

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, February 25, 2019 at 10:30 a.m. at the Montecito Beach Club, 208 Montecito Drive, Satellite Beach, Florida.

Present and constituting a quorum were:

Larry Bradshaw	Chairman
Catherine LeCesne	Vice Chair
Tanja Glynn	Assistant Secretary
Ed Henson	Assistant Secretary
Roger Weinreb	Assistant Secretary

Also present were:

Jason Showe	District Manager
Ginger Wald	District Counsel
Ray Malave	District Engineer
William Viasalyers	Field Manager
Randy McGrath	Amenities Manager
Richard Maguire-Gonzalez	Community Association Manager
Residents	

The following is a summary of the discussions and actions taken at the February 25, 2019 meeting, and a copy of the proceedings can be obtained by contacting the District Manager.

FIRST ORDER OF BUSINESS

Roll Call

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

SECOND ORDER OF BUSINESS

Public Comment Period

Susan Kretschman, Monterey Drive, asked when and how parking violations and towing would be enforced. Ms. Glynn stated all residents were emailed a reminder that the parking and towing rules were approved and would be enforced starting on February 24th. Mr. Showe stated the towing service was under contract and was waiting for the signs. Mr. Henson wanted only cars with clear violations to be towed. Ms. Glynn stated the owner would receive one warning before the car was towed.

Warren Nelson, Palos Verde Drive, asked how overnight parking would be enforced. Ms. Glynn stated the rules were revised to allow guests to park for a certain length of time, but that residents were not allowed to park in the street. Board Members had the authority to place a violation sticker on a car.

Lucille Kelleher, Ventura Drive, asked about the spike covers that were supposed to be installed on the playground. Mr. Showe stated that he received an estimate for \$1,625, but there was no further direction from the Board and this item would be discussed under Supervisor's Requests.

Betsy Vincent, Redondo Drive, asked if the inside of the existing exposed Shearwater wall, that was not painted and had graffiti, could be painted as it was an eyesore. Mr. Bradshaw recalled the interior wall was selected as a low priority by residents and would be considered for the next fiscal year. Ms. LeCesne stated she would be performing a walk through with Mr. Viasalyers and Anchor Paint at 2:00 p.m. today starting at Shearwater and along the entire perimeter.

Ms. Vincent asked whether the CDD Board could work with the owner of the unsightly area on the east side from the sidewalk to the fence. Mr. Henson stated it was a construction fence and workers were leaving trash behind. Ms. Wald suggested the District Engineer research the ownership of the area and if it was owned by the Phase 3 owners, staff should notify the contractor. Mr. Malave noted the District's property line was within inches of the sidewalk going east, but the fence was on Phase 3 property and would ask the Phase 3 owners to ensure that the workers were throwing out their trash. Ms. Vincent asked if the property could be conveyed to the District. Mr. Bradshaw stated the District was not in the business of acquiring property.

Carol Wellman, Ventura Drive, asked when the pool would be resurfaced and if the seat cushions would be replaced as they had mold. She requested the landscaping be trimmed and trash picked up around the pool. Mr. Bradshaw stated the cushions could be cleaned but not replaced and the pool could not be resurfaced due to the funds being used to purchase new irrigation pumps. He stated that after the new fiscal year starts on October 1st, these items could be reconsidered. Ms. Wellman voiced concern about the mold was posing a safety hazard to residents. Mr. Bradshaw stated the cushions would be removed if they posed a safety hazard.

He stated there was an agreement with the current landscaping company to remove trash around the pool.

Tim Kelleher, Ventura Drive, asked about the schedule and estimated assessment on the townhouse repainting. Mr. Bradshaw referred him to the HOA.

THIRD ORDER OF BUSINESS

Approval of Minutes of the December 5, 2018 Meeting

Mr. Showe stated that he received edits to the minutes prior to the meeting which were incorporated. There were no further comments regarding the minutes.

On MOTION by Mr. Bradshaw seconded by Ms. LeCesne with all in favor the minutes of the December 5, 2019 meeting were approved, as amended.

FOURTH ORDER OF BUSINESS

New Business Items

A. Review and Discussion of Landscape Proposals

Mr. Showe stated each Supervisor ranked each firm and the final ranking was as follows:

- 1. Paradise Lawns
- 2. Flawless
- 3. US Lawns
- 4. BrightView

Richard Gonzalez, Community Association Manager, stated the HOA Board preferred US Lawns and BrightView based on the price, but eliminated Flawless due to using the District’s landscaping budget for their proposal. Ms. Wald asked if this was documented or hearsay. Mr. Gonzalez indicated an employee of Leland received this information and forwarded it to Flawless. Mr. Henson questioned the following:

- Did the HOA base their ranking on cost or other factors? Mr. Gonzalez noted Leland based their decision on maintenance requests, timeliness of service and response. The HOA wanted to contact the contractor chosen by the CDD Board for better pricing.
- Did you attempt to contact the referenced provided by the proposers? Mr. Gonzalez stated Leland worked with US Lawns, BrightView and Flawless versus

Paradise Lawns, which only handled a few communities. US Lawns was a subsidiary of BrightView.

Mr. Weinreb asked if the CDD selected a different vendor than the HOA chose, would the HOA renegotiate the pricing? Mr. Gonzalez replied affirmatively. Based on cost, Ms. Glynn noted BrightView was cheaper than Paradise Lawns and wondered how that compared to the pricing the HOA received. Mr. Gonzalez stated for the townhomes and single-family homes, Paradise Lawns was the highest, BrightView was in the middle and US Lawns was the lowest. Mr. Bradshaw chose Paradise Lawns and asked the HOA to reconsider.

Mr. Showe requested the Board terminate the contracts with Brevard Lawns and BrightView and approve Paradise Lawns starting on April 1st. He was working with BrightView to complete any outstanding projects. Mr. Showe would send a termination notice to BrightView as soon as possible, including the Board's expectation that they maintain any outstanding items. Mr. Viasalyers would complete a punchlist and GMS would not pay the last invoice until the work was complete.

On MOTION by Mr. Bradshaw seconded by Mr. Weinreb with all in favor terminating the contracts with BrightView Services and Brevard Lawns for landscape services with 30 days' notice was approved.

On MOTION by Mr. Bradshaw seconded by Ms. Glynn with Mr. Henson, Mr. Weinreb, Mr. Bradshaw and Ms. Glynn in favor and Ms. LeCesne dissenting, awarding the contract for landscape grounds maintenance services to Paradise Lawns effective April 1, 2019 in the amount of \$97,198 and authorizing staff to enter into an agreement with same was approved. (Motion Passed 4-1)

Mr. Showe stated he would coordinate the transition and update the Board.

B. Ratification of Requisitions #945 - #948

On MOTION by Mr. Bradshaw seconded by Ms. LeCesne with all in favor Requisitions #945 - #948 were ratified.

C. Discussion of Policy for Replacement Gate Transponders/Facility Access Cards

Ms. Glynn requested a policy to address the replacement cost for gate transponders and facility access cards. In December 2017, the District purchased 300 new cards for \$5.60 each. Mr. McGrath recalled the cost for each gate clicker was \$25 each.

Mr. Henson stated he never heard complaints about the gate transponders or access cards. Mr. McGrath stated there were a few instances where an access card or gate transponder stopped working because it was defective or old. Ms. LeCesne suggested charging a nominal cost to replace a broken gate transponder and access card, if it was not used frequently, and charge on a prorated basis, the replacement of a 7, 10 or 15-year-old gate transponder and access card. Mr. Bradshaw felt that was too complex. After further discussion, Ms. Glynn proposed charging \$10 for a replacement gate transponder and facility access card, noting it was an internal office policy and could be revisited at any time.

On MOTION by Ms. Glynn seconded by Mr. Bradshaw with all in favor establishing an internal policy to charge \$10 to replace broken facility access cards and gate transponders was approved.

D. Discussion of Proposals to Repair Pump Station #1 Erosion

Mr. Malave presented proposals from All Terrain and Lake & Wetland Management. All Terrain proposed \$11,375 to inject cement to fill in the void under the pad to stabilize it, with the majority of the cost for sod and the remainder for dirt, fill, and mobilization costs. Lake & Wetland Management proposed \$4,950 for a Dredgesox; however, Mr. Malave felt it may not address the void under the pad and recommended the proposal from All Terrain, as it accomplished what the Board wanted.

Mr. Weinreb asked if the same issue would occur at other pumping stations. Mr. Malave stated it would not happen if the shoreline was maintained over time. The erosion at Pump Station #1 was due to lack of maintenance and deterioration of the shoreline. Mr. Henson questioned the four pallets of Bahia as Bahia was not used in the community. Mr. Malave stated he would request a price for St. Augustine. Mr. Showe suggested asking the new landscaper for an estimate or excluding the sod until a later time. Mr. Bradshaw proposed removing the sod from the proposal and approving a lower amount. Mr. Showe stated the new amount was \$9,620 and suggested a not-to exceed amount of \$10,000.

On MOTION by Mr. Bradshaw seconded by Ms. LeCesne with all in favor the proposal from All Terrain to repair erosion at Pump Station #1 in an amount not-to-exceed \$10,000 was approved.

FIFTH ORDER OF BUSINESS

Staff Reports

A. District Counsel

There being none, the next item followed.

B. District Engineer

1. Discussion of Geo-technical Engineer Report on Lakes

Mr. Malave presented the Preliminary Geotechnical Assessment of Low Water Levels in Irrigation Lakes and highlighted the following:

- The lakes were healthy and not as low as originally anticipated. Based on the data, they were within less than one-half of a foot of what was expected.
- Some water was discharging into the lakes because of the pumping mechanisms in the wells turning on and turn off by themselves to ensure they were always working. Water levels should be monitored, especially if the wells are opened.
- The lake water quality fluctuates with rain, but the vegetation was tolerant due to high salinity.
- The community was using a surficial aquifer, but because of salt intrusion, the salinity was increasing. This was occurring all over Brevard County.

He stated that the Geotechnical Engineer recommended installing a gate valve on the orifice on Lake 20 to maintain the water level and connecting to reclaimed water; however, to do so would entail pipelines, which are costly. Based on the Geotechnical Engineer’s conclusions, Mr. Malave believed that the water levels and water quality should be monitored and recommended restoring the landscaping along shorelines and appraising the new landscaper of the current maintenance of not irrigating more than one inch per week to meet the District’s Consumptive Use Permit requirements. Discussion ensued and the Board addressed the following:

- Mr. Bradshaw questioned the amount of water coming from the wells and how often it occurred. Mr. Malave indicated a small amount of water was being

released daily, which was minor. Mr. Bradshaw asked how one inch of water per week was monitored. Mr. Malave indicated the SJRWMD required the quantity of water being pumped out of the two pumps and how often they were irrigated. Mr. Bradshaw wanted to measure the levels of the ponds each month. Mr. Malave recommended pipes that had measurements on it, based on the survey and measuring from October to January in anticipation for the rainy season from May until August. Mr. Bradshaw requested a quote for the gate valve. Mr. McGrath recommended placing top soil down a good 6-inch base before the sod was placed so the sod would last.

- Mr. Henson asked why water runs down Pump Station #1 quickly and does not maintain a high level of water. Mr. Malave stated water runs out of a valve in the control structure, but a gate in the second to last lake would hold the water and could open when water was needed by monitoring monthly levels and being attentive to weather reports and the lake levels.
- Mr. Bradshaw asked Mr. Henson to work with the landscaper on restoring landscaping along shorelines on all six ponds. Mr. Malave recommended the shoreline around the pump be top priority.

A resident asked why the CDD and the HOA would have two different landscapers. Mr. Bradshaw stated since the landscape contract was not signed, the schedule was unknown and urged residents to put pressure on the HOA to engage the same landscaper as the CDD.

A resident asked if there was any consideration to the irrigation for Phase 3. Mr. Malave stated the District's water management permit covered the entire CDD and Phase 3 would be allowed to connect to the irrigation, but would be required to maintain their own stormwater ponds for storage. If they want to connect to the District's system, they must obtain approval from the District. According to the Geotechnical Engineer, it would not affect the District's irrigation. The District's Consumptive Use Permit did not expire until 2025. The resident recalled an incident where the Phase 3 developer used a District well and asked if it affected the District's water levels. Mr. Malave stated it did not affect the District, but it could have if the District did not stop them by having Ms. Wald send a cease and desist letter. The District's permit requires every well on their property must be sealed and capped. Mr. Bradshaw stated District staff would monitor them to keep close control.

C. District Manager**1. Consideration of Check Registers**

Mr. Showe presented the Check Registers for November totaling \$65,583.04, December totaling \$340,020.57 and January totaling \$119,129.89 and asked if the Board had any questions.

On MOTION by Ms. Glynn seconded by Mr. Bradshaw with all in favor the November, December and January Check Registers were approved.

2. Balance Sheet and Income Statement

Mr. Showe presented the Balance Sheet and Income Statement. No action was required. All operating lines were in line with the budget and assessments were at 94% collected through January 28, 2019.

D. Facility Manager

Mr. McGrath reported the following:

- The patio was cleaned, pressure washed and painted to enhance the pool area.
- Several street signs are needed, such as the intersection of Montecito Drive and Carlsbad Drive and the intersection of Point Lobos Drive and Monterey Drive. The stop sign at the Shearwater Parkway entrance at night was not visible and suggested illuminated ones.

Mr. Bradshaw asked Mr. Malave to speak to the developer as this was a safety issue. Mr. Malave stated the District could not force people to stop and humps at the stop signs or a red flasher on the sign was ineffective. Mr. Henson noted the stop sign was faded. Mr. Malave stated he would evaluate options to make the sign noticeable. Mr. Weinreb suggested redirecting the landscape lighting onto the sign. Mr. Bradshaw asked Mr. Weinreb to work with Mr. McGrath.

Mr. Malave asked Mr. McGrath about the water meter for the fountains. Mr. McGrath stated he did not receive a response from the vendor regarding the cost to bring a freshwater supply to the fountains. If the District continued to use pond water for the fountains, the same problems with scaling and staining would reoccur.

- He was still waiting for a proposal to remove all light poles and cap them.

Mr. Bradshaw requested an update on the shed. Mr. McGrath stated the shed would be delivered tomorrow at 11:00 a.m. and requested two proposals from electrical companies to run power to the shed for the lighting, receptacles and items to be powered inside of the shed such as a window air conditioner. Mr. Showe stated he received proposals from Gault Electric for \$1,340 and from Eau Gallie Electric for \$1,160, which were under the \$7,000 not-to-exceed amount. Ms. Glynn asked if the air conditioner affected the hurricane rating of the structure. Mr. McGrath did not think so as there was a window in the shed. Mr. Viasalyers noted the A/C was not permanent and could be moved prior to a hurricane. Ms. Wald suggested Mr. McGrath speak to Mr. Showe first before making any changes.

E. Field Manager

Mr. Viasalyers reported the following:

- The lake vendor was treating Lakes 4 and 6 where there were algae blooms.
- BrightView will now be picking up the trash on a weekly basis around the ponds. The cause of the trash was unknown.
- Staff continues to meet with Mr. Henson every week to review the irrigation, landscape issues and address any concerns that were discovered during inspections.
- Most of the sod replacements were already addressed. A large amount of sod at the S. Patrick Drive entrance was replaced by BrightView at no cost as well as many plants. The plants that have not been replaced were in pots because they have a short life expectancy. Proposals were requested from BrightView, but the new vendor should be asked to provide proposals.

Mr. Showe stated he received the BrightView proposals last night and would use them as a benchmark for pricing from the new vendor. Mr. Bradshaw preferred drought tolerant plants. Mr. Viasalyers suggested speaking to the new vendor about rotation of the annuals quarterly. Mr. Henson noted Mr. McGrath was planting five big pots by the pool and with the Board's approval, intended to plant fresh plants for the swim season.

- The Brazilian Pepper on the east side of the Clubhouse was successfully removed.
- Edges along Shearwater Drive were cut back recently.

Mr. Viasalyers discussed the height of shrubs and hedges along CDD owned common areas. Mr. Henson heard it was supposed to be at windowsill height along the homes. Mr. Bradshaw stated he wanted consistency. Mr. Showe suggested the new landscaper maintain it for a month or two and in the meantime, send out another email blast stating, "Please be aware the CDD will trim all hedges to ____ height on ____ date." Ms. LeCesne believed everyone who wanted their hedges higher or not trimmed lived on a corner unit and each case could be considered individually. Mr. Bradshaw stated he wanted a plan from the new landscape contractor. Mr. Henson requested any quotes be sent to the Board.

- Spies Pool repaired the S. Patrick Drive entrance fountains, which were leaking, but they were turned off until the meter water issue could be resolved.

Mr. Bradshaw stated he looked at the fountains and pergolas, and noticed some brown paint was removed from taped up flyers. Mr. Viasalyers stated that before he signed off on any invoice, he would make sure its corrected. Mr. Henson stated when the walls were painted, a section of ivy was painted.

1. Discussion on Stop Sign

Mr. Viasalyers had three options for the stop signs. This item was tabled until Mr. Malave evaluated them.

Mr. Henson questioned the status of water coming onto a resident's property from the pond. Mr. Viasalyers stated he received a quote late Friday for BrightView to extend the drainage pipe into the pond, but the work must be approved by the homeowner.

Ms. Kretschman asked why sod was replaced at the single-family homes, but not the townhomes. It has been two years since the sod was replaced and it was dead. Mr. Showe had a list of addresses from every resident that expressed concern, which would be provided to the new landscaper. Ms. Kretschman stated there were flags where the irrigation was not working, but was never addressed. Mr. Showe stated a test was run from a computer, identifying any issues on the property, which BrightView addressed quickly. Mr. Bradshaw asked who would pay for the main line break. Mr. Showe contacted a vendor as the break must be repaired so the water could be turned back on, but the District would be reimbursed.

SIXTH ORDER OF BUSINESS

Supervisor's Requests

Mr. Bradshaw received calls from residents about the temperature in the Amenity Center. The thermostat was set at 78 to 79 degrees. Mr. McGrath suggested setting it to 76 degrees. There was Board consensus.

Mr. Bradshaw indicated the HOA requested a lease from the CDD. Mr. McGrath would present a proposal at the workshop. Mr. Bradshaw reported several instances where contractors hired by residents drove across CDD property without any easements, tearing up yards and sprinkler systems. For \$200 each, folding safety bollards could be installed with a padlock. A bollard was a long pole with a padlock on the bottom that would block a heavy vehicle from driving across the grass, but could be folded down for access. If someone needed to access CDD property, they would contact the office and staff would unlock it and allow them access. There were 12 to 18 places where bollards could be installed; however, Mr. Bradshaw suggested installing two to three bollards as a pilot program to see how they were installed, what they look like and how they work, such as at the townhome section where most of the traffic was. Mr. McGrath would install them. Discussion ensued.

Mr. Bradshaw moved to approve an amount not-to-exceed \$1,000 for three removable bollards Ms. LeCesne seconded the motion.

Mr. Henson voiced concern about the bollards becoming trip hazards at night. Mr. Bradshaw indicated most bollards had reflectors. Ms. Wald suggested leaving the bollards up at night.

On VOICE VOTE with all in favor approving an amount not-to-exceed \$1,000 for three removable bollards was approved.

Mr. Bradshaw asked if the \$10,000 that was just spent on the injection would be paid out of the \$55,000 in unallocated funds. Mr. Showe replied affirmatively. Mr. Bradshaw stated he would like to spend \$1,625 to remove points on the fence because it was a safety issue. Discussion ensued about what the work entailed.

On MOTION by Mr. Bradshaw seconded by Ms. Glynn with all in favor the proposal to remove points on the fence around the playground in the amount of \$1,625 was approved.

Ms. LeCesne noted at the Redondo mailboxes, four parking spaces need striping. Mr. Showe stated someone would evaluate it as well as striping in the entire community. Ms. LeCesne was informed about graffiti and suggested using leftover paint from the walls to cover the graffiti.

Ms. Glynn stated the current HOA, townhome and single-family rules prohibit basketball hoops in the community. A basketball hoop was not a top priority; however, the playground was designed for ages 5 to 12 and anyone under age 16 must have an accompanying patron to use the gym, but there was nothing for the teens. Ms. Glynn suggested placing a basketball hoop in two parking spaces. Mr. Henson advocated having a basketball hoop over the years, but was told no one wanted to live by a basketball hoop. Ms. Wald advised if the basketball hoop was placed in two parking spaces, the CDD must go back to the County to remove the parking spaces under the permit, but it may not be approved because the District did not have enough parking. She suggested placing one in other CDD common areas on a pad. Ms. LeCesne asked if an area could be temporarily used for a basketball court. Ms. Wald advised a legal parking space could not be converted into a temporary recreational area for liability purposes. Mr. Bradshaw suggested using a plot of land at the end of Redondo Drive. After further discussion, this item would be discussed at the workshop.

Mr. Henson asked if anyone contacted AT&T about the buried AT&T box that was uncovered when the pool was excavated. Mr. Viasalyers recommended waiting until construction was completed. Mr. Henson and Viasalyers were working on the broken sidewalk on Carlsbed Drive. Mr. Henson asked about the sidewalk that meets the pavers on Montecito and Mission Bay Drive. Mr. Viasalyers stated he would speak to Gonzalez because it was an HOA sidewalk. Until the HOA repaired the pavers, the sidewalk could not be repaired. Mr. Henson presented a photo of the Shearwater wall. Mr. Bradshaw noted the landscaping was installed by the developer and violated the CDD guidelines of planting within three feet of the wall. Mr. Henson wanted the Board to consider it for next year's budget.

SEVENTH ORDER OF BUSINESS

Adjournment

Mr. Showe announced the next workshop was on March 27, 2019 and would circulate the agenda two weeks in advance, which included an update on the upcoming landscape transition.

Mr. Bradshaw asked if there were updates to the CIP. Mr. Showe confirmed the Board discussed all items and would update it based on items discussed at this meeting.

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


Secretary/Assistant Secretary


Chairman/Vice Chairman