

**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, June 28, 2021** at 10:30 a.m. at the Montecito Beach Club, 208 Montecito Drive, Satellite Beach, Florida.

Present and constituting a quorum:

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
William Viasalyers	Field Manager
Randy McGrath	Amenities Manager
Residents	

*The following is a summary of the discussions and actions taken at the June 28, 2021 meeting. A copy of the proceedings can be obtained by contacting the District Manager.*

**FIRST ORDER OF BUSINESS**

**Roll Call**

Mr. Showe called the meeting to order and called the roll. A quorum was present.

**SECOND ORDER OF BUSINESS**

**Public Comment Period**

Residents addressed the following:

- Residents (Susan Cossey, Simeon Drive) and (Peter Pacitti, Redondo Drive) asked if there was going to be gate once the new townhome construction was completed. *Mr. Bradshaw stated they were waiting for the project to be completed and at this time, there was no plan to install a gate.*

- Resident (Betsy Vincent, Redondo Drive) addressed the following:
  - Asked if the grass installed by the CDD that died would be replaced. Mr. Henson voiced the same concern. Staff were onsite on multiple occasions, showing Paradise what the area looked like and what was wrong with it. Mr. Viasalyers has a punchlist of improvements for that area. If Paradise did not remediate it, Mr. Bradshaw would have Paradise replace the sod at their expense.
  - Felt that Paradise was not checking the irrigation on a regular basis. They were in their car texting on their phones. Mr. Bradshaw witnessed Paradise inspecting the irrigation at Redondo Drive and Ventura Drive. Mr. Henson deferred to Mr. Viasalyers.
  - Asked why certain areas had flags. Mr. Henson stated they were utility flags.
  - Dead Palm trees on Carlsbad Drive near Montecito Drive and edging on sections of Carlsbad Drive. Mr. Henson stated these tasks were on Mr. Viasalyers punchlist.

Mr. Bradshaw requested a meeting with the new Paradise Account Manager. Mr. Henson was meeting with them on Monday. Mr. Bradshaw questioned when they would be in breach of contract. Mr. Showe suggested waiting until after the next report. Mr. Henson wanted to be onsite when Paradise performed wet checks to verify the wet checks were performed properly.

- Identified two abandoned chairs on Carlsbad Drive that Paradise employees were sitting in eating their lunch. Mr. Bradshaw requested that Mr. McGrath remove the chairs.
- Requested a status report on the beach area. Mr. Showe was working with Paradise on a landscaping plan. Mr. Bradshaw stated at the last meeting, the Board decided to hold off on the gazebo and focus on landscaping.
- Resident (Barbara Fowle, Clemente Drive) just moved into a townhome and questioned her responsibility for maintaining the lawn behind her property. Mr. Bradshaw explained that the backyard was the owner's responsibility and the part closest to the lake was the District's responsibility.

Mr. Bradshaw introduced Ms. Courtney Barker, City Manager for Satellite Beach. Ms. Barker stated the Board did a great job and the community was beautifully maintained. Soil and water sampling testing was performed by Patrick Air Force Base (PAB) who found there was no soil contamination, no chlorine and no volatile organic compounds.

Ms. LeCesne joined the meeting.

Ms. Barker reported that groundwater testing was performed by PAB and perfluorinated organic compounds (PFOCs) were found all over Brevard County. The city was working with PAB to take over recreational facilities and were writing a grant to resurface the tennis and basketball courts, replace fences and renovate bathrooms. Mr. Bradshaw questioned the timetable. Ms. Barker estimated a year, due to the time to get the grant. The city was planning to assume a portion of a dog park. Ms. Barker discussed other projects planned by the city. Discussion ensued.

Mr. Bradshaw questioned the status of The View project and movie theater in the Publix shopping center. Ms. Barker stated the city was working with Publix to get construction easements, but they were uncooperative. Ms. Glynn asked if the water tower would be dismantled. Ms. Barker confirmed the water tower would be removed because it hasn't been used for years and Cocoa Beach and Melbourne utilities partnered to build a water main along Pineda Boulevard. All site work was being completed for The View. The single-family home lots were sold to a builder. Mr. Hanson asked if the Board should be proactive about the groundwater, due to the PFOCs. Ms. Barker stated the next time there was groundwater testing, the District's lakes would be included in their samples. Mr. McGrath requested the CDD artesian wells be tested. Ms. Barker noted PFOCs would not be detected in artesian wells because they were too deep, but the lagoon should be tested as well as the stormwater ponds.

**THIRD ORDER OF BUSINESS**

**Approval of Minutes of the May 5, 2021 Meeting**

Mr. Showe received corrections to the minutes, which would be incorporated.

On MOTION by Mr. Bradshaw seconded by Mr. Weinreb with all in favor the Minutes of the May 5, 2021 Meeting were approved as amended.

**FOURTH ORDER OF BUSINESS**

**New Business Items**

**A. Public Hearing**

**i. Consideration of Resolution 2021-06 Adopting Amendments to the Amenity Rules**

On MOTION by Mr. Bradshaw seconded by Ms. Glynn with all in favor the public hearing to adopt amendments to the Amenity Rules was opened.

Mr. Showe explained the major changes. One was to add Item #21 to the Amenity Rules under *“General Facility Provisions,”* allowing both the District Manager and Amenities Manager to stop activities that might not be consistent for use of the facility as well as additional authority to stop certain events. The second change was to Exhibit A in the Schedule of Fees to replace facility access cards with access fobs. Mr. Weinreb asked if pool hours were included. Mr. Showe replied no, but according to the rules, the Board could set the pool hours throughout the season.

Mr. Bradshaw opened the floor to public comments. Hearing none, Mr. Showe presented Resolution 2021-06. At the request of Ms. Glynn, *“Two access cards/fobs”* would be included in the rules on Page 3.

On MOTION by Mr. Bradshaw seconded by Ms. Glynn with all in favor Resolution 2021-06 Adopting Amendments to the Amenity Rules was adopted.

On MOTION by Mr. Bradshaw seconded by Ms. Glynn with all in favor the public hearing to adopt amendments to the Amenity Rules was closed.

**B. Presentation of Number of Registered Voters – 734**

Mr. Showe reported in accordance with Florida Statutes, as of April 15, according to the Supervisor of Elections, there were 734 registered voters. No action was required by the Board.

**C. Discussion of Proposals****i. Proposal for Painting Lamp Posts**

Mr. Showe received a proposal for painting lamp posts east of the Clubhouse. Mr. Viasalyers stated the painting was for the east Clubhouse and not part of the painting completed years ago. The following options were presented:

1. One coat for 37 streetlights - \$3,700
2. Two coats for 37 streetlights - \$5,500
3. One coat for 12 stop signs or miscellaneous signs - \$2,475
4. Two coats for 12 stop signs or miscellaneous signs - \$3,715

Mr. Bradshaw asked if the streetlights in the single-family homes were holding up well. Mr. Viasalyers replied they were painted three years ago and were fading. He would ask for the vendor to include this in the quote. Mr. Bradshaw noted the proposal included the painting of 12 stop signs and other signs. Mr. Viasalyers stated to the best of his knowledge all signs and street signs were painted. Mr. Henson requested maintenance or repairs be made to the lamp posts prior to painting as the current poles had issues with the plastic base, oxidation on the poles and unsecured globes. Mr. Viasalyers confirmed the lamp posts were re-adjusted, but the rust was caused by erosion. Mr. Bradshaw suggested replacing the plastic bases with aluminum. Ms. Glynn suggested using an oil-based paint but was concerned about the cost. Mr. Viasalyers noted it was not a significant cost. Mr. Henson asked if the speed limit signs were included. Mr. Viasalyers replied affirmatively.

Resident (Doug Glass, Montecito Drive) asked if new signs were less expensive. Mr. Viasalyers replied no. Mr. Henson questioned why the poles on Ventura Drive needed to be repainted. Mr. Viasalyers noted some were corroded. Mr. Bradshaw requested staff send a demand letter to the HOA for failure to maintain the mailboxes. The CDD painted and cleaned the mailboxes, with the intention of Leland Management taking over the mailboxes and the HOA maintaining them; however, they did nothing and the paint was starting to chip. Ms. Wald encouraged residents to contact Leland Management. Resident (Doug Glass, Montecito Drive) asked if the proposal included painting stop lines. Mr. Showe recalled the Board wanted to wait until construction was completed. Mr. Showe asked if the Board wanted to set a not-to-exceed amount or received additional quotes. Mr. Bradshaw preferred to receive additional quotes. *There was Board consensus.*

**ii. Sound in the Amenity Center**

Mr. Showe recalled the Board wanted to improve the sound in the Amenity Center. A microphone was added to assist with the sound quality. Mr. McGrath did not notice any improvement because the acoustics of the building was not adequate. Mr. Bradshaw stated audio recordings of each meeting were available by request from the District Manager or they could purchase additional microphones for each Board Member’s chair. At a prior meeting, the Board approved two microphones and one amplifier; however, one microphone was not working. Resident (Peter Pacitti, Redondo Drive) suggested downloading software to their iPads to use with the iPad’s microphone. Mr. Showe would investigate. After further discussion ensued, Mr. Bradshaw directed Mr. Showe to obtain prices for additional microphones and provide at the next meeting.

**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**

**i. Consideration of Check Register(s)**

On MOTION by Ms. Glynn seconded by Mr. Bradshaw with all in favor the Check Registers for April and May were approved.

**ii. Balance Sheet and Income Statement**

Mr. Showe reported the District was in good shape with assessment collections at 99% and \$60,000 to the positive in the General Fund.

**D. Facility Manager**

Mr. McGrath stated the air conditioners had drainage issues, but he was able to clean them with the Shop Vac and commercial grade vinegar. Filters would be replaced every two months instead of three. The Shearwater entrance gate was installed and would open at 6:00 a.m. and close at 7:00 p.m. The purpose was to have it open during construction hours. Mr. Henson

questioned the problem with the air conditioner. Mr. McGrath stated the flow switch caused the system not to drain properly.

Mr. Bradshaw noted the weeds were out of control, coming out of pavers. Mr. McGrath stated the pest control contractor was supposed to spray the weeds. Mr. Bradshaw requested Mr. McGrath address this with Paradise. Mr. Henson was unhappy with Paradise. Mr. Viasalyers felt they were not performing adequately. The Account Manager was in place for two months, but only spent an hour to an hour-and-a-half onsite, promising to handle the issues, but items were not completed. Mr. Bradshaw requested Mr. Showe schedule a meeting with the owner of Paradise along with Mr. Viasalyers, Mr. McGrath, Mr. Henson and Mr. Showe. Ms. LeCesne would attend in Mr. Henson's absence if the meeting was scheduled between July 8 and July 18.

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

Mr. Viasalyers reported the new flooring installation should be scheduled in the next three or four weeks. He was waiting for a part for the pump by the South Patrick Drive entrance fountain. Staff cleaned all the gates except for the north perimeter gate, due to a hydraulics problem.

Mr. Henson discussed Ms. Vincent's landscaping concerns. Mr. Viasalyers reported over the past few months, Paradise's Irrigation Manager and Landscape Manager quit and since then, Paradise has not been responsible for the maintenance, telling Staff what they wanted to hear or did not follow up. Ms. LeCesne asked if Paradise was being paid. Mr. Viasalyers stated they were performing the basic requirements. Ms. Wald confirmed the first extension of Paradise's contract ended on April 1, 2021, and they were performing on a month-to-month basis. Mr. Viasalyers did not receive a date from Paradise on the Palm tree trimming, as they did not have the machinery. Mr. Bradshaw recalled when Paradise was hired, they owned the trucks and asked Mr. Showe to create a recurring ticket in the system to lock in a contract for the tree trimming. Mr. Viasalyers was waiting for Paradise to provide the installation date for the sod.

Mr. Henson asked about the dead Palm trees on Carlsbad Drive near Montecito Drive and the sod on Redondo Drive. Mr. Viasalyers would ask Paradise to remove the dead Palms today. Paradise promised to bring in 20 pallets of sod but did not say when. Mr. Henson stated the issue was not replacing the sod because they owed the District the sod, but that there was sufficient irrigation. Mr. Bradshaw proposed Paradise perform a wet check in front of Mr. Viasalyers and Mr. Henson. Mr. Viasalyers and Mr. Henson checked the irrigation and provided a list of ones not

working to Paradise. Mr. Bradshaw requested any future wet checks be handled by a third-party to verify what was working and not working and turn over any issues to Paradise to fix. Mr. Viasalyers noted another property that subs-out irrigation, had better results and response time. Mr. Showe stated the landscaper was responsible to ensure their subcontractor was doing the wet checks. Mr. Viasalyers would request a weekly report of wet checks performed by Paradise and compare to a graph showing when the water was turned on to determine whether Paradise performed wet checks.

Resident (Susan Cossey, Simeon Drive) asked if the CDD handled mole problems. Mr. Viasalyers stated the CDD could handle mole problems in CDD common areas; however, once the area was treated, the moles move to the next area. Mr. Bradshaw noted Leland Management handled personal owners' property. Mr. Henson stated there were mole issues in the entire community.

## **SIXTH ORDER OF BUSINESS**

### **Supervisor's Requests**

Mr. Weinreb questioned the status of the pallets of pavers on Redondo Drive. Mr. Bradshaw was waiting for an installation date to install the ones next to his driveway. Mr. Showe stated the owner of remaining pavers could not be identified because there were no identifying marks.

Mr. Henson addressed the following:

- Was working with Mr. Viasalyers on weed control and requested a status. *Mr. Viasalyers was told Paradise treated two weeks ago, but there were no signs of improvement.* Mr. Henson asked if they were currently spraying pesticides. *Mr. Viasalyers stated each month a monthly spraying schedule was provided.* Mr. Henson wondered if the District was getting what it paid for because when they ask Paradise to spray, they do not get a thorough spraying.
- A girl in the community that liked birds, dressed up like a bird and climbed trees looking for bird nests. Mr. McGrath noted she scared kids at the pool. *Mr. Bradshaw encouraged residents to contact the police or Child Protective Services to report an unsupervised minor.* *Ms. Wald advised this was not a CDD matter, so the Board could not take action and recommended calling the police.*
- Over the past several weeks, he and Mr. Viasalyers removed objects that were illegally placed on CDD property by residents, such as a fence next to the wall on



Montecito Drive, light posts in the CDD strip along the wall and trees planted along Redondo Drive on CDD property.

Mr. Bradshaw suggested removing easily removed items, educating residents in the newsletter, and posting a form letter on owners' front doors stating an item was removed from their property. Ms. LeCesne agreed with posting a notice and creating an inventory of removed items. If their action caused something needed to be corrected, a fee should be charged. Mr. Bradshaw agreed. If it was documented, the CDD could turn off their access cards for being in violation of the CDD rules. Ms. Wald advised if the resident does not remedy the violation, the CDD could remediate and send an invoice to the resident. If they did not pay, the CDD could turn off their access card. The CDD could also send a cease-and-desist letter.

- Questioned whether the pool employee was effective and if they should provide a daily or weekly report on any incidents or accidents, usage, status of the pool equipment, when to call the police and feedback on what was accomplished. Ms. Glynn agreed. Mr. McGrath observed less alcohol consumption.

Mr. Bradshaw proposed having the pool employee provide a weekly report with the hours worked, incidents, etc. and asked the Board Members to provide their questions to Mr. Showe to forward to the Board along with a copy of their timecard. Ms. Glynn asked if there was a contract with the pool employee. Mr. Bradshaw recalled the Board approved an at will contract, which could be cancelled at any time. Ms. Glynn thanked staff for posting the pool hours. Mr. Bradshaw stated the hours were posted on the website, which was updated last week and recalled new signs were posted. Mr. Showe was waiting on clarification on the pool rule sign for the maximum depth of the pool. There was a difference between the number posted on the wall and the actual depth. Mr. Bradshaw requested white tape be placed on the four "*Dusk to Dawn*," signs.

Ms. LeCesne was unaware of how the pool employee was doing and assumed she was doing fine. Mr. Bradshaw spoke to the pool employee, and they were doing fine. Ms. LeCesne asked about the sidewalk stains. Mr. Viasalyers would remove the rust areas. Ms. LeCesne asked if Mr. Showe was writing a letter to the owner of Paradise regarding the landscape issues. Mr. Showe would send an email telling them to be present for a special meeting. Ms. LeCesne thought the punchlist was well stated and very specific and thanked Mr. Showe, Mr. Henson and Mr. McGrath for staying on top of it, but wanted a solid plan to replace Paradise. Based on the amount of the contract, Mr. Showe and Mr. Viasalyers will contact other vendors they worked with;

however, the HOA and the CDD should have same landscaping company. Mr. Bradshaw proposed separating the irrigation contract from the landscaping contract. Mr. Showe stated there were irrigation companies that specialized in irrigation, but he preferred to have landscaping and irrigation under the same vendor. Mr. Bradshaw suggested a third-party inspect the irrigation. Mr. Showe suggested finding out if other landscaping companies were willing to provide a quote, based on the current situation. Mr. Bradshaw wanted Paradise to know the Board decided to entertain other landscaping companies, based on their performance. If the meeting did not go well, their payment would be withheld.

Ms. Wald advised there were problems throughout the state with retaining employees and suggested a retainage system of 10%, which would be released upon a positive inspection. Ms. LeCesne thanked Ms. Wald for her suggestion and requested it be implemented now as well as investigate other alternatives like Xeriscaping and other landscaping options. Mr. Bradshaw agreed with the retainage option and questioned the refurbishments of the pots at the front, which they were paying quarterly. Mr. Viasalyers would investigate it. Ms. LeCesne discovered the ticket for replacement bollards and asked if there was a plan. She preferred curb stops. Mr. Bradshaw clarified two bollards on Redondo Drive were supposed to be removed because they were rusted and replaced with one bollard. Curb stops were not an option because any truck could drive over them.


After further Discussion ensued, Ms. LeCesne proposed one marine grade bollard on Redondo Drive and keeping the concrete. Mr. Viasalyers would contact a concrete vendor to see if it was possible. Mr. Showe would update the ticket.

**SEVENTH ORDER OF BUSINESS**

**Adjournment**

On MOTION by Ms. LeCesne seconded by Mr. Weinreb with all in favor the meeting was adjourned

  
Secretary/Assistant Secretary

  
Chairman/Vice Chairman