

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.

MONTECITO COMMUNITY DEVELOPMENT DISTRICT

The **regular** meeting of the Board of Supervisors of Montecito Community Development District was held on **Monday, September 26, 2016** beginning at **10:30 a.m.** at the Montecito Beach Club, located at 208 Montecito Drive, Satellite Beach, Florida 32937.

Present and constituting a quorum:

Richard Wellman	Board Supervisor, Chairman
Ed Henson	Board Supervisor, Vice Chairman
John Heilner	Board Supervisor, Assistant Secretary
Luis Ramirez	Board Supervisor, Assistant Secretary
James E Bourdeau	Board Supervisor, Assistant Secretary

Also present were:

Anthony Jeancola	District Manager, Rizzetta & Company, Inc.
Ginger Wald	District Counsel, Billing Cochran Lyles et. al
Chip Jones	Representative Lerner Real Estate Advisors (via phone)
Randy McGrath	Facility Attendant
Vivian Carvalho	Leland Management
Audience	Present

FIRST ORDER OF BUSINESS

Call to Order

Mr. Wellman called the meeting to order and Mr. Jeancola read the roll call confirming a quorum for the meeting.

SECOND ORDER OF BUSINESS

Audience Comments on the Agenda

There were no audience comments put forward at this time.

THIRD ORDER OF BUSINESS

Consideration of Minutes of the Board of Supervisors Regular Meeting held on August 22, 2016

The Board reviewed the minutes.

On Motion by Mr. Ramirez, seconded by Mr. Heilner, with all in favor, the Board of Supervisors approved the Minutes of the Board of Supervisors Regular Meeting held on August 22, 2016, for Montecito Community Development District.
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FOURTH ORDER OF BUSINESS

**Ratification of Operation and
Maintenance Expenditures for August
2016**

Mr. Jeancola presented the Operation & Maintenance expenditures for August 2016 to the Board for ratification.

On Motion by Mr. Heilner, seconded by Mr. Ramirez, with all in favor, the Board of Supervisors ratified the operations and maintenance expenditures for August in the amount of \$49,786.77 for Montecito Community Development District.

FIFTH ORDER OF BUSINESS

**Ratification of Construction Requisition
#829 - #830 and #833**

Mr. Jeancola reviewed the requisitions paid.

On Motion by Mr. Heilner, seconded by Mr. Henson, with all in favor, the Board of Supervisors ratified construction requisition #829 - #830 and #833 for Montecito Community Development District.

SIXTH ORDER OF BUSINESS

Staff Reports

- A. District Counsel
No report.

- B. District Engineer
Not Present.

Mr. Jones stated that construction began and that the irrigation easement work was completed. A construction sign will be posted declaring construction only signage. Discussion ensued regarding issues related to construction. He mentioned that as the silt fence was installed, despite the design, it has been meandering the main irrigation line.

Mr. Wellman would like the as-builts sent over to him and Mr. Henson.

Mr. Bourdeau questioned updating at the northeast pond. A designer will be looking into whether an additional irrigation pump is needed. Mr. Jones will have a draft in 2 weeks. Pond work would be completed in 1-2 weeks.

Mr. Henson spoke upon wire irrigation and a temporary line. Brightview indicated that the wire would run under the road. Mr. Jones would be installing sleeves and costs would be absorbed.

Mr. Ramirez questioned if as-builts were consistent with the actual location. Mr. Jones indicated that the main line is not very accurate compared to the as-builts.

Mr. Wellman asked if there would be another as built. Mr. Jones indicated that there wouldn't be. Mr. Wellman also asked if aerators would be installed and Mr. Jones responded that it was not planned at this time. Mr. Wellman indicated that they could not locate equalizer pipe connections at Pond G and Mr. Jones stated that draining the pond would be the best way to service it. Mr. Wellman questioned points of egress in the new section. There aren't any new ingresses/egresses in the original plans.

C. Facility Attendant

Mr. McGrath discussed the new gate system but expressed his concern with possible damage as he feels people may not want to wait for them to open/close. The gates will be left open during monitored hours throughout the day to accommodate high traffic and minimize traffic flow.

He stated that the pool furniture would be returned by the end of the week.

There is an issue with Pond 4 and clogged jets. The fountain is not spraying correctly a control valve needs to be installed. He is awaiting a proposal from American Ecosystems.

There is an issue with the lighting timer in Pond 1 malfunctioning. He is awaiting a proposal.

He is working to get the cable in the clubhouse turned back on.

He stated that there were several questions regarding an outside gas grill in the pool deck area. He is not sure of the cost and will further research this.

Mulch is needed in areas around the clubhouse and mailboxes.

The bicycle racks near the pool gate areas need concrete slabs if they are to be installed.

A better router is need in the office as the Internet service is very slow.

There are issues with younger crowds/children using the gym as a hangout and have been addressed due to loud music and writing on the walls, etc.

He feels that once the gates are installed, it will slow down traffic as he noticed that the speed limits in the community are not being obeyed.

Mr. Wellman commented regarding the gate timers being changed from ten seconds to fifteen seconds. He asked if setting the gates to open/close at 15 seconds versus 10 seconds would result in the gates lasting longer (wear and tear). Mr. Jeancola responded that from his experience in working with multiple communities, he noticed that those time periods where there is open access implemented during peak times, motors last years beyond comparable communities that do not implement some type of open access. Discussion ensued regarding the installation of the gates and allowing the residents to get used to utilizing the new gate system. It was suggested that the gates remain open from 6:30 a.m. to 8:30 a.m. and 3:30 p.m. to 6:00 p.m. The gates will be monitored and remain closed for the first 30 days to determine opening and closing. This will be discussed further at the next meeting.

Some discussion took place following up on miscellaneous items (i.e. – tree needs trimming over the yield sign) and Mr. McGrath answered questions from the Board.

Mr. Ramirez commented on whether Brighthouse cable service was free of charge as part of the master HOA plan. It was stated that it was not free of charge. Discussion ensued. He also inquired about trimming trees that seem to be falling in a few areas post Hurricane Matthew. Trees that are at an angle and stumps need to be taken care of. Discussion ensued.

C. District Manager

Mr. Jeancola reviewed the August financials and stated that the District had about \$304,000.00 in the general fund based on the YTD budget. The District is at about \$25,106.00 under budget based on the YTD budget. An amended budget may have to be done in the next meeting depending on incoming bills/invoices.

He suggested that the next meeting be held on October 24th, 2016.

He spoke upon Resolution 2016-09, Re-designating Treasurer (Bill Rizzetta) of the District. We previously approved Resolution 2016-08, Designating Joe Kennedy as Treasurer, Shawn Wildermuth as Assistant Treasurer, and Eric Dailey as Secretary. This has changed since and needs to be approved in this meeting for administrative purposes.

He spoke on the gym preventative maintenance agreement being on an annual basis and not an auto renew basis.

He was asked if the sod and gates were paid in full. He answered that we have a remaining deposit on the gates in the amount of about \$15,000.00.

SEVENTH ORDER OF BUSINESS

Consideration of Resolution 2016-09, Re-Designating a Treasurer

Mr. Jeancola presented Resolution 2016-09, Re-designating a Treasurer of the District.

On Motion by Mr. Heilner, seconded by Mr. Ramirez, with all in favor, the Board of Supervisors' approved Resolution 2016-09, Re-designating Treasurer (Bill Rizzetta), for Montecito Community Development District.

EIGHTH ORDER OF BUSINESS

Consideration of Resolution 2016-06, Setting the Meeting Schedule for Fiscal Year 2016/2017

Mr. Jeancola presented and reviewed Resolution 2016-06, Setting the Meeting Schedule for Fiscal Year 2016/2017. There will be alternating day and evening meetings. Discussion ensued.

On Motion by Mr. Heilner, seconded by Mr. Bourdeau, with all in favor, the Board approved Resolution 2016-06, Setting the Meeting Schedule for Fiscal Year 2016/2017 for Montecito Community Development District.

NINTH ORDER OF BUSINESS

Review of July Aquatics Report

The Board of Supervisors reviewed the Aquatic Report for August 2016.

TENTH ORDER OF BUSINESS

Continued Discussion on Draft Policy Changes

Mr. Ramirez spoke about changes regarding the general community and parking.

He proposed a fee change for non-residents as it has not changed and proposing a fee of \$2,750.00 which is the maximum. It has always been \$2,500.00. The annual fee for access cards is currently \$20.00 and proposed raising it to \$25.00 if cards need to be replaced or lost. Ms. Wald stated that this can be done as long as it was justified.

He suggested that alcoholic beverages be allowed at the pool (item # 12 on page 5). He feels that cameras and tracking of cards can assist in punishing those that may misuse and/or abuse the policy. A comment was made opposing Mr. Ramirez's proposal due to it being a liability, noncompliance and inappropriate behavior. Discussion ensued.

He stated that the contact phone number for the District Manager on page 7 appears to be incorrect and proposed updating it to reflect: 407-472-2471 (under Amenity Facility Operations/Emergencies).

Discussion ensued regarding the playing of loud music in common areas and in the gym Music is permitted on a personal device with headphones of some sort. It was agreed that this stays as is.

He requested that pages 7 and 8 to refer to the Florida Department of Health's statute regarding food/drinks being prohibited at the pool.

He proposed adding a section to the general swimming pool rules regarding pool hours and clearly defining them although they do change and are not consistent. Pool hours must be posted as per Florida ordinance. It was suggested to state that the pool is open from dawn to dusk.

He suggested changing the fitness training room policies verbiage to reflect 16 as opposed to 14. Discussion ensued regarding limiting the number of guests that are brought to the gym by those ranging between the ages of 16 and 20. They are using it as a hang-out and ruining the gym equipment. It was agreed that anyone under the age of 16 needs to be accompanied by an adult 21 years of age or older.

He proposed that the ADA chair lift have a usage policy. They are to be used by disable patrons and guests only. Improper use will result in a first offense and/or district suspension and termination process.

He suggested that the fishing and lake policy specify that outside guests are not allowed to utilize the lakes/ponds (only those patrons, guests and non-resident user as defined). Discussion ensued regarding whether these bodies of water were public property. Ms. Wald led the discussion and further explained. Can we legally prevent people from fishing at the lake/pond? These lakes/ponds are not designed or intended for fishing. They are designed for run-off and overflow.

He proposed clearly defining the policy regarding rules, suspension and termination of privileges. The District does not currently have a form. Mr. Ramirez would like a way to document complaints. Any violation requires a completed complaint form. Contact information and details are required. Violations will be documented properly. Further discussion ensued including individuals appealing suspensions and/or terminations.

He suggested adding three new policies related to: garbage and yard waste on CDD property; CDD property misuse; and CDD approval requirements. The intent is to limit the amount of trash, debris, lumber, waste, garbage, etc. accumulated on the property. Ms. Wald advised preparing a memo of understanding. In depth discussion ensued.

He stated that street parking is not allowed. It should be limited to eight hours for visitors. A permit is required if more than eight hours are needed and there would be a cost of \$20.00 for the permit. Ms. Wald suggested drafting/preparing a notice. It was suggested that a public hearing be held regarding the new rules.

(Mr. Heilner left the meeting at 12:12 p.m. and returned at 12:14 p.m.)

(Mr. Ramirez left the meeting at 1:31 p.m.)

ELEVENTH ORDER OF BUSINESS

**Consideration of Gym Equipment
Preventative Maintenance Agreement**

The Board of Supervisors reviewed the gym equipment preventative maintenance agreement. Discussion ensued as to whether they should automatically renew services.

On Motion by Mr. Henson, seconded by Mr. Heilner, with all in favor, the Board approved automatically renewing services regarding gym equipment preventive maintenance for Montecito Community Development District.

TWELFTH ORDER OF BUSINESS

**Consideration of Landscape Proposals for
Entry Enhancements**

Following a brief discussion, Mr. Heilner requested that the Board table this matter until the next meeting.

THIRTEENTH ORDER OF BUSINESS

**Discussion regarding Entry Signage
Limiting Truck Length**

Following a brief discussion, it was decided to table this matter until the next meeting.

FOURTEENTH ORDER OF BUSINESS

**Audience Comments and Supervisor
Requests**

Mr. Wellman requested that Mr. McGrath get a gutter quote for the back door area of the clubhouse.

FOURTEENTH ORDER OF BUSINESS

Adjournment

On Motion by Mr. Bourdeau, seconded by Mr. Henson, with all in favor, the Board adjourned the meeting at 2:00 p.m. for Montecito Community Development District.


Secretary/Assistant Secretary


Chairman/Vice Chairman