

**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, September 26, 2022** at 10:30 a.m. at the Montecito Beach Club, 208 Montecito Drive, Satellite Beach, Florida.

Present and constituting a quorum:

Catherine LeCesne  
Ed Henson  
Tanja Glynn  
Eric Smith  
Joline Nivert

Chair  
Vice Chair  
Assistant Secretary  
Supervisor-Appoint  
Assistant Secretary

Also present were:

Jeremy LeBrun  
Ginger Wald  
Residents

GMS  
District Counsel

*The following is a summary of the discussions and actions taken at the September 26, 2022 meeting. A copy of the proceedings can be obtained by contacting the District Manager.*

**FIRST ORDER OF BUSINESS**

**Roll Call**

Mr. LeBrun called the meeting to order at 10:32 a.m. and called the roll. All Supervisors were present.

**SECOND ORDER OF BUSINESS**

**Public Comment Period**

There being none, the next item followed.

**THIRD ORDER OF BUSINESS**

**Approval of Minutes of the August 3, 2022  
Board of Supervisors Meeting**

Mr. LeBrun received corrections to the August 3, 2022 minutes, which were incorporated.



**D. Ratification of Amenity Management Agreement**

Mr. LeBrun presented the Amenity Management Agreement with GMS in the amount of \$81,000, which was included in the agenda package. The agreement was approved at the special meeting and was executed.

Ms. LeCesne moved to approve the Amenity Management Agreement with GMS in the amount of \$81,000 and Ms. Glynn seconded the motion.

Mr. Henson voiced concern about the Board ratifying something before they needed to if there was a possibility that the terms would change. Ms. Wald explained that from a legal perspective, the Board was ratifying the action previously taken to approve the agreement and the terms could change if services were not being provided. Ms. LeCesne noted that no one was being paid right now and when the replacement was found, if something needed to be adjusted, it could be changed, but if they did not get a person within the next couple of weeks, there was a backup plan. Mr. LeBrun pointed out that 30 to 40 applicants applied for the position, which was narrowed down to five. Three interviews were scheduled. Mr. Henson questioned whether they were using the same compensation and if Mr. LeBrun was still working onsite. Mr. LeBrun confirmed that the compensation was the same for 40 hours per week. Through September, he was onsite Monday through Friday, based on his availability, but was available virtually. Ms. LeCesne thanked Mr. LeBrun for his assistance, but it was not in the best interest of the CDD to have a District Manager mopping and scrubbing floors. She preferred having someone onsite for a couple of days, assisting with the newsletter, answering emails, updating the website and formulating the ticket system. Mr. Henson agreed and although he understood that the Chair and the District Manager hired the Amenity Manager, he asked if the Board could be involved in the decision making. Ms. Wald explained that it would be a GMS employee and not a District employee.

On VOICE VOTE with all in favor the Amenity Management Agreement with GMS in the amount of \$81,000 was approved.

**FIFTH ORDER OF BUSINESS**

**Staff Reports**

**A. District Counsel**

Ms. LeCesne questioned the status of the pool reimbursement at 418 Montecito Drive. Ms. Wald needed additional facts to provide any direction and wanted to have all of the potential damages identified before sending out the demand letter. Mr. Henson asked if effort was made to determine if the CDD should be responsible for certain items or if Paradise should be partially responsible. Ms. Wald stated this was part of the information gathering in order to make a determination on the responsibility and liability, which was ongoing. The District Manager was compiling information from the District Engineer such as as-builts to show whether the lines were within the CDD easement and properly marked in the as-builts and whether the entities that were supposed to identify them, did their job properly. Depending on the facts, there was the possibility of the area having to be surveyed. The District currently had an interim District Engineer and must go out for an RFQ because the District was required by law to have an engineer. Ms. LeCesne was in favor of proceeding with the RFQ process.

**B. District Engineer**

There being none, the next item followed.

**C. District Manager**

**i. Consideration of Check Register**

On MOTION by Ms. Glynn seconded by Mr. Smith with all in favor the Check Register for July 1, 2022 through July 31, 2022 in the amount of \$65,066.42 and for August 1, 2022 through August 31, 2022 in the amount of \$47,641.22 was approved.

**ii. Balance Sheet and Income Statement**

Mr. LeBrun presented the August 31, 2022 Balance Sheet and Income Statement. No action was required by the Board.

**• Field Manager (Item 5E)**

Mr. LeBrun reported a motor issue with the air conditioner at the Clubhouse and at the Gym, which had severe algae buildup, causing water to overflow onto the floor underneath it, damaging a section of it. Both units were repaired and they were working to replace the floors in the Gym. Ms. Glynn asked if the vendor could match the material of the floor. Mr. LeBrun believed

that they had the same product as the original floor. Ms. LeCesne noted that there was no maintenance agreement for the air conditioners and asked if the Facility Manager could handle the maintenance. Mr. LeBrun noted this would be part of their task, but if the Board wanted a maintenance agreement, he could circulate one. In the future, tablets and solution would be used to dissolve the buildup.

Mr. LeBrun reported that the parts for the pool lift were ordered. The battery was fully charged and Mr. Hatten was trying to get it to work. If the issue was with the controller, they had a proposal from Spies Pool (Spies) for an actuator. There was discussion about getting a cover for it. A proposal was sent to the Board from Surfside for pool repairs recommended by the insurance company in low spots such as in the shower and by the main drains. Mr. Hatten was preparing the community for Hurricane Ian. The gates would remain open in case the power goes out, so that First Responders could come in and out.

Mr. Henson voiced concern that the trim that separated the flooring had to be replaced in the Gym several times, due to weights being dropped on the floor. The weights did not belong to the CDD and were brought in by residents and suggested relocating the weights so they were not next to the trim or banning them. Ms. Glynn proposed posting a sign. Mr. Henson recalled that Mr. McGrath replaced the air conditioner filters once a month and questioned whether they wanted to continue doing that. Mr. LeBrun stated that the filters were replaced every three months. Mr. Henson reported that the shower was not turning off and the Women's pool restroom door was not closing properly. Mr. LeBrun stated that a valve was going to be replaced in the shower and staff would check out the shower. Mr. Smith suggested installing a rubber floor in the Gym. Ms. LeCesne pointed out that a resident could not bring weights into the Gym, due to liability issues. Ms. Wald confirmed that the rules state, "*Please replace weights to the proper location after use*" and "*Free weights are not to be dropped and only placed on the floor or equipment made specifically for storage of the weights.*" If someone violated these rules, the Board could revoke access cards. Ms. LeCesne was in favor of posing a sign reminding residents to remove all personal items and Gym equipment.

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

Mr. LeBrun reported if a resident comes into the facility and staff was not present, a sign was posted asking the resident to schedule a time.

**E. Field Manager**

This item was discussed.

**SIXTH ORDER OF BUSINESS****Supervisor's Requests**

Mr. Henson voiced concern about the wall on Montecito Drive, as there was only a 5 foot area of sod between the pavers and the wall, which caused pooling of water and suggested having a cutout at the base of the wall for water to escape. Mr. LeBrun stated that there was a cost involved for an engineer to take measurements. Mr. Henson asked if there should be a provision in the rules about residents flying drones, due to privacy issues. Ms. Wald advised that there were Federal and State Laws regarding drones and if there were issues with drones, residents should contact the City of Satellite Beach, due the proximity of the community to Patrick Air Force Base. It could not be in the rules because there was no way to enforce it. Mr. Smith thanked Mr. LeBrun and Ms. Nivert for cleaning out the office.

Ms. Glynn thanked staff for updating the website. She also requested that tickets from the ticket system be forwarded to the Board and that they receive a list of the tickets issued and their status. Ms. Glynn also requested quotes for signage in order to inform residents of the Board meetings." Mr. LeBrun recalled that Baytree approved \$9,000 for two signs with illumination. Ms. Wald suggested that the Board authorize a not-to-exceed amount for Mr. LeBrun to proceed with the sign, appoint a Board Member to work with Mr. LeBrun on the sign or post a temporary sign on a sign post. Ms. Glynn recalled that the HOA agreed to pay for a portion of the sign. Ms. Wald stated that at a prior meeting, the Board did not approve the digital sign. Ms. Glynn requested that this item be added to the agenda at the next meeting and informed the Board about a complaint that she received from a resident about a vehicle parked in a grassy area for overflow parking. This was permitted in their rules and she did not have a problem with the owner using it.

Ms. LeCesne addressed the following:

- Ticket System: She is going to work on the integration of the ticket system with a resident, Mr. Dan Bradley who understood the symantics and would program it. He needed pictures. If anyone wanted a specific feature, she requested that they contact Mr. LeBrun.
- Amenity Manager: Appreciated Mr. LeBrun and his staff working at the facility and requested a Friday update from Mr. LeBrun.

- Pool Times: Requested consensus from the Board on the actual times for the pool to be open. It was currently open from dawn to dusk and suggested leaving it dawn to dusk and putting it on the sign with a link to a website for sunrise and sunset times. If they had set times, they had to call Sonitrol for the doors to lock at a certain time.

Mr. Henson agreed with having the pool open from dusk to dawn. Mr. Smith preferred sunrise to sunset instead of dusk to dawn. Ms. Wald advised that the rules state that the swimming pool hours were posted and rotated in order to facilitate maintenance of the pool, swimming was permitted only during designated hours as posted and were subject to change at the discretion of the District Manager and swimming after dusk was prohibited. Ms. Glynn was in favor of having the posted hours be in compliance with the rules and on a sign with pre-printed numbers. Mr. Henson preferred that the Amenity Manager evaluate the pool times and make changes as needed. Ms. LeCesne wanted the magnetic tiles on the signs on the gates and bulletin board and not on the Clubhouse wall. Ms. Glynn believed that there were four signs. Mr. LeBrun would order the magnetic tiles.

- Amenity Manager: GMS was only hiring one full-time person and if they wanted someone to handle things at the Clubhouse, it must either be a vendor or a CDD employee, but if the CDD employee was out sick or on vacation, a Board Member must be at the Clubhouse. If it was a vendor, it would be for a specific purpose and they must be licensed and have liability coverage.

Ms. Glynn did not want to hire anyone until they had a full-time Amenity Manager and then evaluate if there was the need for additional support. Mr. Henson preferred having a vendor versus CDD employee. Mr. Smith agreed.

- Mapping: Recommended using a company to provide mapping as some of the as-builts were inaccurate.
- Budget: Since the budget was approved two and a half months ago, they needed items for the pool, landscaping and irrigation and requested that the Board discuss the budget at the next meeting. Ms. Glynn requested discussion on capital projects planned for this year such as the Gym equipment.

- Rental Event Coverage: She questioned whether they needed someone after hours coverage for events or having the Amenity Manager set up prior to the event or not having the event.

Mr. Henson suggested setting up the schedule so the Amenity Manager had flexible hours such as taking Friday off and working on Saturday. Mr. Smith suggested bringing this up during the interview process. Ms. LeCesne thanked the Board for their patience and requested that the Board handle their areas of oversight and utilize the ticket system. Mr. Smith suggested that the Board post updates on the website regarding irrigation outages, electrical issues, etc. Ms. Glynn encouraged the Board to utilize the ticket system for updates.

Ms. LeCesne recapped the following items that were completed at this meeting:

- The ECOR and Irrigation Pump Maintenance Agreements were approved.
- The disk filtration cleaning would be added as a line item.
- The pump station cleaning proposal was ratified.
- The amenity management proposal was approved as-is and would not be modified unless it comes before the Board.
- They would gather data for the pool reimbursement at 418 Montecito Drive.
- Staff was to proceed with an engineering RFQ.

Ms. Wald explained that the District currently had an interim engineer after formally going through the RFQ process and receiving no response and that the District acted in their best practice to retain an interim engineer. They were required to eventually proceed with another RFQ process and suggested starting the process at the beginning of January and not during hurricane season.

- District Staff entering a ticket for the Women's restroom.
- Staff would post a sign to remove personal items at the Gym and getting magnetic tiles for pool times.

Mr. Smith asked if the fountains were supposed to turn off at a specific time as Lake Sonoma was running 24/7. Mr. LeBrun stated they were supposed to turn off and would check it.




September 26, 2022

Montecito CDD

**SEVENTH ORDER OF BUSINESS**

**Adjournment**

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



Secretary/Assistant Secretary



Chairman/Vice Chairman