

MINUTES OF MEETING  
MONTECITO  
COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Montecito Community Development District was held Wednesday, October 23, 2017 at 10:30 a.m. at the Montecito Beach Club, 208 Montecito Drive, Satellite Beach, Florida.

Present and constituting a quorum were:

Richard Wellman	Chairman
Ed Henson	Vice Chairman
Cathi Baglin	Assistant Secretary
Tanja Glynn	Assistant Secretary
Larry Bradshaw	Assistant Secretary

Also present were:

Jason Showe	District Manager
Ginger Wald	District Counsel
Ray Malave	District Engineer
Alan Scheerer	Field Manager
Randy McGrath	Amenities Manager
Katie Costa	GMS
Residents	

**FIRST ORDER OF BUSINESS**

**Roll Call**

Mr. Wellman called the meeting to order at 10:30 a.m. and called the roll.

**SECOND ORDER OF BUSINESS**

**Public Comment Period**

Mr. Doug Glass, a resident of 117 Montecito Drive, asked about mailboxes. Mr. Wellman indicated that new mailboxes would be installed for all residences on Montecito Drive as part of construction of the new phase of townhomes.

Mr. Glass voiced concern about the HOA not enforcing the Declaration of Covenants, Conditions and Restrictions (CC&Rs). Mr. Wellman stated that the CDD could not force the HOA to enforce the CC&Rs.

Residents discussed on-street parking. Mr. Pat Buckley, of 723 Ventura Drive, conducted his own survey of cars parked on Ventura Drive from Clemente Drive to Montecito Drive, and concluded that there was no problem with on-street parking. Mr. John Curri, of 717 Palos Verde Drive, felt that prohibiting on-street parking would decrease property values and suggested that the Board implement a rule that cars could not be parked across from each other. Ms. Carol Wellman, of 710 Ventura Drive, noted that Mr. Buckley had placed notes on offender’s cars, which stopped some on-street parking, and suggested that stickers be placed on cars parking illegally.

Mr. Wellman stated that the worst street with on-street parking was Point Lobos Drive. Cars were parked in the wrong direction or blocked the walkway. He asked the Satellite Beach Police Department to place warning tickets on cars. After three tickets, they would take action. Mr. Wellman asked residents to email Chief Pearson with complaints.

Mr. Larry Bradshaw, a resident, asked why the CDD would enact parking rules if it could not enforce the rules. Ms. Wald stated that the CDD could tow cars.

Mr. Henson noted ample parking on Ventura Drive from Clemente Drive to Redondo Drive, suggested designating an easement area, and voiced concern with cars parked on the grass and in front of homes.

Mr. Warren Nelson, of Palos Verde Drive, asked when the fountain was going to be repaired and who was responsible for replacing a dead Palm tree on his property. Mr. Wellman stated that the homeowner was responsible for replacing the Palm and the fountain repair would be discussed later in the meeting. Mr. Henson stated that the HOA marked Palms.

**THIRD ORDER OF BUSINESS**

**Approval of Minutes of the September 25, 2017 Meeting**

Mr. Showe presented the minutes of the September 25, 2017 meeting. District Counsel and Board Members provided comments, which were incorporated.

On MOTION by Mr. Henson, seconded by Ms. Glynn, with all in favor, the minutes of the September 25, 2017 meeting, were approved, as amended.

**FOURTH ORDER OF BUSINESS**

**Organizational Matters**

**A. Review of Resumes**

Mr. Showe received two resumes, in response to the vacant seat; one from Mr. Bradshaw and another from a resident who later withdrew from consideration.

Mr. Bradshaw responded to Board questions about his qualifications.

**B. Appointment of Individual to Fulfill the Board Vacancy with a Term Ending November 2020**

On MOTION by Mr. Wellman seconded by Ms. Glynn with all in favor, appointing Mr. Larry Bradshaw to fill the unexpired term of Seat 3, expiring November 2020, was approved.

**C. Administration of Oath of Office to Newly Appointed Board Member**

Mr. Showe, a Notary Public of the State of Florida and duly authorized, administered the Oath of Office to Mr. Larry Bradshaw.

Mr. Showe explained the Sunshine Law to Mr. Bradshaw.

**D. Consideration of Resolution 2018-01 Electing Assistant Secretary**

Mr. Showe recommended that the Board appoint Mr. Bradshaw as an Assistant Secretary, as effectuated by Resolution 2018-01.

Ms. Wald advised that when a Board Members resigns, the Board must re-elect officers.

On MOTION by Ms. Glynn, seconded by Ms. Baglin, with all in favor, re-electing the same slate of officers and appointing Mr. Larry Bradshaw as Assistant Secretary, through Resolution 2018-01, was adopted.

**FIFTH ORDER OF BUSINESS**

**New Business Items**

**A. Discussion of Lake Signage**

Mr. Scheerer presented a quote from Fastsigns of Orlando and sample signs. The suggested wording of the sign, “No Swimming”/“No Trespassing”/“No Wading”. The cost for six signs, with 8-foot-long posts is \$33 per sign.

Mr. Wellman asked if there was a legal requirement for the signs. Mr. Showe confirmed that it was not a legal requirement, but insurance companies preferred having signs on pond banks. Mr. Bradshaw suggested two signs per lake for visibility purposes. Mr. Henson voiced concern about the number of signs and the location. Discussion ensued.

Ms. Catherine LeCesne, suggested a ‘No Boating’ sign. Mr. Henson recalled that no boating was allowed, per the HOA covenants. Mr. Wellman pointed out that American Ecosystems was the only boat on the ponds.

Mr. Wellman MOVED to approve a not-to-exceed amount of \$1,200 to purchase 12 green and white “No Swimming/Wading/Boating” signs from Fastsigns, and place them near the pond bank on CDD easements, and Mr. Bradshaw seconded the motion.

After further discussion, there was Board consensus to direct the Field Manager to determine the size of the signs.

On VOICE VOTE with all in favor, approving a not-to-exceed amount of \$1,200 to purchase 12 green and white “No Swimming/Wading/Boating” signs from Fastsigns, and place them near the pond bank on CDD easements, was approved.

**B. Discussion of District Rules**

- i. Parking and Towing**
- ii. Amenity Center Rules**

Ms. Glynn provided draft revised parking rules, which she prepared as directed at the workshop, allowing for on-street parking only as follows:

- Commercial vehicles during delivery of services
- Recreation motor homes during loading or unloading
- Golf carts utilized for District maintenance purposes
- Individuals working in the District within areas actively under construction as specifically permitted by the District Manager or his designee

Ms. Glynn stated that no private vehicles were permitted to park in the street.

Ms. Wald asked for the Board’s direction whether to proceed with the advertisement requirements to set a public hearing on the proposed rules. She explained the legalities of the District’s towing vehicles, under Chapter 715.07. According to Section 2A5, notice must be provided to the owner of the illegally parked vehicle and certain sign and sticker requirements must be provided for tow away zones. Discussion ensued.

Ms. Wellman asked if it was possible to have on-street parking enforced by the Police Department instead of towing. Ms. Wald indicated that the Police Department would enforce City Code Ordinances. Under 316, it was not illegal to park along the curb, with certain exceptions. The CDD rules would not be enforced by the Police Department.

Ms. Glynn asked for a show of hands from the residents present to see who was in favor of on-street parking. An audience member suggested a survey be sent out to all the residents. Ms. Wald felt that this would delay the process and provide additional costs, as there must be an official mailing. Mr. Henson pointed out that past surveys did not provide enough feedback. Mr. Showe estimated \$1 per home for the mailing.

Ms. Judy Bergen, a resident of 156 Redondo Drive, has lived in the community since 2015 and said she has never received a survey. Mr. Wellman recalled a prior survey on *SurveyMonkey*, which a small number of residents responded to. Mr. Curri suggested collecting data. Ms. Ero Nelson, a resident, felt that residents should be considerate when parking on the street. Discussion ensued.

Mr. Wellman asked if it was possible to have parking in the beach area. Mr. Malave estimated that there was room for 20 spaces, but it was green space that was included in the area of required green space by the City. Ms. Wald stated that obtaining approval for such parking would be a difficult and expensive process, approximately four times the cost of paving. Mr. Malave suggested adding parking spaces at the Community Center and offered to provide sketches and cost estimates.

Discussion ensued regarding towing. Mr. Showe indicated that towing was provided for in the rules, but there must be 12 hours between affixing a warning sticker and calling a tow company. Ms. Wald suggested sending an e-blast to residents stating that there were rules and patrols would be in place. Mr. Showe would provide a draft to the Board for review prior to sending out the e-blast.

In response to Mr. Henson's concern, Mr. Wellman would speak to the Police Department about cars parked on the grass, which is illegal. Ms. Baglin suggested tabling this matter to February 2018, when the new townhomes are completed, to determine any impact on on-street parking.

On MOTION by Ms. Baglin, seconded by Mr. Bradshaw, with all in favor, tabling consideration of the Parking, Towing and Amenity Center Rules to the February 2018 meeting, was approved.
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Mr. Wellman will meet with Mr. Malave after the meeting to discuss additional parking possibilities within the community.

**C. Consideration of Requisitions #910 - #913**

Mr. Showe reviewed the requisitions, which were for expenses related to the construction of Phases 2C and 2D that had been approved by the District Engineer and a Board Member.

On MOTION by Mr. Wellman, seconded by Ms. Baglin, with all in favor, Requisitions #910 through #913, were approved.

**D. Consideration of Resolution 2018-02 Amending the Fiscal Year 2017 Budget**

Mr. Showe presented Resolution 2018-02, which amended the Fiscal Year 2017 budget, to recognize additional carry forward to balance revenues and expenses. During the audit, the District must demonstrate that it has the revenue to support expenses. In response to Mr. Wellman’s question, Mr. Showe stated that revenues increased by \$71,117.

In response to Mr. Henson’s request, Mr. Showe would change “*Landscape Enhancements*” to “*Landscape Modifications*” in the Fiscal Year 2018 budget. Ms. Glynn asked about the actual amounts expended on line items. Ms. Costa explained that actuals were based on when the work was completed.

On MOTION by Ms. Glynn, seconded by Mr. Henson, with all in favor, Resolution 2018-02 Amending the Fiscal Year 2017 Budget, was adopted.

**SIXTH ORDER OF BUSINESS**

**Staff Reports**

**A. District Counsel**

There being none, the next item followed.

**B. District Engineer**

Mr. Malave received the final plat that was approved by the City for the new phase.

Mr. Wellman asked about the turnover of the townhomes from the bondholders to the District. Mr. Malave stated that the turnover has not yet occurred, because the City will not accept any properties until all items were 100% completed.

**C. District Manager**

**1. Consideration of Check Register**

Mr. Showe reviewed the checks from September 1, 2017 to September 30, 2017 totaling \$65,414.28.

Mr. Wellman felt that the total amount of the checks was high. Mr. Showe noted one-time annual expenses, such as the certification for annual assessments, which was \$5,000 and insurance, which was \$38,000. At the request of the Board, Ms. Costa would provide trends of expenses going forward.

Mr. Bradshaw asked about why GMS charged \$260.26 to renew the District's website domain. Mr. Showe explained that the domain charge was for a 10-year renewal with some internal fees for connection to the District's server.

On MOTION by Mr. Wellman, seconded by Mr. Henson, with all in favor, the September Check Register, was approved.

## **2. Balance Sheet and Income Statement**

Mr. Showe presented the Balance Sheet and Income Statement, which did not require any action from the Board. It did not include the amended budget and was subject to change, based on last minute invoices.

## **3. Field Manager's Report**

Mr. Scheerer reported the following:

- His first official day was on October 2, 2017.
- He performed a complete walk-through of the community.
  - A report of items of concern was distributed, including photos with a description and cost estimate. The cover sheet had a generic overview of the past three weeks.
  - BrightView provided renderings of the entrance and several other landscape enhancements.
  - A spreadsheet itemizing the improvements and projected costs, will be presented at the next meeting.
- Townhome issues were evaluated with BrightView.
  - The CDD owns hedges on both ends of each townhome building. There are many different types along each townhome and the back of the CDD wall. According to the CC&Rs, hedges should be no higher than window-

ledge height, but some exceed that. Mr. Scheerer recommended cutting 3 feet off hedges. The hedge along the back wall had different heights and BrightView wanted to know how to maintain them.

- Pressure washing quotes were being obtained for the wall.
- A quote was submitted for the installation of fountains at each entrance. Electrical and water sources must be verified.
  - Electricians would try to get the low voltage landscaping lighting back up and running.
- Cost estimates was being obtained for a replacement playground.
- Mr. Scheerer was completing a Capital Projects List.

Mr. Henson asked about Palm tree trimming. Mr. Showe stated that, under the current contract, mulch and Palm tree trimming are additional costs. Mr. Scheerer planned to meet with BrightView to determine a scope of services that would better suit the community; however, if the contract exceeds \$195,000, there must be a public bid. BrightView is fertilizing the Palms today. Discussion ensued.

Mr. Henson asked if Mr. Scheerer was working on the areas around the Clubhouse burned by the hurricane. Mr. Scheerer indicated that Brightview was replacing sod at the Clubhouse and the weeded areas at the playground at no cost.

Mr. Showe is working with American Ecosystems on fountain #2. Originally there was a \$1,600 charge to repair the cable running from fountain #2; however, upon further review, a new motor, capacitor box, breaker, light pole breaker and LEDs were necessary, not just the cable repair. Mr. Henson recalled that the District paid to re-furbish the wiring for the fountains. Ms. Wald reported that there had been a July 25, 2016 motion to accept American Ecosystems proposal for fountain motors and pumps in an-amount not-to-exceed \$7,450. Ms. Baglin suggested obtaining a second opinion. Mr. Scheerer will contact American Ecosystems.

Ms. Wellman noted that American Ecosystems was supposed to kill the Hydrilla. Mr. Showe and Mr. Scheerer met with American Ecosystems and Torpedo Grass, Cattails and other evasive species would be treated on a monthly basis. FloraDome and grass carp would assist with the treatment of Hydrilla and copper sulfate would be sprayed on the torpedo grass and cattails. A question was posed about whether the irrigation system must be turned off when spraying. Mr. Scheerer will follow-up with American Ecosystems.



Ms. Baglin addressed the hedges and the advantage to keeping them at window height. Mr. Scheerer indicated that it was a safety issue. Mr. Wellman stated that the developer installed the hedges but if they were on CDD land, the CDD should be able to determine the height; however, if the hedges are on HOA property, the hedges should be maintained to the height stated in the CC&R's. Mr. Bradshaw felt that there should be consistency. Mr. Henson stated that landscaping costs are out of control because of BrightView and they should do what they were supposed to do. Ms. Glynn proposed notifying the townhome residents that their side hedges are on CDD property and will be trimmed by the CDD.

Mr. Scheerer recommended that BrightView provide maintenance every three weeks or 17 times a year, versus once a month. There was consensus from the Board for Mr. Scheerer to speak to BrightView.

Mr. Scheerer requested recommendations from the Board on the height of hedges along the wall on Shearwater Parkway. Mr. Henson wanted input from residents that live on the back of the wall. Mr. Bradshaw suggested surveying residents who live along the wall. Ms. Wald advised the Board to place this item on the agenda at the next meeting. Ms. Baglin proposed establishing a rule, since the CDD owns and maintains the wall and wants a uniform look.

At the request of a resident, Mr. Showe will post the Field Manager's report on the CDD website. The resident noted that the same amount of money was spent on irrigation repairs as was spent on landscaping and suggested negotiating with BrightView. Mr. Scheerer addressed the charges with BrightView to verify the numbers. They have a preferred price list.

Mr. Wellman asked about the playground. Mr. Showe stated that a vendor evaluated the playground and provided three different proposals for a total re-build; \$40,500 for a small playground, \$51,028 for a mid-size playground and \$61,000 for a large one. Mr. Scheerer and Mr. Showe reviewed warranty documents from the 2008 playground structure for replacement parts, so the playground could be repaired versus a full replacement. In response to Ms. Baglin's question, Mr. Showe indicated a new the playground would be paid out of capital projects.

Mr. Wellman was opposed to fabric umbrella material. Mr. Showe stated that the vendor recommended plastic material with wood mulch, which is ADA-compliant. Mr. Bradshaw suggested reviewing the Reserve Study for the life of the playground equipment. Mr. Showe indicated that the Reserve Study recommended the first repair in 2022 at \$47,000. Discussion ensued.

Mrs. Carol Wellman, a resident, asked about fundraising for the playground and landscaping. Ms. Wald indicated that residents could raise the funds and donate. Mrs. Wellman would work with Mr. Scheerer.

Mr. Curri asked if they had to wait until the next meeting to repair the fountain. Mr. Wellman didn't want to wait until the next meeting. Ms. Wald requested that the Board approve the American Ecosystems Proposal for October 11, 2017 for a 5 horsepower 230-volt motor, with a deluxe capacitor box and three 500-watt light bulbs in an amount not-to-exceed \$3,600.

Mr. Bradshaw MOVED to approve the American Ecosystems Proposal, in a not-to-exceed amount of \$3,600, to repair the fountain, and Ms. Baglin seconded the motion.

Mr. Wellman asked if the proposal was valid. Mr. Showe would contact American Ecosystems.

On VOICE VOTE with all in favor, approving the American Ecosystems Proposal, in a not-to-exceed amount of \$3,600, to repair the fountain, was approved.

#### **D. Facility Manager**

Mr. McGrath reported the following:

- Once the streetlight parts are received, the Electrician will install.
- The South Patrick Drive entrance gate will be repaired tomorrow.
- The cost of removal of trees destroyed by Hurricane Irma, at both entrances and around the Clubhouse, was approximately \$3,000. The proposal would be submitted tomorrow to the District Manager.

Ms. Baglin proposed having a tree removal and replacement program. Mr. Showe indicated that BrightView was providing a price. Mr. Scheerer had some ideas to share with the Board at the next meeting.

Mr. Henson stated that the gate would not open for a motorcycle. Mr. McGrath explained that the gate sensitivity was at the lowest possible setting. Mr. Henson asked about the clubhouse painting. Mr. McGrath confirmed that it would occur. Mr. Bradshaw noted a problem with the gate last Monday morning. Mr. McGrath stated that the gate had to be reset, due to a glitch.

Mr. Wellman complimented Mr. McGrath on saving the District money in repairs.

Mr. McGrath is going out of town, but will return on Halloween. The gates will be closed from 3:00 p.m. to 6:00 p.m. for the safety of trick-or-treaters.

**SEVENTH ORDER OF BUSINESS                      Supervisor’s Requests**

Mr. Wellman proposed including one time per week window cleaning in the Coverall facility cleaning contract. Mr. Showe would provide a revised proposal at the next meeting.

Mr. Bradshaw suggested trimming the hedge against the building, because they are covering the low voltage lights that are shining on the building. Mr. Scheerer would evaluate it. Ms. Baglin wanted to be included in the walk-through on the lights.

Ms. Glynn suggested that the Board consider other vendors for the facility cleaning contract, such as Baytree’s vendor. Mr. McGrath noted that the person cleaning the facility had health issues; however, current staff was doing a great job mopping floors, cleaning windows inside and out, and the restrooms and fitness room three days a week.

Ms. Glynn stated that having Internet at the gates was \$89 per month per gate. Mr. Showe was trying to bundle the services because there were separate lines. Ms. Glynn asked if the District had implemented the recommended thermostat adjustments as a result of the FP&L field representative’s visit last month. Mr. Showe stated that the thermostats were adjusted.

Mr. Henson asked if FPL increased their fees. Mr. Showe stated that there a 10% in the budget for this reason.

**EIGHTH ORDER OF BUSINESS                      Adjournment**

On MOTION by Mr. Wellman seconded by Mr. Henson with all in favor the meeting was adjourned.



Secretary/Assistant Secretary



Chairman/Vice Chairman