

PALMA SOLA TRACE COMMUNITY DEVELOPMENT DISTRICT

DISTRICT OFFICE · 3434 COLWELL AVENUE · SUITE 200 · TAMPA, FLORIDA 33614

**PALMA SOLA TRACE
COMMUNITY DEVELOPMENT DISTRICT**

**BOARD OF SUPERVISORS' MEETING
MAY 8, 2013**

**PALMA SOLA TRACE
COMMUNITY DEVELOPMENT DISTRICT
AGENDA
MAY 8, 2013 at 10:30 a.m.**

Palma Sola Trace Clubhouse
7408 Hamilton Road, Bradenton, FL 34209

District Board of Supervisors	Peter Gelman James Fleming Dutch Neuweiler Roger Ohlson Mareed Meek Stollman	Chairman Vice Chairman Assistant Secretary Assistant Secretary Assistant Secretary
District Manager	Greg Cox	Rizzetta & Company, Inc.
District Attorney	Jere Earlywine	Hopping Green & Sams, P.A.
District Engineer	Rick Schappacher	Schappacher Engineering

All Cellular phones and pagers must be turned off while in the meeting room.

The District Agenda is comprised of four different sections:

The meeting will begin promptly at **10:30 a.m.** with the first section which is called **Business Administration**. The Business Administration section contains items that require the review and approval of the District Board of Supervisors as a normal course of business. The second section is called **Business Items**. The business items section contains items for approval by the District Board of Supervisors that may require discussion, motion and votes on an item-by-item basis. If any member of the audience would like to speak on one of the business items, they will need to register with the District Manager prior to the presentation of that agenda item. Occasionally, certain items for decision within this section are required by Florida Statute to be held as a Public Hearing. During the Public Hearing portion of the agenda item, each member of the public will be permitted to provide one comment on the issue, prior to the Board of Supervisors' discussion, motion and vote. Agendas can be reviewed by contacting the Manager's office at (813) 933-5571 at least seven days in advance of the scheduled meeting. Requests to place items on the agenda must be submitted in writing with an explanation to the District Manager at least fourteen (14) days prior to the date of the meeting. The third section is called **Staff Reports**. This section allows the District Manager, Engineer, and Attorney to update the Board of Supervisors on any pending issues that are being researched for Board action. The final section is called **Supervisor Requests and Audience Comments**. This is the section in which the Supervisors may request Staff to prepare certain items in an effort to meet residential needs. The Audience Comment portion of the agenda is where individuals may comment on matters that concern the District. Each individual is limited to three **(3) minutes** for such comment. The Board of Supervisors or Staff is not obligated to provide a response until sufficient time for research or action is warranted. **IF THE COMMENT CONCERNS A MAINTENANCE RELATED ITEM, THE ITEM WILL NEED TO BE ADDRESSED BY THE DISTRICT MANAGER OUTSIDE THE CONTEXT OF THIS MEETING.**

Public workshops sessions may be advertised and held in an effort to provide informational services. These sessions allow staff or consultants to discuss a policy or business matter in a more informal manner and allow for lengthy presentations prior to scheduling the item for approval. Typically no motions or votes are made during these sessions.

Pursuant to provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the District Office at (813) 933-5571, at least 48 hours before the meeting. If you are hearing or speech impaired, please contact the Florida Relay Service at 1 (800) 955-8770, who can aid you in contacting the District Office.

Any person who decides to appeal any decision made by the Board with respect to any matter considered at the meeting is advised that this same person will need a record of the proceedings and that accordingly, the person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which the appeal is to be based.

April 30, 2013

Board of Supervisors
Palma Sola Trace Community
Development District

AGENDA

Dear Board Members:

The continued meeting of the Board of Supervisors of Palma Sola Trace Community Development District will be held on **Wednesday, May 8, 2013 at 10:30 a.m.** at the Palma Sola Trace Clubhouse located at 7408 Hamilton Road, Bradenton, FL 34209. The following is the tentative agenda for this meeting:

- 1. CALL TO ORDER**
- 2. BUSINESS ADMINISTRATION**
 - A. Consideration of Minutes of Board of Supervisors' Meeting Held on April 18, 2013Tab 1
- 3. BUSINESS ITEMS**
 - A. Update Regarding Bond Refunding Transaction
 - i. Consideration of Resolution 2013-08, Supplementing Resolution 2013-05 and Addressing Final Pricing On 2013 Refunding Bonds.....*under separate cover*
 - B. Presentation of Fiscal Year 2013/2014 Proposed Budget*under separate cover*
 - i. Consideration of Resolution 2013-07, Approving Proposed Budget and Setting a Public HearingTab 2
- 4. STAFF REPORTS**
 - A. District Counsel
 - B. District Engineer
 - C. District Manager
- 5. AUDIENCE COMMENTS AND SUPERVISOR REQUESTS**
- 6. ADJOURNMENT**

I look forward to seeing you at the meeting. In the meantime, if you have any questions, please do not hesitate to contact me at (813) 933-5571.

Very truly yours,


Greg Cox
District Manager

Tab 1

MINUTES OF MEETING

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

**PALMA SOLA TRACE
COMMUNITY DEVELOPMENT DISTRICT**

The public hearing and special meeting of the Board of Supervisors of the Palma Sola Trace Community Development District was held on Thursday, April 18, 2013 at 1:30 p.m. at the Palma Sola Trace Clubhouse located at 7408 Hamilton Road, Bradenton, FL 34209.

Present and constituting a quorum:

Peter Gelman	Board Supervisor, Chairman
James Fleming	Board Supervisor, Vice Chairman
Roger Ohlson	Board Supervisor, Assistant Secretary
Mareed M. Stollman	Board Supervisor, Assistant Secretary

Also present were:

Greg Cox	District Manager; Rizzetta & Company, Inc.
Jere Earlywine	District Counsel; Hopping Green & Sams, P.A.
Rick Schappacher	District Engineer; Schappacher Engineering
Robbie Cox	Director of Financial Consulting; Rizzetta & Company
Brett Sealy	Bond Counsel; MBS Capital Markets

Audience

FIRST ORDER OF BUSINESS

Call to Order

Mr. (Greg) Cox called the meeting to order and read the roll call.

SECOND ORDER OF BUSINESS

Consideration of Minutes of Board of Supervisors' Meeting held Feb. 28, 2013

Mr. (Greg) Cox presented the minutes of the Board of Supervisors' meeting held on February 28, 2013 to the Board for consideration. Mr. Gelman noted that in the Fifth Order of Business, pond #6 was incorrectly written as pond #4.

<p>On a Motion by Mr. Gelman, seconded by Mr. Fleming, with all in favor, the Board approved the minutes of the Board of Supervisors' meeting held February 28, 2013 as amended for the Palma Sola Trace Community Development District.</p>
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THIRD ORDER OF BUSINESS

Consideration of Minutes of Board of Supervisors' Meeting held Mar. 12, 2013

Mr. (Greg) Cox presented the minutes of the Board of Supervisors' meeting held on March 12, 2013 to the Board for consideration.

On a Motion by Mr. Gelman, seconded by Mr. Fleming, with all in favor, the Board approved the minutes of the Board of Supervisors' meeting held March 12, 2013 as presented for the Palma Sola Trace Community Development District.

FOURTH ORDER OF BUSINESS

Consideration of Operation & Maintenance Expenditures for March 2013

Mr. (Greg) Cox presented the Operation and Maintenance expenditures for March 2013 totaling \$9,463.35 to the Board for ratification.

On a Motion by Mr. Fleming, seconded by Mr. Gelman, with all in favor, the Board ratified the Operation and Maintenance expenditures for March 2013 totaling \$9,463.35 for the Palma Sola Trace Community Development District.

FIFTH ORDER OF BUSINESS

Discussion Regarding Bond Refunding Transaction

Mr. Earlywine gave a presentation of the history of work conducted to date on the efforts to refinance the District's current bond. He explained the required notices that were mailed to the landowners (residents and developer) regarding the refinancing. Mr. Sealy provided updated information to the Board regarding the current status of the transaction, explaining that the principal amount of the bond will be slightly increased due to the inclusion of costs of issuance but the annual debt payment to all residents would be decreased. He also explained that the life of the bond would not be increased. At the conclusion of the updates the Board of Supervisors opened the public hearing portion of the meeting to receive comments from those attending.

SIXTH ORDER OF BUSINESS

Public Hearing on Series 2013 Assessments

On a Motion by Mr. Gelman, seconded by Mr. Fleming, with all in favor, the Board opened the public hearing portion of the meeting for the Palma Sola Trace Community Development District.

SEVENTH ORDER OF BUSINESS

Presentation of Supplemental Special Assessment Allocation Report

Mr. (Robbie) Cox presented the Final Supplemental Special Assessment Allocation Report to the Board and reviewed it for them. Mr. Earlywine asked Mr. (Robbie) Cox a series of questions in which Mr. (Robbie) Cox responded that there is a benefit from the special assessment and that the assessments would be fairly and equally allocated.

Prior to receiving comments from the audience members, Mr. Gelman provided information regarding the funds that potentially had been due to the developer including comments that it could be assumed the "statute of limitations on the community infrastructure most likely had expired; the District has roughly \$540,000 in the bank; a great majority of the current street light electrical system has already been retrofitted; the "A-" credit rating given the District might be jeopardized if the District was to be involved in litigation; and that the Release & Waiver Agreement to be considered by the Board would only involve the District's assets and not those of the residents and their properties.

EIGHTH ORDER OF BUSINESS

Consideration of Public Comment

Comments from the audience were received as summarized below:

Mr. Kenneth Alonso was concerned that the refinancing would trigger a payment to the developer, which he is opposed to. When it was explained there would now be zero payment to the developer he withdrew his opposition.

Ms. Carol Mason requested information regarding the old and new payments.

Ms. Laura Winehurt requested information on the debt service payoff amounts.

Mr. Meredith Shell expressed concern that it would take approximately 8-9 years to reach the point at which the refinancing would be financially beneficial.

Ms. Penny Bray requested information regarding rate lock.

Ms. Monica Wright requested information regarding the tax roll.

NINTH ORDER OF BUSINESS

**Consideration of Resolution 2013-05,
Approving and Confirming Special
Assessments**

After the last audience comments Mr. Earlywine presented Resolution 2013-05 to the Board for consideration and reviewed it for them section by section.

On a Motion by Mr. Fleming, seconded by Mr. Gelman, with all in favor, the Board approved Resolution 2013-05, Approving and Confirming Special Assessments, for the Palma Sola Trace Community Development District.

TENTH ORDER OF BUSINESS

**Consideration of Resolution 2013-06,
Delegating Authority to Issue Series 2013
Bonds**

Mr. Earlywine presented Resolution 2013-06 to the Board for consideration and reviewed it for them. Mr. Gelman requested an explanation of the dollar amount included in the resolution language. Mr. Earlywine explained how a portion of the District currently is not built out which led to the development of a senior bond and a subordinate bond in order to achieve the desired interest rates. Discussion ensued regarding the blank section related to the minimal annual reduction percentage. Following an explanation by Mr. Sealy and Mr. Earlywine, it was agreed upon to insert the figure of 7.5% in the blank line of Section 7 of the resolution.

On a Motion by Mr. Gelman, seconded by Mr. Fleming, with all in favor, the Board approved Resolution 2013-06, Delegating Authority to Issue Series 2013 Bonds, subject to approval of the Release & Waiver Agreement with the inclusion of an "accession clause", for the Palma Sola Trace Community Development District.

ELEVENTH ORDER OF BUSINESS

**Consideration of Release & Waiver
Agreement**

Mr. (Greg) Cox presented the Release & Waiver Agreement mentioned earlier in the meeting to the Board for consideration. Mr. Cox advised that the agreement represents a mutual release for the District and for Taylor Morrison, as the developer, from future claims as explained in the document.

On a Motion by Mr. Gelman, seconded by Mr. Fleming, with all in favor, the Board approved the Release & Waiver Agreement with the inclusion of an "accession clause" for the Palma Sola Trace Community Development District.

On a Motion by Mr. Fleming, seconded by Mr. Gelman, with all in favor, the Board closed the public hearing portion of the meeting for the Palma Sola Trace Community Development District.

At 2:50 p.m. the meeting was temporarily recessed. At 2:55 p.m. the meeting was reconvened with all Board members still present.

TWELFTH ORDER OF BUSINESS

Pond Maintenance Update

Mr. (Greg) Cox introduced Mike Kaighin of Aquagenix who was present to give a status update on the ponds and answer questions from the Board. Mr. Kaighin advised that ponds #9 and #10 are having some issues with their plants. He also indicated that as residents are beginning to fertilize their yards, the fertilizer makes its way into the ponds which results in increased algae blooms. He also mentioned that duckweed is beginning to become an issue as

well. There was discussion regarding the improved water levels of pond #6 which will allow for installation of aquatic plants near the outflow structure.

THIRTEENTH ORDER OF BUSINESS

Discussion Regarding Pond Repairs

District Engineer Rick Schappacher then provided an update of repairs made to the banks of ponds #4 and #6. He explained that on pond #4, Geoweb was installed to prevent further erosion. Mr. Schappacher also advised that on pond #6, pipes were plugged that had resulted in too-low water levels and that a ditch had been filled in.

FOURTEENTH ORDER OF BUSINESS

Consideration of Gate Repair Proposal

Mr. Fleming explained the history of issues he has had with the emergency gate and how he was able to get Accurate Electronics to respond, and presented a proposal from them for gate renovations in the amount of \$2,281.22. After some discussion the Board tabled the topic and requested that Staff obtain additional proposals for gate renovations and also seek quotes for routine gate maintenance.

FIFTEENTH ORDER OF BUSINESS

Street Light Update

Mr. (Greg) Cox informed the Board that he and Mr. Fleming had been working to see about getting tree limbs and palm fronds removed from around the light fixtures of the street lights. Mr. Cox also explained that Staff continued to research companies which might be able to paint the bases of the street lights.

SIXTEENTH ORDER OF BUSINESS

Creek Maintenance Update

Discussion ensued regarding complaints that the maintenance contractor is killing plants and that there is a noticeable amount of trash in the creek. Mr. Gelman explained that with heavy rains, trash is often deposited on the creek banks and remains there until the service company can return to clean it up.

SEVENTEENTH ORDER OF BUSINESS

Monthly Unaudited Financial Summary

Mr. (Greg) Cox presented the monthly unaudited District financial summary as of March 31, 2013 to the Board and reviewed it with them.

EIGHTEENTH ORDER OF BUSINESS

Review of Action Item List

Mr. (Greg) Cox reviewed the action item list with the Board. He noted that the task of planting sod on the entrance pond's bank was complete and that it looked very good. Mr. Schappacher address all the items involving property ownership determination. Regarding the topic of sagging grates, Mr. Earlywine indicated he wanted to research the Covenants documents to see if they would shed light on ownership topics.

NINETEENTH ORDER OF BUSINESS

Staff Reports

- A. District Counsel**
Mr. Earlywine had no additional information to present.

- B. District Engineer**
Mr. Schappacher had no additional information to present.

- C. District Manager**
Mr. Cox announced the next meeting is scheduled for May 23, 2013 at 1:30 p.m. Mr. Earlywine advised there is a need to continue the present meeting in progress in order to address the tasks associated with the bond closing. After Board discussion it was decided to continue the meeting to Wednesday, May 8, 2013 at 10:30 a.m. It was also noted that presentation of the Fiscal Year 2013/2014 Proposed Budget would have to take place on May 8th if the May 23rd meeting was to be cancelled.

TWENTIETH ORDER OF BUSINESS

Audience Comments and Supervisor Requests

Audience Comments:

One audience member asked if the streets of the community belong to the District or to the City of Bradenton.

Supervisor Requests:

Ms. Stollman suggested that an item be placed on the District website to show which entities (the Master HOA, CDD, City, County) are responsible for what areas.

TWENTY-FIRST ORDER OF BUSINESS

Continuance

<p>On a Motion by Mr. Fleming, seconded by Mr. Gelman, with all in favor, at 4:35 p.m. the Board continued the meeting to Wednesday, May 8, 2013 at 10:30 a.m. for the Palma Sola Trace Community Development District.</p>

Secretary / Assistant Secretary

Chairman / Vice Chairman

Tab 2

RESOLUTION 2013-07

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE PALMA SOLA TRACE COMMUNITY DEVELOPMENT DISTRICT APPROVING A PROPOSED BUDGET FOR FISCAL YEAR 2013/2014 AND SETTING A PUBLIC HEARING THEREON PURSUANT TO FLORIDA LAW AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the District Manager has heretofore prepared and submitted to the Board of Supervisors of Palma Sola Trace Community Development District (the "Board") prior to June 15, 2013, proposed operating and debt service budgets for Fiscal Year 2013/2014; and

WHEREAS, the Board has considered the proposed budgets and desires to set the required public hearing thereon.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF PALMA SOLA TRACE COMMUNITY DEVELOPMENT DISTRICT:

1. The operating and debt service budgets proposed by the District Manager for Fiscal Year 2013/2014 attached hereto as **Exhibit A** are hereby approved as the basis for conducting a public hearing to adopt said budgets.
2. A public hearing on said approved budgets is hereby declared and set for the following date, hour and location:

DATE: _____, 2013

HOUR: _____:_____ .m.

LOCATION: Palma Sola Trace Club House
7408 Hamilton Road
Bradenton, FL 34209

3. The District Manager is hereby directed to submit a copy of the proposed budgets to Manatee County at least 60 days prior to the hearing set above.
4. Notice of this public hearing shall be published in the manner prescribed in Florida law.
5. This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED THIS 8th DAY OF MAY, 2013.

ATTEST:

**PALMA SOLA TRACE COMMUNITY
DEVELOPMENT DISTRICT**

Secretary / Asst. Secretary

By: _____

Its: _____