

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.

**PIER PARK
COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of Pier Park Community Development District was held on **Monday, November 18, 2013 at 10:10 a.m. (CST)** at the Panama City Beach City Hall, 110 South Arnold Road, Panama City Beach, Florida 32413.

Present and constituting a quorum:

Brent Gardner	Board Supervisor, Chair
John Grueter	Board Supervisor, Vice Chair
Wes Payne	Board Supervisor, Assistant Secretary
Ken Goldberg	Board Supervisor, Assistant Secretary <i>(joined the meeting in progress)</i>
Felicia Cook	Board Supervisor, Assistant Secretary <i>(joined the meeting in progress)</i>

Also present were:

Joseph Brown	District Counsel, Hopping Green & Sams, P.A.
Debra Anderson	District Manager, Rizzetta & Company, Inc.
Robert Carroll	District Engineer, McNeil Carroll Engineering, Inc.
Martin Horak	Property Manager

Audience Members

FIRST ORDER OF BUSINESS

Call to Order

Ms. Anderson called the meeting to order and performed roll call.

SECOND ORDER OF BUSINESS

Audience Comments

Ms. Jenny Meeks, owner of Miracle Strip at Pier Park addressed the Board regarding plans to move Miracle Strip in April 2014 to a location which borders the District. Ms. Meeks discussed issues and concerns regarding safety and increased foot traffic, improved lighting and sidewalks, and landscape maintenance.

(Mr. Goldberg joined the meeting in progress.)

(Ms. Cook joined the meeting in progress.)

Discussion was held about the right-of-way being owned by the City of Panama City Beach and that the Board could not make any decisions regarding sidewalks and lighting since the District did not own the right-of-way, but that once the improvements were in place the District could discuss maintenance with the City. Discussion also ensued regarding potential costs and the District's budget. The Board asked Mr. Horak and Mr. Gardner to investigate issues with regards to street lighting and maintenance of landscaping around the ponds and report the findings to the Board at the next meeting.

THIRD ORDER OF BUSINESS

Administer Oath of Office to Newly Elected Board Supervisor

Ms. Anderson, a Notary Public in the State of Florida, administered the Oath of Office to Mr. Goldberg. Mr. Goldberg was asked to swear and affirm to the oath. Mr. Goldberg swore and affirmed to the oath. Prior to convening this meeting, Ms. Anderson administered the Oath of Office to the newly elected Board Supervisors, John Grueter and William (Wes) Payne.

FOURTH ORDER OF BUSINESS

Consideration of 2014-01, Canvassing and Certifying Election Results

Ms. Anderson stated that Mr. Grueter received 80 votes, Mr. William Wes Payne received 80 votes and Mr. Goldberg received 60 votes and that Mr. Grueter will serve a four year term, Mr. Payne will serve a four year term, and Mr. Goldberg will serve a two year term. She stated Mr. Goldberg will hold Seat 1, Mr. Grueter will hold Seat 4, and Mr. Payne will hold Seat 5.

On a Motion by Mr. Grueter, seconded by Mr. Gardner, with all in favor, the Board adopted Resolution 2014-01, Canvassing and Certifying Election Results, for the Pier Park Community Development District.

FIFTH ORDER OF BUSINESS

Consideration of 2014-02, Designating Officers of the District

On a Motion by Mr. Goldberg, seconded by Ms. Cook, with all in favor, the Board adopted Resolution 2014-02, Designating Officers of the District, as Brent Gardner, Chairman; John Grueter, Vice Chair; and Felicia Cook, William Payne, Ken Goldberg, and Debra Anderson as Assistant Secretaries, for the Pier Park Community Development District.

SIXTH ORDER OF BUSINESS

**Consideration of Minutes of the
Board of Supervisors' Meeting Held
on August 12, 2013**

On a Motion by Mr. Gardner, seconded by Mr. Payne, with all in favor, the Board approved the Minutes of the Board of Supervisors' Meeting held on August 12, 2013, for the Pier Park Community Development District.

SEVENTH ORDER OF BUSINESS

**Ratification of Operation and
Maintenance Expenditures for July,
August, and September 2013**

Ms. Anderson stated that the July 2013 expenditures included \$372,279.95 paid toward the promissory notes as a result of the District receiving proceeds from the City of Panama City Beach's final settlement with BP for economic losses. She stated that this left typical operation and maintenance expenditures of \$22,187.27.

On a Motion by Ms. Cook, seconded by Mr. Payne, with all in favor, the Board ratified the Operation and Maintenance Expenditures for July 2013 (\$414,467.22), July 2013 OLTR (\$4,715.66), August 2013 (\$17,354.70), August 2013 OLTR (\$17,132.95), September 2013 (\$33,072.44), September 2013 OLTR (\$21,559.96), for the Pier Park Community Development District.

EIGHTH ORDER OF BUSINESS

**Public Hearing on Revised Rules of
Procedure**

On a Motion by Mr. Gardner, seconded by Mr. Goldberg, with all in favor, the Board opened the Public Hearing on Revised Rules of Procedure, for the Pier Park Community Development District.

Mr. Brown stated that the Revised Rules of Procedure had been discussed at the last Board meeting and reiterated that the Revised Rules of Procedure reflect changes in Florida law and changes proposed by District Counsel to make procedures more efficient.

NINTH ORDER OF BUSINESS

**Consideration of Resolution 2014-03,
Adopting Rules of Procedure**

On a Motion by Mr. Grueter, seconded by Ms. Cook, with all in favor, the Board adopted Resolution 2014-03, Adopting Rules of Procedure, for the Pier Park Community Development District.

On a Motion by Mr. Gardner, seconded by Mr. Goldberg, with all in favor, the Board closed the Public Hearing on Revised Rules of Procedure, for the Pier Park Community Development District.

TENTH ORDER OF BUSINESS

**Consideration of Resolution 2014-04,
Opportunity to be Heard**

Mr. Brown stated that this resolution is in response to legislative changes made during the last legislative session which stipulated that everyone has the right to speak at public meetings, but that Boards have the ability to develop reasonable policies for the management of public meetings. He stated this resolution sets up the basic policies for the District to conduct its public meetings and allows people to comment on agenda items at the beginning of the meeting.

On a Motion by Ms. Cook, seconded by Mr. Payne, with all in favor, the Board adopted Resolution 2014-04, Opportunity to be Heard, for the Pier Park Community Development District.

ELEVENTH ORDER OF BUSINESS

**Consideration of Resolution 2014-05,
Amending the District's Fiscal Year
2012/2013 Operation and Maintenance
Budget**

Ms. Anderson stated that as a result of receiving the BP settlement funds there were payments made to promissory notes which were unbudgeted. She stated there also were adjustments made to the miscellaneous contingency, legal fees and interfund transfer line items. Ms. Anderson stated that the revised budget total was \$783,800.

On a Motion by Mr. Grueter, seconded by Ms. Cook, with all in favor, the Board adopted Resolution 2014-05, Amending the District's Fiscal Year 2012/2013 Operation and Maintenance Budget, for the Pier Park Community Development District.

TWELFTH ORDER OF BUSINESS

**Presentation of Arbitrage and Rebate
Report for Series 2002-1 and 2002-2
Bonds (as of May 31, 2013)**

Ms. Anderson stated that these arbitrage and rebate calculations are required by the IRS and also by the bond indenture. She stated that the report reflects that there are no arbitrage liabilities at this time for the District.

On a Motion by Ms. Cook, seconded by Mr. Payne, with all in favor, the Board accepted the Arbitrage and Rebate Report for Series 2002-1 and 2002-2 Bonds (as of May 31, 2013), for the Pier Park Community Development District.

THIRTEENTH ORDER OF BUSINESS

**Consideration of Audit Services
Engagement Letter for Fiscal Year
2012/2013 (Carr, Riggs & Ingram)**

Ms. Anderson stated that Carr, Riggs & Ingram had previously been chosen with a two year option to renew and this is the final year of that contract. She stated that the proposed fee is \$4,500 which is the same as the previous year.

On a Motion by Mr. Goldberg, seconded by Mr. Gardner, with all in favor, the Board approved the Audit Services Engagement Letter for Fiscal Year 2012/2013 (Carr, Riggs, & Ingram), for the Pier Park Community Development District.

FOURTEENTH ORDER OF BUSINESS

Selection of an Audit Committee

On a Motion by Ms. Cook, seconded by Mr. Gardner, with all in favor, the Board appointed Mr. Brent Gardner, Mr. John Grueter, and Ms. Felicia Cook as the Audit Committee, and set the first committee meeting for February 10, 2014 at 10:00 a.m. CST, at the Panama City Beach City Hall, 110 South Arnold Road, Panama City Beach, Florida 32413, for the Pier Park Community Development District.

FIFTEENTH ORDER OF BUSINESS

**Status Update Regarding Proposed
Refunding**

Mr. Brown stated that there was no further update on this matter at this time.

SIXTEENTH ORDER OF BUSINESS

**Status Update of Preservation Area
Management Matters**

Mr. Horak stated the controlled burn had been completed and went well. He stated that the final invoice has not yet been received from the contractor. Discussion was held regarding the increased cost over the initial amount budgeted for the burn, due to the length of time involved in finding a contractor to perform the burn. Mr. Brown requested the Board authorize funds for the additional cost of the controlled burn. Discussion also was held regarding future management of the preservation areas.

On a Motion by Mr. Grueter, seconded by Mr. Gardner, with all in favor, the Board authorized the additional payment for the increased cost of the controlled burn, for the Pier Park Community Development District.

SEVENTEENTH ORDER OF BUSINESS

Staff Reports

- A. District Counsel
There was no report.

B. District Engineer
There was no report.

C. District Manager
Ms. Anderson stated that the next meeting is scheduled on February 10, 2014 at 10:00 a.m.

D. Property Manager **Review of Executive Summary**

Mr. Horak stated that he did not have a report at this time.

EIGHTEENTH ORDER OF BUSINESS

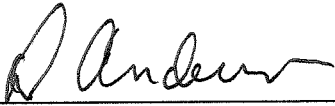
Supervisor Requests

There were no requests from the Supervisors.

NINETEENTH ORDER OF BUSINESS

Adjournment

On a Motion by Mr. Gardner, seconded by Mr. Payne, with all in favor, the Board adjourned the meeting at 11:17 a.m. (CST), for Pier Park Community Development District.



Secretary / Assistant Secretary



Chairman / ~~Vice Chairman~~