

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

March 12, 2009

Coral Bay Recreation Center

7:00 PM

3101 South Bay Dr., Margate, FL 33063

Roll Call: Chairperson Spavento called the meeting to order at 7:02 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; Engineer Ed Ploski, 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

Chairman Spavento passed the gavel to Supervisor Dean.

Motion:	To table the minutes to the meeting held on February 12, 2009.
By:	Chairman Spavento
Second:	Supervisor Dean
Vote:	5-0
Action:	Table the approval to the next meeting
Time:	0:01.30

Chairman Spavento requested a copy of the audio recording for review. Supervisor Dean passed the gavel to Chairman Spavento

2. Approval of Invoices

Supervisor Dean stated there were three (3) more checks on the supplemental register. Chairman Spavento asked about the phones and stated the Fay's Cove phone is not working. First American Communications check# 10899 is being held.

Motion:	To approve the checks listed in the Checking Account Register and the Supplemental Register excluding the check payable to First American Communications #10899.
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By:	Supervisor Dean
Second:	Supervisor Hagen
Vote:	5-0
Action:	Release the signed checks.
Time:	0:04.40

Attorney Michael Pawelczyk recommended sending a letter to First American Communications to inform them the District would only pay for 2 phones that are in service.

Motion:	To pay the service for 2 phones and send writing notice to First American Telecommunications that the third phone does not exist.
By:	Supervisor Dean
Second:	Supervisor Hagen
Vote:	5-0
Action:	Void check #10899 for \$195.00 and rewrite check for \$130.00.
Time:	0:06.00

3. Presentations

No presentations

4. Audience Comments

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

- a. This Board lacks leadership. They should allow management to do their job.
- b. Chairman Spavento asks questions at the meetings instead of asking to be briefed prior to the meetings.
- c. The lake easement at Islamorada seems to be personal for Chairman Spavento. He is wasting the District Attorney's time and incurring legal expenses.
- d. Peninsula Park building contract called for 4 months of construction. Work has now been going on for 2 ½ years. When will Peninsula Park be completed?
- e. Comments on the appearance of the backyard of the houses around the lake.

5. Supervisor's Comments

Supervisors commented on the following, among other items:

- a. Yes, the home in Fay's Cove is a health hazard.
- b. Attorney Pawelczyk stated the District has no jurisdiction over the individual lots.
- c. Supervisor Dean stated he would provide name of contractor for HOA to handle.
- d. Supervisor Dean asked Millie Otero if the dumpster in the parking lot could possibly be moved by the tennis courts. Ms Otero will look into this item.

6. District Engineer's Report

Robert Cole reviewed the status report dated March 12, 2009 sent to the Board in advance of the meeting and, commented on, among other the following matters:

- a. Peninsula Park: Mr. Cole reported the Peninsula Park building is complete. The only issue is the handrails by the bathrooms, painting yellow lines should satisfy the City of Margate. Richard Noon is preparing a change order. Pool loss of water is due to a tank being set below the level of the pool causing the loss of water. Tank will be extended above the pool level. The part is on order and Aqualogic will conduct the installation.
- b. Shoreline Erosion and Headwalls project. Robert Cole informed the Board that the plans are complete and waiting for FEMA.
- c. Dock Replacement: Ms. Otero had 2 bids and the letter from the architect who recommended AA Engineering which was the lowest bid, plus architect had some comments.
- d. Speed Humps and Gates: Ed Ploski explained that speed humps were approved in 2006. Traffic study has been updated. The District needs a 2/3 vote approval rating through the associations. Second part of the proposal is to go back and have the guard houses and gates re-approved. The process is an administrative one, we do not have to go to council. Supervisor Dean asked what mechanism is to be used for the vote. The President of each association will need to work on getting the vote out. Mr. Ploski recommended doing both applications at the same time for savings. Robert Cole asked if the District can get approval subject to approval on the voting. Mr. Ploski thinks it could be done. Supervisor Hall asked who decided that the District needed a vote. Mr. Ploski stated it is part of the code. Supervisor Hall asked why does the District need an application for the gates. Robert Cole stated that the prior approval expired and the District would need to apply again and to meet codes.

7. District Attorney's Report

Michael Pawelczyk stated that Dana Moss' Engagement Letter was approved.

Michael Pawelczyk informed the Board that he had spoken to Captain Watson of the City of Margate Police Department and Captain Watson distributed information through the ranks on the responsibilities and duties of the department to the District.

Michael Pawelczyk informed the Board that letters were sent to the three (3) lots concerning encroachment. Letters went to 3274, 3130, and 3122 W. Buena Vista Drive. Mindy Lee sent a letter stating she had removed the blockage. There was no response from Mr. Bell. Mr. Niecowitz was present and his son had sent a letter to the District Attorney offering to place a gate to the fence for access. The owner is concerned with liability. Michael Pawelczyk requested the Board to allow Mr. Niecowitz to approach. The Board accepted without objection. Mr. Niecowitz said he has people using his dock and he is concerned about safety. He had the lake professionally built along with proper permitting. Mr. Niecowitz explained that when he was asked, he provided access. He is asking the Board to consider a gate as a solution. Chairman Spavento stated Mr. Niecowitz does not have approval from the HOA and questioned the permit. Mr. Niecowitz stated that he had city approval. Supervisor Hall asked how long ago was the fence installed. Mr. Niecowitz said about 9 months ago. Michael Pawelczyk stated there is liability with anything you do, and he suggested moving the fence by the dock. Mr. Niecowitz's son responded that they would like to leave the fence the way it is now. Chairman Spavento stated that Ms. Lee has complied and we need to enforce the rules for all 3 lots or the District could be considered to be practicing selective enforcement.

Supervisor Dean asked Michael Pawelczyk why, since the easement is recorded, did the city issue a permit. Mr. Pawelczyk responded that people go with a survey, circle the area and present manufacturer's specifications, and the reviewer does not look for an easement. Supervisor Gallucci said that by the dock in Fay's Cove there is a house that has a fence on both sides. Supervisor Hall asked does he have fence on both sides and is he offering to place a gate for access? Mr. Pawelczyk said the situation is not selective enforcement, since selective enforcement is attacking specific people. He added that these cases are a start and others might come up will be addressed at that time. Supervisor Dean said the District would have to enter into an encroachment agreement. Chairman Spavento said he would like to see the permit. Supervisor Dean said the District would need to look at the permit. Mr. Niecowitz committed to send a copy of permit to Mr. Pawelczyk.

8. Treasurer's Report

No Treasurer's report at this time.

9. District Management Report

Millie Otero addressed the following items:

- a. Ms. Otero contacted the Trustee for reimbursement procedures. She was informed that the requisition forms need to be submitted along with invoices in order to process the request.
- b. Ms. Otero contacted IGM regarding their prior proposal for four Coconut Palms along South Bay Drive \$200 each for a bid of \$800. The approved coconut palm for North Bay Drive will be plated after the completion of the Broward Beautiful project is completed. Terry Glynn from IGM informed Ms. Otero that to transplant the palm trees from South Bay Drive to another area will depend on underground utilities and that they are not affected by the agent yellow. He supplied a cost of \$700 per palm or \$2,800 including backfilling & irrigation. Recommended trees rather than palms are Dwarf Poinciana, Dart Pompom Orchid and Crepe Myrtle, and others for \$350 per tree.
- c. Millie Otero followed up with Terry Glynn on filling the hedges along Southwind Lane, he informed her that he was waiting for 2nd treatment of the white fly effect before doing any planting. As to the trees transplanted to the tennis courts from Islamorada, he said the trees are Cypress and are dormant for the winter.

10. Old Business

- a. Envera Update - Supervisor Dean informed the Board that he needed direction in order to proceed with the negotiations with Envera. He asked what price point would the Board want to pursue and if the maintenance agreement would be included. Supervisor Dean inquired how to proceed with the City regarding the speed humps. Supervisor Dean said the Board would have to decide on option to pursue as well as to consider taking the project in stages given the current economic situation. Supervisor Hall asked if Envera's price is final. Supervisor Dean said this is a proposed amount before he can go and negotiate. The members agree on the fourth option. Chairman Spavento would like to see the pools covered as soon as possible. He stated that the camera systems could be up in a month. Supervisor Dean asked how they intend to proceed with the project.

Supervisor Hagen explained that the gates are soft gates, and the District cannot keep people out. Supervisor Hall said the Board had to provide protection at the facilities. Supervisor Dean stated the cost for 3 parks and pools with Envera would be approximately \$61,000 and the monitoring is approximately \$6,000.

The Board discussed the use of DSL versus the use T-1 lines. The Board determined at this time to pursue DLS installation for the facilities.

Supervisor Dean expressed the need for the Board to determine the threshold values for him to work with Envera. He stated that Envera is willing to do the project in stages. Supervisor Hagen said the District needs the monthly maintenance due to vandalism. Supervisor Dean said the monthly maintenance would not cover vandalism. After discussion the Board agreed on the maintenance agreement.

Motion:	For Supervisor Dean to negotiate with Envera on the Pool And Parks Monitoring System on a not to exceed \$99,800 and further to authorize Chairman Spavento and other District officials to execute an agreement not to exceed \$62,000 for the cost of cabling.
By:	Supervisor Hagen
Second:	Supervisor Hall
Vote:	5-0
Action:	Negotiate agreement with Envera for the Pools and Parks Monitoring System and to enter into an agreement for the cabling of the facilities
Time:	0.01.52

- b. Gate and Speed humps – Supervisor Dean ask Mr. Cole what would was the total cost to prepare the application for the city. Robert Cole replied \$10,000 processing both applications with the city up to the approval. Supervisor Dean stated the District needed the exact rules from the city for getting the vote from the community. Robert Cole said three (3) site plans were prepared, one for each gate. Supervisor Hagen asked Leigh Hoffman if he had experience on the response rate for mailing or an insert like the Buzz. Mr. Hoffman replied the percentage of response would be low. A homeowner present requested to express her opinion on the matter. She said that more information needed to be provided to the community associated with the speed humps for the owners to respond.

Robert Cole will contact the city as to the requirements for the voting procedures. He will forward to District Management who will then forward it to the HOA's.

- c. Discussion and Update Regarding Lake Maintenance Easement Encroachments – Supervisor Gallucci stated there were four (4) houses that he observed encroaching the easement. Supervisor Dean said the District needs to identify the lots that are encroaching the easement. Chairman Spavento stated that the problem with encroachment was to be addressed when reported by a neighbor. He doesn't see the need to go after situations where there were no complaints. Supervisor Dean stated the District needs someone to go out in a boat to take pictures of the encroachment. Chairman Spavento said that the District should to address encroachments where neighbors have a legitimate problem.
- d. Approval of RFP's for Janitorial and Maintenance – Chairman Spavento noted maintenance RFP reflects repairs and not maintenance items. He did not see the value of the RFP since it did not offer maintenance schedules. Supervisor Hagen said that some items in the janitorial RFP seemed to be part of maintenance and those items needed to be identified. Chairman Spavento requested to move the item for discussion under New Business. The item was moved without objection.
- e. Quotes for electrical work for second entrances of Las Brisas and Port Antigua – Chairman Spavento stated that the item was not a priority at the time and could be tabled for future discussion. Supervisor Hagen recommended adding the item to the list of the Major Projects.
- f. District Management onsite hours – Ms. Otero stated the following hours she is in Coral Bay office Monday 8:00 am to 10:00 am, Wednesday 8:00 am to 11:00 am and Friday 2:00 pm to 5:00 pm. Supervisor Dean stated as the District moves with Envera, there will be a need for more on-site presence. Chairman Spavento requested the office hours to be posted on the District's website.
- g. Nautical posts rope installation – Chairman Spavento asked for a more accurate and detailed report.
- h. Status – CHI Books with maintenance pictures – Supervisor Hagen explained what she saw the maintenance worker in the meeting room setting up the pictures in the book. She said there are 12 months of books missing. Chairman Spavento asked if Mrs. McCormick has been advised that David Ball had stated that she was given the books. Leigh Hoffman said that he understood the books were left in the closet of the meeting room for anyone that wanted to look at them. Michael Pawelczyk said that CHI should provide the records or reimburse the District the cost to produce the books.
- i. Light poles banner brackets – Millie Otero reported that District management received the banner brackets. Supervisor Dean said he would locate the artwork that had been approved by the Board.

The meeting was recessed at 9:55 p.m.

The meeting was reconvened at 10:13 p.m.

Chairman Spavento instructed District Management to hold the check for Clearview until they conduct the pressure cleaning around the clubhouse.

The Board discussed the options submitted by IGM for the planting at the South Bay Drive entrance. Chairman Spavento expressed concern with the recommendation to plant trees because the root system could damage the sidewalks. Supervisor Dean stated the recommended trees are all flowered trees and it presents a problem with the clean up. Supervisor Hagen stated that based on the quote from IGM the cost to remove

four palm trees and planting ten King Alexander palms would be \$8,000 and to plant ten of the recommended trees would be \$4,300.

Motion:	To authorize District Management to approve a not to exceed \$8,200 to remove four coconut palms from the entrance of South Bay Drive, to plant ten 20 foot King Alexander palms on SBD and install a coconut palm on North Bay Drive.
By:	Supervisor Dean
Second:	Supervisor Hagen
Vote:	5-0
Action:	Approve agreement
Time:	0.03.04

11. New Business

- a. Asset Valuation and Current Insurance Coverage - Supervisor Hagen stated that sometime ago management had a company go around to value the assets. Leigh Hoffman identified GAB Robbins as the company that was engaged for services. He explained that the appraisal from GAB Robbins was for insurance purposes only. Supervisor Hagen is working on identifying a set of asset values for the audit. Ms. Otero explained that the only value that has not been completed by GAB Robbins is for the wall. Supervisor Dean said as the hurricane season approaches, the District would like to see that all the assets are covered with the correct values. Supervisor Hagen said the insurance company has added items that they now will cover under a policy. She requested to see for the next meeting the value of the current assets covered in the policy.

Mr. Robert Cole was excused at 10:33 p.m.

- b. Tracking of Outstanding Board Requests - - Supervisor Hagen stated that the Board needs a more organized approach to track the items that are pending. Michael Pawelczyk explained that another district has a spreadsheet form to track those items. Mr. Pawelczyk would send a copy of the format to District Management. He suggested that the created list could be forwarded along with the management reports. Chairman Spavento asked Leigh Hoffman about the use of Yardi and why not used at Coral Bay. Mr. Hoffman explained that Yardi would not be used to track items. He added that the Yardi system is an accounting property management software.
- c. Maintenance – Chairman Spavento reviewed the maintenance items listed on the proposed RFP. He stated the listed items were repairs and not a list of maintenance work to address routinely throughout the community. Supervisor Hall stated in order to maintain Coral Bay you need to do repairs. Supervisor Dean stated the need to identify the preventive maintenance. He said the District needs to have the maintenance on a regular repetitive schedule for such items as lighting, wet checks, painting, check plumbing, and check gates around the community. Supervisor Hall stated you cannot separate maintenance and repairs. He added that the irrigation repairs are a large expense to Coral Bay. Chairman Spavento proposed contacting Richard Noon to ask if he would be interested in conducting maintenance work and preparing a maintenance schedule for the District. He added that Mr. Noon could conduct the maintenance during a 90-day period and CHI could limit their services to the irrigation system. Supervisor Dean stated that after the schedule is created it

would become part of the RFP document.

Chairman Spavento passed the gavel to Supervisor Dean.

Motion:	To engage the services of Richard Noon for 24 hours a week for 90 days to develop a maintenance schedule.
By:	Chairman Spavento
Second:	Supervisor Hagen
Vote:	
Action:	The motion was withdrawn
Time:	0.04.00

Supervisor Hagen suggested adjourning to another day and time to have District Management contact Mr. Noon and inquire if he would be interested in taking over such a project. Chairman Spavento withdrew the motion. Supervisor Hagen withdrew her second.

Supervisor Dean passed the gavel to Chairman Spavento.

- d. Non-Summer Pool hours - Supervisor Gallucci said there is no need to have the pools open until 10:00 p.m. all year around. He suggested that perhaps the pools could remain open until 9:00 pm after Labor Day. There were no changes to the pool hours at the time.

Supervisor Hagen said that she read an article that stated that the City of Margate had funds available City of Margate for home improvements. She suggested the information could be published in the Buzz for the community

Supervisor Dean asked Michael Pawelczyk that if the District were going to adopt the new rules, would all the resolutions be removed. Mr. Pawelczyk responded that the new rules would supercede everything.

Leigh Hoffman informed the Board there was a meeting scheduled for 6:30 pm on Friday, March 13, 2009 for pictures for an article related to the Broward Beautiful Grant.

Motion:	To recess the meeting to Monday, March 16, 2009 at 7:30 p.m.
By:	Supervisor Hagen
Second:	Supervisor Hall
Vote:	5-0
Action:	Meeting recessed
Time:	0.04.22

Meeting reconvened on Monday, March 16, 2009 at 7:35 p.m.

Maintenance:

Chairman Spavento explained the meeting was recessed to continue the discussion on how to address maintenance. Michael Pawelczyk stated it is a continuation of last Thursday's meeting held on March 12, 2009. Chairman Spavento said he was looking for a better systems to separate maintenance from repairs. Supervisor Gallucci asked if CHI had been contacted to supply a list of the maintenance items and the repairs. Supervisor Hagen said that District Management was asked to present an RFP for maintenance and to distribute the RFP for janitorial and the janitorial RFP had maintenance items listed and those items need to be identified and transferred to the correct list. Supervisor Dean said the RFP needed to define schedules and frequencies for the maintenance items. He said the Board needed to consider how the process would be defined and accomplished.

Supervisor Dean stated that he had spoken to Michael Pawelczyk prior to the meeting and discussed the role of a Site or Field Manager. Mr. Pawelczyk explained that other Districts have a Field Manager that identifies what needs to be done and supervises the work performed. Michael Pawelczyk distributed copies of Field Management Agreements from other Districts. Mr. Pawelczyk explained that the Districts that use the services of a Field Manager have the individual coming 2 to 3 times a week; it would not a full time position. Supervisor Hagen spoke about CDD's in South Florida that she looked up that have a field or site management presence in their operation. Supervisor Dean said that in creating a maintenance RFP it must incorporate the role of a Site Manager. Supervisor Dean asked Leigh Hoffman his opinion of the concept. Mr. Hoffman stated that It would be an enhancement of services. He doesn't see the need but it is the Boards decision.

Supervisor Dean said that the Site Manager's position would bring a new skill set to the property. He stated the community is almost 20 years old and needs attention and there are projects that will need someone in the capacity of site manager. Mr. Hoffman asked about expanding the role of Richard Noon to serve in such a capacity. Supervisor Hagen explained the problems experienced with the pool contractors and how someone on-site could have prevented the problems. Supervisor Dean suggested reading the description of qualifications from another District and adapting it tot Coral Bay. Supervisor Hagen explained that Richard Noon needed to be asked if he would be interested in the position or in getting together with the District Manager to work on the creation of the position. Mr. Hoffman asked Mr. Noon if has interested in the Site Management position. Mr. Noon responded that it depended on the scope of work and the payment. Supervisor Dean expressed that the Board's general consensus is that the concept of a Site or Field Manager has merit. Michael Pawelczyk stated that field management contracts work better broader rather than being specific.

Chairman Spavento asked Mr. Hoffman if there was a current maintenance schedule. Mr. Hoffman explained that CHI identified items that needed to be addressed and reports them to District Management. Chairman Spavento asked Mr. Hoffman if based on the list of maintenance items presented to the Board, was there a need to have maintenance full time on site. Mr. Hoffman responded that it could be possible to make some reductions at this time. Supervisor Dean said at this time the role of the site person needs to be defined. After discussion it was decided that Leigh Hoffman would meet with Richard Noon to define the scope of work and the role of the Site Manager for the District.

Motion:	To adjourn
By:	Supervisor Dean
Second:	Supervisor Hagen
Vote:	5-0
Action:	Meeting adjourned
Time:	0.01.12

Leigh Hoffman, Secretary