South Bay Community Development District

Board of Supervisors

Kelly Evans, Chairperson Scott Campbell, Vice Chairperson Ian Brown, Assistant Secretary Mary Madden, Assistant Secretary Stephen Herrera, Assistant Secretary Mark Vega, District Manager David Smith, District Counsel Rick Brylanksi, District Engineer

Regular Meeting Agenda

Wednesday, September 13, 2023 – 1:00 p.m. Call in (Audio Only) <u>+1 646-838-1601, 90777154#</u> Phone Conference ID: 907 771 54#

- 1. Call to Order and Roll Call
- 2. Audience Comments (Limit of 3 Minutes)
- 3. Consent Agenda
 - A. Approval of the Minutes of August 16, 2023
 - B. Acceptance of the July 2023 Financial Report
- 4. Attorney's Report
- 5. Engineer's Report
- 6. District Manager's Report
 - A. POA Security Contract Discussion
 - B. Little Harbor POA Transition
- 7. Supervisor Requests and Comments
- 8. Adjournment

The Next Meeting is scheduled to be held on Wednesday, October 11, 2023 at 1:00 p.m.

MINUTES OF MEETING SOUTH BAY COMMUNITY DEVELOPMENT DISTRICT

The regular meeting and Budget Public Hearing of the Board of Supervisors of the South Bay Community Development District was held Wednesday, August 16, 2023 at 1:00 p.m. at the POA Meeting Room, 611 Destiny Dr, Ruskin, Florida 33570.

Present and constituting a quorum were:

Kelly EvansVice ChairpersonScott CampbellVice ChairpersonIan BrownAssistant Secretary

Mary Madden Assistant Secretary (via phone)

Stephen Herrera Assistant Secretary

Also present were:

Mark Vega Inframark District Manager

David Smith District Counsel Rick Brylanski District Engineer

Several Residents

The following is a summary of the discussions and actions taken.

FIRST ORDER OF BUSINESS

Call to Order and Roll Call

The meeting was called to order. A quorum was established.

SECOND ORDER OF BUSINESS

Audience Comments (Limit of 3 Minutes)

• Audience comments were received regarding the seawall and sidewalk agreement.

THIRD ORDER OF BUSINESS

Engineer's Report

A. Presentation of Seawall Report

- Mr. Vega noted the report will not be accepted as is, due to incorrect verbiage.
- Mr. Brylanski presented his Report.
- Further discussion ensued regarding the extent of the seawall damage.

FOURTH ORDER OF BUSINESS

Little Harbor POA Report

• Mr. Vega noted the POA and CDD are separate entities and payments are separate.

- The Board agreed to terminate the POA agreement and transfer contracts to the CDD from the POA, pending review of all contracts, compliance, and legal review. Further discussion ensued regarding the POA budget.
- The Board concurred to remove the Carter sidewalk from the budget.

FIFTH ORDER OF BUSINESS Public Hearing to Adopt Fiscal Year 2024 Budget

On MOTION by Ms. Evans seconded by Mr. Campbell with all in favor the Public Hearing to Adopt Fiscal Year2024 Budget was opened at 2:42 p.m. 5-0

• Audience comments were received regarding the Budget.

On MOTION by Ms. Evans seconded by Mr. Campbell with all in favor the Public Hearing to Adopt Fiscal Year2024 Budget was closed at 3:03 p.m. 5-0

A. Consideration of Resolution 2023-06, Adoption of the FY2024 Budget

Discussion ensued regarding the budget and changes were made.

Mr. Brown MOVED adopt Resolution 2023-06, Adoption of the Fiscal Year 2024 Budget, and Ms. Evans second the motion.

On VOICE VOTE with Mr. Brown, Ms. Evans, Ms. Madden and Mr. Herrera voting aye and Mr. Campbell voting nay, the prior motion was approved. 4-1

B. Consideration of Resolution 2023-07, Levying Assessments

On MOTION by Ms. Evans seconded by Mr. Brown with all in favor Resolution 2023-07, Levying Assessments was adopted. 5-0

SIXTH ORDER OF BUSINESS

District Manager's Report

- A. Consideration of Fiscal Year 2024 Meeting Schedule (2 options Included)
- The Board concurred to schedule the Board meetings on the second Wednesday of every month, in the POA Meeting Room. The Board also agreed to move the September Meeting to September 13, 2023.
- Mr. Smith commented on demand letters received.

On MOTION by Ms. Evans seconded by Mr. Campbell with all in favor the Board authorized Mr. Smith to communicate with Mr. Whittemore regarding possible litigation with Lennar NTE \$5,000. 5-0

SEVENTH ORDER OF BUSINESS

Supervisor Requests and Comments

None.

EIGHTH ORDER OF BUSINESS

Audience Comments (Limit of 3 Minutes)

• Audience comments were received.

NINETH ORDER OF BUSINESS

Adjournment

On MOTION by Ms. Evans seconded by Mr. Brown with all in favor the meeting was adjourned. (5-0)

Mark Vega, Secretary

SOUTH BAY

Community Development District

Financial Report July 31, 2023

(unaudited)

Prepared by



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SOUTH BAY Community Development District

Financial Statements

(Unaudited)

July 31, 2023

Balance Sheet July 31, 2023

ACCOUNT DESCRIPTION	G	ENERAL FUND		ERIES 2005 DEBT SERVICE FUND		ERIES 2015 DEBT SERVICE FUND		TOTAL
-		TOND		TOND		TOND		TOTAL
<u>ASSETS</u>								
Cash - Checking Account	\$	851,759	\$	-	\$	-	\$	851,759
Due From Other Funds		-		-		65,129		65,129
Investments:								
Interest Fund (A-1)		-		-		1		1
Prepayment Fund (A-1)		-		-		4,878		4,878
Reserve Fund (A-1)		-		-		411,126		411,126
Reserve Fund (A-2)		-		-		388,097		388,097
Reserve Fund (B-2)		-		-		253,995		253,995
Revenue Fund		-		8,876		-		8,876
Revenue Fund (A-1)		-		-		296,803		296,803
Revenue Fund (A-2)		-		-		115,171		115,171
Prepaid Items		23,333		-		-		23,333
TOTAL ASSETS	\$	875,092	\$	8,876	\$	1,535,200	\$	2,419,168
<u>LIABILITIES</u>								
Accounts Payable	\$	53,278	\$	_	\$	-	\$	53,278
Mature Bonds Payable		-		1,271,776		3,900,013		5,171,789
Due To Other Funds		65,129		-		-		65,129
TOTAL LIABILITIES		118,407		1,271,776		3,900,013		5,290,196
FUND BALANCES								
Nonspendable:								
Prepaid Items		23,333		_		_		23,333
Unassigned:		733,352		(1,262,900)		(2,364,813)		(2,894,361)
TOTAL FUND BALANCES	\$	756,685	\$	(1,262,900)	\$	(2,364,813)	\$	(2,871,028)
TOTAL LIABILITIES & FUND BALANCES	\$	875,092	\$	8,876	\$	1,535,200	\$	2,419,168
TOTAL LIABILITIES & FORD DALANCES	Ψ	373,032	Ψ	0,070	Ψ	1,333,200	Ψ	١٥٥ ج. ٢٠٠

ACCOUNT DESCRIPTION	ADO	NUAL OPTED DGET	AR TO DATE BUDGET	AR TO DATE ACTUAL	RIANCE (\$)	YTD ACTUAL AS A % OF ADOPTED BUD
REVENUES			_			
Interest - Investments	\$	420	\$ 350	\$ 19,723	\$ 19,373	4695.95%
Interest - Tax Collector		-	-	409	409	0.00%
Special Assmnts- CDD Collected (Admin)		152,453	152,453	152,428	(25)	99.98%
Special Assmnts- CDD Collected (Maint.)		255,503	255,503	255,516	13	100.01%
Special Assmnts- Tax Collector (Admin)		85,403	85,403	85,431	28	100.03%
Special Assmnts- Tax Collector (Maint.)		143,104	143,104	143,091	(13)	99.99%
Special Assmnts- Discounts		(38,311)	(38,311)	(8,227)	30,084	21.47%
Other Miscellaneous Revenues		-	-	100,648	100,648	0.00%
TOTAL REVENUES		598,572	598,502	749,019	150,517	125.13%
EXPENDITURES						
Administration						
P/R-Board of Supervisors		10,000	8,330	7,169	1,161	71.69%
FICA Taxes		800	670	520	150	65.00%
ProfServ-Arbitrage Rebate		1,950	1,950	650	1,300	33.33%
ProfServ-Engineering		15,000	12,500	22,619	(10,119)	150.79%
ProfServ-Legal Services		70,000	58,330	53,203	5,127	76.00%
ProfServ-Legal Litigation		45,000	37,500	930	36,570	2.07%
ProfServ-Survey		1,000	1,000	-	1,000	0.00%
ProfServ-Trustee Fees		9,000	9,000	-	9,000	0.00%
Assessment Roll		6,000	5,000	-	5,000	0.00%
Disclosure Report		5,000	4,170	5,000	(830)	100.00%
Management & Accounting Services		35,208	29,340	26,912	2,428	76.44%
Auditing Services		7,250	7,250	6,250	1,000	86.21%
Travel and Per Diem		1,250	1,040	797	243	63.76%
Postage and Freight		750	630	333	297	44.40%
Insurance		12,000	12,000	12,070	(70)	100.58%
Legal Advertising		5,200	5,200	6,616	(1,416)	127.23%
Misc-Property Taxes		390	390	389	1	99.74%
Misc-Records Storage		1,200	1,000	597	403	49.75%
Misc-Assessment Collection Cost		19,155	19,155	4,403	14,752	22.99%
Website Administration		2,000	1,670	4,065	(2,395)	203.25%
Miscellaneous Expenses		2,500	2,080	541	1,539	21.64%
Office Supplies		1,500	1,250	500	750	33.33%
Dues, Licenses, Subscriptions		175	 175	 175	 	100.00%
Total Administration		252,328	219,630	153,739	65,891	60.93%

ACCOUNT DESCRIPTION	A	ANNUAL DOPTED BUDGET	 R TO DATE	YE	AR TO DATE ACTUAL	RIANCE (\$)	YTD ACTUAL AS A % OF ADOPTED BUD
<u>Maintenance</u>							
R&M-Common Area		280,000	233,330		233,333	(3)	83.33%
Miscellaneous Maintenance		10,000	8,330		-	8,330	0.00%
Reserve - Maintenance Program		50,000	-		52,040	(52,040)	104.08%
Seawall Reserve Contribution		50,000	 -		31,260	(31,260)	62.52%
Total Maintenance		390,000	 241,660		316,633	 (74,973)	81.19%
TOTAL EXPENDITURES		642,328	461,290		470,372	(9,082)	73.23%
Excess (deficiency) of revenues							
Over (under) expenditures		(43,756)	 137,212		278,647	 141,435	0.00%
OTHER FINANCING SOURCES (USES)							
Contribution to (Use of) Fund Balance		(43,756)	-		-	-	0.00%
TOTAL FINANCING SOURCES (USES)		(43,756)	-		-	-	0.00%
Net change in fund balance	\$	(43,756)	\$ 137,212	\$	278,647	\$ 141,435	0.00%
FUND BALANCE, BEGINNING (OCT 1, 2022)		477,656	477,656		477,656		
FUND BALANCE, ENDING	\$	433,900	\$ 614,868	\$	756,303		

		ANNUAL	V	EAR TO DATE	v	EAR TO DATE	\/A	RIANCE (\$)	YTD ACTUAL AS A % OF	
ACCOUNT DESCRIPTION	ADOPTED BUDGET			BUDGET		ACTUAL	FAV(UNFAV)		ADOPTED BUD	
REVENUES										
Interest - Investments	\$	-	\$	-	\$	96	\$	96	0.00%	
TOTAL REVENUES		-		-		96		96	0.00%	
<u>EXPENDITURES</u>										
TOTAL EXPENDITURES		-		-		-		-	0.00%	
Excess (deficiency) of revenues										
Over (under) expenditures		-		-		96		96	0.00%	
Net change in fund balance	\$	-	\$	-	\$	96	\$	96	0.00%	
FUND BALANCE, BEGINNING (OCT 1, 2022)		-		-		(1,262,996)				
FUND BALANCE, ENDING	\$	-	\$	-	\$	(1,262,900)				

ACCOUNT DESCRIPTION	ANNUAL ADOPTED BUDGET	YE	EAR TO DATE BUDGET	YE	EAR TO DATE ACTUAL		ARIANCE (\$) AV(UNFAV)	YTD ACTUAL AS A %OF ADOPTED BUD
REVENUES	_							
Interest - Investments	\$ 200	\$	160	\$	48,885	\$	48,725	24442.50%
Special Assmnts- CDD Collected (Debt Serv.)	113,701		113,701		113,701		-	100.00%
Special Assmnts- Debt Service (A-1)	729,255		729,255		729,255		-	100.00%
Special Assmnts- Debt Service (A-2)	458,475		458,475		-		(458,475)	0.00%
Special Assmnts- Debt Service (B-2)	275,530		275,530		-		(275,530)	0.00%
Special Assmnts- Discounts	-		-		(26,327)		(26,327)	0.00%
TOTAL REVENUES	1,577,161		1,577,121		865,514		(711,607)	54.88%
<u>EXPENDITURES</u>								
Administration								
ProfServ-Legal Services	-		-		121,389		(121,389)	0.00%
ProfServ-Trustee Fees	-		-		12,743		(12,743)	0.00%
Misc-Assessment Collection Cost	 -		-		14,061		(14,061)	0.00%
Total Administration	 		-		148,193		(148,193)	0.00%
Debt Service								
Principal Debt Retirement A-1	360,190		360,000		360,000		-	99.95%
Principal Debt Retirement A-2	175,000		175,000		-		175,000	0.00%
Interest Expense Series A-1	439,110		439,110		449,820		(10,710)	102.44%
Interest Expense Series A-2	283,555		283,555		-		283,555	0.00%
Interest Expense Series B-2	 275,550		275,550				275,550	0.00%
Total Debt Service	 1,533,405		1,533,215		809,820		723,395	52.81%
TOTAL EXPENDITURES	1,533,405		1,533,215		958,013		575,202	62.48%
Excess (deficiency) of revenues								
Over (under) expenditures	 43,756		43,906		(92,499)		(136,405)	0.00%
OTHER FINANCING SOURCES (USES)								
Contribution to (Use of) Fund Balance	43,756		-		-		-	0.00%
TOTAL FINANCING SOURCES (USES)	43,756		-		-		-	0.00%
Net change in fund balance	\$ 43,756	\$	43,906	\$	(92,499)	\$	(136,405)	0.00%
FUND BALANCE, BEGINNING (OCT 1, 2022)	(2,272,302)		(2,272,302)		(2,272,302)	_		
FUND BALANCE, ENDING	\$ (2,228,546)	\$	(2,228,396)	\$	(2,364,801)			

SOUTH BAY Community Development District

Supporting Schedules
July 31, 2023

Non-Ad Valorem Special Assessments - Palm Beach County Tax Collector (Monthly Collection Distributions) For the Fiscal Year Ending September 30, 2023

									ALLOCATION BY F						-UN	ND	
				iscount /				Gross				General		General		Debt	
Date		t Amount	•	enalties)	С	ollection		Amount	١ (General		Admin		Maint		Service	
Received	R	eceived		Amount		Costs	F	Received		Fund		Fund		Fund		Fund	
Assessments I	Levi	ed FY23					\$	957,765		23.86%	\$	37.37% 85,403	\$	62.62% 143,104	\$	76.14% 729,255	
11/03/22	\$	10,702	\$	607	\$	218	\$	11,527	\$	2,750	\$	1,028	\$	1,722	\$	8,777	
11/16/22	\$	57,078	\$	2,427	\$	1,165	\$	60,670	\$	14,475	\$	5,412	\$	9,064	\$	46,194	
11/21/22	\$	207,059	\$	8,804	\$	4,226	\$	220,088	\$	52,510	\$	19,632	\$	32,881	\$	167,575	
11/28/22	\$	46,923	\$	1,995	\$	958	\$	49,875	\$	11,900	\$	4,449	\$	7,451	\$	37,975	
12/06/22	\$	436,936	\$	18,578	\$	8,917	\$	464,431	\$	110,807	\$	41,427	\$	69,386	\$	353,618	
12/12/22	\$	24,267	\$	986	\$	495	\$	25,748	\$	6,143	\$	2,297	\$	3,847	\$	19,605	
01/04/23	\$	28,264	\$	902	\$	577	\$	29,743	\$	7,096	\$	2,653	\$	4,444	\$	22,646	
02/03/23	\$	26,869	\$	560	\$	548	\$	27,977	\$	6,675	\$	2,496	\$	4,180	\$	21,302	
03/02/23	\$	18,394	\$	190	\$	375	\$	18,959	\$	4,523	\$	1,691	\$	2,833	\$	14,436	
04/05/23	\$	29,591	\$	-	\$	604	\$	30,194	\$	7,204	\$	2,692	\$	4,511	\$	22,990	
INTEREST	\$	320	\$	-	\$	-	\$	· -	\$	-	\$	-	\$	· -	\$	-	
05/05/23	\$	4,746	\$	(58)	\$	97	\$	4,786	\$	1,142	\$	427	\$	715	\$	3,644	
06/04/23	\$	2,412	\$	(72)	\$	49	\$	2,390	\$	570	\$	213	\$	357	\$	1,820	
06/15/23	\$	11,483	\$	(341)	\$	234	\$	11,376	\$	2,714	\$	1,014	\$	1,700	\$	8,662	
TOTAL	\$	905,045	\$	34,577	\$	18,464	\$	957,765	\$	228,510	\$	85,430	\$	143,091	\$	729,244	
% COLLECTE	% COLLECTED 10									100%		100%		100%		100%	

Cash and Investment Report July 31, 2023

Account Name	Bank Name	Investment Type	<u>Yield</u>	<u>Balance</u>
GENERAL FUND				
Checking Account - Operating	SeaCoast Bank	Checking Account	3.92%	\$ 851,389
			Subtotal	\$ 851,389
DEBT SERVICE AND CAPITAL P	ROJECTS FUNDS]		
Series 2005 Revenue	US Bank	Open-Ended Commercial Paper	5.15%	\$ 8,876
Series 2015-1 Interest A-1	US Bank	Open-Ended Commercial Paper	5.15%	\$ 1
Series 2015-1 Prepayment A-1	US Bank	Open-Ended Commercial Paper	5.15%	\$ 4,878
Series 2015-1 Reserve A-1	US Bank	Open-Ended Commercial Paper	5.15%	\$ 411,126
Series 2015-2 Reserve A-2	US Bank	Open-Ended Commercial Paper	5.15%	\$ 388,097
Series 2015-2 Reserve B-2	US Bank	Open-Ended Commercial Paper	5.15%	\$ 253,995
Series 2015-1 Revenue A-1	US Bank	Open-Ended Commercial Paper	5.15%	\$ 296,803
Series 2015-2 Revenue A-2	US Bank	Open-Ended Commercial Paper	5.15%	\$ 115,171
			Subtotal	\$ 1,478,948
			Total	\$ 2,330,336

Bank Reconciliation

Bank Account No. 3871 SEACOAST BANK

 Statement No.
 7/31A

 Statement Date
 7/31/2023

854,562.71	Statement Balance	851,758.61	G/L Balance (LCY)
0.00	Outstanding Deposits	851,758.61	G/L Balance
		0.00	Positive Adjustments
854,562.71	Subtotal		=
2,804.10	Outstanding Checks	851,758.61	Subtotal
0.00	Differences	0.00	Negative Adjustments
			_
851.758.61	Ending Balance	851.758.61	Ending G/L Balance

Difference 0.00

Posting Date	Document Type	Document No.	Description	Amount	Cleared Amount	Difference
Outstandir	ng Checks					
7/26/2023	Payment	2536	LEAH POPELKA	369.40	0.00	369.40
5/31/2023	Payment	2520	STEPHEN E. HERRERA	184.70	0.00	184.70
7/26/2023	Payment	2535	CARR RIGGS & INGRAM	2,250.00	0.00	2,250.00
Tota	al Outstanding	Checks		2,804.10		2,804.10

SOUTH BAY COMMUNITY DEVELOPMENT DISTRICT

Payment Register by Bank Account

For the Period from 7/1/23 to 7/31/23 (Sorted by Check / ACH No.)

Date	Payee Type	Payee	Invoice No.	Payment Description	Invoice / GL Description	G/L Account #	Amount Paid
SEACOAS	ST BAN	K - (ACCT#XXXXX3871)					
CHECK # 25 07/12/23		HOLE MONTES, INC.	91280	ENGINEERING SERVICE FOR JUNE 2023	ProfServ-Engineering	001-531013-51301 Check Total	\$4,323.75 \$4,323.75
CHECK # 25 07/12/23 07/12/23 07/12/23	Vendor Vendor	INFRAMARK, LLC INFRAMARK, LLC INFRAMARK, LLC	97026 97026 97026	JUNE 2023 SVCS JUNE 2023 SVCS JUNE 2023 SVCS	Management & Accounting Services Printing Postage and Freight	001-531149-51301 001-531149-51301 001-541006-51301 Check Total	\$3,749.67 \$46.59 \$8.00 \$3,804.26
CHECK # 25 07/12/23		LITTLE HARBOR POA	2023-07 01	COMMON AREA MAINTENANCE	R&M-Common Area	001-546016-51902 Check Total	\$23,333.33 \$23,333.33
CHECK # 25 07/18/23 07/18/23	Vendor	GRAY ROBINSON P.A. GRAY ROBINSON P.A.	11155820 11155803	DISTRICT COUNSEL JULY 2023 DISTRICT COUNSEL JULY 2023	ProfServ-Legal Services ProfServ-Legal Services	001-531023-51301 001-531023-51401 Check Total	\$300.00 \$5,693.07 \$5,993.07
CHECK # 25 07/18/23		TAMPA BAY TIMES	0000291312	LEGAL ADVERTISING JULY 2023	Legal Advertising	001-548002-51301 Check Total	\$2,336.95 \$2,336.95
CHECK # 25 07/26/23		CARR RIGGS & INGRAM	17640436	SERVICES FOR 9/30/2022	Auditing Services	001-532002-51301 Check Total	\$2,250.00 \$2,250.00
CHECK # 25 07/26/23		LEAH POPELKA	LP72023	Replacements checks from Sept 2022	P/R-Board of Supervisors	001-511001-51101 Check Total Account Total	\$369.40 \$369.40 \$42,410.76

- 1) POA Landscape: The CDD requested any landscaping upgrades to cease, The POA has no problem with the CDD taking over these 2 landscape projects totaling \$20.525, the POA had previously approved and planned to complete in September but wanted to verify that the CDD has funds to complete those projects.
 - a. These projects were not included in the CDD budget discussion but were in the July 14 CDD meeting packet.
 - b. Does the CDD want to fund these projects and if so to what level.
- 2) Irrigation concern WCI/Lennar will complete construction of the Townhomes and it is expected they will ask to tie into the CDD irrigation system.
 - a. A new irrigation well is estimated @ \$20,000, who will pay for it?
- 3) The Boardwalk along Tampa Bay next to the Sunset Grill by the Pier sustained significant damage from Hurricane Idalia.
 - a. Ownership of this strip of land is unknown
 - b. Suntex did a survey when they purchased the restaurant and determined that their property line ends at the old concrete seawall about 5 feet away from the edge of the boardwalk.
 - c. The CDD Quit Claim the Pier to the POA. Note
 - d. The Boardwalk is approximately 260 feet long and 5 feet wide for a total of around 1,300 square feet (from Google Earth). Estimated repair cost \$36,000+-
- 4) Contracts to be discussed and reviewed by legal:
 - a. South County Landcare temporary contract
 - b. J Mac Property Service
 - c. Rick Metz
 - d. Allied Universal
 - e. TECO No legal Review necessary