

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, January 25, 2023 at 10:30 a.m. via Zoom Communication Media Technology and at the Montecito Beach Club, 208 Montecito Drive, Satellite Beach, Florida.

Present and constituting a quorum were:

Catherine LeCesne
Ed Henson
Tanja Glynn
Richard Wellman

Chair
Vice Chair
Assistant Secretary
Assistant Secretary

Also present were:

Jeremy LeBrun
Howard "Mac" McGaffney
Michael Pawelczyk
Residents

District Manager
GMS
District Counsel by Zoom

The following is a summary of the discussions and actions taken at the January 25, 2023 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 10:30 a.m. and called the roll. All Supervisors were present.

SECOND ORDER OF BUSINESS

Public Comment Period

Mr. LeBrun opened the public comment period. Residents were asked to state their name and limit their comments to three minutes. Mr. James Bourdeau of 137 Clemente Drive questioned when the new landscaping company was starting. He and Mr. Mario Cafiero of 229 Montecito Drive asked if the Board was considering the use of skateboards and scooters within the community. Mr. LeBrun explained this was only a public comment period and the Board could

January 25, 2023

Montecito CDD

address it later in the meeting. There being no further audience comments, Mr. LeBrun closed the public comment period.

THIRD ORDER OF BUSINESS**Organizational Matters****A. District Management Transition to Howard McGaffney**

Mr. LeBrun introduced Mr. Howard “Mac” McGaffney to the Board. Mr. McGaffney was replacing Mr. LeBrun as District Manager. His first task was dealing with the abrupt departure last night of the current Amenity Manager, Ms. Tina Campbell. If the Board accepts him as their District Manager, Mr. McGaffney wanted to have direct oversight over the District and would work directly with the Board on projects. His hope was the Board would trust him and allow him the maximum leeway and latitude to run the District.

Mr. Henson appreciated what Mr. McGaffney said and felt that he would be an asset to Montecito, but voiced concern that the District had three Facility Supervisors within a year and this was the third District Manager. The Board was looking for sustainability and hoped that Mr. McGaffney would bring that to Montecito. Mr. Wellman agreed and felt that with his leadership with projects in other Districts, Mr. McGaffney would be extremely helpful to the Board. Ms. Glynn was sorry to see Mr. LeBrun leave and looked forward to working with Mr. McGaffney. She explained that the Board had been handling landscape and irrigation due to lack of trust with vendors. Ms. LeCesne appreciated the dedication of the Board to this community to do what was necessary, looked forward to working with Mr. McGaffney and thanked Mr. LeBrun for his service. Mr. Pawelczyk worked with Mr. McGaffney on a District in Homestead, which was doing great due to his management and looked forward to working with him. It was a positive change.

Mr. McGaffney acknowledged that change was difficult and the Board needed to do what they believed was right for the community, with the advice of the District Manager. He hoped to gain the Board’s trust and planned to meet with each Board Member independently to get to know them. Mr. McGaffney would do what was right for the District and help the Board come to consensus and make the tough decisions. They could not predict people leaving their positions, but his goal was to stay in Montecito and be upfront with the Board. Regarding areas of oversight, they must have the right people in place at the right time with the right skillset as well as the right quantity as one employee could not handle a District of this size. In his opinion, 40 to 50 hours per week, did not satisfy the needs of a community this size. Before Mr. LeBrun left, he would ensure that the Board had the right resources to get another amenity company and recommended that the

January 25, 2023

Montecito CDD

Board hire someone on an interim basis. The District had landscape challenges and they must work with the new landscape company on the immediate needs. In the meantime, Mr. McGaffney would work with the Supervisor who had oversight.

B. Consideration of Resolution 2023-04 Approving Assistant Secretary

Mr. LeBrun presented Resolution 2023-01, removing Mr. LeBrun as Assistant Secretary and adding Mr. McGaffney, which was included in the agenda package.

On MOTION by Ms. Glynn seconded by Ms. LeCesne with all in favor Resolution 2023-04 Approving Mr. Howard McGaffney as Assistant Secretary was approved.

C. Acceptance of Resignation of Supervisor Eric Smith

Mr. LeBrun announced that Mr. Eric Smith resigned as of December 13, 2022.

On MOTION by Ms. LeCesne seconded by Ms. Glynn with all in favor Mr. Eric Smith’s resignation effective immediately was accepted.

D. Consideration to Appoint Individual to Fulfill the Board Vacancy with Term Ending November 2024

Mr. LeBrun explained that the Board could choose to appoint a Supervisor today or announce the vacancy to the community and allow residents to submit Letters of Interest or resumes to the District Manager, which would be forwarded to the Board in advance of the February meeting. Mr. Wellman preferred to announce the vacancy to the community and consider applicants at the next meeting. Mr. Henson did not feel comfortable appointing someone without interviewing them. Ms. LeCesne hoped that they had a diverse representation of the community as the last time they went through this process, they had seven candidates, but only one single-family homeowner and suggested scheduling a workshop. Ms. Glynn agreed and questioned when the next workshop was scheduled for. Ms. LeCesne confirmed that one was scheduled for April. There was Board consensus to announce the vacancy and request Letters of Interest and resumes from residents for the Board review prior to the February CDD meeting.

E. Administration of Oath of Office to Newly Appointed Supervisor

F. Consideration of Resolution 2023-05 Electing Assistant Secretary

These items were tabled.

January 25, 2023

Montecito CDD

G. Discussion of Amenity Operations and Procedures

Ms. LeCesne recalled that the Amenity Manager left abruptly last night and there would be procedures and policies in place to hire a new one, but voiced concern about current coverage. Ms. Glynn questioned whether the District was in a better position since the prior Amenity Manager purchased new computers, got the system operating and sent email blasts. Ms. LeCesne stated that Ms. Campbell was stellar with her organizational skills, ensuring that the contracts were current and the invoices matched the work and contractors were paid on time. The District was up to speed with materials; therefore, anyone going into the office should be well equipped. Mr. McGaffney pointed out that Ms. Campbell left the keys and the building was locked and suggested that the Board enter into an interim agreement for an interim Amenity Manager until the next meeting while they solicit amenity management firms. Ms. LeCesne volunteered to handle any security issues such as gate malfunctions and providing access cards. Mr. McGaffney recommended communication with residents on what occurred and the plan going forward. Mr. Henson suggested utilizing the website for communication and sending an e-blast. Mr. Wellman proposed having a schedule so someone was onsite. Ms. Glynn preferred having signage. After further discussion, there was Board consensus for Mr. McGaffney to work with the Chair on having a sign posted at the office with a phone number to call, having someone in the office on an interim basis and working with the HOA and Master Association on an e-blast.

- **Discussion of Supervisors Areas of Oversight (Item 3H)**

Mr. McGaffney noted the following current areas of oversight:

- Lighting, Benches, Signage, Walls and fountains: Mr. Henson

Mr. McGaffney requested that Mr. Henson continue having oversight, until an Amenity Manager was in place, but if an issue could not wait until a meeting, Mr. McGaffney would have spending authority for any unforeseen circumstances, which would be ratified by the Board at the next available meeting.

- Landscaping, Irrigation & Pumps: Mr. Smith

Mr. McGaffney requested that Mr. Wellman serve in this capacity and if he needed information, resources or assistance, he would contact Mr. Wellman, but Mr. McGaffney would work with the Chair on the majority of issues.

- Rules and Financials: Ms. Glynn

January 25, 2023

Montecito CDD

Mr. McGaffney would get up to speed on the current policies and procedures. If any decisions needed to be made outside of a meeting, he would work with the Chair and District Counsel. Ms. Glynn stated if a resident had a complaint or an issue, there was an online forum on the website and asked if it would now be routed to Mr. McGaffney. Mr. McGaffney would handle any complaints in the short term. Ms. LeCesne reported that there were missing parking and towing signs, especially at each entrance. Mr. LeBrun recalled that Ms. Campbell ordered the signs and they just needed to be mounted. Mr. McGaffney would contact Ms. Campbell and get access to her emails. Ms. LeCesne recalled that Ms. Campbell was in the process of setting up a survey and analysis of the number of reporting issues. Mr. McGaffney would verify what was being tracked and how it was followed through.

- **Discussion of Amenity Operations and Procedures (Item 3G)**

Mr. McGaffney requested that the Board authorize the District Manager, with the assistance of the Chair and District Counsel, to solicit amenity management firms on an interim basis. Ms. Glynn recalled that there an agreement with Evergreen for a person and a half. Mr. McGaffney suggested staffing it seven hours per week and having a full-time field maintenance worker, full-time Amenity Manager and part-time Facility Assistant on the weekend. Mr. Henson felt that not much maintenance needed to be done. Mr. McGaffney suggested starting out with a part-time field maintenance worker and would include the hours and personnel in the scope. Mr. Pawelczyk suggested including in the Amenity Management Agreement. Mr. McGaffney proposed starting out with the Clubhouse Manager during the week and on the weekend if necessary and a part-time facility maintenance worker. Ms. LeCesne liked that Ms. Campbell quantified how much could be done by a maintenance person and formulated the contract based on availability, scope and cost and establish a relationship.

Mr. Wellman moved to authorize the District Manager, Chair and District Counsel to execute the interim Amenity Management Agreement to fill the immediate need for an Amenity Manager and Ms. LeCesne seconded the motion.

Since this item was not on the agenda, Mr. McGaffney opened the floor for audience comments. A Resident thanked Mr. McGaffney for providing his professional opinion. There being no further audience comments, Mr. McGaffney closed audience comments.

January 25, 2023

Montecito CDD

On VOICE VOTE with all in favor authorization for the District Manager, Chair and District Counsel to execute the interim Amenity Management Agreement to fill the immediate need for an Amenity Manager was approved.

Mr. McGaffney would prepare the scope and provide it to the Board at the February meeting. If they could not find anyone, he would inform the Board, but in the meantime, he would work with the Chair. The Amenity Center would be closed, but residents would have access through key cards.

H. Discussion of Supervisors Areas of Oversight

This item was discussed.

- **Discussion of Board meeting calendar and schedule modification** *(Added)*

Mr. McGaffney requested that the Board discuss the regular meeting dates, due to his travel constraints.

On MOTION by Ms. LeCesne seconded by Mr. Wellman with all in favor amending the agenda to discuss the regular meeting dates was approved.

Mr. McGaffney noted that no meeting was scheduled for March, with the exception of a workshop to discuss the budget and suggested scheduling monthly meetings instead of having the March workshop. Ms. LeCesne preferred to have a March regular meeting. Mr. Henson, Mr. Wellman and Ms. Glynn agreed. Ms. Glynn recalled that meetings were scheduled in the morning on Wednesdays and in the evening on Mondays to accommodate residents. Ms. LeCesne pointed out that residents were only coming to budget and special meetings. Mr. McGaffney preferred the current schedule, which was to meet on February 27, May 3, June 26, August 2 and September 25 in the morning, with the exception of the evening meeting for the budget. Mr. Pawelczyk had a conflict with the Baytree CDD and proposed that meetings be scheduled the first Wednesday of each month at 10:30 a.m. Ms. Glynn suggested meeting at 9:30 a.m. and asked if they were required to advertise the meeting schedule if they changed it. Mr. Pawelczyk suggested placing one advertisement with all of the meeting dates. Mr. McGaffney stated that GMS would pay for the advertisement since he requested the same, which required seven days' notice. Mr. Pawelczyk requested a draft meeting schedule for Board review at the February meeting. Ms. Glynn noted if

January 25, 2023

Montecito CDD

the Board approved the meeting schedule on February 27th, there was no sufficient time to meet the seven days' notice to advertise the March meeting. Mr. McGaffney suggested meeting in February as scheduled and having the new meeting schedule take effect in March. After further discussion, there was Board consensus to change the meeting schedule to the first Wednesday of each month at 9:30 a.m. effective April 5th, holding a budget workshop on March 1st at 9:30 a.m., a budget presentation at the June 7th meeting at 5:30 p.m. and having the February 27th meeting as scheduled at 10:30 a.m. and one advertisement with the ad changes to be covered by GMS.

Ms. LeCesne moved to approve the meeting schedule changes as stated above and Mr. Wellman seconded the motion.

Since this item was not on the agenda, Mr. McGaffney opened the floor for audience comments. A Resident voiced concern if the meeting schedule was changed to the morning, that new Board Members could not attend. Mr. McGaffney requested that the notice include the anticipated schedule of the meetings so that the candidates could plan accordingly. There being no further comments, Mr. McGaffney closed audience comments.

On VOICE VOTE with all in favor the meeting schedule changes as stated above was approved.

FOURTH ORDER OF BUSINESS

New Business Items

A. Discussion and Consideration of Demand Letter

Mr. LeBrun provided the demand letter for 418 Montecito Drive to reimburse the District for the mainline issues, due to their pool construction. Mr. Pawelczyk noted that he drafted in consultation with the former District Manager based on Ms. Ginger Wald's recommendation.

On MOTION by Mr. Henson seconded by Ms. LeCesne with all in favor authorizing staff to send a demand letter for 418 Montecito Drive was approved.

B. Consideration of Landscape Agreement

Mr. LeBrun recalled that District Counsel drafted the agreement at the request of the Board and it was sent to ProGreen Services, LLC. (ProGreen) for their review and signature. They signed it prior to a letter of termination being sent to Paradise. There was one strikethrough on Page 27.

January 25, 2023

Montecito CDD

On MOTION by Ms. LeCesne seconded by Mr. Wellman with all in favor the Landscape Management and Irrigation Services Agreement with ProGreen Services, LLC was approved.

C. Ratification of Fiscal Year 2022 Audit Engagement Letter

Mr. LeBrun presented an agreement with Grau & Associates (Grau) for auditing services, which was included in the agenda package. At the last Audit Committee Meeting, the committee selected Grau to engage in the Fiscal Year 2022 audit.

On MOTION by Ms. LeCesne seconded by Mr. Wellman with all in favor the Agreement with Grau & Associates for Fiscal Year 2022 Auditing Services in the amount of \$4,200 was ratified.

Mr. McGaffney thanked the Board for the opportunity to represent the Board. *Mr. McGaffney left the meeting.*

D. Review of Purchasing Procedures

Ms. LeCesne requested this item for the agenda due to an incident regarding Board Members opening accounts and purchasing items without Board approval. Mr. Henson suggested that the Board review the amounts that the District Manager or Amenity Manager could spend in between Board meetings. Mr. LeBrun stated that a resolution would be drafted, which would include the spending limits for the District Manager and Amenity Manager. Mr. Pawelczyk suggested setting a maximum spending amount. Mr. Wellman clarified that he did not open an account at ACE as it was opened by Mr. Randy McGrath five or six years ago, to purchase lights for the Christmas tree. Mr. LeBrun stated that the account was now closed. Ms. LeCesne stressed the importance of closing accounts when someone was terminated or resigned. Ms. Glynn requested that all accounts be closed until the amenity management situation was resolved.

E. Discussion of E-Bikes and Golf Carts

Mr. Wellman requested this item for the agenda due to people driving golf carts and electric bikes on sidewalks between Monterey Drive and the Clubhouse. Ms. Glynn stated that according to the rules, golf carts were prohibited on the District's right-of-way (ROW) or parking areas except for at the Amenity Center parking lot. Ms. LeCesne noted that she ticketed vehicles and there was currently a process where the first violation was a notice and the second violation was towing; however, the issue was how it was being enforced. Ms. Glynn proposed that parking issues

January 25, 2023

Montecito CDD

be handled by a Board Member in the absence of the Amenity Manager, placing a notice in the newsletter and sending an e-blast to residents to not drive golf carts and electric bikes on sidewalks. Ms. LeCesne would send out the e-blast. Mr. Wellman reported that the registration for a truck parked on Ventura Drive expired in July. Mr. Henson proposed that Board Members ticket vehicles that were in violation, as Board Members had this authority. Ms. LeCesne requested that a picture be taken of the ticket, the window where the ticket was placed and the license plate.

FIFTH ORDER OF BUSINESS

Staff Reports

A. District Counsel

Mr. Pawelczyk would work with GMS on an interim agreement for the Amenity Manager and the proposed purchasing policy resolution for the next meeting.

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. Wellman with all in favor the Check Register for November 1, 2022 through November 30, 2022 in the amount of \$44,585.94 was approved.

ii. Balance Sheet and Income Statement

Mr. LeBrun presented the December 31, 2022 Balance Sheet and Income Statement. The District was in good shape as assessment collections were at 92%. The remainder of assessments should arrive in the next couple of months. Mr. Henson questioned why they were still paying ADP fees, as Mr. McGrath was no longer an employee. Mr. LeBrun believed that there were prior claims and would verify with the accountant.

D. Amenity Manager

Mr. LeBrun presented the Facility Manager’s Report, which was included in the agenda package.

i. Lake Pasadena & Lake Sonoma Fountain Repair

Mr. LeBrun presented proposals from Cascade Fountains for the Lake Pasadena and Lake Sonoma fountain repairs, which were included in the agenda package. The Lake Pasadena fountain

January 25, 2023

Montecito CDD

repair was in the amount of \$1,925.20 and the Lake Sonoma fountain repair was in the amount of \$4,639.89. The budget for Fiscal Year 2023 for fountain service repairs was \$9,000 and \$7,000 was remaining. Mr. Henson agreed that the fountains should be repaired and requested that GMS provide an analysis of how much was spent on fountain repairs and replacements over a three-year period to track what was being spent on repairs. Mr. LeBrun would request a vendor history list from the accountant.

On MOTION by Ms. LeCesne seconded by Ms. Glynn with all in favor the proposals with Cascade Fountains for the Lake Pasadena and Lake Sonoma fountain repairs as presented were approved.

ii. Permitted Required Water Testing Proposal

Mr. LeBrun presented a proposal from ECOR for required water testing by the St. Johns Water Management District in the amount of \$360, which was included in the agenda package. This was for three wells. They were waiting for an answer to a question on one of the wells from the District Engineer. Mr. Henson felt that this was important, especially as they get into the dry season.

On MOTION by Mr. Wellman seconded by Ms. LeCesne with all in favor the proposal with ECOR to perform the permitted required water testing in the amount of \$360 was approved.

iii. Pool Service Proposal

Mr. LeBrun presented proposals from Beach Pool Service and Brevard Pools to increase the pool cleaning service from three days to five days per week, which was included in the agenda package. Beach Pool Service proposed \$1,500 per month for five days per week and \$980 for three days per week versus Brevard Pools, which proposed \$936 per month for five days per week and \$643 for three days per week. Mr. Henson did not feel that the pool needed to be cleaned five days per week but wanted to change pool vendors. Ms. LeCesne noted that Beach Pool Service was more money, but Brevard Pools was not cleaning the pool properly. Ms. Glynn preferred to wait until they hired the new Amenity Manager. Mr. Wellman agreed with changing vendors as he was not happy with Brevard Pools. After further discussion, there was Board consensus to table this matter until the Amenity Manager and District Manager were transitioned and the District Manager would obtain pool vendor recommendations for a future agenda.

January 25, 2023

Montecito CDD

iv. Playground Equipment Replacement/Addition

Ms. LeCesne was copied on an e-mail from a resident regarding a recall on the playground slide. Mr. LeBrun pointed out that per the vendor, the District had a climber, which was not part of the recall. Mr. Wellman pointed out that playground equipment was expensive. Mr. LeBrun recalled that Baytree spent \$30,000 for two swings and a dome climber. Mr. Pawelczyk suggested repurposing the space for another use. Resident Krystal Lynch of 682 Carlsbad Drive suggested replacing it with something inexpensive like a merry-go-around and offered to do a fundraiser to donate funds for the climber. Ms. LeCesne noted if residents were willing to help fund it, the District could accept donations. Mr. Pawelczyk advised that the District could accept donations as long as the donor dictated what the money was used for. Resident Doug Glass of 117 Montecito Drive requested a canopy over the equipment so it could be used year-round. After further discussion, there was consensus for Mr. Henson to work with Ms. Lynch on bringing ideas and proposals to the Board.

v. Signage

Mr. LeBrun reported that this item was for signage purchased at the Board's direction. Ms. LeCesne stated that the sign was in the office and needed to be mounted. Once the sign was approved by the Board, it would be mounted. The towing signs would be mounted as soon as they were shipped.

vi. Facility Operations Update

Mr. LeBrun reported that the gates were in the process of being repaired and would follow up with Florida Door Control (FDC) to add reflectors. Several of their invoices were unpaid as they were sent to an incorrect email address and were now being re-directed to the proper one. Ms. LeCesne pointed out that when the gate system was purchased in 2016, it was \$45,000 and in its current state, parts were missing and electrical wires were hanging out of it. Mr. Wellman recalled that they had a preventative maintenance contract. Ms. LeCesne noted that it lapsed. Mr. Wellman stated that the reflectors on signs at the Shearwater gate needed to be replaced and signs on the S. Patrick gate needed to be readjusted. Mr. LeBrun would ask Mr. McGaffney to follow up with Ms. Campbell. A Resident stated that signs were in the bushes adjacent to the gates.

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

January 25, 2023


Montecito CDD

Mr. Henson requested an update on the workers compensation claim from November of 2021, re-tightning of the north pedestrian gate, evaluation of the push bar, residents walking/riding in the middle of the street and rechecking a light Dr. Bourdeau filled out a ticket for, which was working two days ago. If the light did not work, he would bring down the American flag. Mr. Pawelczyk advised that there was not much that they could do about residents in the middle of the street, other than asking them to stop because it was a safety concern. Mr. Wellman reported a raised sidewalk by 769 Monterey that needed to be repaired. Ms. LeCesne requested it be marked with orange paint until a handyman could take care of it. Ms. Glynn recalled that tree roots were raising the sidewalk and suggested obtaining a proposal from ProGreen to remove trees from CDD sidewalks and that a damaged culvert on Monterey Drive be repaired. Mr. Pawelczyk advised that a permit was required to remove trees. Mr. Henson recalled that there were tickets from six months ago on the speed limit signs; however, there was another one was on the corner of Carlsbad Drive and Montecito Drive that was in bad shape. Mr. LeBrun suggested that Mr. McGaffney address these at the next budget workshop. Mr. Wellman requested that new fence gate by the pool equipment be tightened, the hose be addressed by the pool vendor as it was left on, removal of the lattice near the A/C unit and requested an update on the golf cart. Ms. LeCesne reported that it was now fixed and could be used by the Supervisors. Ms. Glynn asked if there were minutes from the last meeting. Mr. LeBrun stated that the December and January meeting minutes would be on the next agenda. Ms. LeCesne reported that the alarm at the Clubhouse was repaired. It was due to a faulty pull handle.


SEVENTH ORDER OF BUSINESS

Adjournment

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



 Secretary/Assistant Secretary



 Chair/Vice Chair