

Minutes of a Regular Meeting
Board of Supervisors
Coral Bay Community Development District

Thursday December 11, 2008

Coral Bay Recreation Center

7:00 PM

3101 South Bay Dr., Margate, FL 33063

Roll Call:

Chairperson Spavento called the meeting to order at 7:01 PM.

Present: Tony Spavento (Chair), Daniel Dean (Vice Chair), Tina Hagen, John Hall and Ronald Gallucci

Absent: None

Also Present: District Attorney Michael Pawelczyk; District Engineer Robert Cole; District Manager Leigh Hoffman and Assistant District Manager Millie Otero

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

1. Approval of Minutes

Motion:	Approval of the minutes as revised for the Regular Board Meeting held on November 18, 2008.
By:	Supervisor Dean
Second:	Supervisor Hall
Vote:	5-0
Action:	Make the revisions, add the minutes to the District records and post on the website.
Time:	0:06

2. Approval of Invoices

Supervisor Dean requested the addition of First American Telecom to the agenda under Old Business. The Board approved the addition of the item to the agenda.

Motion:	To approve the checks listed in the Checking Account Register and the Supplemental Register; to hold the check issued to Vic's General Services until work is completed to satisfaction.
By:	Supervisor Dean
Second:	Supervisor Hall

Vote:	4-1 (Gallucci: YES; Dean: YES; Hagen: YES; Hall: YES; Spavento: NO)
Action:	Release the signed checks except the check to Vic's General Services until work is completed
Time:	0:08

Chairman Spavento requested holding check number 10795 for CHI until after discussion takes place under old business.

Motion:	For reconsideration
By:	Supervisor Hall
Second:	Supervisor Dean
Vote:	5-0
Action:	To hold the release of check number 10795 until after the discussion under old business
Time:	0:10

3. Presentations

There were no presentations at the meeting.

4. District Engineer's Report

Robert Cole Reviewed the status report dated December 10, 2008 sent to the Board in advance of the meeting and, commented on, among other items, the following matters:

- a. Peninsula Park – Robert Cole reported that the railings were installed on the lighthouse building. He informed the Board that there was a problem with the roof tile adhesive. Richard Noon reported that the issue was resolved and the tiles were being installed. Mr. Cole informed the Board that the pool contractor (Aqualogic Pools) supplied Diamond Brite samples for the selection of color.

Action:	To use Cool Blue as the Diamond-Brite resurfacing for the Peninsula Park pool
Time:	0:15

- b. Shoreline Erosion – Robert Cole informed the Board that the engineering plans for the project were completed. Mr. Cole reported that the permit applications were being prepared for processing. He added that the project could be put out to bid after the permits are issued.

5. District Attorney's Report

- a. Michael Pawelczyk reported that the contract of Swimming Pools by Ike for the resurfacing of

the clubhouse pool was finalized.

- b. Mr. Pawelczyk informed the Board that he had revised the rules and procedures of the District. He explained that the draft of the revision had been forwarded to District Management for comments. Michael Pawelczyk added that after the review of the documents by Management it would be forwarded to the Board.
- c. Mr. Pawelczyk reported that he working extensively with Supervisor Dean in reviewing the Envera Systems contract for the installation of the gates and surveillance.

6. 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:

- a. There are two things going well in Coral Bay: the landscaping Company and the maintenance company;
- b. Would like the streets in the community to be safe for the children;
- c. Agendas should be available at each meeting for the audience;
- d. What is the status of the planting of trees on North Bay Drive?
- e. Why is the gate and surveillance system not going to bid?

7. Supervisor's Comments

Supervisors commented on the following, among other items:

- a. Some of the charges from CHI might be higher;
- b. Richard Noon was asked when the Peninsula Park pool work would be completed. Richard Noon responded that the pool would be ready in approximately one week;
- c. Supervisor Dean requested that District Management consult with the city to see if the dock area at Peninsula Park could be secured in order to open the park upon completion of the pool work;

Action:	District Management directed to contact the City of Margate to inquire if Peninsula Park could be open by blocking access to the dock.
Time:	0:36

- d. Michael Pawelczyk was asked how the law defines a quorum for a vote at a meeting. Mr. Pawelczyk stated that he would further research the issue but, it was his understanding that when having a quorum present at the meeting, an absent member can vote over the phone;
- e. The concern with maintenance is not the work but the difficulty in following the billing for services;
- f. The maintenance services are not under contract. Based on the District rules the

maintenance services should be put up for bid;

- g. The Agenda could be placed on the District's website;
- h. The overall cost of maintenance needs to be evaluated;
- i. CHI must provide the District with the current proof of insurance and all licenses;
- j. The reason for not putting the gate and surveillance out to bid is because Envera Systems is a sole provider. There is no equivalent system on the market. Michael Pawelczyk added that it was confirmed with the Patent Office that Envera is a sole provider.

Dave Ball from CHI asked the Board for time to respond. The Board accepted Mr. Ball's request without objection. David Ball comments and responses were as follows:

- a. The light installed for the flagpole by CHI staff was inspected by Excel Electric and was found that the work meets the required code;
- b. The time sheets completed by the staff and pictures associated with the completed work are submitted every month. Supervisor Hagen stated that after the first book of pictures was presented to the Board no other books have been supplied. She added that the process of developing the pictures and creating a book with them every month is time consuming and costly. Supervisor Dean asked what had happened with the direction to purchase a digital camera, have the pictures stored on CD and attach the time sheets to the recorded pictures. Millie Otero responded that the direction was given to CHI staff and she was informed that they were using a digital camera to take the pictures;

Action:	CHI was directed to store on CD all the pictures taken of work performed at the District and submit it with the time sheets as part of the monthly billing
Time:	0:56

- c. Small tasks were grouped under large tasks if there were diversions and that made the large task look larger;
- d. The cost for the use of the company vehicle used to be part of the hourly rate. This method was changed at the direction of Ms. McCormick and the allocation for the use of the vehicle is billed separately.

8. Treasurer report

Supervisor Hagen reported that there was not much to report on at the time with only two months into the fiscal year until the Envera installation starts.

9. District Management Report

Millie Otero addressed the following item:

- a. The pressure cleaning was delayed due to questions concerning the worker's compensation insurance. Duffy Pressure Cleaning is expected to supply the documents prior to starting the project;
- b. Michael Pawelczyk revised the contract for the resurfacing of the clubhouse pool by Swimming Pools by Ike. All the required changes to the contract were completed. The District Manager signed the contract. A check was issued for the down-payment requested and

worked is scheduled to commence on Monday December 15, 2008;

- c. A Notice to Proceed was received from the Broward Beautiful Grant. The grant does not require the project to be put out to bid. Supervisor Dean asked Ms. Otero if there were any modification on the tree selection from what was proposed to the county. Ms. Otero responded that there were no changes;

Action:	District Management was directed to proceed with the Broward Beautiful Grant project.
Time:	1:09

- d. Currently there are directional arrows on the exit side of North Bay Drive and NW 62 Ave. Chairman Spavento clarified that the issue is the need of a directional arrow on the left lane for the traffic going across to the new shopping center;

Action:	District Management was directed to contact the city to request a directional arrow on the left lane of the exit side on North Bay Drive.
Time:	1:10

Action:	The District Management was directed to pursue the installation of speed humps with the city as part of the gates project.
Time:	1:14

Supervisor Dean expressed the need to keep the residents informed of the construction progress once the installation of the gates is started. He added that placing signs at the entrances to the community could accomplish this.

Action:	The District Management was directed inquire from the city the ruling for the installation of temporary signage at the community entrances.
Time:	1:16

Chairman Spavento inquired on the status of the replacement of palm trees on South Bay Drive. Supervisor Dean recommended the use of native palms that are self cleaning and attractive. He added that palm trees are also needed on North Bay Drive.

Action:	District Management was directed to have IGM Landscaping replace the palms at South Bay and North Bay Drive
Time:	1:20

Chairman Spavento requested that the Board suspend the ticket and towing program in the community until January 5, 2009.

Action:	The Board agreed to suspend the ticket and towing program until January 5, 2009.
Time:	1:24

Chairman Spavento requested looking into the installation of lighting to the second entrance monuments for Las Brisas and Port Antigua.

Action:	District Management was directed to request a quote from a licensed electrician for the installation of lights to the second entrance monuments of Las Brisas and Port Antigua
Time:	1:27

Chairman Spavento stated that the District should look into the status of the vacant house next to Peninsula Park, which could offer the District storage space and parking for the park.

Action:	District Management was directed to inquire on the status of 3137 Cape Circle.
Time:	1:32

Supervisor Hall asked Millie Otero for the status on the property on the corner of Apache and Buena Vista in Indian Key that had the concrete cones placed on the road. Ms. Otero responded that the CHI staff was directed to remove them. Michael Pawelczyk recommended that a letter be sent to the lot owners advising them to refrain from placing the items on the District property and that they would be responsible for any damages caused due to these items.

Supervisor Dean asked Leigh Hoffman about the status of the ticket and towing program. Mr. Hoffman responded that J&J Towing was secured as the towing company for the program and they would start after January 5, 2009.

The Board discussed the status of enforcing the lake easement of the three Islamorada lots.

Action:	The Board directed District Management to contact the city's Code Enforcement office and report that 3122 W. Buena Vista Drive installed a fence on the easement with no city permit.
Time:	1:38

10. Old Business

- a. CHI - Chairman Spavento expressed concern with the statements made by David Ball during the meeting. He added that some items that pose a problem are the removal of graffiti by hand instead of power washing the area; how work in the community is prioritized; making daily trips to purchase supplies instead of having inventory on hand and the charges for the company vehicle use. Chairman Spavento stated that he would like to see a contract to go out to bid for the maintenance services. Supervisor Dean asked Michael Pawelczyk if he had seen a copy of CHI's contract. Mr. Pawelczyk stated that David Ball would supply him with a copy of the contract. Michael Pawelczyk added that he would review CHI's contract and the RFP submitted by District Management to present a revised Request for Proposal to the Board for review.

Chairman Spavento stated that in business he likes to know whom he deals with and that was not clear with CHI. He requested for CHI to submit copies to District Management of all current licenses and insurance. Chairman Spavento asked David Ball to explain how the vehicle use is billed to the District. David Ball explained that the vehicle expense was initially billed as part of the hourly rate but, it was made a separate charge and the hourly rate for labor was accordingly reduced to reflect the change.

Chairman Spavento recessed the meeting at approximately 9:30 p.m. and reconvened the meeting at approximately 9:42 p.m.

Chairman Spavento gave recognition to the Board of Las Brisas for assisting the District in receiving the Broward Beautiful Grant.

Supervisor Dean informed the Board that there was \$2,000 held from CHI at the October meeting that had to be released.

Motion:	To approve the release of \$2,000 held from CHI from the October invoice
By:	Supervisor Dean
Second:	Supervisor Gallucci
Vote:	5-0
Action:	District Management to issue a check payable to CHI for \$2,000
Time:	2:47

Supervisor Dean asked Millie Otero to supply him with the disk holding the maintenance pictures for uploading on to the website.

Supervisor Dean asked Leigh Hoffman if he could resolve the issue of having an inventory of supplies for maintenance on site. Leigh Hoffman responded that it would be a matter of managing the inventory to avoid losses.

Action:	District Management to prepare a list of maintenance supplies on hand for the next Board meeting.
Time:	2:54

- b. Envera Systems – Supervisor Dean informed the Board that a decision was needed on the purchase of the service plan from Envera at a cost of \$3,800 per year. He added that Envera had supplied an item in their proposal for the installation of automated locks for the bathrooms at each pool facility. Supervisor Dean stated that the installation of the locks would cost \$7,000 per pool. After discussion the Board determined that the bathroom locks would not be purchased. Supervisor Hall expressed concern with the six hours response time stated in the Envera service contract. He asked if and about whether that response time applied to the replacement of gate arms. Supervisor Dean explained that some of these matters would be negotiated. Supervisor Hall stated that he believes that the system could resolve the problems that the community faces. He added that he would like confirmation that it would be sufficient to service the system once a year. Supervisor Hall suggested requesting from the manufacturer the recommended time frame for performing maintenance on the equipment.

Chairman Spavento informed the Board that he had received a quote for the cabling required for the installation of the gate and surveillance system. He added that he placed the communication company in touch with Envera to discuss the quote that was presented. Chairman Spavento stated that he would speak to Mr. Kemper from Envera to seek clarification on what are the cable specifications for the system. Supervisor Dean advised of the need for the cost comparison between the options. Supervisor Hagen requested from Chairman Spavento the costs associated with the installation and monthly services charges for a cost comparison.

Action:	Supervisor Hagen agreed that once Chairman Spavento provided the information to her, that she would provide a cost comparison to the Board the cabling options for the installation of the gate and surveillance system
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Time: 3:28

- c. Supervisor Dean asked Robert Cole if there were any permits required for the installation of the gate and surveillance system. Mr. Cole responded that it would be Envera Systems responsibility to request the permits from the city.

Robert Cole was excused from the meeting at approximately 10:37 p.m.

- d. Audit Selection Committee - Michael asked Millie Otero if the meeting for the audit selection committee had been advertised. Millie Otero responded that the advertisement was not published. Michael Pawelczyk stated that it should be published for the next meeting. Supervisor Hagen asked Mr. Pawelczyk if District Management could be directed to call some of the references supplied by GLSC Company. Michael Pawelczyk responded that would be a good course of action.

Action: District Management was directed to call some of the references supplied by GLSC Company.

Time: 3:37

Supervisor Hagen informed the Board that she asked Dona Moss if his cost for services would change if the District used an audit firm other than S. Davis & Associates. Supervisor Hagen reported that Mr. Moss' response was that the cost would change since it would require more of his time to work with a new firm. Supervisor Hagen asked Mr. Pawelczyk if an increase in Mr. Moss' fees would be part of the cost criteria. Michael Pawelczyk responded that the cost criteria relates to the cost for audit services and not to other associated costs. Supervisor Hagen also informed the Board that she would relinquish a good portion of the work she performed for previous audits to District Management.

Supervisor Dean informed the Board that the insurance coverage would have to be updated once the Envera equipment is installed.

Supervisor Dean asked Michael Pawelczyk if the District could cancel the contract with First American Telecommunications for the public phones at the pools. Mr. Pawelczyk responded he would have to look at the terms of the contract. He suggested calling the company and requesting a copy of the contract.

Action: District Management was directed to provide for the next Board meeting a copy of the First American Telecommunications' contract.

Time: 3:46

Supervisor Dean requested input from the Board on establishing e-mail contact information for each Board member on the District's website. After discussion the Board determined not to post individual e-mail addresses for the Supervisors on the website.

Chairman Spavento requested the purchase of a wireless router to be installed in the office for use when the Board meetings are held. Leigh Hoffman expressed concern with the possible security breach for Alliance Property Systems. Chairman Spavento explained that the router would only be in use during the meetings and it would not affect Alliance's system.

Action: Chairman Spavento would purchase a wireless router to be connected for use during the

Board meetings.
Time: 3:57

Chairman Spavento passed gavel to Vice-Chair Dean.

Motion: To dissolve the Records Liaison Office
By: Supervisor Spavento
Second: Supervisor Hagen
Vote: NA
Action: Withdrawn
Time: 4:00

Motion: To appoint Supervisor Hagen to the position of Records Liaison Officer
By: Supervisor Spavento
Second: Supervisor Hall
Vote: 5-0
Action: Supervisor Hagen was appointed as the Records Liaison for the District
Time: 4:03

11. New Business

Motion: To modify the minutes format to encase the motions in a box format
By: Supervisor Spavento
Second: Supervisor Hagen
Vote: 5-0
Action: District Management was directed to encase in the minutes all the motions made during the Board meeting
Time: 4:08

Chairman Spavento received the gavel from Supervisor Dean

Supervisor Dean informed the Board that he had started a process to create a template for the minutes based on the minutes of other municipalities. He added that it would take him some time to complete the process of creating the template for the minutes. Supervisor Spavento stated that while the template is completed District Management could go forward to encase the motions on the minutes.

Supervisor Dean stated that he would work with District Management to coordinate the posting of the meeting package on the website prior to the meeting.

Supervisor Dean requested the banner brackets for the entrance poles to be included in the

agenda under old business for the next meeting.

Motion:	To adjourn the meeting
By:	Supervisor Hall
Second:	Supervisor Hagen
Vote:	5-0
Action:	The meeting was adjourned at approximately 11:16 p.m.
Time:	4:15

Leigh Hoffman, Secretary