

New Port Tampa Bay Community Development District

*12051 Corporate Boulevard Orlando, FL 32817
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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 Vericker, 1510 W. Cleveland Street, Tampa, Florida, 33606 on **Tuesday, August 14, 2018 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
- *Administer Oath to Dave D'Ambrosio appointed in May 22, 2018 meeting*
- 1. **Consideration of Minutes of the May 22, 2018 Board of Supervisors' Meeting**
- 2. **Discussion of Fiscal Year 2017-2018 Meeting Schedule**

General Business Matters

- 3. **Consideration of the 2017 Audit**
(Provided under separate cover)
- 4. **Public Hearing Related the Adoption of a Fiscal Year 2018-2019 Budget**
 - **Open Public Hearing**
 - **Public Comments and Testimony**
 - **Board Comments**
 - a. **Consideration of Resolution 2018-xx, Adopting the Fiscal Year 2018-2019 Budget and Appropriating Funds**
 - b. **Fiscal Year 2018-2019 Budget**
 - c. **Fiscal Year 2018-2019 Funding Agreement**
 - **Close Public Hearing**
- 5. **Public Hearing to Consider the Imposition of Operations and Maintenance Special Assessments**

- **Open Public Hearing**
 - **Public Comments and Testimony**
 - **Board Comments**
 - a. **Consideration of Resolution 2018-xx, Levying Special Assessments**
 - **Close Public Hearing**
6. **Ratification of Payment Authorizations FY18-3 - 18-6**
 7. **Ratification of Westshore Marina District Phase 1 Master Infrastructure Improvements Payment Authorization Nos. 90-101 (We ratified 7x-89 in the May meeting)**
 8. **Ratification of Westshore Marina District Phase 2 Master Infrastructure Improvements Payment Authorization Nos. 34-37**
 9. **Review of District Financial Position**

Other Business Matters

- A. **Staff Reports**
 1. **District Counsel**
 2. **District Manager – Next meeting 9/11/2018**
 3. **District Engineer**
- B. **Audience Comments**
- C. **Supervisors Requests**

Adjournment

**New Port Tampa Bay
Community Development District**

**Consideration of Minutes of the May 22, 2018
Board of Supervisors' Meeting**

**NEW PORT TAMPA BAY
COMMUNITY DEVELOPMENT DISTRICT**

BOARD OF SUPERVISORS' MEETING MINUTES

**FIRST ORDER OF BUSINESS
Call**

Call to Order and Roll

The Board of Supervisors' Meeting for the New Port Tampa Bay Community Development District was called to order on Tuesday May 22, 2018 4:00 p.m. at the Law Offices of Straley Robin Vericker, 1510 W. Cleveland Street, Tampa, Florida 33606. Board Members listed below constituted a quorum:

Board Members present:

Noa Breakstone	Board Member
Beck Daniel	Board Member
Kevin Mays	Board Member

Also present were:

Vivek Babbar	Straley Robin Vericker
Carol Harris	Fishkind & Associates
Drew Locher	BTI
Hank Fishkind	Fishkind & Associates (via phone)
Jason Merritt	Hopping Green & Sams (via phone)

SECOND ORDER OF BUSINESS

Public Comment Period

There was one member of the general public present however there were no public comments at this time.

THIRD ORDER OF BUSINESS

**Consideration of the
Minutes of the April 10,
Board of Supervisors'
Meeting**

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

On motion by Mr. Breakstone, second by Mr. Daniel, with all in favor, the Board of Supervisors' for the New Port Tampa Bay Community Development District approved the minutes of the April 10, 2018 Board of Supervisors' Meeting.

FOURTH ORDER OF BUSINESS

**Consideration of
Resignation of Max
Chillura**

Ms. Harris requested a motion from the Board to accept the resignation of Mr. Chillura. Mr. Babbar noted that he spoke with Mr. Chillura to remind him to file the exit paperwork with the Supervisor of Elections.

On motion by Mr. Daniel, second by Mr. Breakstone, with all in favor, the Board of Supervisors' for the New Port Tampa Bay Community Development District accepted the resignation of Max Chillura.

Mr. Babbar indicated that Mr. Chillura's seat had a 2-year term. He also noted that the District received a resignation from Mr. Lavery resigning his seat from this Board as well; this seat was a 4-year term. Mr. Babbar requested a motion from the Board to accept the resignation of Mr. Lavery.

On motion by Mr. Breakstone, second by Mr. Daniel, with all in favor, the Board of Supervisors' for the New Port Tampa Bay Community Development District accepted the resignation of Keith Lavery.

Mr. Breakstone suggested appointing replacement Supervisors on two separate motions.

On motion by Mr. Breakstone, second by Mr. Daniel, with all in favor, the Board of Supervisors' for the New Port Tampa Bay Community Development District nominated Drew Locher to Seat 2 which is a 2-year term.

Mr. Babbar administered the oath of office to Mr. Locher. Mr. Babbar offered to review the Sunshine Law and other laws applicable to CDD Supervisors. Mr. Locher indicated that he can review the laws after the meeting and that he is very familiar with the laws.

On motion by Mr. Breakstone, second by Mr. Daniel, with all in favor, the Board of Supervisors' for the New Port Tampa Bay Community Development District nominated Dave D'Ambrosio to Seat 1 which is a 4-year term.

Mr. D'Ambrosio is not in attendance and will be administered the oath of office at a future meeting. Mr. Babbar indicated that even through Mr. D'Ambrosio was a member of the Board previously he will still be required to fill out the appointment paperwork and the Form 1 and submit them to the Supervisor of Elections in the County in which he resides.

FIFTH ORDER OF BUSINESS

**Consideration of
Resolution 2018-09,
Election of Officers**

Ms. Harris stated that the slate was going to be left the same with Mr. Breakstone as Chair, Mr. Daniel as Vice-Chair. She recommended that Mr. Locher, Mr. D'Ambrosio, and Mr. Mays serve as Assistant Secretaries. She recommended that Ms. Walden be named Secretary, Dr. Fishkind as Treasurer, Ms. Glasgow as Assistant Treasurer, and Ms. Harris as Assistant Secretary. Ms. Harris requested a motion to approve 2018-09.

On Motion by Mr. Breakstone, and Second by Mr. Daniel, with all in favor, the Board of Supervisors' for the New Port Tampa Bay Community Development District approved Resolution 2018-09, Election of Officers, as presented.

SIXTH ORDER OF BUSINESS

**Review of Registered
Voters for the District**

Ms. Harris explained that she received a letter from the Supervisor of Elections indicating that there is a total of three registered voters residing in New Port Tampa Bay CDD. There is no action required.

SEVENTH ORDER OF BUSINESS

**Consideration of
Financial Advisory
Agreement**

Ms. Harris explained that this is an agreement between the CDD and Fishkind & Associates, Inc. and is a result of the Dodd-Frank Act and SEC and MSRB regulations. She noted that it states that for Fishkind & Associates, Inc. to provide financial information to the Board that the Financial Advisor be certified and it incorporates the financial agreement that was already part of the District management contract and she noted that there is no additional fee. She requested a motion to approve the Financial Advisory Agreement. Ms. Harris and Mr. Babbar answered Board questions.

On Motion by Mr. Daniel, and Second by Mr. Breakstone, with all in favor, the Board of Supervisors' for the New Port Tampa Bay Community Development District approved the Financial Advisory Agreement.

EIGHTH ORDER OF BUSINESS

**Consideration of
Resolution 2018-06,
Approving a Preliminary
Budget for FY 2018-2019
and Setting a Public
Hearing Date**

Ms. Harris explained that the overall budget is the same as Fiscal Year 2017-2018 but some of the line items and the numbers have been redistributed. The total budgeted amount is \$53,500.00. The Board reviewed the proposed budget. Ms. Harris recommended that the public hearing for the adoption of the budget be held on August 14, 2018 at 4:00 p.m. Ms. Harris requested a motion to approve Resolution 2018-06.

On Motion by Mr. Daniel, and Second by Mr. Locher, with all in favor, the Board of

Supervisors' for the New Port Tampa Bay Community Development District approved Resolution 2018-06, Approving a preliminary Budget for FY 2018-2019 and Setting August 14, 2018 at 4:00 p.m. as the Public Hearing Date.

NINTH ORDER OF BUSINESS

**Consideration of
Resolution 2018-07,
Approving and
Authorizing Forms of a
Plat Subdivider
Agreement and
Operating Agreement**

Mr. Babbar explained that he modified the resolution and split it up into two resolutions 2018-07 and 2018-10. Resolution 2018-10 relates to the maintenance agreement. He noted that the plat and subdivision agreement are a part of Lennar's infrastructure being developed for their lots that crosses a City of Tampa drainage easement. He mentioned that the City requires the District to enter into the plat and subdivision agreement. There will be an agreement between the District, Lennar, and the Town Home Association, yet to be formed, to take on the responsibility for any of the District's obligations. Costs related to this work is being billed separately and will be reimbursed by Lennar so, there will be no expense to the District. Mr. Breakstone asked if he needed to declare a conflict because he is affiliated with the selling entity. Mr. Babbar responded that the approval of these resolutions will not be a conflict for the Board members because there is not gain or loss to the Board members or any entities affiliated with the District. Mr. Daniel responded that the selling entity is the SPE which is fully owned by the CDD. Mr. Babbar requested approval of Resolutions 2018-07 and 2018-10.

On Motion by Mr. Breakstone, and Second by Mr. Daniel, with all in favor, the Board of Supervisors' for the New Port Tampa Bay Community Development District approved Resolution 2018-07 & 2018-10, Approving and Authorizing Forms of a Plat Subdivider Agreement and Operating Agreement

TENTH ORDER OF BUSINESS

**Consideration of
Resolution 2018-08,
Authorizing the Transfer
and Conveyance of the**

**District's Ownership
Interest in the SPE**

Mr. Babbar explained Resolution 2018-08 and its changes to the Board. He stated that it authorizes the flexibility for the Chair or the Vice-Chair to sign on behalf of the CDD once they review all the documents and it has been approved by District Counsel. Mr. Breakstone requested for this document to be modified so that it authorizes only the Chair to sign off on it.

On Motion by Mr. Breakstone, and Second by Mr. Daniel, with all in favor, the Board of Supervisors' for the New Port Tampa Bay Community Development District approved Resolution 2018-08, Authorizing the Transfer and Conveyance of the District's Ownership Interest in the SPE, as amended.

ELEVENTH ORDER OF BUSINESS

**Ratification of Payment
Authorizations FY18-1
and FY18-2**

The Board reviewed Payment Authorizations FY18-1 and FY18-2. These have been previously approved and paid and just need ratified by the Board.

On Motion by Mr. Daniel, and Second by Mr. Locher, with all in favor, the Board of Supervisors' for the New Port Tampa Bay Community Development District ratified Payment Authorizations FY18-1 and FY18-2.

TWELFTH ORDER OF BUSINESS

**Ratification of
Westshore Marina Phase
1 Master Infrastructure
Improvements Payment
Authorization Nos. 78 -
89**

The Board reviewed Westshore Marina Phase 1 Master Infrastructure Improvements Payment Authorization Nos. 78 – 89. Ms. Harris noted that she did not include those in the packet due to the amount of paper and mentioned that they had all been approved by Mr. Daniel and just need ratified by the Board.

On Motion by Mr. Daniel, and Second by Mr. Breakstone, with all in favor, the Board of Supervisors' for the New Port Tampa Bay Community Development District ratified Westshore Marina Phase 1 Master Infrastructure Improvements Payment Authorization Nos. 78 – 89.

THIRTEENTH ORDER OF BUSINESS

**Ratification of
Westshore Marina Phase
2 Master Infrastructure
Improvements Payment
Authorization Nos. 30 -
33**

The Board reviewed Westshore Marina Phase 1 Master Infrastructure Improvements Payment Authorization Nos. 30 - 33. Ms. Harris noted that they had all been approved by Mr. Daniel and just need ratified by the Board and she has a copy for the Board's review.

On Motion by Mr. Daniel, and Second by Mr. Locher, with all in favor, the Board of Supervisors' for the New Port Tampa Bay Community Development District ratified Westshore Marina Phase 2 Master Infrastructure Improvements Payment Authorization Nos. 30– 33.

Mr. Daniel stated that since Mr. Locher has become a member of the Board he will make a request to review all the billing related to Phase 1 & Phase 2 work and reconcile the status on that.

FOURTEENTH ORDER OF BUSINESS

**Review of District's
Financial Position**

Mr. Daniel asked how the collections were going for assessments. Mr. Babbar asked Dr. Fishkind if he proposed all the collections to be on roll for next fiscal year and he responded that is his recommendation. Mr. Babbar asked Dr. Fishkind if he heard Mr. Daniel's question about the collections and Dr. Fishkind indicated that the District is at 100% for the collections. Dr. Fishkind

recommended the District make sure that the community is on roll. The Board reviewed the District Financial Statements. No action is required.

FIFTEENTH ORDER OF BUSINESS

Staff Reports

District Counsel – No Report

District Manager – No Report

Supervisor Requests – No Report

Audience Comments – There were no comments from the public.

SIXTEENTH ORDER OF BUSINESS

Adjournment

With no other business to discuss, Ms. Harris, requested a motion to adjourn.

On MOTION by Mr. Brookstone, second by Mr. Daniel, with all in favor, the May 22, 2018 Board of Supervisors Meeting for the New Port Tampa Bay Community Development District was Adjourned.

Secretary/Assistant Secretary

Chairperson/Vice-Chairperson

**New Port Tampa Bay
Community Development District**

**Discussion of Fiscal Year
2017-2018 Meeting Schedule
(*Provided under separate cover*)**

**New Port Tampa Bay
Community Development District**

**Consideration of the 2017 Audit
(*Provided under separate cover*)**

**New Port Tampa Bay
Community Development District**

**Public Hearing Related the Adoption of a Fiscal
Year 2018-2019 Budget
*(Provided under separate cover)***

**New Port Tampa Bay
Community Development District**

**Public Hearing to Consider the Imposition of
Operations and Maintenance Special
Assessments
*(Provided under separate cover)***

**New Port Tampa Bay
Community Development District**

**Ratification of Payment Authorizations
FY18-3 and FY 18-6
*(Provided under separate cover)***

**New Port Tampa Bay
Community Development District**

**Ratification of West shore Marina District Phase
1 Master Infrastructure Improvements
Payment Authorization Nos. 90-101
*(Provided under separate cover)***

**New Port Tampa Bay
Community Development District**

**Ratification of West shore Marina District Phase
2 Master Infrastructure Improvements
Payment Authorization Nos. 34-37
*(Provided Under Separate Cover)***

**New Port Tampa Bay
Community Development District**

**Review of District Financial Position
*(Provided under separate cover)***