

MINUTES OF MEETING
MONTECITO
COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Montecito Community Development District was held on Monday, October 29, 2018 at 5:00 p.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
Tanja Glynn	Assistant Secretary
Larry Bradshaw	Assistant Secretary
Catherine LeCesne	Assistant Secretary

Also present were:

Jason Showe	District Manager
Ginger Wald	District Counsel
Ray Malave	District Engineer
William Viasalyers	Field Manager
Residents	

The following is a summary of the discussions and actions taken at the October 29, 2018 meeting, and a copy of the proceedings can be obtained by contacting the District Manager.

FIRST ORDER OF BUSINESS

Roll Call

Mr. Wellman called the meeting to order and Mr. Showe called the roll.

SECOND ORDER OF BUSINESS

Public Comment Period

Mr. Fanto, a resident of 698 Monterey Drive, suggested drilling a well for irrigation. Mr. Malave stated the two existing artesian wells were plugged due to high salinity. The District had a Consumptive Use Permit with the St. Johns River Water Management District (SJRWMD) to utilize stormwater as irrigation, but since there was not enough stormwater due to the lack of rainfall, Mr. Malave recommended hiring a Geotechnical Engineer to evaluate the effect the salinity of the water in the wells would have on the environment and if the quantity of water to pump from the well was sufficient for irrigation purposes. It was not worth expending funds for

a new well, as other wells in the area had high salinity. He also suggested meeting with SJRWMD to discuss what was required under the permit.

Ms. LeCesne stated to tap into a well, residents must pay \$1,000 or more for the permit and additional fees to build the well and for the water usage. Mr. Fanto voiced concern about the lack of common area maintenance decreasing home values. Mr. Viasalyers would look at alternatives for grass, but the District had limited funds. Mr. Henson proposed the Geotechnical Engineer determine why there was a loss of water in the lakes. Mr. Wellman reported a third artesian well was recently discovered and capped and there may be additional wells. Mr. Malave had an app to locate artesian wells. Residents suggested using native plants, having a strategic plan with plants requiring less water, meeting with the Phase 3 developer regarding their watering needs and engaging the Geotechnical Engineer to evaluate the ponds. Mr. Showe and Mr. Viasalyers stated they would follow up with Mr. Glass's complaint about sprinklers next to the new mailboxes at the end of Montecito running twice a week.

Mr. Bradshaw moved to engage a Geotechnical Engineer to evaluate the stormwater ponds and Ms. Glynn seconded the motion.

Mr. Wellman preferred the District Engineer engage the Geotechnical Engineer.

On VOICE VOTE with all in favor the District Manager was authorized to engage a Geotechnical Engineer to evaluate the stormwater ponds was approved.

Mr. Fogal, a resident, requested multiple proposals from Geotechnical and Civil Engineers. In response to residents of the townhomes complaining about the lack of maintenance of the grass, Mr. Showe noted water pressure issues in the townhome area. Ms. LeCesne requested residents speak to Leland or attend the November 12th Master HOA meeting to voice their concerns. A resident asked when the townhomes would be turned over to the CDD. Mr. Bradshaw recalled the townhomes would be turned over within 10 years of 2007 or when 50% of the townhomes were sold.

Residents were frustrated with areas of responsibility between the CDD and HOA. Ms. LeCesne noted HOA representatives were invited to attend the CDD meeting. Mr. Hilliard, a resident of Mission Bay Drive, asked if the easement by the wall was CDD property as the palm trees needed trimming. Mr. Henson stated he would investigate.

THIRD ORDER OF BUSINESS

Approval of Minutes of the September 24, 2018 Board of Supervisors Meeting and Acceptance of the Minutes of the September 24, 2018 Audit Committee Meeting

Mr. Showe received edits to the minutes, prior to the meeting, which were incorporated.

On MOTION by Mr. Wellman seconded by Mr. Henson with all in favor the minutes of the September 24, 2018 Board of Supervisors and Audit Committee Meetings were approved and accepted as amended.

• **District Engineer (Item 5B)**

Mr. Malave noted problems with Pump #1 and would provide quotes at the next meeting. Mr. Wellman requested for Mr. Malave to evaluate the area adjacent to the parking area in the back and provide a copy of the Consumptive Use Irrigation Report. *Mr. Malave left the meeting.*

FOURTH ORDER OF BUSINESS

New Business Items

A. Public Hearing

On MOTION by Mr. Wellman seconded by Mr. Henson with all in favor the public hearing was opened.

Ms. Glynn reviewed the following changes to the Amenity Center Rules, a copy of which was in the agenda package:

- “User” changed to “patron” and “Clubhouse” changed to “Amenity Center.”
- The cost to replace an access card increased from \$20 to \$25.
- “Use of District Property” was added to address residents tampering with irrigation and piling debris on the grass between the sidewalk and road, which was CDD property.
- The minimum age for children using CDD amenities without an accompanying patron was 16 and 12 to use the playground.
- The occupancy for rentals was raised to 75 people.

Public Comments

Residents asked why changes were made to the ages, if violations were enforced and if residents could provide input on the rules. Ms. Glynn reported inconsistencies with the ages and residents could report violations, but there was a new camera system. Ms. Wald explained the rulemaking process and that the Board was responsible to vote and make decisions on the rules. Residents were not allowed to vote on rule changes.

A resident felt the Board was making an arbitrary decision on behalf of the homeowners and asked the Board to survey the residents for rule changes pertaining to the ages of children permitted to use the amenities without adult supervision. Mr. Henson noted many Board members had kids, the rules were discussed for three years and he felt the Board needed to make decisions for the many and not the few. Ms. Kretschman, a resident of 749 Monterey Drive confirmed the rule changes were discussed thoroughly and were on the website so residents could comment. A lengthy discussion ensued.

Board Comments

Mr. Henson asked if there were set operating hours for the Amenity Facility. Mr. Showe stated there were no hours, but the Board could set the hours as a policy. Mr. Henson asked if alcoholic beverages were prohibited on the playground. Mr. Showe noted alcoholic beverages were not permitted at any District owned facility or property unless permitted otherwise.

On MOTION by Mr. Bradshaw seconded by Mr. Henson with all in favor the Amenity Rules were approved as presented.

Ms. Glynn reviewed changes to the amended Parking and Towing Rules, a copy of which was provided in the agenda package:

Public Comments

Residents discussed the pros and cons regarding on-street parking. Ms. Wald advised the City and police had the authority to enforce public roads belonging to the CDD because the CDD did not have police powers. Mr. Showe stated the rules prohibited on-street parking by residents and the CDD had the ability to enforce. Ms. Glynn stated on-street parking by residents was prohibited based on feedback from residents regarding safety and visibility concerns.

Residents Ms. Kretschman, Mr. and Ms. Buckley and Ms. Stehman were not in favor of prohibiting on-street parking in the townhome area, due to the lack of cars parked in the street

and proposed using greenspace where there was poor irrigation for parking, restricting parking on one side of the street versus both sides, on sidewalks and in front of mailboxes, designating no parking where there was limited visibility, parking enforcement and insufficient parking. Most parking issues occurred after 5:00 p.m. and on weekends when Mr. McGrath was not onsite. Ms. Dagani voiced concern to Mr. Showe about a Board Member having a camper on CDD property for over two days, which was a violation, but was ignored. Mr. Bradshaw noted the CDD must receive approval to use greenspace. Mr. Wellman noted one area could be paved for parking if a streetlight was moved, but the other area had properties abutting it. Mr. Henson was in favor of on-street parking if residents did not park on the grass, on the sewer and on the corner. Ms. Glynn stated according to the Parking and Towing Rules, "*Vehicles should not park in any manner that blocks a sidewalk.*" Mr. McGrath issued 46 friendly reminder letters on illegally parked cars since July 3.

Residents Ms. Larson, Mr. Bolander and Ms. Clarke voiced concerns about residents not following the rules or being "neighborly," the effect of on-street parking on property values, elderly guests having to park at the Amenity Center and residents parking in the street because there was no room in their garage. Ms. Glynn stated the Board could grant temporary exceptions, such as on holidays. Ms. Glusing preferred having parking rules and restrictions over banning parking. Ms. Land suggested allowing parking on one side of the street on even and odd days and marking areas where it was dangerous to park, as a compromise.

Board Comments

Mr. Wellman stated he received approval from the City to include 36 additional parallel parking spaces in the verge areas of the single-family homes, but owners must pay a special assessment. Mr. Bradshaw requested a cost estimate, feedback from the single-family homeowners and removal of Item 1.3.1(a) until it could be studied further. Ms. Wald advised removing it would require another public hearing, as it was a substantial change to what was advertised and additional research and discussions with the District Engineer. A lengthy discussion ensued and the public hearing was closed.

On MOTION by Mr. Bradshaw seconded by Ms. LeCesne with Ms. Glynn, Mr. Bradshaw, Mr. Henson and Ms. LeCesne voting aye and Mr. Wellman dissenting adopting the Parking and Towing Rules as presented were approved. (Motion Passed 4-1)

1. Consideration of Resolution 2019-01 Adopting Amended Montecito Amenity Center Rules and Amended Parking and Towing Rules

On MOTION by Mr. Wellman seconded by Mr. Bradshaw with all in favor Resolution 2019-01 Adopting the Amended Montecito Amenity Center Rules and Amended Parking and Towing Rules was approved.

In response to Ms. LeCesne’s request, the parking enforcement process would be discussed at the November 14th workshop. Mr. Showe stated he would coordinate with the towing company and provide an agreement at the next meeting.

B. Ratification of Requisitions #940 - #944

On MOTION by Mr. Wellman seconded by Ms. Glynn with all in favor Requisitions #940 - #944 were ratified.

C. Consideration of Agreement with Berger, Toombs, Elam, Gaines & Frank to Provide Auditing Services for the Fiscal Year 2018

On MOTION by Mr. Wellman seconded by Mr. Henson with all in favor the Agreement with Berger, Toombs, Elam, Gaines & Frank to Provide Auditing Services for Fiscal Year 2018 in the amount of \$4,675 was approved.

D. Consideration of Proposals

1. Janitorial Services

Mr. Showe stated the Janitorial Maintenance Agreement with Coverall was amended to include one week to wipe the gym equipment and quarterly window treatment, increasing the contract by \$1,000 per year. Mr. Henson asked if a sign was posted on the refrigerator for cleaning. Mr. Showe stated he would follow-up with Mr. McGrath. Mr. Bradshaw suggested negotiating the contract amount to \$450 per month. The Board agreed.

On MOTION by Ms. LeCesne seconded by Mr. Bradshaw with all in favor approving the Janitorial Maintenance Agreement with Coverall and authorization for the District Manager to negotiate an amount not-to-exceed \$450 per month was approved.

2. Fence Repair

Mr. Showe presented a proposal from Superior Fence & Rail to remove spears from the playground fence and install caps. Mr. McGrath stated he temporarily installed orange caps. The Board directed Mr. Showe to obtain further information.

3. Access Gate Maintenance

Mr. Showe recommended the platinum cost in the proposal from Florida Door Control of Orlando, which included parts and maintenance. Mr. Wellman and Mr. Henson preferred the gold plan. Discussion ensued.

On MOTION by Mr. Wellman seconded by Mr. Bradshaw with all in favor the Florida Door Control of Orlando Proposal for the Gold PM Plan in the amount of \$2,379.92 was approved.

4. Pump Repair

Mr. Showe presented the following proposals from Hoover Pumping Services:

- Pump Station #1: \$72,500 - \$61,989.63 for pump repairs, \$3,608.99 for a salinity sensor, \$878.72 for a low water sensor level and \$5,965.34 for a rotating canal screen, which was recommended.
- Pump Station #2: \$67,500 - \$56,849.75 for pump repairs, \$3,608.99 for a salinity sensor, \$878.72 for a low water sensor level and \$5,965.34 for the rotating canal screen. An alternative to the full repair was installing a suction line for \$9,607.
- Pump Station #3: \$19,900 for an automatic disc filter and \$2,300 for a maintenance plan for two inspections per year.

Mr. Showe stated the suction line on Pump Station #2 was the main issue with the townhomes. Mr. Wellman recalled asking for cinder blocks to be placed at the bottom to hold the suction pipe and asked how the rotating canal screen worked. Mr. Showe stated the screen helped operate the pump at a lower level and prevented vegetation from getting into the pump.

In response to Mr. Bradshaw's question, Mr. Showe stated the District Engineer would evaluate the completed work and at the Board's request could ask the irrigation consultant for a second opinion. Mr. Bradshaw proposed spreading the work over several years versus one fiscal year starting with Pump Station #2 in Fiscal Year 2019. Mr. Showe stated Pump Stations #1, #2 and #3 would cover the capital projects for 2019. Mr. Bradshaw proposed using \$60,000 from pump and irrigation repairs and the remaining funds from capital improvements. Mr. Wellman recommended repairing Pump Station #1 first because it was the oldest and in the worst shape

and the suction line on Pump Station #2. Mr. Showe agreed. Mr. Wellman asked how long the pump station would be down. Mr. Showe stated he would find out. After further discussion, Mr. Showe recommended installing the automatic disc filter, entering into a maintenance contract for Pump Station #3, repairing Pump Station #1 and replacing the Pump Station #2 suction line.

Mr. Bradshaw presented the following plan:

1. Replacing Pump Station #1 for \$72,500
2. Installing automatic disc filter at Pump Station #3 for \$19,900
3. Upgrading controllers for \$15,000
4. Replacing CDD irrigation heads for \$20,000
5. Replacing valve boxes for \$3,000
6. Entering into a maintenance contract for Pump Station #3 for \$2,300
7. Installing a suction line on Pump Station #2 for \$9,607
8. Budget \$4,200 for irrigation repairs

Mr. Showe stated he would obtain separate quotes for the upgraded controllers and valve boxes. Mr. Bradshaw recommended upgrading the irrigation controllers versus paying BrightView to locate them, as they could be tracked via text messages. Mr. Wellman agreed. Ms. Glynn asked if there were sufficient funds to pay for the Geotechnical Engineer. Mr. Showe noted the first quarter operating funds and that there was \$50,000 in a disaster fund. He stated he would verify the estimates and contact Hoover.

On MOTION by Mr. Bradshaw seconded by Ms. LeCesne with all in favor the proposals with Hoover Pumping Services for Pump Station #1 repairs in a not-to-exceed amount of \$72,500, an automatic disc filter on Pump Station #3 in a not-to-exceed amount of \$20,000, a maintenance contract for Pump Station #3 in a not-to-exceed amount of \$2,300 and the suction line on Pump Station #2 in a not-to-exceed amount of \$9,607 were approved.

Mr. Bradshaw moved to upgrade the irrigation controllers in a not-to-exceed amount of \$15,000, replace irrigation heads on CDD property in a not-to-exceed amount of \$20,000, replace valve boxes in a not-to-exceed amount of \$3,000 and engage a vendor to perform weekly inspections in a not-to-exceed amount of \$4,200 and Ms. LeCesne seconded the motion.

Ms. Wald requested the Board grant authority to the District Manager to obtain the agreements.

On VOICE VOTE with all in favor upgrading the irrigation controllers in a not-to-exceed amount of \$15,000, replacing irrigation heads on CDD property in a not-to-exceed amount of \$20,000, replacing valve boxes in a not-to-exceed amount of \$3,000, engaging a vendor to perform weekly inspections in a not-to-exceed amount of \$4,200 and granting the authority to the District Manager to obtain the agreements was approved.

5. Informational Door Hangers

Ms. LeCesne asked Mr. Showe to present a proposal from Sir Speedy for door hangers to direct residents to the CDD and HOA websites. Mr. Henson suggested a refrigerator magnet. Mr. Showe will circulate the design to the Board for feedback, prior to printing. Mr. Wellman requested the townhomes receive one.

On MOTION by Ms. LeCesne seconded by Mr. Henson with all in favor the Sir Speedy for door hangers with magnets in a not-to-exceed amount of \$750 was approved.

E. Discussion Items

1. GMS Field Management Services Contract

Mr. Bradshaw recommended continuing on a month-to-month basis with GMS providing Field Management services. There was Board consensus.

2. Landscape RFP

Mr. Showe worked with Mr. Henson on the draft landscaping Request for Proposals (RFP) and based on Board direction at the last meeting, the following was included in the Scope of Services:

- Trimming all CDD palm trees once per year.

Mr. Bradshaw asked where the CDD palm trees were located. Mr. Showe stated it depends on where the tree falls on the property line, according to the Property Appraiser’s website and a map was attached to the RFP outlining CDD and HOA property.

- Mulching
- Two monthly irrigation wet checks.

Mr. Showe stated he would send out the RFP to various landscape companies GMS worked with. Since the contract will not exceed the State bidding threshold of \$200,000, it was not required to be published in the newspaper or receiving sealed bids. Mr. Bradshaw was not

concerned about the price, but the quality of service and suggested the Phase 2 landscaper, Brevard Lawns. Mr. Showe did not recommend them based on their performance. Mr. Bradshaw asked if Mr. Viasalyers could spot check the property. Mr. Henson confirmed that Mr. Viasalyers was on CDD property every week. Mr. Bradshaw requested the contract include irrigation operating during evening hours only. Mr. Henson requested a map of the mulching areas. Mr. Showe noted the targeted areas were the main entrance, circle, playground and Amenity Center entrances and around mailboxes.

Ms. LeCesne recalled that BrightView had a web portal and ticketing system where residents could submit questions or issues and handled pre-approval repairs as a result of inspections. Mr. Showe stated Mr. Pilon of BrightView was responsive and makes repairs while performing inspections. Ms. Wald was in favor of portals for documenting, but not to receive direction. Mr. Viasalyers understood the portal was only for staff use, not for residents. Mr. Showe stated he would verify. Mr. Bradshaw asked if the CDD had recourse if HOA used CDD infrastructure to water HOA property and due to their neglect, damaged CDD equipment. Ms. Wald noted only if there was proof that the damage occurred.

Mr. Wellman commented on how good the entrances looked. Ms. Glynn noted there were dead palm trees. Mr. Viasalyers stated he would address these. Mr. Showe noted BrightView committed to replace all dead material, but not until the irrigation system was operating. Mr. Wellman recommended hiring another company to water and fertilize the flowers at the entrance and roundabout and removing this section from the scope. Ms. Glynn recalled the flowers were under warranty. Mr. Henson requested a breakdown in cost for maintaining the flowers once the warranty period expired. Mr. Bradshaw voiced concern about weeds in the roundabout.

Mr. Showe requested the Board review the price sheet and the scope of services and provide comments over the next two weeks for further discussion at the November 14th workshop. Upon consensus at the workshop, Mr. Showe would request bids. Since the HOA was going out for bids, there were cost savings if the same vendor was selected for both the CDD and HOA.

FIFTH ORDER OF BUSINESS

Staff Reports

A. District Counsel

There being none, the next item followed.

B. District Engineer

There being none, the next item followed.

C. District Manager

- 1. Consideration of Check Register**
- 2. Balance Sheet and Income Statement**

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

D. Facility Manager

Mr. Showe distributed the Facility Manager's Report to the Board, a copy of which will be included in the Records of Proceedings of this meeting. Ms. LeCesne stated that she organized the Facility Manager's Office and placed files into boxes for storage. She felt that an admin person was unnecessary, since the space was maximized and made efficient. Mr. Bradshaw stated there was not enough work to hire someone to work 20 hours. Mr. Wellman stated he saw a need to hire someone occasionally to issue key fobs. Mr. Bradshaw suggested revisiting this matter in the future.

E. Field Manager

Mr. Viasalyers reviewed the Field Manager's Report, a copy of which will be included in the Records of Proceedings of this meeting. He stated he was on the property five times this month for four hours, even though two visits per month were contracted, including last Friday on an emergency basis. Mr. Bradshaw questioned the cause of the mainline breaks. Mr. Showe noted they were not uncommon. Mr. Henson stated he wanted all stumps removed, including a stump at the S. Patrick Drive entrance. Mr. Viasalyers stated he would handle it.

Regarding the S. Patrick Drive fountains, Mr. Viasalyers received a quote of \$5,200 for a constant water source, but it will cost \$2,700 to install a valve. He was meeting with an irrigation tech on Monday to ensure there were no leaks in the fountains after they were filled. Mr. Showe stated the vendor committed to repairing any leaks at no charge. There was Board consensus for Mr. Viasalyers to have the valve installed and meet with the irrigation tech.

Mr. Bradshaw asked Mr. Viasalyers to be present during the perimeter wall painting. Mr. Henson asked about BrightView's present performance. Mr. Viasalyers noted issues with BrightView not knowing who to take direction from, due to input from HOA, residents, and

Board Members, but the property looked better. Mr. Bradshaw proposed Mr. Pilon attend the workshop meeting to discuss future direction and instruct residents not to provide direction. Mr. Henson requested weekly reports include the number and locations of the mainlines. This would be discussed at the workshop.

1. CIP Status Update

Mr. Showe reviewed the CIP Status List, a copy of which was provided in the agenda package. Brevard Windows and Doors quoted \$11,300 for hurricane shutters for all windows on the main building.

SIXTH ORDER OF BUSINESS

Supervisor's Requests

Mr. Bradshaw suggested storing documents on the website in calendar years. A plaque was presented to Mr. Wellman in appreciation for his years of service to the community as this was his last meeting. Ms. Glynn questioned the items for the workshop. Mr. Showe stated he would send an agenda two weeks in advance of the November 14th workshop. Ms. LeCesne provided a list of supplies for the office. Mr. Wellman noted the District received a corporate discount at Office Depot and did not pay sales tax.

SEVENTH ORDER OF BUSINESS

Adjournment

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



Secretary/Assistant Secretary



Chairman/Vice Chairman