



Rizzetta & Company

# Pier Park Community Development District

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**Board of Supervisors Meeting  
November 7, 2023**

**District Office:  
120 Richard Jackson Blvd, Suite 220  
Panama City Beach, Florida 32407  
850-334-9055**

[www.pierparkcdd.org](http://www.pierparkcdd.org)

# PIER PARK COMMUNITY DEVELOPMENT DISTRICT

City of Panama City Beach City Hall  
17007 Panama City Beach Parkway, Panama City Beach, Florida 32413

<b>District Board of Supervisors</b>	Chris Tilley, Sr. Marek Bakun Chris Tilley, Jr. Kenneth Goldberg Lee Ann Leonard	Chairman Vice Chairman Assistant Secretary Assistant Secretary Assistant Secretary
<b>District Manager</b>	Kimberly O'Mera	Rizzetta & Company, Inc.
<b>District Counsel</b>	Joseph Brown	Kutak Rock LLP
<b>District Engineer</b>	Robert Carroll	McNeil Carroll Engineering, Inc.

**All cellular phones must be placed on mute while in the meeting room.**

The Public Comment portion of the agenda is where individuals may make comments on any matters that concern the District. Individuals are limited to a total of three (3) minutes to make comments during this time.

Pursuant to provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting/hearing/workshop is asked to advise the District Office at least forty-eight (48) hours before the meeting/hearing/workshop by contacting the District Manager at (850) 334-9055. If you are hearing or speech impaired, please contact the Florida Relay Service by dialing 7-1-1, or 1-800-955-8771 (TTY) 1-800-955-8770 (Voice), who can aid you in contacting the District Office.

A person who decides to appeal any decision made at the meeting/hearing/workshop with respect to any matter considered at the meeting/hearing/workshop is advised that 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.

# PIER PARK COMMUNITY DEVELOPMENT DISTRICT

District Office • 120 Richard Jackson Blvd, Suite 220, Panama City Beach, FL 32407

Mailing Address • 3434 Colwell Avenue, Suite 200, Tampa, FL 33614

[www.PierParkCDD.org](http://www.PierParkCDD.org)

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October 30, 2023

Board of Supervisors  
**Pier Park Community  
Development District**

## AGENDA

Dear Board Members:

The regular meeting of the Board of Supervisors of the Pier Park Community Development District will be held on **Tuesday, November 7, 2023, at 10:00 a.m. (Central Time)** at the City of Panama City Beach City Hall, located at 17007 Panama City Beach Parkway, Panama City Beach, FL 32413. The following is the agenda for this meeting:

1. **CALL TO ORDER/ROLL CALL**
2. **AUDIENCE COMMENTS ON AGENDA ITEMS**
3. **BUSINESS ADMINISTRATION**
  - A. Administer Oath of Office
  - B. Consideration of Resolution 2024-01, Canvassing and Certifying Election Results..... Tab 1
  - C. Consideration of Resolution 2024-02, Designating Officers of the District..... Tab 2
  - D. Consideration of Minutes of the Board of Supervisors' Meeting Held on September 27, 2023..... Tab 3
  - E. Acceptance of the Minutes of the Audit Committee Meeting Held on September 27, 2023..... Tab 4
4. **BUSINESS ITEMS**
  - A. Continued Discussion/Consideration of District Landscaping Services
  - B. Continued Discussion/Consideration of PIPA Amendment
5. **STAFF REPORTS**
  - A. District Counsel
  - B. District Engineer
  - C. Property Manager
  - D. District Manager
    1. Presentation of District Manager Report
4. **SUPERVISOR REQUESTS AND AUDIENCE COMMENTS**
5. **ADJOURNMENT**

I look forward to seeing you at the meeting. In the meantime, if you have any questions, please do not hesitate to call me at 850-334-9055.

Sincerely,  
*Kimberly O' Mera*  
District Manager

# Tab 1

**RESOLUTION 2024-01**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE PIER PARK COMMUNITY DEVELOPMENT DISTRICT CANVASSING AND CERTIFYING THE RESULTS OF THE LANDOWNERS ELECTION OF SUPERVISORS HELD PURSUANT TO SECTION 190.006(2), FLORIDA STATUTES, AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, the Pier Park Community Development District (“District”) is a local unit of special-purpose government created and existing pursuant to Chapter 190, *Florida Statutes*, being situated entirely within the City of Panama City Beach, Florida; and

**WHEREAS**, pursuant to Section 190.006(2), *Florida Statutes*, a landowners meeting is required to be held within 90 days of the District’s creation and every two years following the creation of the District for the purpose of electing supervisors of the District; and

**WHEREAS**, such landowners meeting was held on November 7, 2023, the Minutes of which are attached hereto as Exhibit A, and at which the below recited persons were duly elected by virtue of the votes cast in his/her favor; and

**WHEREAS**, the Board of Supervisors of the District, by means of this Resolution, desire to canvas the votes and declare and certify the results of said election.

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE PIER PARK COMMUNITY DEVELOPMENT DISTRICT:**

Section 1. The following individuals are found, certified, and declared to have been duly elected as Supervisor of and for the District, having been elected by the votes cast in their favor as shown:

_____	Seat 3	Votes _____
_____	Seat 4	Votes _____
_____	Seat 5	Votes _____

Section 2. In accordance with Section 190.006(2), *Florida Statutes*, and by virtue of the number of votes cast for the Supervisor, the above-named individuals are declared to have been elected for the following term of office:

_____	4 Year Term (2023-2027)
_____	4 Year Term (2023-2027)
_____	2 Year Term (2023-2025)

[CONTINUED ON FOLLOWING PAGE]

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

**PASSED AND ADOPTED THIS 7<sup>th</sup> DAY OF NOVEMBER, 2023.**

**PIER PARK COMMUNITY DEVELOPMENT  
DISTRICT**

Attest:

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Secretary/Assistant Secretary

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Chair/Vice Chair

# Tab 2

**RESOLUTION 2024-02**

**A RESOLUTION RATIFYING THE ACTIONS OF THE DISTRICT IN DESIGNATING A CHAIR, A VICE CHAIR, AND ASSISTANT SECRETARIES OF THE PIER PARK COMMUNITY DEVELOPMENT DISTRICT, AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Pier Park Community Development District (“District”) is a local unit of special-purpose government created and existing pursuant to Chapter 190, *Florida Statutes*, being situated in City of Panama City Beach, Florida; and

**WHEREAS**, the Board of Supervisors of the District hereby ratifies the actions of the District in appointing the below-recited persons to the offices specified.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE PIER PARK COMMUNITY DEVELOPMENT DISTRICT:**

- \_\_\_\_\_ is appointed Chair.
- \_\_\_\_\_ is appointed Vice Chair.
- \_\_\_\_\_ is appointed Assistant Secretary.
- \_\_\_\_\_ is appointed Assistant Secretary.
- \_\_\_\_\_ is appointed Assistant Secretary.

This Resolution shall become effective immediately upon its adoption.

**Adopted this 7<sup>TH</sup> day of November 2023.**

**ATTEST:**

**PIER PARK COMMUNITY DEVELOPMENT DISTRICT**

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Chair



# Tab 3

**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 special meeting of the Board of Supervisors for Pier Park Community Development District was held on **Wednesday, September 27, 2023, at 11:00 a.m. (CDT Time)** at The Panama City Beach City Hall located at 17007 Panama City Beach Parkway, Panama City Beach, FL 32413.

Present:

- |                  |  |
|------------------|--|
| Chris Tilley Sr. | <b>Board Supervisor, Chairman</b>                                  |
| Marek Bakun      | <b>Board Supervisor, Vice Chairman</b>                             |
| Chris Tilley Jr. | <b>Board Supervisor, Assistant Secretary</b><br>(Via Speakerphone) |
| Ken Goldberg     | <b>Board Supervisor, Assistant Secretary</b>                       |
| Lee Ann Leonard  | <b>Board Supervisor, Assistant Secretary</b>                       |

Also present were:

- |              |  |
|--------------|--|
| Kim O'Mera   | <b>District Manager, Rizzetta &amp; Company, Inc.</b>          |
| Joseph Brown | <b>District Counsel, Kutak Rock, LLP</b><br>(Via Speakerphone) |

**FIRST ORDER OF BUSINESS**

**Call to Order**

Ms. O'Mera called the meeting to order at 11:13 a.m. (CDT) and conducted roll call, confirming a quorum for the meeting.

**SECOND ORDER OF BUSINESS**

**Audience Comments**

There was no audience present.

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**THIRD ORDER OF BUSINESS**

**Consideration of the Minutes of the Board  
of Supervisors Meeting Held on July 31,  
2023**

On a Motion by Mr. Goldberg, seconded by Mr. Tilley, with all in favor, the Board approved the Minutes of the Board of Supervisors Meeting held on July 31, 2023, for Pier Park Community Development District.

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**FOURTH ORDER OF BUSINESS**

**Acceptance of the Minutes of the Audit  
Committee Meeting Held  
on July 31, 2023**

On a Motion by Mr. Goldberg, seconded by Ms. Leonard, with all in favor, the Board accepted the Minutes of the Audit Committee Meeting held on July 31, 2023, for Pier Park Community Development District.

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**FIFTH ORDER OF BUSINESS**

**Ratification of Operation and  
Maintenance Expenditures from General  
Fund for the Months of July 2023 –  
August 2023**

Ms. O'Mera presented the Operation and Maintenance Expenditures from the General Fund for the period of July 2023 through August 2023.

Upon a Motion by Ms. Leonard, seconded by Mr. Goldberg, with all in favor, the Board ratified the Operation and Maintenance Expenditures from the General Fund for July 2023 in the amount of \$17,949.40, and August 2023 in the amount of \$43, 181.32, for Pier Park Community Development District.

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**SIXTH ORDER OF BUSINESS**

**Ratification of Operation and  
Maintenance Expenditures from the  
OLTR Fund for the Months of July  
2023 – August 2023**

Ms. O'Mera presented the Operation and Maintenance Expenditures from the OLTR Fund for the period of July 2023 through August 2023.

On a Motion by Mr. Bakun, seconded by Mr. Tilley Sr., with all in favor, the Board ratified the Operation and Maintenance Expenditures from the OLTR fund for July 2023 in the amount of \$6,126.57, and August 2023 in the amount of \$56,178.56, for Pier Park Community Development District.

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**SEVENTH ORDER OF BUSINESS**

**Consideration of Recommendation of the  
Audit Committee**

Ms. O'Mera reiterated the recommendations of the Audit Review Committee.

On a Motion by Mr. Bakun, seconded by Mr. Goldberg, with all in favor, the Board approved the Audit Committee Recommendation of Berger, Toombs, Elam, Gaines & Frank for Audit Services for Fiscal Years 2023-2027, for Pier Park Community Development District

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**EIGHTH ORDER OF BUSINESS**

**Acceptance of FY 2023-2024 District  
Insurance Policies and Financing  
Agreement**

Ms. O'Mera presented the FY 2023-2024 District Insurance Policies and Financing Agreement. A general discussion ensued amongst the Board of Supervisors. Mr. Bakun preferred paying off the Financing Agreement as soon as funds are available.

On a Motion by Mr. Tilley Sr., seconded by Ms. Leonard, with all in favor, the Board ratified FY 23-24 District Insurance Policies and Financing Agreement, for Pier Park Community Development District.

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**NINTH ORDER OF BUSINESS**

**Presentation of Current District  
Maintenance Responsibilities**

Mr. Brown presented an overview of the District Maintenance Responsibility Report, offering historical context related to the establishment of the PIPA and subsequent amendments. A general discussion occurred.

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**TENTH ORDER OF BUSINESS**

**Discussion and Consideration of  
Discussions with the City Regarding the  
Operation and Maintenance of Aaron  
Bessant Park and the Pier**

Discussion continued on this business item from the discussion concerning District Maintenance Responsibilities.

On a Motion by Mr. Tilley Sr., seconded by Ms. Leonard., with all in favor, the Board approved in concept an amendment to the PIPA transitioning maintenance responsibility of Aaron Bessant Park and the Beachfront away from the District and to the City, subject to final review and approval by the Board, for Pier Park Community Development District.

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**ELEVENTH ORDER OF BUSINESS**                      **Update          Discussion          Regarding**  
**Landscaping RFP**

Mr. Brown explained the RFP process may need to be placed on hold until the PIPA amendment is sorted. General discussion took place on future of the District.

On a Motion by Mr. Goldberg, seconded by Mr. Tilley Jr, with all in favor, the Board tabled Landscaping RFP, for Pier Park Community Development District.

**TWELFTH ORDER OF BUSINESS**                      **Acceptance of Addendum to Technology Services Agreement**

On a Motion by Ms. Leonard., seconded by Mr. Goldberg, with all in favor, the Board accepted the First Addendum to Technology Services – Rizzetta & Company, Inc., for Pier Park Community Development District.

**THIRTEENTH ORDER OF BUSINESS**                      **Staff Reports**

- A. District Counsel**  
Mr. Brown had no other updates and invited the Board to ask questions.
  
- B. District Engineer**  
Not present.
  
- C. Property Manager**  
Not present.
  
- D. District Manager**  
Ms. O'Mera reminded the Board of the Landowner Meeting and Board of Supervisors Meeting to be held on Tuesday, November 7, 2023, at 10:00 a.m.

**FOURTEENTH ORDER OF BUSINESS**                      **Supervisor Requests and Audience Comments**

General discussion took place.

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**FIFTEENTH ORDER OF BUSINESS**

**Adjournment**

On a Motion by Mr. Tilley Sr, seconded by Mr. Goldberg, with all in favor, the Board of Supervisors adjourned the meeting at 11:57 a.m., for Pier Park Community Development District.

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Secretary/Assistant Secretary

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Chairman/Vice Chairman

DRAFT

# Tab 4

**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 meeting of the Audit Committee of the Pier Park Community Development District was held on **Wednesday, September 27, 2023, at 11:00 a.m.** (Central Time) at the City of Panama City Beach City Hall, located at 17007 Panama City Beach Parkway, Panama City Beach Florida, 32413.

Present and constituting a quorum:

Chris Tilley	<b>Committee Member</b>
Marek Bakun	<b>Committee Member</b>
Chris Tilley Jr	<b>Committee Member</b>
Lee Ann Leonard	<b>Committee Member</b>
Kenneth Goldberg	<b>Committee Member</b>

Also present were:

Kimberly O'Mera	<b>District Manager, Rizzetta &amp; Company, Inc.</b>
Joseph Brown	<b>District Counsel, Kutak Rock</b>

**FIRST ORDER OF BUSINESS**

**Call to Order**

Ms. O'Mera called the meeting to order at 11:02 and conducted roll call.

**SECOND ORDER OF BUSINESS**

**Audience Comments**

There were no audience members present.

**THIRD ORDER OF BUSINESS**

**Review and Ranking of Proposals  
Received in Response to the RFP for  
Auditing Services and Recommendation  
to the Board of Supervisors**

Ms. O'Mera presented the presentation of proposals were received from Berger, Toombs, Elam, Gaines & Frank and Grau & Associates. The Audit Committee reviewed the proposals. General discussion ensued.



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**Ranking of Auditor Proposals**

The individual committee members provided management with the scores for each of the firms submitting proposals based on the evaluation criteria approved at the last meeting. Ms. O'Mera tabulated the scores and announced that Berger, Toombs, Elam, Gaines & Frank received 335 points and Grau and Associations received 240 points.

The Board ranked the two proposals as follows:

1. Berger, Toombs, Elam, Gaines & Frank – 335 points
2. Grau & Associates – 240 points

On a Motion by Mr. Tilley Sr, seconded by Ms. Leonard, with all in favor, the Committee ranked Berger, Toombs, Elam, Gaines & frank as the highest bidder with 335 points and recommended that the Board enter into an agreement with the firm of Berger, Toombs, Elam, Gaines & Frank for the District's Auditing Services for Fiscal Years 2023-2027, for Pier Park Community Development District.

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**FOURTH ORDER OF BUSINESS**

**Adjournment**

On a Motion by Mr. Goldberg, seconded by Mr. Tilley Jr., with all in favor, the Committee adjourned the Meeting at 11:11 p.m., for Pier Park Community Development District

68