

**BERRY BAY
COMMUNITY DEVELOPMENT DISTRICT**

May 7, 2020 Minutes of Public Hearings, Audit Committee Meeting and Regular Meeting

Minutes of the Public Hearings, Audit Committee Meeting and Regular Meeting

The Public Hearings, Audit Committee Meeting and Regular Meeting of the Board of Supervisors for the Berry Bay Community Development District was held on **Friday, May 7, 2020 at 2:00 p.m.** via conference call at 1-866-906-9330 with access code 4863181.

1. CALL TO ORDER

Debby Nussel called the Public Hearings, Audit Committee Meeting and Regular Meeting of the Board of Supervisors of the Berry Bay Community Development District to order on **Friday, May 7, 2020 at 2:21 p.m.**

Board Members Present and Constituting a Quorum:

Jeff Hills	Chair
Nick Dister	Vice Chair
Ryan Motko	Supervisor
Albert Viera	Supervisor
Steve Luce	Supervisor

Staff Members Present:

Brian Lamb	District Manager, Meritus
Debby Nussel	District Manager, Meritus
Kristen Schalter	District Counsel, Straley Robin Vericker

There were no members of the general public in attendance.

2. OATH OF OFFICE

Mrs. Nussel announced that the District has the Oath of Offices for the Board.

3. PUBLIC COMMENT ON AGENDA ITEMS

There were no public comments.

4. RECESS TO PUBLIC HEARINGS

Mrs. Nussel directed the Board to recess to the public hearings.

47 **5. PUBLIC HEARING ON ADOPTING UNIFORM METHOD OF COLLECTION**

48 **A. Open the Public Hearing on Adopting Uniform Method of Collection**

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MOTION TO:	Open the public hearing.
MADE BY:	Supervisor Luce
SECONDED BY:	Supervisor Dister
DISCUSSION:	None further
RESULT:	Called to Vote: Motion PASSED
	5/0 - Motion Passed Unanimously

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57 **B. Staff Presentations**

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59 Ms. Schalter went over the resolution with the Board.

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61 **C. Public Comments**

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63 There were no public comments.

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65 **D. Close the Public Hearing on Adopting Uniform Method of Collection**

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MOTION TO:	Close the public hearing.
MADE BY:	Supervisor Luce
SECONDED BY:	Supervisor Hills
DISCUSSION:	None further
RESULT:	Called to Vote: Motion PASSED
	5/0 - Motion Passed Unanimously

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74 **E. Consideration of Resolution 2020-26; Adopting Uniform Method of Collection**

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76 The Board reviewed the resolution.

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MOTION TO:	Approve Resolution 2020-26.
MADE BY:	Supervisor Luce
SECONDED BY:	Supervisor Dister
DISCUSSION:	None further
RESULT:	Called to Vote: Motion PASSED
	5/0 - Motion Passed Unanimously

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87 **6. PUBLIC HEARING ON ADOPTING UNIFORM RULES OF PROCEDURE**

88 **A. Open the Public Hearing on Adopting Uniform Rules of Procedure**

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MOTION TO:	Open the public hearing.
MADE BY:	Supervisor Luce
SECONDED BY:	Supervisor Dister
DISCUSSION:	None further
RESULT:	Called to Vote: Motion PASSED
	5/0 - Motion Passed Unanimously

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97 **B. Staff Presentations**

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99 Ms. Schalter went over the resolution with the Board.

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101 **C. Public Comments**

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103 There were no public comments.

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105 **D. Close the Public Hearing on Adopting Uniform Rules of Procedure**

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MOTION TO:	Close the public hearing.
MADE BY:	Supervisor Luce
SECONDED BY:	Supervisor Hills
DISCUSSION:	None further
RESULT:	Called to Vote: Motion PASSED
	5/0 - Motion Passed Unanimously

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E. Consideration of Resolution 2020-27; Adopting Uniform Rules of Procedure

The Board reviewed the resolution.

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MOTION TO:	Approve Resolution 2020-27.
MADE BY:	Supervisor Hills
SECONDED BY:	Supervisor Motko
DISCUSSION:	None further
RESULT:	Called to Vote: Motion PASSED
	5/0 - Motion Passed Unanimously

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127 **7. PUBLIC HEARING ON ADOPTING FISCAL YEAR 2020 BUDGET**

128 **A. Open the Public Hearing on Adopting Fiscal Year 2020 Budget**

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MOTION TO:	Open the public hearing.
MADE BY:	Supervisor
SECONDED BY:	Supervisor
DISCUSSION:	None further
RESULT:	Called to Vote: Motion PASSED
	5/0 - Motion Passed Unanimously

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137 **B. Staff Presentations**

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139 Mrs. Nussel reviewed the budget. The Board discussed and would like to continue the public
140 hearing until the June meeting.

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142 **C. Public Comments**

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144 There were no public comments.

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146 **D. Close the Public Hearing on Adopting Fiscal Year 2020 Budget**

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MOTION TO:	Continue the public hearing until June 4, 2020.
MADE BY:	Supervisor Dister
SECONDED BY:	Supervisor Hills
DISCUSSION:	None further
RESULT:	Called to Vote: Motion PASSED
	5/0 - Motion Passed Unanimously

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155 **E. Consideration of Resolution 2020-28; Adopting Fiscal Year 2020 Budget**

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157 **i. Consideration of Developer Funding Agreement**

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159 The Board agreed to continue this resolution until the June 4, 2020 meeting.

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162 **8. PUBLIC HEARING ON LEVYING DEBT ASSESSMENTS**

163 **A. Open the Public Hearing on Levying Debt Assessments**

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MOTION TO:	Open the public hearing.
MADE BY:	Supervisor Luce
SECONDED BY:	Supervisor Viera
DISCUSSION:	None further
RESULT:	Called to Vote: Motion PASSED 5/0 - Motion Passed Unanimously

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172 **B. Staff Presentations**

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174 Ms. Schalter went over the resolution with the Board.

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176 **C. Public Comments**

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178 There were no public comments.

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180 **D. Close the Public Hearing on Levying Debt Assessments**

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MOTION TO:	Close the public hearing.
MADE BY:	Supervisor Luce
SECONDED BY:	Supervisor Dister
DISCUSSION:	None further
RESULT:	Called to Vote: Motion PASSED 5/0 - Motion Passed Unanimously

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189 **E. Consideration of Resolution 2020-29; Levying Debit Assessments – Series 2020**
190 **Bonds**

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192 The Board reviewed the resolution.

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MOTION TO:	Approve Resolution 2020-29.
MADE BY:	Supervisor Viera
SECONDED BY:	Supervisor Dister
DISCUSSION:	None further
RESULT:	Called to Vote: Motion PASSED 5/0 - Motion Passed Unanimously

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9. RECESS TO AUDIT COMMITTEE MEETING

Mrs. Nussel directed the Board to recess to the Audit Committee Meeting.

10. AUDIT COMMITTEE MEETING

A. Call to Order/Roll Call

Mrs. Nussel called the Audit Committee meeting to order.

Audit Committee Members Present:

- Jeff Hills
- Nick Dister
- Ryan Motko
- Albert Viera
- Steve Luce

B. Appoint Chair

The District Manager will be the Chair.

C. Selection of Criteria for Evaluation of Proposals

The Audit Committee would like to have the evaluation criteria with price as a factor.

D. Determine Date, Time, Location, and RFP Required

i. Consider Notice of Request for Proposals for Audit Services

The Committee would like to review the RFP at the June meeting.

E. Consider Sending RFP to Interested Firms

F. Determine Date of Next Committee Meeting

i. Audit Committee Guidelines

The next Audit Committee meeting will be June 4, 2020.

The Audit Committee meeting was adjourned.

11. RETURN AND PROCEED TO REGULAR MEETING

Mrs. Nussel directed the Board to return and proceed to the regular meeting.

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12. VENDOR AND STAFF REPORTS

- A. District Counsel**
- B. District Engineer**
- C. District Manager**

There were no additional reports from staff at this time.

13. BUSINESS ITEMS

A. Consideration of Resolution 2020-30; Canvassing and Certifying the Results of the Landowners Election

Mrs. Nussel reviewed the resolution with the Board. Jeff Hills received 75 votes and will have Seat 1 with a four-year term. Nick Dister received 74 votes and will have Seat 2 with a four-year term. Ryan Motko received 72 votes and will have Seat 3 with a two-year term. Albert Viera received 71 votes and will have Seat 4 with a two-year term. Steve Luce received 70 votes and will have Seat 5 with a two-year term.

MOTION TO:	Approve Resolution 2020-30.
MADE BY:	Supervisor Motko
SECONDED BY:	Supervisor Hills
DISCUSSION:	None further
RESULT:	Called to Vote: Motion PASSED 5/0 - Motion Passed Unanimously

B. Consideration of Resolution 2020-31; Declaring Officers

Mrs. Nussel reviewed the resolution with the Board. Jeff Hills will be Chair; Nick Dister will be Vice Chair; Brian Lamb with Meritus will be Secretary; Eric Davidson with Meritus will be Treasurer; and Gene Roberts, Brian Howell, and the remainder of the Board will be Assistant Secretaries.

MOTION TO:	Approve Resolution 2020-31 with officers as stated.
MADE BY:	Supervisor Motko
SECONDED BY:	Supervisor Dister
DISCUSSION:	None further
RESULT:	Called to Vote: Motion PASSED 5/0 - Motion Passed Unanimously

288 **C. Consideration of Resolution 2020-32; Approving Fiscal Year 2021 Proposed**
289 **Budget**

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291 The Board discussed and would like to table this item until the June 4, 2020 meeting.

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293 **D. Consideration of Resolution 2020-33; Adopting Statutory Alternative Investment**
294 **Policies**

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296 Mrs. Nussel reviewed the resolution with the Board.

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298 MOTION TO: Approve Resolution 2020-33.
299 MADE BY: Supervisor Dister
300 SECONDED BY: Supervisor Viera
301 DISCUSSION: None further
302 RESULT: Called to Vote: Motion PASSED
303 5/0 - Motion Passed Unanimously

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305 **E. Consideration of RFP for Engineering Services**

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307 The Board reviewed and discussed the proposals.

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309 MOTION TO: Accept the Stantec proposal.
310 MADE BY: Supervisor Dister
311 SECONDED BY: Supervisor Hills
312 DISCUSSION: None further
313 RESULT: Called to Vote: Motion PASSED
314 5/0 - Motion Passed Unanimously

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316 **F. Discussion on Acceptance of Compensation for Board Members**

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318 Mrs. Nussel asked each supervisor if they would like to accept compensation for Board
319 meetings. Supervisor Hills, Supervisor Dister, Supervisor Motko, Supervisor Viera, and
320 Supervisor Luce all accepted compensation.

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323 **14. SUPERVISOR REQUESTS AND AUDIENCE COMMENTS**

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325 There were no supervisor requests or audience comments.

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329 **15. ADJOURNMENT**
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331	MOTION TO:	Adjourn.
332	MADE BY:	Supervisor Motko
333	SECONDED BY:	Supervisor Dister
334	DISCUSSION:	None further
335	RESULT:	Called to Vote: Motion PASSED
336		5/0 - Motion Passed Unanimously

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338 **Please note the entire meeting is available on disc.*

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340 **These minutes were done in summary format.*

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342 **Each person who decides to appeal any decision made by the Board with respect to any matter*
343 *considered at the meeting is advised that person may need to ensure that a verbatim record of*
344 *the proceedings is made, including the testimony and evidence upon which such appeal is to be*
345 *based.*

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347 Meeting minutes were approved at a meeting by vote of the Board of Supervisors at a publicly
348 noticed meeting held on 08/06/2020.

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351 Brian Lamb

352 **Signature**
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354 Brian Lamb

355 **Printed Name**
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357 **Title:**

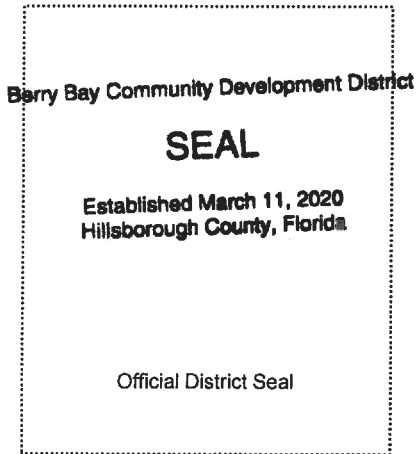
358 **Secretary**
359 **Assistant Secretary**

Jeffery S. Hills

Signature
Jeffery S. Hills

Printed Name
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357 **Title:**

358 **Chairman**
359 **Vice Chairman**



Recorded by Records Administrator

Brittany Crutchfield
Signature

08/06/2020
Date

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