

March 17, 2021

**Board of Supervisors
Palma Sola Trace Community
Development District**

AGENDA

Dear Board Members:

The special meeting of the Board of Supervisors of the Palma Sola Trace Community Development District will be held on **Thursday, March 25, 2021 at 1:30 p.m.** at the Palma Sola Trace Clubhouse, located at 7408 Hamilton Road, Bradenton, Florida 34209. The following is the agenda for this meeting:

- 1. CALL TO ORDER**
- 2. AUDIENCE COMMENTS**
- 3. BUSINESS ADMINISTRATION**
 - A.** Consideration of Minutes of Board of Supervisors' Regular Meeting held on February 25, 2021 Tab 1
 - B.** Consideration of Operations & Maintenance Expenditures for February 2021 Tab 2
- 4. BUSINESS ITEMS**
 - A.** Consideration of Acquisition Documents for Perimeter Wall Tab 3
 - B.** Consideration of Resolution 2021-02; Re-Designating Assistant Secretaries Tab 4
- 5. STAFF REPORTS**
 - A.** District Counsel
 - B.** District Engineer
 - i.** Engineers Report Tab 5
 - C.** District Manager
- 6. SUPERVISOR REQUESTS**
- 7. ADJOURNMENT**

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

Respectfully,

Jerry Whited

Jerry Whited
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 regular meeting of the Board of Supervisors of the Palma Sola Trace Community Development District was held on **Thursday, February 25, 2021 at 1:32 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; Chair |
| Roger Ohlson | Board Supervisor; Vice-Chair |
| Robert Mauriello | Board Supervisor; Asst. Secretary |
| Eva Walker | Board Supervisor; Asst. Secretary |
| William Diamond | Board Supervisor; Asst. Secretary |

Also present were:

| | |
|------------------|---|
| Taylor Nielsen | District Manager; Rizzetta & Company, Inc. |
| Jerry Whited | District Manager; Rizzetta & Company, Inc. |
| Lauren Gentry | District Counsel; Hopping Green & Sams (via conference call) |
| Rick Schappacher | District Engineer; Schappacher Engineering |

Audience

FIRST ORDER OF BUSINESS

Call to Order

Mr. Nielsen called the meeting to order and conducted roll call, confirming a quorum was present.

SECOND ORDER OF BUSINESS

Audience Comments

An audience member addressed the Board regarding the conditions of the ponds.

An audience member addressed the Board regarding a leaning tree in the pond at 7250 Hamilton Road.

THIRD ORDER OF BUSINESS

**Administer Oath of Office to
Newly Elected Supervisors**

Mr. Nielsen administered the Oath of Office to Roger Ohlson and William Diamond.

FOURTH ORDER OF BUSINESS

**Consideration of Resolution 2021-01;
Re-Designating Officers of the District**

No changes to the Board were made. Mr. Gelman will remain as Chairman, Roger Ohlson will remain as Vice-Chairman, all remaining Board Supervisors will be Assistant Secretaries.

On a Motion by Mr. Gelman, seconded by Mr. Mauriello, with all in favor, the Board of Supervisors adopted Resolution 2021-01; Re-Designating Officers of the District, for the Palma Sola Trace Community Development District.

FIFTH ORDER OF BUSINESS

**Consideration of Minutes of Board
Supervisors' Regular Meeting held on
October 22, 2020**

Mr. Nielsen presented the BOS Meeting Minutes from October 22, 2020 to the Board.

On a Motion by Mr. Gelman, seconded by Ms. Walker, with all in favor, the Board of Supervisors approved the Minutes of BOS Meeting held on October 22, 2020, as presented, for the Palma Sola Trace Community Development District.

SIXTH ORDER OF BUSINESS

**Ratification of Operations and
Maintenance Expenditures for October
through December 2020 and January
2021**

The Board ratified the Operations and Maintenance Expenditures for October through December 2020 and January 2021.

On a Motion by Mr. Gelman, seconded by Mr. Ohlson, with all in favor, the Board of Supervisors ratified the Operations and Maintenance Expenditures for October 2020 (\$21,051.74), November 2020 (\$16,542.39) and December 2020 (\$16,558.72) and January 2021 (\$11,262.03), for the Palma Sola Trace Community Development District.

SEVENTH ORDER OF BUSINESS

**Discussion of Wall Transfer from HOA
to CDD**

On a Motion by Mr. Gelman, seconded by Mr. Ohlson, with all in favor, the Board of Supervisors approved to acquire the Perimeter Wall from the HOA, and authorized District Staff to immediately convey, for the Palma Sola Trace Community Development District.

The Board authorized staff to schedule a Special Meeting on March 25, 2021, for business related to the Perimeter Wall acquisition.

EIGHTH ORDER OF BUSINESS

Ratification of Brightview Proposals

On a Motion by Mr. Gelman, seconded by Mr. Mauriello, with all in favor, the Board of Supervisors ratified the Brightview Landscape proposals, for the Palma Sola Trace Community Development District.

NINTH ORDER OF BUSINESS

Consideration of Bond Counsel Agreement

On a Motion by Mr. Gelman, seconded by Mr. Ohlson, with all in favor, the Board of Supervisors approved the Bond Counsel agreement with Bryan Miller Olive, for the Palma Sola Trace Community Development District.

TENTH ORDER OF BUSINESS

Discussion of Light Pole Restoration

The Board discussed a request from a resident on the appearance of the street lights in the District. The Board tabled this item.

ELEVENTH ORDER OF BUSINESS

Ratification of Bee Hive Removal Proposal

On a Motion by Mr. Gelman, seconded by Mr. Ohlson, with all in favor, the Board of Supervisors ratified the Bee Hive removal proposal, for the Palma Sola Trace Community Development District.

TWELFTH ORDER OF BUSINESS

Staff Reports

A. District Counsel

No report.

i. Presentation of E-Verify Memorandum

Ms. Gentry presented the E-Verify memorandum to the Board.

On a Motion by Mr. Gelman, seconded by Mr. Ohlson, with all in favor, the Board of Supervisors authorized District Manager to enroll Palma Sola Trace in E-Verify program, for the Palma Sola Trace Community Development District.

B. District Engineer

No report.

i. Consideration of Perimeter Wall Bid Package

The Board reviewed the Perimeter Wall Bid Package presented by Mr. Schappacher (\$165,725 plus %25 contingency).

On a Motion by Mr. Gelman, seconded by Mr. Ohlson, with all in favor, the Board of Supervisors requested a Final Bid Package be brought to the Special Meeting March 25, 2021 for consideration, for the Palma Sola Trace Community Development District.

C. District Manager

Mr. Nielsen confirmed that the special meeting will be held Thursday, March 25, 2021 at 1:30 p.m. at the Palma Sola Trace Clubhouse, 7408 Hamilton Rd., Bradenton FL 34209.

THIRTEENTH ORDER OF BUSINESS

Supervisor Requests

Mr. Gelman requested a discussion on the pedestrian gates be added to the next regular meeting in April.

Mr. Ohlson requested the District Manager contact the electrician (Bellmore), to get proposals for potential repairs on a list that he will provide.

FOURTEENTH ORDER OF BUSINESS

Adjournment

On a Motion by Mr. Ohlson, seconded by Ms. Walker, with all in favor, the Board of Supervisors adjourned the meeting at 3:37 p.m. for the Palma Sola Trace Community Development District.

Assistant Secretary

Chair / Vice Chair

Tab 2

**PALMA SOLA TRACE
COMMUNITY DEVELOPMENT DISTRICT**

DISTRICT OFFICE · 9428 CAMDEN FIELD PARKWAY · RIVERVIEW, FLORIDA 33578

**Operation and Maintenance Expenditures
February 2021
For Board Approval**

Attached please find the check register listing the Operation and Maintenance expenditures paid from February 1, 2021 through February 28, 2021. This does not include expenditures previously approved by the Board.

The total items being presented: **\$7,608.91**

Approval of Expenditures:

_____ Chairperson

_____ Vice Chairperson

_____ Assistant Secretary

Palma Sola Trace Community Development District

Paid Operation & Maintenance Expenditures

February 1, 2021 Through February 28, 2021

| Vendor Name | Check Number | Invoice Number | Invoice Description | Invoice Amount |
|-------------------------------------|--------------|-------------------|----------------------------------|---------------------------|
| Aquagenix | 003412 | 4102297 | Aquatic Service 02/21 | \$ 850.00 |
| Bellmore Electric Inc. | 003406 | 7936 | Street Light Repairs 01/21 | \$ 405.00 |
| BrightView Landscape services, Inc. | 003413 | 7191740 | Monthly Lawn Service 02/21 | \$ 748.00 |
| BrightView Landscape services, Inc. | 003409 | 7206667 | Tree Care 01/21 | \$ 1,040.00 |
| Florida Power & Light Company | 003410 | 21937-71157 01/21 | 3724 Summerwind Cir # Gate 01/21 | \$ 13.51 |
| Florida Power & Light Company | 003410 | 56695-14423 01/21 | 3804 Bridlecrest Ln # PUMP 01/21 | \$ 131.96 |
| Florida Power & Light Company | 003410 | 75654-55537 01/21 | 3807 75th ST W # ST LTS 01/21 | \$ 109.10 |
| Florida Power & Light Company | 003410 | 84373-03152 01/21 | 4095 Overture Cir # GATE 01/21 | \$ 19.67 |
| Rizzetta & Company, Inc. | 003407 | INV0000056013 | District Management Fees 02/21 | \$ 4,041.67 |
| Rizzetta Technology Services, LLC | 003408 | INV0000006810 | Website Email & Hosting 02/21 | \$ 100.00 |
| Schappacher Engineering, LLC | 003411 | 1810 | Engineering Services 01/21 | \$ 150.00 |
| Report Total | | | | <u>\$ 7,608.91</u> |

Tab 3

March 25, 2021

Palma Sola Trace Community Development District
Board of Supervisors
c/o Rizzetta & Company, Inc.
12750 Citrus Park Lane, Suite 115
Tampa, FL 33625

Re: Palma Sola Trace Community Development District ("District")
Letter Agreement - Acquisition of Improvements – Perimeter Wall

Dear Board:

The Palma Sola Trace Master Association, Inc. ("Master Association") wishes to convey the perimeter wall and fencing improvements, as described in **Exhibit A** ("Perimeter Wall"), for ownership, operation, and maintenance to the District. The following terms shall govern the conveyance:

- Simultaneously with the conveyance of the Perimeter Wall, the Master Association shall:
 - Transfer to the District a total of \$297,750.00 in funds. Wiring instructions will be sent from the District Manager's office.
 - Transfer to the District any plans, permits, construction drawings, engineering studies or reports, cost estimates, or other documentation in its possession relating to the Perimeter Wall.
 - Record in the public records of Manatee County, Florida, an amendment to its Declaration of Covenants, Conditions, Restrictions, and Easements for Palma Sola Trace, setting out the District's ownership, repair, maintenance, and replacement obligations as to the Perimeter Wall, and granting the District easement rights necessary to perform its obligations.
- The conveyance shall not include any real property, landscaping, irrigation, or improvements other than the Perimeter Wall. However, the District will be responsible for the cost of repairing irrigation and replacing trees, bushes, mulch and other landscaping items, both owned by the Master Association and Lot Owners that are damaged resulting from wall and fence repair or replacement to be undertaken by the District.
- The District shall not owe the Master Association any monetary compensation in exchange for the conveyance of the Perimeter Wall.

If the Master Association is in agreement with the terms stated herein, please execute this letter agreement in the space below and proceed with the necessary steps to effect the conveyance.

Accepted by:

Sincerely,

**Palma Sola Trace Community
Development District**

Palma Sola Trace Master Association, Inc.

Name: Peter Gelman
Title: Chairman

Name: _____
Title: _____

Exhibit A
Identification of Improvements

Perimeter Wall Improvements

All perimeter wall and fencing improvements, but not including title to any of the following described real property, located on portions of the real property described as follows:

Tracts L-1, L-2, L-3, L-4, L-5, and L-6, as identified on that certain plat titled "Palma Sola Trace," and recorded at Plat Book 46, Pages 146 et seq. in the Official Records of Manatee County, Florida.

BILL OF SALE

KNOW ALL MEN BY THESE PRESENTS, that **THE PALMA SOLA TRACE MASTER ASSOCIATION, INC.**, a Florida not-for-profit corporation, whose mailing address is 9300 N. 16th St., Tampa, FL 33612 (the “**Association**”), for good and valuable consideration, to it paid by the **PALMA SOLA TRACE COMMUNITY DEVELOPMENT DISTRICT**, a local unit of special purpose government organized and existing under Chapter 190, *Florida Statutes*, whose mailing address is c/o Rizzetta & Company, Inc., 12750 Citrus Park Lane, Suite 115, Tampa, FL 33625 (the “**District**”), the receipt whereof is hereby acknowledged, has granted, bargained, sold, transferred and delivered, and by these presents does grant, bargain, sell, transfer, and deliver unto the District, its successors and assigns, the following described property, assets and rights, to-wit:

All perimeter wall and fencing improvements, but not including title to any of the following described real property, located on portions of the real property described as Tracts L-1, L-2, L-3, L-4, L-5, and L-6, as identified on that certain plat titled “Palma Sola Trace,” and recorded at Plat Book 46, Pages 146 et seq. in the Official Records of Manatee County, Florida.

TO HAVE AND TO HOLD all of the foregoing unto the District, its successors and assigns, for its own use forever, free and clear and discharged of and from any and all obligations, claims or liens.

AND the Association does hereby covenant to and with the District, its successors and assigns, that it is the lawful owner of the above-described personal property and assets; that said personal property and assets are free from all liens and encumbrances; that Association has good right to sell said personal property and assets; that all contractors, subcontractors and materialmen furnishing labor or materials relative to the construction of the personal property and assets have been paid in full; and that Association will warrant and defend the sale of its said personal property and assets hereby made, unto the District, its successors and assigns, against the lawful claims and demands of all persons whosoever.

[SIGNATURES ON NEXT PAGE]

IN WITNESS WHEREOF, the Association has caused this instrument to be executed in its name this ____ day of _____, 2021.

**PALMA SOLA TRACE MASTER
ASSOCIATION, INC.**

a Florida not-for-profit corporation

By: _____
Its: _____

STATE OF FLORIDA
COUNTY OF _____

The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☐ online notarization this ____ day of _____, 2021, by _____ (name), as _____ (title) of the Palma Sola Trace Master Association, Inc., and who ☐ is personally known to me or ☐ produced _____ as identification.

(NOTARY SEAL)

Notary Public Signature

(Name typed, printed or stamped)
Notary Public, State of _____
Commission No. _____
My Commission Expires: _____

**SCHAPPACHER ENGINEERING, LLC CERTIFICATION TO
PALMA SOLA TRACE COMMUNITY DEVELOPMENT DISTRICT
REGARDING PERIMETER WALL**

STATE OF FLORIDA
COUNTY OF _____

BEFORE ME, the undersigned, personally appeared Rick Schappacher, P.E., of Schappacher Engineering, Inc., who, after being first duly sworn, deposes and says:

I, Rick Schappacher, am a Professional Engineer registered in the State of Florida. I have reviewed certain documentation, including, but not limited to, plats, permitted plans and specifications, as-builts and applicable permits. I, or my authorized agent, have conducted on-site observations of the perimeter wall improvements (the "Improvements"), as described in **Exhibit A**.

I hereby certify to the Palma Sola Trace Community Development District (the "District") the below listed matters:

- 1) The Improvements are a public facility capable of being owned, operated and maintained by the District.
- 2) The Improvements specifically benefit property within the boundaries of the District.
- 3) In my opinion, the fair and reasonable value of the Improvements as installed is as follows:
\$_____.
- 4) In my opinion, the engineering cost estimate to repair the Improvements as of this certificate is as follows: \$_____.

FURTHER AFFIANT SAYETH NOT.

Rick Schappacher, P.E.,
Schappacher Engineering, LLC
Florida Registration No. _____

STATE OF FLORIDA
COUNTY OF _____

The foregoing instrument was acknowledged and subscribed before me by means of ☐ physical presence or ☐ online notarization this ____ day of _____, 2021, by Rick Schappacher, P.E., who has produced _____ as identification and has taken an oath.

Notary Public

Name of officer taking acknowledgment

Commission Expires:

Exhibit A

Identification of Improvements

Perimeter Wall Improvements

All perimeter wall and fencing improvements, but not including title to any of the following described real property, located on portions of the real property described as follows:

Tracts L-1, L-2, L-3, L-4, L-5, and L-6, as identified on that certain plat titled "Palma Sola Trace," and recorded at Plat Book 46, Pages 146 et seq. in the Official Records of Manatee County, Florida.

Tab 4

RESOLUTION 2021-02

A RESOLUTION OF THE BOARD OF SUPERVISORS OF PALMA SOLA TRACE COMMUNITY DEVELOPMENT DISTRICT APPOINTING an ASSISTANT SECRETARY OF THE DISTRICT, AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Palma Sola Trace Community Development District (hereinafter the "District") is a local unit of special-purpose government created and existing pursuant to Chapter 190, Florida Statutes, being situated entirely within Manatee County, Florida; and

WHEREAS, the Board (hereinafter the "Board") of Supervisors of the District desires to appoint an Assistant Secretary.

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

Section 1. Taylor Nielsen & Jerry Whited is appointed Assistant Secretaries.

Section 2. This Resolution shall not supersede any appointments made by the Board other than specified in Section 1.

Section 3. This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED THIS 25th DAY OF MARCH 25.

**PALMA SOLA TRACE COMMUNITY
DEVELOPMENT DISTRICT**

CHAIRMAN / VICE CHAIRMAN

ATTEST:

ASSISTANT SECRETARY