

MINUTES OF THE JUNE 14, 2018 CORAL BAY COMMUNITY DEVELOPMENT DISTRICT BOARD OF SUPERVISORS MEETING

Thursday, June 14, 2018
7:00 p.m.

Coral Bay Recreation Center
3101 South Bay Drive, Margate, Florida

Call to Order

The meeting was called to order at 7:00 p.m. in the Coral Bay Recreation Center.

<u>Attendee Name</u>	<u>Title</u>	<u>Status</u>
Tony Spavento	Chairman	Present
Daniel Dean	Vice Chairman	Present (by Skype)
John Hall	Supervisor	Present
Tina Hagen	Treasurer	Present
Ronald Gallucci	Supervisor	Present

Also in attendance were Michael Pawelczyk, District Counsel, Dennis Baldis, GMS, Julio Padilla, GMS, Jake Ozyman/Bob Zuccaro, District Engineer, John Crouse, Broward County Water Management District, and several residents (copy of sign-in sheet attached hereto and made a part hereof)

1. Roll Call and Pledge of Allegiance

Mr. Spavento called the meeting to order and led the pledge of allegiance.

2. Presentations

A. Broward County Water Management – John M. Crouse, P.E.

(At this point a lengthy presentation was given by John Crouse of the Broward County Water Management District relating to the Broward County code and gate control

of the canal for CBCDD) (Mr. Crouse's contact information is noted on the CBCDD website) (A Q&A session followed the presentation) (Tape Time: 00:053:00)

3. Audience Comments/Supervisors Responses

Mr. Spavento asked if there were any comments from the audience. (Tape Time: 37:07)

Mr. Kapalka, resident at 3106 W. Buena Vista Drive made a comment relating to the aquatic plant buildup at Islamorada and also the grub bush which is growing in the lake and migrating on the banks. (Tape Time: 37:57)

Mr. Baldis stated that item would be addressed in the field report. (Tape Time: 38:24)

Mr. George Mizusawa resident at The Cape, 6623 Bayfront Drive, stated that he's being living in Coral Bay since 2001 and commented that it was the first time he's ever seen the vegetation and hydrilla spreading that far out. (Tape Time: 39:25)

Ms. Lenore Dunlop, resident at Islamorada, asked why was the growth of the plants considered so bad?

Mr. Baldis stated again those items would be covered under the field manager's report. (Tape Time: 40:05)

Mr. Spavento stated that would be fine since there was a lot of business on the agenda he would prefer to go in order. Mr. Spavento asked if there were any other audience comments, there were none, so he asked the Supervisors if they had any comments. (Tape Time: 40:58)

Mr. Gallucci stated that on the sidewalk, especially on South Bay Drive to Harbor Lane, there are a lot of trip hazards, some are 1" or 2" deep. (Tape Time: 41:19)

Mr. Spavento stated he saw the vendor on the property yesterday, and Mr. Padilla has their schedule. (Tape Time: 41:23)

Mr. Baldis stated again, that topic would be part of the field manager's report. (Tape Time: 41:42)

Mr. Hall requested Mr. Padilla to add a line item to the July Board meeting agenda to discuss parking patrol company.

(Tape time: 41:55)

Mr. Hall also stated, that the parking lot at the tot lot there was an abandoned motor scooter, which has no license plate, and it's been there so long the landscapers just cut the grass around it and asked staff if that could be removed. *(Tape Time: 42:08)*

Mr. Baldis stated he saw the scooter there a couple of days ago, but he didn't know if it was still there *(Tape Time: 42:31)*

Mr. Hall stated that he drove by that location before the meeting and the scooter was still there, and there was no tag on it. *(Tape Time: 42:35)*

Mr. Hall requested that management remove the abandoned motor scooter from the tot lot area. *(Tape Time: 42:42)*

Mr. Baldis stated he would take care of it and have it removed. *(Tape Time: 42:42)*

4. Staff Reports

A. Attorney

Mr. Pawelczyk stated he had nothing specific to report that was not already listed on the agenda unless the Board had any questions. *(Tape Time: 43:03) (There were no questions from the Board)*

B. Engineer

1) Speed Humps Project Update

Mr. Ozyman stated the speed hump plans were updated per the direction of the Board at the last meeting. He also received the updated permitted plans and the City of Margate was ok with those. He commented he would give all the necessary paperwork to Mr. Pawelczyk to prepare an agreement and advised the contractor that the agreement

would be ready to sign sometime next week. Once the contract is signed and approved the contractor would be able to start in approximately 2 weeks. *(Tape Time: 43:19)*

Mr. Pawelczyk commented that the agreement has already been drafted, they were just waiting on the final proposals, so the contract was basically ready to go. *(Tape Time: 44:02)*

Mr. Baldis commented that he would like to talk about the lakes, the canals, and the diver’s inspection report all as one topic. *(Tape Time: 44:33)*

2) Catch Basin Cleanup Update

Ms. Hagen asked Mr. Baldis if he wanted to skip over item B2 for the moment. Mr. Baldis concurred. *(Tape Time: 44:45)*

Mr. Bob Zuccaro introduced himself and stated that Mr. Ozyman would be leaving Keith & Schnars next week, and he would be taking over as District engineer for Coral Bay CDD. *(Tape Time: 44:57)*

C. Treasurer

1) Approval of Check Run Summary and Invoices

Mr. Spavento asked for any questions, or a motion to approve the financials, there were no questions. *(Tape Time: 45:48)*

ACTION:	Approve Check Run Summary
RESULT:	Check Run Summary approved
MOVER:	Tina Hagen
SECONDER:	John Hall
AYES:	All in favor
Tape time: 46:11	

A copy of the Combined Balance Sheet and Statement of Revenues and Expenditures were enclosed.

2) Combined Balance Sheet, Statement of Revenues and Expenditures

Mr. Spavento asked for any questions, or a motion to approve the financials, there were no questions. *(Tape Time: 45:48)*

D. Field Manager

1) Monthly Report

Mr. Padilla provided updates on items listed on the Field Manager's Report. *(Tape Time: 46:44)*

Mr. Baldis commented on item #9 relating to headwalls, culverts, and outfalls cleanup and stated that divers went through the pipes on the canal under North Bay Drive and South Bay Drive, in addition to the weir, to make sure there were no obstructions. Once that was completed the divers provided a report with recommendations on what needed to be repaired. \$20,000 had been budgeted for this expenditure and \$7,200 was spent for the inspection. The list of repairs included headwalls which had deteriorated, and 2 pipes under South Bay Drive were damaged at an open joint that also needed to be repaired. Mr. Baldis stated these items were critical and needed to be taken care of. The total quote for the repairs was \$15,550. Mr. Baldis stated that while this would put the District over budget on the budget line used for this type of work, that there was excess money in landscape replacement budget line that could be used for this purpose. He then asked the Board if that could be taken out to make sure the needed work gets done. *(Tape Time: 48:19)*

Ms. Hagen asked if that money that would be used was for optional landscaping items, that were over and above the standard level of landscaping. *(Tape Time: 50:14)*

Mr. Baldis stated there was a line item for landscape replacement in the budget, however, that money is not usually expended until the end of the fiscal year, closer to the holidays.

He also commented on the lake and the aquatic weeds and the decomposing aquatic plant material floating on top of the lake and stated that staff has been addressing the hydrilla which had gotten out of control with the previous vendor. He stated that he was going to have someone come in and harvest the decomposing plant material and lift

it out of the lake. He didn't know how many hours it would take to complete this job, but he did have a quote of \$1,500 per day and stated that he and Mr. Padilla would be talking to the vendor to see how many hours it would take and what could be accomplished for the \$1,500.

Ms. Hagen asked more specifically about the line item for landscape replacement, and what items would not get done if money was taken from there. She indicated that there was also money in the major projects budget which perhaps was not earmarked to be spent yet. *(Tape Time: 52:19)*

Mr. Baldis stated that there is money to do this project, and he would suggest taking it out of the landscape replacement. It could be taken from major projects as well; , it's just something that needs to be done. *(Tape Time: 53:03)*

Ms. Hagen agreed. *(Tape Time: 53:20)*

Mr. Baldis also stated this topic also ties into the current aquatic company who is now asking for an increase which has tripled in price and that the staff had therefore gone out and obtained some competitive pricing. The current vendor is one of a few companies that have a machine to harvest the decomposed material out of the lake. So staff will be hiring them to do that work, and once the job is completed, staff will give them a 30 day notice that the District has found another vendor who can do the work for less money. Mr. Baldis also stated, when the divers were onsite they noticed one of the catch basins was clogged with debris which was brought to the attention of staff. So staff called a company by the name of Shenandoah and requested them to come out and give a quote to vacuum out the catch basin. He stated that typically catch basins are vacuumed out in stages, a few at a time when necessary if they are clogged, and he also commented that money can be taken from another line item in the budget if necessary to pay for the expense. *(Tape Time: 57:07)*

Mr. Gallucci asked about the sidewalk repairs. *(Tape Time: 57:30)*

Mr. Padilla stated the hazard tripping areas relating to the sidewalks were addressed and have been completed by the vendor, and Mr. Padilla commented that he would go back and check to make sure the areas were done as instructed. *(Tape Time: 58:00)* Mr. Padilla commented that staff was looking for direction from the Board on the

subdivision entrance lighting to remove the coach lights and obtain a proposal if necessary. *(Tape Time: 59:50)*

Mr. Spavento stated *(Tape Time: 1:00:37)* that in areas where there isn't a nearby streetlight, there might be a couple of coach lights that might need to be left up.

Mr. Baldis commented that one of the reasons staff is suggesting to take off those lights is because they've been up there since the 1980's and they're rusted out and water is going in through the top and deteriorating the inside of the fixture ... but it's whatever the Board wants to do.

Ms. Hagen commented she thought the coach lights were installed after Hurricane Wilma, and that her only stipulation for removing them would be to make sure there is sufficient lighting from whatever is going to replace them. *(Tape Time: 1:01:03)*

Mr. Baldis stated lighting can always be added to the landscaping, and he would be happy to go back and revisit the areas again to check on that.

Mr. Spavento stated that if a couple more lights were added towards the edge that would give off the light that used to be given by the coach lights. *(Tape Time: 1:02:07)* He asked the Board members if anyone had an objection of moving forward and having management address the individual lighting issues afterwards for additional lighting, or if anyone wanted to keep the coach lighting. *(Tape Time: 1:02:56)*

Ms. Hagen stated she didn't want to keep them, but wanted to make sure that people have enough light. *(Tape Time: 1:03:09)*

Mr. Hollinger, resident at 3182 Vista Del Mar commented, even if additional lights are put in similar to what is there currently, LED lighting is very rigid and very bright; it doesn't illuminate very far from where it's pointed at. He felt that coach lights are more general and provide more soft lighting in the area and that when LED lights are hidden in the landscaping, people tend to damage them more. He felt that whatever light will be used need to actually provide some general lighting, not just light the wall.

Mr. Baldis stated the coach lights and the lights that illuminate the signs were done for aesthetics purposes, not to light up sidewalks, roadways, or anything. They are

strictly to light up the landscaping to make the signs look pretty, but he would look into whether the lighting was adequate. *(Tape Time: 1:04:46)*

Mr. Spavento stated Mr. Baldis and Mr. Padilla will stay on top of this item and they'll do whatever is necessary for those areas. *(Tape Time: 1:06:15)*

Ms. Hagen asked Mr. Baldis to view the lighting with Mr. Hollinger to evaluate what was needed.

Mr. Padilla commented that the Islamorada trellis had several beams that needed to be replaced which was completed, they also went back and pressure treated the wood. *(Tape Time: 1:06:46)*

Mr. Kapalka, resident at 3106 W. Buena Vista, commented there was a palm tree that was knocked over from the storm and wanted to know if it was going to get replaced. Also, there are a lot of weeds between the bushes and no mulch along the wall which used to have low level bushes but, now it's all just weeds and looks terrible. He also stated there was a coach light that is completely broken apart on that wall on the east side of the tot lot. *(Tape Time: 1:07:14)*

Mr. Padilla asked where the palm tree was located.

Mr. Kapalka stated the palm tree was on the north side, at the entranceway to Islamorada on W. Buena Vista. *(Tape Time: 1:08:16)*

Mr. Baldis stated that along that wall there are several plants missing and staff has looked into replacing those. However, work needed to be completed on the trellis first and they are now trying to figure out what type of plants to put in there, or perhaps just take everything out and put mulch in. So that item is being addressed. *(Tape Time: 1:09:10)*

2) Lake Report

The lake report was included in the agenda package.

3) Gate Report

The gate report was not included but would be provided at the next meeting. *(Tape Time: 1:09:43)*

**4) Old Business, Item 6D – Discussion of Fencing Issue in the Cape
(This item was moved up on the agenda)**

Mr. Baldis stated there had been a change in landscaping at Cape Drive at the circle; the homeowner had put in a fence, closer to the road than the fence that he replaced. Mr. Spavento asked if the Board had any objection to moving this item up on the agenda from Old Business. There was no objection from the Board. *(Tape Time: 1:09:53)* Mr. Baldis commented the homeowner wanted to use his entire property, so he put up a wooden fence approximately 10' off of the circle, next to the monument sign. Mr. Baldis also stated that it was the homeowner's property, and that there were also village monument columns belonging to the CDD that were on his property. Management therefore hired an electrician to disconnect the power that was going to the column. Also, Mr. Baldis stated that the entire monument sign for the village is on another homeowner's property and commented that the Board would need to decide what they would like to do relating to this matter. Mr. Baldis suggested that perhaps a smaller monument sign could be placed there like the one that was at 30th Street because the current sign is not aesthetically pleasing at this point.

Mr. Hall asked if the homeowner even asked the Board if they wanted to remove any of the landscaping that he has now fenced, or was that opportunity ever presented to the Board. *(Tape Time: 1:12:05)*

Mr. Spavento stated it was discussed with him, and it was also discussed with IGM whether it would be worth the effort to pull it out. *(Tape Time: 1:12:30)*

Mr. Baldis stated that legally he wasn't sure what needed to be done to the landscaping and the boulder that was there but, those items were on his property, and technically belong to him now. *(Tape Time: 1:13:10)*

Mr. Pawelczyk addressed the issue and stated he did some brief research on the matter and the District does have an easement for the sign. However, there was no written easement granting to the CDD specifically, but the Covenants say that basically the CDD has an easement where the monument sign is. As for the columns, an argument can certainly be made stating there is an easement there which would apply, but the covenants were written a long time ago, and the CDD is mentioned. The monument sign is not so much an issue, but the landscaping and the rock, that's different

because typically there would be a landscape easement for those materials. He also stated that if a draft letter were written and something were filed to get that rock back, the cost to do that would far exceed the value of the item. Mr. Pawelczyk stated that he and Mr. Baldis talked about the issue of the sign and wanted to see what the Board would like to do to address the issue in the future. *(Tape Time: 1:13:44)*

Mr. Spavento stated there was a permit for the fence and The Cape approved it. He also stated that he thought shadowbox fencing was required, however this fence is a solid wall of fence that let's no air through but, apparently The Cape doesn't have the shadowbox requirement. *(Tape Time: 1:16:44)*

Mr. Pawelczyk stated if he didn't build his fence to the city code he couldn't have gotten a permit for the fence, because when cities look at it, they look at what kind of fence it is, and make sure it meets the code requirements, and also where it is located, because sometimes there's setbacks and that's reviewed when you put your permit application in with the city. *(Tape Time: 1:17:53)*

Mr. Mizusawa, resident at 6623 Bay Front Drive commented that he lives in The Cape, and he also looked into replacing his fence, and there are specific requirements for fences, wooden, chain link and PVC. PVC is not addressed as to the requirements but, shadowbox is specified in the permitting process which is required for a wooden fence. *(Tape Time: 1:19:02)*

Ms. Dunlop, resident at 3170 W. Buena Vista Drive, Islamorada, stated she was *(Tape Time: 1:20:46)* looking at the City of Margate building code, which says wood and chain link fence requirement form, and under wood fence types it requires one of 4 types, and it does state, board on board, stockade, shadowbox and basket weave.

Ms. Hagen stated *(Tape Time: 1:20:19)* that each of the HOAs have virtually the same declarations, and they have wording in there that basically says that each community needs to be maintained in the condition that it was turned over, and under that guide, that would mean shadowbox stays as shadowbox because everything was shadowbox when it started.

(At this point a lengthy discussion continued back and forth among the Board members, staff and attending residents regarding this fence issue) (Tape Time: 1:20:37)

The Board requested Mr. Pawelczyk to obtain a title search of both properties, 2068 Cape Drive and 3059 Lillian Lane relating to the fence issue.

(Tape time: 1:37:50)

E. CDD Manager

1) Approval of the Minutes of the May 10, 2018 Meeting

ACTION:	Approve minutes of May 10, 2018 meeting
RESULT:	May 10, 2018 meeting minutes approved as presented
MOVER:	Tina Hagen
SECONDER:	John Hall
AYES:	All in favor
Tape time: 1:41:19	

2) Consideration of Proposed Fiscal Year 2019 Meeting Schedule

Mr. Spavento asked if the schedule was checked against religious holidays and stated that July 11th was a very important date. *(Tape Time: 1:43:08)*

Mr. Spavento asked Mr. Padilla to double check the meeting schedule for religious holidays. The proposed meeting schedule was tabled for the next meeting.

(Tape time: 1:43:29)

3) Discussion of Financial Disclosure Report from the Commission on Ethics

Mr. Spavento commented on the financial disclosure report and stated all Board members need to submit their Form 1s by the end of the month. *(Tape Time: 1:43:50)*

Mr. Pawelczyk stated there was a way to file the Form 1 by email, by scanning it as a PDF file, instead of going to the Supervisor of Elections in person, and the directions

on how to do that are included with the Form 1s that are mailed out to the Supervisors.
(Tape Time: 1:44:35)

(At this point the Coral Bay CDD Board Meeting was recessed and the Public Hearing for the FY2019 Budget was taken up under New Business (Tape Time: 1:45:19)

5. New Business

A. Public Hearing to Adopt the Fiscal Year 2019 Budget

1) Motion to Open the Public Hearing

ACTION:	Open the Public Hearing to adopt the FY2019 Budget
RESULT:	Motion to Open the Public Hearing to adopt the FY2019 Budget
MOVER:	John Hall
SECONDER:	Tina Hagen
AYES:	All in favor
Tape time: 1:45:30	

2) Public Comment and Discussion

(At this point public comment and discussion was taken up relating to the budget.
(Tape Time: 1:45:19)

Ms. Hagen stated an analysis was done quite a while ago on the budget, including the payments for the wall bond and road loan. Once that analysis was completed, an amount was selected that would allow the District to continue to operate and also have some discretionary money to do some projects that were discussed at the meetings. The Board came to an agreement of an amount that would carry the District without any additional increases up until the point where the wall bond had been satisfied. The Board members also discussed trying doing some large projects for the community and it was agreed that the amount selected would carry the District through to be able to work on those projects. (Tape Time: 1:47:01)

(Public comments were taken at this time) (Tape Time: 1:49:34)

Mr. Spavento commented that he would be voting against the budget increase stating that he believed there were some unnecessary expenditures noted in some of the Board’s decisions. *(Tape Time: 1:50:44)*

NOTE: an error was found in the discussion in that the analysis and increase were done LAST fiscal year, and that there was NO increase for the coming fiscal year.

Mr. Pawelczyk commented there was no need to read the resolution into the record but stated there were two resolutions to be approved by the Board for the budget and gave a brief explanation of the resolutions. *(Tape Time: 1:52:30)*

3) Consideration of Resolution 2018-03 Annual Appropriation Resolution

ACTION:	Approve Resolution #2018-03 Annual Appropriation Resolution
RESULT:	Motion to approve Resolution #2018-03 the Annual Appropriation Resolution
MOVER:	Tina Hagen
SECONDER:	John Hall
AYES:	3 in Favor, 2 opposed (Tony Spavento, Ron Gallucci)
Tape time: 1:53:31	

4) Consideration of Resolution #2018-04 Levy of Non Ad Valorem Assessments

ACTION:	Approve Resolution #2018-04 Levy of Non Ad Valorem Assessments
RESULT:	Motion to approve Resolution #2018-04 Levy of Non Ad Valorem Assessments
MOVER:	Tina Hagen
SECONDER:	John Hall
AYES:	4 in Favor, 1 opposed (Ron Gallucci)
Tape time: 1:56:11	

5) Motion to Close the Public Hearing

ACTION:	Close the Public Hearing to adopt the FY2019 Budget
RESULT:	Motion to Close the Public Hearing to adopt the FY2019 Budget
MOVER:	John Hall
SECONDER:	Tina Hagen
AYES:	All in favor
Tape time: 1:57:34	

(At this point the Coral Bay CDD Board Meeting was reconvened under New Business (Tape Time: 1:58:00)

B. Consideration of Holiday Lighting Proposal from Miami Christmas Lights

Mr. Baldis briefly explained the proposal from Miami Christmas Lights as compared to the current company, CDI stating that Miami Christmas Lights quote is very close in pricing to CDI. *(Tape Time: 1:58:33)*

Mr. Pawelczyk stated that he did not have the contract at the meeting today but, he remembered from an email in February that the District would have to give written notice to CDI by August 15th if the District was going to terminate their contract. *(Tape Time: 2:01:04)*

At this point the Board decided they were not interested in the proposal from Miami Christmas Lights, they did not like the design or the price that was submitted. (Tape Time: 2:02:02)

The Board requested Mr. Baldis to contact CDI for new Christmas lighting ideas this year within the budgeted amount.

(Tape Time: 2:03:24)

C. Acceptance of Resignation Letter from Mr. Antonio Spavento effective November 6, 2018

Mr. Hall asked if a formal motion was needed to accept Mr. Spavento's resignation. *(Tape Time: 2:03:56)* Mr. Pawelczyk stated the Board should accept the resignation by formal motion effective November 6, 2018 for clarification of the record. He explained that under Florida Law there's something that's called dual office holding, and, in Florida, it's prohibited to hold two political offices at the same time. There is also a "resign to run law", so if someone is going to run for election, they have to resign from their current position effective prior to the day they would take office should they be elected.

Ms. Hagen stated that Mr. Spavento is running for City Commissioner in the upcoming November election. *(Tape Time: 2:04:47)*

ACTION:	Accept the resignation letter from Mr. Antonio Spavento effective November 6, 2018
RESULT:	Motion to accept the resignation from Mr. Antonio Spavento effective November 6, 2018
MOVER:	John Hall
SECONDER:	Tina Hagen
AYES:	All in favor
Tape time: 2:05:55	

6. Old Business

A. Pacific Telemanagement Services (PTS) Payphone Removal at Fay's Cove and Peninsula Park

Mr. Spavento asked Mr. Padilla if the payphones were gone. *(Tape Time: 2:06:43)*

Mr. Padilla stated there were two payphones at two pools that the District was still paying for, one at Fay's Cove and one at Peninsula Park. Mr. Padilla commented that he wanted to get direction from the Board to have those removed. He also stated that he checked with the Health Department and they informed him that the payphones are not required at the pool for emergency purposes.

Mr. Hall asked if there was a contract with PTS. *(Tape Time: 2:07:10)* Mr. Padilla stated is was a month to month contract and a letter would be necessary to terminate.

The Board directed Mr. Padilla to send a letter to PTS to have the payphones removed.

(Tape Time: 2:07:20)

B. Discussion of Re-establishing Control over Gate Access and Transponder Policy

Mr. Spavento commented he was reading through the transponder policy and stated there was a lot of blanks in the policy where it references costs. *(Tape Time: 2:07:26)*

Ms. Hagen stated she created a document entitled "Re-Establish Transponder Control". She stated that she gave the document that title because the document had a lot to do with what was potentially going to be done to determine the status of all current outstanding transponders, determine which ones should be deactivated, and to establish a procedure going forward for selling transponders in a more controlled fashion. The document presented a number of alternatives for obtaining the needed controls. *(Tape Time: 2:07:35)*

Mr. Dean indicated that he wanted to do an analysis of the information relating to the outstanding transponders in order to provide input to any decision making regarding the determination of what to do both now and going forward.

(At this point a lengthy Q&A session took place among the Board members, staff and the residents who attended the meeting relating to the transponders) (Tape Time: 2:10:40)

Mr. Hall requested Mr. Padilla to investigate other options for transponders, and also find out the cost of sending letters to all residents informing them to re-register all transponders.

(Tape Time: 2:34:10)

**C. Discussion of Post Lighting at Community Entryways
(*This item was discussed under Field Manager*)**

D. Discussion of Fencing Issue in the Cape (*This item was moved up on the agenda under Field Manger*)

7. Adjournment

ACTION:	Adjourn the meeting
RESULT:	Meeting adjourned at 9:40 p.m.
MOVER:	John Hall
SECONDER:	Tina Hagen
AYES:	All in favor
Tape time: 2:39:05	

Secretary/Assistant Secretary

Chairman/Vice Chairman