are blocking the District's lake easement.

Leigh Hoffman presented to the Board three resolutions for approval, resolution 2008-03, 2008-04, and 2008-05.

*Supervisor Dean moved to adopt the Resolution 2008-03 to adopt the proposed 2009 budget as prepared by District Management. Supervisor Hall seconded the motion. In a voice vote the motion was unanimously approved.*

*Supervisor Dean moved to adopt the Resolution 2008-04 to levy the 2009 assessment for the Coral Bay Community Development District the total amount of \$1,320.19 per lot. Supervisor Hall seconded the motion. In a voice vote the motion was unanimously approved.*

*Supervisor Hall moved to adopt the Resolution 2008-05 granting the District Manager discretionary authority as defined therein to execute certain agreements and proposals on behalf of the District. Supervisor Dean seconded the motion. In a voice vote the motion was unanimously approved.*

Leigh Hoffman reported that All State Resource Management would be releasing 40 carp into the lake the following week.

Leigh Hoffman informed the Board that the owner of 6522 Buena Vista Drive had sent a letter to District Management with an alleged claim of damages to his roof by the landscape company. Mr. Hoffman reported that the letter was forwarded to IGM Landscape for them to address it with the lot owner. Supervisor Dean asked Michael Pawelczyk if there was action pending on the situation with this owner and the alleged coconuts damaging his car. Michael Pawelczyk responded that the matter was closed.

Chairman Spavento requested for the following items to be addressed:

- a. all wires by the gate on North Bay Drive to be capped;
- b. all timers in the community to be reset weekly;
- c. to add the hurricane checklist the removal of coconuts prior to the hurricane season.

### **Twelfth Item of Business: New Business**

Tina Hagen explained that the lot owners on the west side of the Fay's Cove pool requested the replacement of the fence that separated their lot and the pool. Ms. Hagen added that the lot owner informed her that the fence was damaged by hurricane Wilma and, the fence belongs to the District. District management was directed to review the survey of the Fay's Cove pool; if the fence belongs to the District, to have Vic's General Services install a PVC fence in the area.

Chairman Spavento stated that in the Minutes of the meeting on April 2008 indicate that the pressure cleaning in the community was approved; but the work was not performed. Leigh Hoffman responded that District Management needed specifications for the project in order to request quotes from vendors. Chairman Spavento agreed to prepare the specification and forward them to District Management.

Supervisor Hall inquired on the possibility of someone to be hired as Project Manager for the Peninsula Park pool restoration project. Millie Otero reported that she asked Richard Noon for a quote to perform the task. Richard Noon informed Ms. Otero that his fee would be five percent of the total cost of the project. Michael Pawelczyk informed the Board that he had a standard form of agreement for a Project Manager that he could revise for the project.

*Supervisor Hall moved to have the proper District officials to execute the proper Project Management agreement with Richard Noon Construction for five percent of the total of the Peninsula Park pool restoration contract. Supervisor Dean seconded the motion. In a voice vote the motion was unanimously approved.*

### **Thirteenth Item of Business: Old Business**

The Board discussed the following points on the process of reinstating the gates on North Bay and South Bay Drives:

1. The preparation of a document to define the purpose of the gates;
2. to define what the community and the Board's expectations are on how the gates would serve the District;
3. the gates are not security;
4. the gates are a portion of a security plan;
5. polling the community on the interest for gating the District;
6. to provide the community with all the information as it pertains to operation of the gates, the initial cost as well as the ongoing cost to operate the system.

Robert Cole was excused at approximately 9:49 pm.

Tina Hagen recommended conducting a cost analysis to determine how much the District would get for the money spent on the gates.

Millie Otero reported that District Management had not received the plans for the docks. The Board asked Michael Pawelczyk to send a letter to Archtype Designs to forward the plans to District Management or to reimburse the deposit paid by the District.

**Fourteenth 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 10:15 p.m.*

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Leigh Hoffman, Secretary