

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

October 9, 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, October 9, 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, and Assistant District Manager Millie Otero. District Manager Leigh Hoffman was not present at the meeting.

Twelve 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.

The Supervisors agreed to move up the Presentations to the third item of business as Mr. Midyett from Envera Systems would to be returning to Sarasota after the meeting.

Third Item of Business: Presentations

Mark Midyett was invited to present his company's surveillance program at the meeting. Mr. Midyett explained that Envera Systems is a security company that uses video and 2-way voice monitoring systems. Mark Midyett gave a summary of Envera Systems' history and their current status. He continued to explain that the gates are controlled through the use of kiosks that have video and voice monitored from Envera's central location. Mr. Midyett also informed the Board that the personnel performing the monitoring are licensed security guards. Supervisor Dean asked Mr.

Midyett what would be the expected response time. Mark Midyett stated that the response latency is approximately 13 seconds. Chairman Spavento added that during a previous visit to Coral Bay by Mr. Chris Kemper (also of Envera Systems), Mr. Kemper explained that upon a visitor approaching the gate, an optional recording would welcome them and inform them that someone would be with them shortly. Mr. Midyett added that the welcome message allows time for the video and audio to come online. Supervisor Dean expressed concern with the wait time at the gate. Mr. Midyett responded that there is a database of visitors, that each home would be provided with a unique pin for secured internet access to that database to enter information about both one-time and permanent visitors, and that use of this capability would reduce the wait time at the gate. Supervisor Dean asked Mr. Midyett how long videos were retained in the system. Mark Midyett stated that data was stored for 30 days. Tina Hagen asked Mr. Midyett what was the size of the largest community their company service. Mr. Midyett responded that the largest community in their portfolio has 1,200 units and the smallest has 500 units. District Management was directed to check the infrastructure for DSL compatibility at each location. Tina Hagen and Dan Dean requested the opportunity to visit a live installation and the Envera monitoring center before a Board decision was made. Mr. Midyett agreed that this could be arranged. Millie Otero will arrange the visit and handle any legal advertising of same. Ms. Hagen and Mr. Dean will report back to the Board at the next meeting.

Fourth Item of Business: Approval of Minutes

Supervisor Hall moved to approve the minutes as revised for the Budget Hearing held on August 28, 2008. Supervisor Dean seconded the motion. In a voice vote, the motion was unanimously approved.

Supervisor Hall moved to approve the minutes for the Regular Board held on September 11, 2008. Supervisor Dean seconded the motion. In a voice vote, the motion was unanimously approved.

Fifth Item of Business: Approval of Invoices

Chairman Spavento brought to the attention of the Board some of the costs from CHI's invoice. He presented the elevated cost for checking the lights throughout the community. He also pointed to other work such as electrical and the installation of nautical rope to the posts in the community. Tina Hagen informed the Board that she had found Bob the CHI maintenance worker in the meeting room organizing photographs to match with his time sheets. She expressed concern as to why Bob was doing this when the District had never received any of this "before-and-after" photo documentation subsequent to the first month that CHI had worked for the District. She further questioned what the District was paying for this. The Board expressed concern with the onsite staff spending time conducting administrative duties. District Management was directed to:

- a. Purchase a digital camera and memory card;
- b. Download pictures by date to disk;
- c. File disk with time sheets.

Chairman Spavento passed the gavel to Vice Chair McCormick.

Supervisor Spavento moved to void check number 10720 issued to CHI and to re-issue a check holding \$2,000 for a written explanation. Supervisor Dean seconded the motion.

Vice Chair McCormick passed the gavel to Chairman Spavento.

Supervisor Dean stated that the Board needed to provide management or the attorney a resolution pathway for them to act on the Board's behalf. Supervisor Gallucci stated that it had been previously agreed not to hold payments. Michael Pawelczyk stated that his understanding of the motion was release the undisputed amount of \$4,139 and to hold \$2,000 for District Management to bring a response to the Board at the next meeting. He added that he did not see a problem to hold the disputed amount for 30 days.

After discussion in a voice vote the motion was approved. (Motion passed, Spavento - yes, McCormick - no, Hall - yes, Dean - yes, Gallucci – no)

After discussion Supervisor Dean moved to approve the checks listed in the Checking Account Transaction Register and the Supplemental Register. 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 October 8, 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 fence work was completed.
- b. *Peninsula Park* – Mr. Cole informed the Board that the railing was installed and waiting for the building Department final inspection. Robert Cole reported Aqualogic submitted the permit application to the City of Margate.
- c. *Peninsula Park erosion* – Robert Cole reported that the plans were completed and waiting for FEMA's approval in order to submit the permit application to the City of Margate.
- d. *Owner's request* - Robert Cole distributed copies of the plans presented by the contractor of a lot owner in Fay's Cove for approval to fill the shoreline in their lot. Mr. Cole stated that he saw no problem with the request as long as it follows the original plan.

Supervisor Dean moved to approve the plans as presented and to be monitored by the District Engineer. Supervisor Hall seconded the motion. In a voice vote the motion was unanimously approved.

Seventh Item of Business: District Attorney's Report

Michael Pawelczyk informed the Board that the Project Manager's agreement between Richard Noon Construction and the District (for project management of the peninsula park pool restoration) was completed and fully executed. Mr. Pawelczyk reported that a letter was mailed to Archtype Design requesting the delivery of the completed plans or the reimbursement of the deposit.

Millie Otero reported that the plans had been delivered to District Management. Mr. Pawelczyk stated that Pool Xperts had responded to the attorney's letter. He would follow up before making a recommendation at the next meeting. Michael Pawelczyk reported that on the matter of the reimbursement from A Plus Pools, Alan Pearl called him, agreed to present proof of additional items due for payment and would reimburse balance by October 20, 2008.

Supervisor Dean inquired on the status for the fence on the west side of the Fay's Cove pool. Michael Pawelczyk responded that the District needed a four-foot fence on either side of the pool. The fence would be discussed in the District Management report.

Supervisor Dean asked if there was any matter pending with the owner on the east side of the Fay's Cove pool. Michael Pawelczyk reported that there was no response from this owner and if he presented a claim it should be referred to the insurance company. The Board directed management to forward any claims from this owner to the insurance company.

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 award of the Broward Beautiful Grant should be covered in the Buzz;
2. What is the status of legal action against New Community Strategies;
3. The community is experiencing a problem with speeding;
4. There is also speeding inside the villages that needs addressing;
5. Can speed humps be installed in Coral Bay?
6. If vendors are not licensed then they do not have insurance.

Ninth Item of Business: Supervisor's Comments

Supervisors commented on the following, among other items,

1. There is a traffic study that was done in 2006, and at that time the City of Margate only approved a few speed humps;
2. The Broward Beautiful Grant will be mentioned in the next issue of the Buzz and someone must submit the information for publication;
3. A meeting took place with IGM landscaping to review the list of trees to be planted with the funds of the Broward Beautiful Grant, and there was a problem with getting the trees that had been recommended by IGM;
4. A list of damages would have to be created prior to any legal action against New Community Strategies;
5. The audits needed to be completed in order to assess any damages.

District Management was directed to compile a list of damages from New Community Strategies for the December meeting. Supervisor Dean requested that the District Attorney provide guidance to District Management on this matter. Mr. Pawelczyk advised that there is a difference between the level of performance and damages. He added that the damages needed to be quantified; i.e., what did New Community Strategies cost the District?

With regard to special detail security patrols, Supervisor Dean reminded the Board that direction was given to maintain the Special Detail only outside the villages. He stated that if direction were given, he would have the patrols go into the villages. The Board agreed to have the patrols go into the villages for a 90 days period.

Chairman Spavento requested to have the ringers removed from the public phones at the pools, as well as to only allow for outgoing calls from those phones. He also stated that all unlicensed electrical work done in the community should be checked and charged who is responsible for allowing the work to be done.

Tenth Item of Business: District Treasurer's Report

Tina Hagen informed the Board that she was reviewing the year-end financials and would prepare an article for the Buzz to inform the community of the financial position as of the closing of the fiscal year; i.e., budget vs. actual. She also reported that she was preparing the documentation to submit the requests for reimbursement from FEMA. Ms. Hagen informed the Board that she was in contact with a Florida Public Assistance representative and he had informed her that the District's request for project scope changes that was submitted to them in September had been rewritten (in the FEMA-needed format) and submitted to FEMA for review.

Eleventh Item of Business: District Manager's Report

Millie Otero addressed the following items:

- a. Vic's General Services supplied a quote of \$2,833 to replace two damaged gates at the clubhouse and to install PVC fencing on the east side of the Fay's Cove pool. The Board directed District Management to have the gates and the PVC fence installed.
- b. District Management needed the specifications for the pressure cleaning in the community. Chairman Spavento agreed to supply the specifications.
- c. District Management required approval of the meeting schedule for the next twelve months. The Board granted approval of the schedule for publishing.
- d. District Management had received responses from Islamorada lot owners to on the removal of the obstructions to the District's lake easement. The Board directed the District Engineer to review those cases.
- e. District Management requested direction for the RFP for the 2007-2008 Audit

Supervisor Dean moved to open the Audit Committee. Supervisor Hall seconded the motion. In a voice vote, the motion was unanimously approved

The Audit Committee directed District Management to prepare an RFP for the Audit and to advertise the RFP. Michael Pawelczyk recommended that the Audit Committee approve the following criteria for the bidders: Ability of Personnel; Proposer's Experience; Understanding of Scope of Work; Ability to Furnish the Required Services; Price

Supervisor Dean moved to approve the five criteria for the RFP for the 2007-2008 Audit. Supervisor Hall seconded the motion. In a voice vote, the motion was unanimously approved.

- f. Presented quote of \$115 for the installation of NO Trespassing signs. Supervisor Dean stated that the signs would be installed in all the facilities and the lake. Tina Hagen requested time to present the language of the sign to FEMA for approval.
- g. Parking at the tennis courts – Millie Otero reported on the response she received from Coral Springs High School’s staff concerning students parking at the tennis courts. A staff member at the high school told Ms. Otero to have the District tow the vehicles. Supervisor Dean requested approval from the Board to pursue the matter further with the School District. The Board approved the request.
- h. PVC Fence – Vic’s General Services submitted a request for the final payment Millie Otero requested approval for payment.

Supervisor Hall moved to approve District Management to issue the check for Vic’s General Services subject to the completion of the punch list items. Supervisor Dean seconded the motion. In a voice vote the motion was unanimously approved.

Twelfth Item of Business: Old Business

Supervisor Dean stated that the Board needed to review the Envera System. The Board discussed visiting the Envera headquarters as well as to visit communities where their system is in operation. Supervisor Dean asked Michael Pawelczyk if some of the Board members could visit Envera Systems facilities in Sarasota. Mr. Pawelczyk responded that it could be done and the District would have to publish notice of the visit. The Board directed District Management to coordinate the meeting with Envera systems and to publish the notice. Supervisor Dean advised the Board that an information campaign needed to be conducted in the community. Supervisor McCormick asked Michael Pawelczyk if there were any documents that the District should be asking Envera to provide. Mr. Pawelczyk responded that the District should ask to see the agreements that Envera had entered with other Community Development District’s.

Supervisor Dean informed the Board that he had requested Special Detail from the Margate Police Department for the holiday season to patrol the entrances to the community. Chairman Spavento stated that he did not have an objection to the Special Detail as long as a security system is not in place at the entrances.

Thirteenth Item of Business: New Business

Supervisor McCormick moved to reschedule the November 13, 2008 Board Meeting to Tuesday November 18, 2008. Supervisor Hall seconded the motion.

Chairman Spavento expressed that he did not see the need to move the business of the District to another date.

In a voice vote the motion passed (Motion passed – Spavento - no, McCormick – yes, Hall – yes, Dean – yes, Gallucci – yes.

Supervisor Dean reminded Millie Otero that a replacement flag should be ordered to have on site when needed. Ms. Otero responded that the flag would be ordered.

Chairman Spavento passed the gavel to Vice Chair McCormick.

Supervisor Spavento moved to have the electrical work done by CHI checked by a licensed electrician. Supervisor Hall seconded the motion.

Supervisor Spavento asked Michael Pawelczyk's legal opinion on whether the electrical work should be checked by a licensed contractor. Mr. Pawelczyk responded that the Board was being diligent by ensuring that all work is performed correctly. Supervisor Dean suggested that the relevant invoices be researched to identify the items that would need to be checked. Supervisor Spavento modified his motion as follows:

Supervisor Spavento moved to inspect all CHI work that required an electrical license. Supervisor Dean seconded the motion. Supervisor Dean seconded the motion. In a voice vote the motion was unanimously approved.

Supervisor Spavento moved to put the RFP on file for janitorial services out for bid. Supervisor Dean seconded the motion.

The Board discussed the concerns with the janitorial and the maintenance services. Supervisor Spavento withdrew the motion and District Management was directed to present an RFP for maintenance services and to forward the RFP on file for janitorial services.

Vice Chair McCormick passed the gavel to Chairman Spavento.

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 11:50 p.m.

Leigh Hoffman, Secretary