

MINUTES OF MEETING  
MONTECITO  
COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Montecito Community Development District was held on Wednesday, August 7, 2019 at 5:00 p.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
Michael Pawelczyk	District Counsel
Ray Malave	District Engineer by phone
William Viasalyers	Field Manager
Randy McGrath	Amenities Manager
Paradise Lawns & Landscaping, Inc.	
Residents	

*The following is a summary of the discussions and actions taken at the August 7, 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. A quorum was present.

**SECOND ORDER OF BUSINESS**

**Public Comment Period**

Resident Marilyn Buckley (Ventura Drive) stated she submitted a ticket for the Poincianas and asked the staff to clean the paths. Mr. Henson advised staff would get quotes for the Poincianas and that cleaning the paths was on the list. Resident John Heilner (Montecito Drive) questioned the letter sent to the subdivision for the interior of the wall. The exterior looked great; however,

there were many fences attached to the wall, the majority of which were ARB approved. Mr. Bradshaw stated Mr. Heilner’s home was a single-family home and there was a totally different plan that the Board must discuss.

**THIRD ORDER OF BUSINESS**

**Approval of Minutes of the June 24, 2019 Meeting**

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

On MOTION by Ms. LeCesne seconded by Mr. Weinreb with all in favor the Minutes of the June 24, 2019 Meeting were approved as amended.

**FOURTH ORDER OF BUSINESS**

**New Business Items**

- **Paradise for Controller Replacement** *(Added)*

A representative of Paradise introduced the new irrigation manager and reported an issue with Controller D that controls most of the clubhouse and back pond, Ventura, a small section of Redondo, areas in the roundabout and 109 through 117 Montecito Drive. Along Ventura there were many areas of dry turf. Paradise submitted a proposal for two options; Option 1 to replace the wire nuts inside the Controller D valve box and Option 2 to run brand new wiring. Mr. Henson asked if valve boxes were on CDD property. Mr. McGrath replied affirmatively. Mr. Henson was concerned about Option 2 because of having to get easements for wires on homeowners’ property. Mr. Showe recalled Insight recommended updating the irrigation system to be proactive.

The proposals and the problems with Controller D were discussed. Mr. Henson requested an estimate on the amount spent on irrigation repairs for Controller D. It was noted by the Paradise representative that there were more zones on Controller D than any other and would provide a cost estimate. Mr. Bradshaw recalled \$23,000 was allocated last year to replace valve boxes throughout the community and the remaining \$3,400 would be paid out of under spent line items. In the future, money would not be allocated for the valve boxes.

After further discussion, Mr. Bradshaw questioned the start and end date for the work and if there would be any disruption. The representative from Paradise estimated 60 days for completion. They would install new wires before the old wires were disconnected. Six inches of turf would be disturbed for the wire trench. The work could start in the next several weeks. Mr.

Showe suggested sending an email to residents affected by the work and District Counsel prepare a Small Project Agreement delineating the warranties. Ms. LeCesne suggested taking a picture of the area once the wires were buried for documentation purposes in the event of any damage. Discussion ensued.

On MOTION by Ms. LeCesne seconded by Mr. Weinreb with all in favor the proposal to repair the two-wire system on Controller D was approved.

The Paradise representative asked if the Board wanted six inches of sod. Mr. Showe recommended that the sod be monitored.

**A. Review and Acceptance of Fiscal Year 2018 Audit Report**

Mr. Showe presented the draft Fiscal Year 2018 audit. According to the Report to Management, the audit was clean, with the exception of some issues with the District not having enough funds in the Debt Service to cover Debt Service payments. Mr. Bradshaw stated on the top of Page 34, there was a response from Management that the District had taken the necessary steps to alleviate the deteriorating financial condition. Mr. Bradshaw recalled setting up a separate committee last year to select the auditor.

On MOTION by Ms. Glynn seconded by Mr. Weinreb with all in favor acceptance of the Fiscal Year 2018 Audit Report was approved.

**B. Public Hearing**

On MOTION by Ms. Glynn seconded by Ms. LeCesne with all in favor the public hearing on the Fiscal Year 2020 budget was opened.

**1. Consideration of Resolution 2019-06 Adopting the Fiscal Year 2020 Budget and Relating to the Annual Appropriations**

Mr. Bradshaw provided a PowerPoint presentation on the budget, which would be uploaded to the website. There was no increase in assessments. Discussion ensued. Ms. LeCesne questioned if the bulk of the monies for capital improvements was for irrigation. Mr. Bradshaw replied affirmatively. Mr. Weinreb asked about the flooring in the gym. Mr. Bradshaw stated the website had a list of projects and the gym flooring would be installed next Tuesday or Wednesday.

Mr. Henson questioned the \$60,000 settlement. Mr. Bradshaw explained in Fiscal Years 2023 to 2024, the gross revenues of \$60,000 from each year either must be generated by raising assessments, lowering expenses or a combination of both. There were no audience comments.

On MOTION by Mr. Weinreb seconded by Ms. Glynn with all in favor Resolution 2019-06 Adopting the Fiscal Year 2020 Budget and Relating to the Annual Appropriations was adopted.

**2. Consideration of Resolution 2019-07 Imposing Special Assessments and Certifying an Assessment Roll**

On MOTION by Mr. Glynn seconded by Ms. LeCesne with all in favor Resolution 2019-07 Imposing Special Assessments and Certifying an Assessment Roll was adopted.

There were no audience comments.

On MOTION by Ms. Glynn seconded by Ms. LeCesne with all in favor the public hearing on the Fiscal Year 2020 budget was closed.

**C. Consideration of Proposal for Pump Station #3 Fence Installation**

Mr. Bradshaw stated a black chain link would be placed around the pumps to protect District assets.

On MOTION by Mr. Weinreb seconded by Mr. Henson with all in favor approving the proposal for the Pump Station #3 fence installation in the amount of \$2,499 was approved.

**D. Discussion Items**

**1. Bike Racks for Pool Area**

Mr. Bradshaw proposed spending \$500 each for a stainless-steel two-way bike rack that would hold seven bicycles. Mr. Henson suggested placing a bike rack near the gym entrance. Ms. Glynn suggested one at the playground. Mr. Bradshaw proposed Mr. Henson work with Mr. McGrath on areas where bike racks were necessary. Mr. Henson asked why the quotes for \$100 to \$200 were not considered. Mr. Bradshaw wanted to purchase a higher grade stainless-steel bike rack and have Mr. McGrath install it. Funds were available for this expenditure.

On MOTION by Ms. Glynn seconded by Mr. Weinreb with all in favor approving the proposal for bike racks at the pool in the amount of \$1,000 was approved.

## 2. Letter to Residents at Perimeter Wall

Mr. Bradshaw stated staff did a great job drafting the letter for the 20 residents and requested it to be mailed as soon as possible so residents would have time to remove everything by September 30<sup>th</sup>. Mr. Henson asked whether each Board Member viewed the wall and provided feedback. Mr. Bradshaw posted a video of the wall on the website. Mr. Henson noted if the hedges were maintained properly, the Board would not be in this position. Mr. Bradshaw noted this was a failure of the HOA and as a result, the CDD trimmed the bushes 6 to 9 inches, but the material was overgrown and there was not enough clearance for the mower. This was a violation as the rules reflect no material must be within 3 feet of exterior wall. Mr. Pawelczyk stated the HOA was supposed to provide approvals to the CDD and there was no record of any approvals. Future workshops would give residents a chance to provide feedback on three different options. Mr. Showe recalled the HOA was supposed to notify the District if anything they approved encroached the wall. Mr. Bradshaw would work with the homeowners, recalling that one part of the wall would be addressed this fall and the other in the spring. Resident Doug Glass suggested trimming the hedges or replanting after the wall was repainted. Discussion ensued.

On MOTION by Mr. Weinreb seconded by Mr. Henson with all in favor authorizing District Counsel to prepare a letter to the 20 residents abutting the perimeter wall and forwarding to the District Manager to mail to the residents as soon as possible was approved.

## 3. Fiscal Year 2020 Contracts

Mr. Showe recalled brief discussion at the workshop on the 2020 contracts. Based on a survey that was sent to the Board, the following suggestions were made regarding the title and responsibilities for Mr. McGrath's position. The following titles were suggested; Facility Manager, Onsite District Facility Custodian, Onsite District Facility Supervisor, Club Manager, Club Administrator, Club Attendant, Facility Director, Community Facilitator, Amenity Supervisor and Manager.

Mr. Bradshaw suggested including a list of Mr. McGrath's duties as an addendum. Mr. Showe suggested including a pay range in the contract. Ms. LeCesne wanted full disclosure. Mr.

McGrath pointed out a custodial cleaned and he did not. Ms. LeCesne stated a custodian opened and closed the facility, which was one of Mr. McGrath's tasks. Ms. LeCesne felt this discussion should not occur in front of Mr. McGrath. She received multiple complaints about Mr. McGrath approaching residents in a fashion that was not appropriate. Mr. Henson proposed removing "Assisted with Budgets" from the contract. Ms. LeCesne suggested the Chairman oversee the manager, as in the past. Mr. Bradshaw had no problem supervising Mr. McGrath. Ms. LeCesne felt that managers should be self-reflective, adaptable and make suggestions for growth and improvement. Mr. Weinreb felt Mr. McGrath's facilitation skills were lacking. Mr. Henson stated the Board was not knowledgeable about Mr. McGrath's duties. Mr. Bradshaw suggested Mr. McGrath be evaluated on an annual basis and take classes or seminars on interpersonal skills. Mr. Weinreb suggested the Board define what having a manager meant to the Board. Mr. Bradshaw wanted the manager to be defined in the contract.

A lengthy debate ensued between classifying Mr. McGrath as a Director or Supervisor and after further discussion, there was Board consensus to call Mr. McGrath's position Onsite District Facilities Supervisor. Mr. Bradshaw stated he and Mr. Showe would meet with Mr. McGrath. Mr. Showe would amend the agreement. Mr. Bradshaw questioned the pay. Mr. Showe stated based on the feedback, everyone was in favor of a 3% increase. Mr. Pawelczyk suggested circulating the draft agreement, including a draft pay range to the Board to provide individual comments. Ms. LeCesne suggested Board Members submit suggestions of the pay to Mr. Showe via email.

- **District Engineer – Speed Control and Crosswalks** (*Item 5B*)

Mr. Bradshaw recalled the Board asked Mr. Malave to evaluate areas where stop signs and traffic calming structures could be added. Mr. Malave recommended three-way stop signs on Montecito Drive by the single-family homes and a speed table near the crosswalk between the two phases. Another community installed speed tables for \$5,500 including the asphalt and pavement markings. Mr. Bradshaw wanted two three-way stop signs for each side of the road for a total of four stop signs and questioned how many poles were available for stop signs. Mr. Malave believed there was one. He heard an engineering firm was hired to do the preliminary planning process for Phase 3, which would connect to the CDD.

After further discussion, Mr. Bradshaw asked Mr. Weinreb to work with staff on the specifications and for Mr. Malave to provide a picture of speed tables from the other Districts at

the workshop. Ms. Glynn voiced concern if more stop signs were added, as there would be less parking along Montecito Drive. Mr. Bradshaw asked Ms. Glynn to take a picture of the parking lots to show how many spaces they would lose. Mr. Malave will place the speed tables on Montecito Drive where the crosswalk is located. This item would be discussed further at the workshop.

Mr. Malave received a price of \$1,200 to install a measuring device the lake behind the clubhouse, which would show whether lake levels were rising or falling. Mr. Bradshaw recalled the original estimate was \$5,000. Mr. Bradshaw felt this was the best way to get analytical data.

On MOTION by Mr. Henson seconded by Mr. Weinreb with all in favor approving \$1,200 to install measure device in the lake behind the clubhouse was approved.

Mr. Viasalyers asked Mr. Malave to inspect Phase 2C to ensure it had the correct grade of pipe. There was a line break and Paradise replace it with a Schedule 20 pipe. According to the tech, normally under high pressure, a Schedule 40 pipe was utilized versus Schedule 20. Mr. Malave confirmed the correct grade of pipe was used. Mr. Henson voiced concern about a Schedule 20 pipe being run over by heavy equipment. Mr. Malave would review the specifications. Mr. Bradshaw reminded the Board that the budget increased by \$10,000 because of engineering expenses.

*Mr. Malave left the meeting.*

**FIFTH ORDER OF BUSINESS**

**Staff Reports**

**A. District Counsel**

**1. Presentation of Memorandum Regarding 2019 Legislative Session**

Mr. Pawelczyk provided the following update from the 2019 legislative session:

- The requirements under the auditor selection process was amended.

Mr. Bradshaw pointed out if Phase 3A decided to connect to the District’s facilities, they did not have to expand their boundaries. Mr. Pawelczyk explained the only way a facility would become the CDD’s was if the Board approved it. Discussion ensued.

- Impact fees
- Financial disclosure requirements

Mr. Pawelczyk indicated in the future, forms could be filled out on the Commission of Ethics website. All Board Members filed their financial disclosure forms.

- If a tree on residential property was a safety issue to others, the resident no longer needed a permit if a certified arborist or licensed landscape architect provided documentation that the tree presented a danger and recommended removal.

**B. District Engineer**

- 1. Speed Control**
- 2. Crosswalks**

These items were discussed.

**C. District Manager**

- 1. Consideration of Check Register**

Mr. Showe presented the June check register in the amount of \$68,406.75.

On MOTION by Ms. Glynn seconded by Ms. LeCesne with all in favor the June Check Register was approved.

- 2. Balance Sheet and Income Statement**

Mr. Showe presented the Balance Sheet and Income Statement. Mr. Bradshaw questioned the \$11,544 for "Due from Developer." Mr. Showe would verify. Mr. Bradshaw stated the District was in good shape, budget-wise. Mr. Henson stated Oak tree trimming was completed every three years, not yearly. Mr. Viasalyers obtained two quotes for tree trimming. Mr. Showe explained one was for a Class 2 pruning and the other was for a Class 3 trimming. A Class 2 pruning was a three-year rotation. This money would be taken out of the operating budget since it was an operating expense.

**D. Facility Manager**

Mr. McGrath reported a walkway going from the library, around the building to the shed would cost \$1,500, but pavers would only cost \$750, which Mr. McGrath would install. The Board preferred concrete for consistency. Mr. Showe would contact the concrete contractor.



Mr. McGrath felt underappreciated, due to the earlier discussion, as he worked hard and dedicated a lot of his own personal time. Mr. Bradshaw felt Mr. McGrath had a strong work ethic. Ms. LeCesne apologized to Mr. McGrath.

#### **E. Field Manager**

Mr. Viasalyers was working on resident concerns. It was an ongoing process. He met with Paradise and felt more confident in their abilities, especially with their new irrigation manager. Mr. Showe stated the pumps were shut down for the past few days, due to a flood warning. Mr. Bradshaw wanted the website updated with this information. Mr. Showe would speak to Hoover after this meeting and provide a contract at the September meeting for the pump. Mr. Viasalyers reported the landscaping was completed around the pool deck and the only items left were the stump grinding and shed. Mr. Bradshaw liked the red rock and was notified that the pool cushions were blowing off in the wind because the velcro ties were not staying tied. Mr. Bradshaw suggested stapling the cushions or clamping them. Mr. Viasalyers reported staff installed the pool rule sign and they were working on getting a new swipe card reader for the entrance and exits of the pool gates. Mr. Bradshaw repaired all of the lights that were not working for years.

### **SIXTH ORDER OF BUSINESS**

#### **Supervisor's Requests**

The Board addressed the following:

- Mr. Henson questioned when the ponds were tested and the results. Mr. Bradshaw stated Mr. McGrath takes readings the first day of each month, which were posted on the website. Some of them improved, but none deteriorated. Mr. McGrath reported they stabilized. Mr. Henson asked if the water was still turned off. Mr. McGrath stated the water has not been turned on for seven or eight months and all of the existing water was from the rain. Mr. Henson questioned the status of the pipe where the water flowed into the pond. Mr. Showe worked with the District Engineer on a letter to the owner, which was sent by certified mail, giving them 30 days. There has been no response. According to the District Engineer, the water should have gone into the sanitary sewer and not the District's stormwater system. It will be monitored.

- Ms. Glynn recalled discussion at the last workshop about fishing in the lakes. She suggested posting “Fishing by Authorized Personnel Only in Accordance with CDD Rules” signs versus “No Trespassing” signs. Mr. Bradshaw suggested “For Resident Use Only” signs versus using the word “Personnel.” After further discussion, this item was tabled until there was a problem and the Board needed to take action.
- Ms. LeCesne questioned the status of the stripes by the Redondo mailbox. Mr. Viasalyers was getting pricing. Mr. Showe recalled two projects would be completed one time since mobilization was \$1,500 for each activity. Ms. LeCesne noted asphalt bollards were supposed to be placed on the sidewalks and requested budgeting an additional \$300 to \$500. Ms. Glynn questioned why bollards were needed. Mr. Bradshaw explained people were driving on the sidewalk and proposed repainting the bollards a bright color so they would be seen. After further discussion, regarding the location of the bollards, there was Board consensus on allocating additional dollars and authorization for Ms. LeCesne to work with Mr. Viasalyers. Ms. LeCesne requested three separate tickets for these items and that the tickets be updated on the website.

**SEVENTH ORDER OF BUSINESS**

**Adjournment**

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

  
Secretary/Assistant Secretary

  
Chairman/Vice Chairman