

# **New Port Tampa Bay Community Development District**

*12051 Corporate Boulevard Orlando, FL 32817  
Phone 407-382-3256; Fax 407-382-3254*

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The following is the proposed agenda for the Board of Supervisors meeting of the New Port Tampa Bay Community Development District (“District”) scheduled to be held at the offices of Straley Robin and Vericker, 1510 W. Cleveland Street, Tampa, Florida, 33606 on **Tuesday, June 13, 2017 at 4:00 p.m.** A quorum will be confirmed prior to the start of the meeting.

For those unable to attend in person, you may participate by telephone:

Dial-In: 1-877-864-6450  
Code: 345750

## **Organizational Matters**

- Call to Order
- Roll Call to Confirm a Quorum
- Public Comment Period
- 1. **Consideration of the May 31, 2017 Board of Supervisors’ Meeting Minutes**

## **General Business Matters**

2. **Public Hearing on the Adoption of the District’s Fiscal Year 2017-2018 Budget**
  - **Public Comments and Testimony**
  - **Board Comments**
  - **Consideration of Resolution 2017-16, Adopting a Budget and Appropriating Funds (*provided under separate cover*)**
3. **Continued Discussion Regarding Authorization to Market and Pre-sell Property Anticipated for Condo Development (Phase 3)**
  - a. **Directing SPE to Engage Special Counsel for Marketing and Pre-sale Efforts**
4. **Additional Matters related to Phase 2**
5. **Ratification of Funding Request 84**
6. **Review of District’s Financial Position (*provided under separate cover*)**

## **Other Business**

- A. Staff Reports
  1. District Counsel
  2. District Manager

- 3. District Engineer
- B. Audience Comments
- C. Supervisors Requests

**Adjournment**

**New Port Tampa Bay  
Community Development District**

**Consideration of the May 31, 2017 Meeting Minutes**

**NEW PORT TAMPA BAY  
COMMUNITY DEVELOPMENT DISTRICT**

**BOARD OF SUPERVISORS' MEETING MINUTES**

**FIRST ORDER OF BUSINESS**

**Call to Order and Roll Call**

The Board of Supervisors' Meeting for the New Port Tampa Bay Community Development District was called to order on Wednesday, May 31, 2017 at 10:00 a.m. at the Law Offices of Straley Robin and Vericker, 1510 W. Cleveland Street, Tampa, Florida 33606. Board Members listed below constituted a quorum:

Board Members present:

|              |              |
|--------------|--------------|
| Beck Daniel  | Board Member |
| Kevin Mays   | Board Member |
| Keith Lavery | Board Member |

Also present were:

|                 |                                  |
|-----------------|----------------------------------|
| Joe MacLaren    | Fishkind & Associates            |
| Christi Blyseth | Fishkind & Associates (by phone) |
| Vivek Babbar    | Straley Robin Vericker           |

**SECOND ORDER OF BUSINESS**

**Public Comment Period**

There were no members of the public present. Joe MacLaren noted, at this time that Keith Lavery was administered the Oath of Office before the meeting began.

**THIRD ORDER OF BUSINESS**

**Consideration of the  
Minutes of the March 14,  
2017 Board of Supervisors'  
Meeting**

The Board reviewed the minutes. There were no questions or edits.

On motion by Mr. Daniel, second by Mr. Mays, with all in favor, the Board of Supervisors' for the New Port Tampa Bay Community Development District approved the minutes of the March 14, 2017 Board of Supervisors' Meeting, as presented.

**FOURTH ORDER OF BUSINESS**

**Letter from Supervisor of Elections – Hillsborough County**

Mr. MacLaren explained to the Board that each District is required to submit a letter to the Supervisor of Elections, each year, to request the number of qualified electors. They are supposed to have a boundary map of the District so that they know the correct number. However, the Supervisors' reply is incorrect, listing three voting residents. He stated that the manager's office will work with the County to correct this as they probably have an incorrect boundary. This will not affect the District, as it is not an issue until 250 voters is reached.

**FIFTH ORDER OF BUSINESS**

**Consideration of Resolution 2017-11, Approving the Form of a Phase II Funding and Completion Agreement**

Mr. Babbar stated that this and all of the following resolutions and agreements are, essentially, in the same form as those approved for Phase 1 but are specific to Phase 2. The SPE will complete any part of the project that the District does not already have funds built for.

On motion by Mr. Daniel, second by Mr. Lavery, with all in favor, the Board of Supervisors' for the New Port Tampa Bay Community Development District approved Resolution 2017-11, approving the form of a Phase II Funding and Completion Agreement.

**SIXTH ORDER OF BUSINESS**

**Consideration of Resolution 2017-12, Approving the Award of Phase II Construction Contracts**

Mr. Babbar stated that, once again, this is in the same form as the Phase 1 Resolution, pursuant to previous board resolutions, in which the District awarded the contracts to the Phase 1 contractors. They were in substantial form to the approval, with respect to having the same unit costs, as well as pricing, from Phase 1 to Phase 2. The numbers, stated in the Resolution, add up to a total of \$3,853,117.48. There were no questions.

On motion by Mr. Daniel, second by Mr. Lavery, with all in favor, the Board of Supervisors' for the New Port Tampa Bay Community Development District adopted 2017-12, approving the award of Phase II construction contracts.

**SEVENTH ORDER OF BUSINESS**

**Consideration of Resolution  
2017-13, Authorizing the  
Conveyance of District  
Property in Phase II**

Mr. Babbar stated that this Resolution allows the District to convey the plat or anything else, to effectuate the Phase II construction. Right now, he stated there are no properties being contemplated. It simply gives authority to do so, when necessary, without the District holding another meeting.

On Motion by Mr. Daniel and Second by Mr. Lavery, with all in favor, the Board of Supervisors' for the New Port Tampa Bay Community Development District approved Resolution 2017-13, Authorizing the conveyance of district property in Phase II.

**EIGHTH ORDER OF BUSINESS**

**Consideration of Resolution  
2017-14, Approving the  
Form of a Phase II Tri-  
Party Agreement and Phase  
II Maintenance and Hold  
Harmless Agreement**

Mr. Babbar noted that, just like in Phase 1, these two agreements are required, by the City, to have the plat done before the improvements are constructed. It is in the same form. He said that the City has replied with some comments. Staff will make any improvements necessary with the Chair or Vice-Chair's approval.

On Motion by Mr. Daniel, and Second by Mr. Lavery, with all in favor, the Board of Supervisors' for the New Port Tampa Bay Community Development District approved Resolution 2017-14, Approving the form of a Phase II Tri-Party Agreement and Phase II Maintenance and Hold Harmless Agreement.

**NINTH ORDER OF BUSINESS**

**Consideration of Resolution  
2017-15, Approving the  
Form of a Phase II Plat and  
Phase II Subdivision  
Agreement**

Mr. Babbar stated that since the District does own some property within the Phase II Plat, these will be similar to other agreements that the City is requiring. Staff does have a copy of all agreements. The plats, as they are currently drafted, are subject to changes. This resolution authorizes the Board to execute it, subject to any final changes.

On Motion by Mr. Daniel, and Second by Mr. Lavery, with all in favor, the Board of Supervisors' for the New Port Tampa Bay Community Development District Approved Resolution 2017-15, approving the form of a Phase II Plat and Phase II Subdivision Agreement.

**TENTH ORDER OF BUSINESS**

**Consideration of Proposal  
from Faulkner Engineering  
Services Inc. for Phase II  
Construction Materials  
Testing Services**

Mr. Babbar stated that this proposal was submitted by Project Manager, Mr. Ed Andrews with Terra Management Group. Mr. MacLaren added that the total amount is \$18, 100.00.

On Motion by Mr. Daniel, and Second by Mr. Mays, with all in favor, the Board of Supervisors' for the New Port Tampa Bay Community Development District approved the Proposal from Faulkner Services Inc. for Phase II Construction Materials Testing Services.

**ELEVENTH ORDER OF BUSINESS**

**Ratification of Funding  
Requests Nos. 82 and 83**

The Board reviewed the Funding Requests. Mr. MacLaren noted that the Chair has previously approved the requests. The Board’s approval is being requested. The Funding Requests were for fees from Fishkind & Associates for District Management and Straley Robin Vericker for District Counsel provided to the District.

On Motion by Mr. Daniel, and Second by Mr. Lavery, with all in favor, the Board of Supervisors’ for the New Port Tampa Bay Community Development District approved Funding Requests Nos. 82-83.

**TWELFTH ORDER OF BUSINESS**

**Review of District’s  
Financial Statements**

Mr. MacLaren noted that, up to the end of last month, as far as Operations and Maintenance Expenditures, the District was at \$83,000 in expenditures, versus a budget of \$118,000, slightly under budget. He also noted to the Board that the District still has \$7.4 million in its Capital Account.

**Supervisor Requests and Audience Comments**

**District Counsel** – Mr. Babbar requested authorization of a proposal from King Engineering, with respect to Phase II. Mr. Daniel affirmed, provided that the amount and scope of work is in line with the same work for Phase 1.

On Motion by Mr. Daniel, and Second by Mr. Lavery, with all in favor, the Board of Supervisors’ for the New Port Tampa Bay Community Development District approved The King Proposal, as described.



**District Manager** – Mr. MacLaren had nothing additional to report, at this time.

**Supervisor Requests** – Mr. Daniel stated that an additional agreement will be requested of the District, in the future. He elaborated that there is an entity that would like to sell condos for the peninsula. However, first, they must have confirmation that an agreement in place to eventually transfer those lands to that entity. Mr. Daniel would like to approve the Chair or Vice-Chair to work on that agreement with the District. Mr. MacLaren noted that the entity would also be able to issue bonds through the District, if they need to do any infrastructure. Mr. Daniel confirmed that there is future bond anticipation for that, as well.

**SIXTEENTH ORDER OF BUSINESS**

**Adjournment**

With no other business to discuss, Mr. MacLaren requested a motion to adjourn.

On MOTION by Mr. Daniel, second by Mr. Lavery, with all in favor, the May 31, 2017 Board of Supervisors Meeting for the New Port Tampa Bay Community Development District adjourned.

\_\_\_\_\_  
Secretary/Assistant Secretary

\_\_\_\_\_  
Chairperson/Vice-Chairperson

**NEW PORT TAMPA BAY  
COMMUNITY DEVELOPMENT DISTRICT**

**Attn: New Port Tampa CDD Holdings, LLC**

bdaniel@btipartners.com

tkaye@btipartners.com

**Funding Request No. 84**

**5/19/2017**

| Item No.     | Vendor   | Invoice #      | General Fund             | Fiscal Year        |
|--------------|--|----------------|--------------------------|--------------------|
| 1            | <b>Straley Robin &amp; Vericker</b><br>Legal Services through April 15, 2017                           | 14360          | \$5,376.43               | FY 2017            |
| 2            | <b>BTEG&amp;F</b><br>Audit FY2016  | 02110546       | \$5,000.00               | FY 2017            |
| 3            | <b>Business Observer</b><br>Legal ad - Meeting 05.09.2017  | 17-01840H      | \$44.63                  | FY 2017            |
| 4            | <b>Fishkind &amp; Associates, Inc.</b><br>DM Fees and Reimb. - 2017.04<br>DM Fees and Reimb. - 2017.05 | 20421<br>20598 | \$1,242.67<br>\$1,146.04 | FY 2017<br>FY 2017 |
| <b>TOTAL</b> |  |                | <b>\$ 12,809.77</b>      |                    |

**New Port Tampa Bay  
Community Development District**

**Public Hearing on the Adoption of the  
District's Fiscal Year 2017-2018 Budget**

**New Port Tampa Bay  
Community Development District**

**Consideration of Resolution 2017-16, Adopting a  
Budget and Appropriating Funds**

*(provided under separate cover)*

# **New Port Tampa Bay Community Development District**

**Continued Discussion Regarding Authorization to  
Market and Pre-sell Property Anticipated for Condo  
Development (Phase 3)**

**New Port Tampa Bay  
Community Development District**

**Additional Matters Related to Phase 2**

**New Port Tampa Bay  
Community Development District**

**Ratification of Funding Request 84**

**New Port Tampa Bay  
Community Development District**

**Review of District's Financial Position**

*(provided under separate cover)*