

**MINUTES OF MEETING
MONTECITO
COMMUNITY DEVELOPMENT DISTRICT**

A Special Meeting of the Board of Supervisors of the Montecito Community Development District was held on **Wednesday, January 5, 2022** at 5:00 p.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
Michael Pawelczyk <i>(by phone)</i>	District Counsel
Ray Malavé <i>(by phone)</i>	District Engineer
Alan Scheerer	GMS
Paradise Lawns & Landscaping Representatives	
Residents	

The following is a summary of the discussions and actions taken at the January 5, 2022 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.

- **Public Comment Period** *(Added)*

Resident (Mark Marquez, Carlsbad Drive) asked where the pipe was going to be moved to and if it would be above ground or below. Mr. Bradshaw stated it would be below ground in a location to be determined. Mr. Showe noted the intent was to move it completely onto CDD property from property known as “*The View*,” which was now separate from the CDD, due to a

settlement agreement. They wanted to ensure that the main line was on CDD property so the CDD had the full ability to repair it if anything happened.

SECOND ORDER OF BUSINESS

Discussion of Main Water Line Relocation

Ms. LeCesne joined the meeting.

A Representative of Paradise Lawns & Landscaping (Paradise) addressed the following:

- The affected area was a section of Carlsbad Drive just south of Clemente Drive past Redondo Drive to the wall on the north side. The area on Calsbad Drive south of Clemente Drive was already piped and needed some valves.
- On the east side of the sidewalk, the dirt would be raised a foot and a half.
- There would be a barricade between the sidewalk and the Carlsbad community.
- At some point in time, the CDD would no longer have access to the main line running north to south on the other side of the property. so, the CDD must do this.
- The water for the irrigation system along with the easement originated on the Carlsbad side of the community. The pipe runs parallel to the sidewalk.
- They would abandon the pipe as to cost to move it was excessive. The water would be turned off and the pipe would be cut. A new main line would be trenched under the existing easement (the grassy area between the street and sidewalk). A few sprinkler heads may be broken when the sod was torn out and one section of pavers would be removed. Concrete would be removed from a small section in the far northeast corner that had concrete and asphalt.
- They would replace any broken pavers, any broken sidewalk, all sod and reset all irrigation on the easement from the south portion of the property to the far northeast corner of the property.

Resident (Mark Marquez, Carlsbad Drive) questioned why this was designated an emergency meeting. Ms. LeCesne clarified it was not an emergency meeting. Mr. Showe confirmed it did not fit the Statutory definition of an emergency meeting and was advertised in accordance with Florida Statutes. Resident (Mark Marquez, Carlsbad Drive) asked why all of a sudden they were finding out about this. Mr. Showe explained that the Board had been working on this for the last three to four months.

- It would take between five and seven days to dig up the sod, install new pipe, put in new heads, dig up the pavers, re-install the pavers, dig up the concrete and put in the new concrete. They would lose Palm trees that could not be replaced towards the northeast corner because the pipe could not be placed around the tree due to the curvature of the road.

Mr. Bradshaw asked if the Palms could be relocated. The Paradise representative stated 75% of the time, the Palms would die because when something that old was pulled out of the ground, it would get stressed and die. Mr. Showe stated when the work was completed, the Board could look at landscape options. A question-and-answer session ensued and the following was addressed by residents:

- *Why the property was not in the CDD and if it could be grandfathered in.* Mr. Showe stated initially the property was a part of the CDD, but because of litigation it was separated out. Since it was not part of the CDD, the CDD did not want their infrastructure on that property. Mr. Bradshaw noted the builder wanted to put in a wall, but the CDD did not want them to not have access because if it breaks, they must get permission from seven property owners to repair it. The only decision of the Board was to approve the funding to move the main line.
- *Clarification that the irrigation was being used to water plants and was not tied into their irrigation.* Mr. Malavé explained the water was coming from CDD lakes, but would not be connected to the CDDs irrigation system. This was the most inexpensive option so they did not have to repair the wall. Mr. Bradshaw stated it impacted everyone because the main line connected to every home and the seven property owners would not have access to CDD irrigation. They would have their own system and source. Mr. Showe noted there was an aquifer that they occasionally drew water from, but it would also draw salinity, which would kill the grass.
- *Recalled when owners purchased their properties, they had an option to either pay CDD fees or property taxes.* Mr. Bradshaw explained in the CDD taxes, there was operation and maintenance (O&M) expenses as well as a bond payment for all CDD infrastructure. If residents wanted to pay off their bonds, they had that option. Mr. Showe noted no upfront payment.

- *If this took three months and the Board knew about it, why did residents not have a better understanding of how much it was going to cost.*

Ms. LeCesne felt the questions from residents were valid, but this was not an emergency. The irrigation line was for watering everything on CDD property. CDD areas were public areas. The irrigation feeds into spickets in residents' yards from CDD ponds. The main line was built along an area known as "*The View*," which was now separate from the CDD. Because of the litigation, the builder was able to discharge their stormwater into the CDD's water system, but they had their own irrigation lines. The only concern was where the main line was located because they were going to build on top of it. It was not cost effective for the CDD to remove it, as they must tear down the wall, dig out the pipe and pay for them to rebuild the wall, so the CDD was moving it now to get it out of the way. Ms. LeCesne wanted to know when construction would start, how long it would take to complete and how much it would cost. The Representative of Paradise anticipated the work taking five to eight days. A proposal was presented to the Board on December 10th in the amount of \$36,957, which included 15 pallets of sod, pipe, dirt, wire, labor and debris removal.

- *Why this meeting was designated an emergency meeting.* Mr. Bradshaw stated the CDD had the funds and were not asking residents for any additional money. Mr. Showe explained the purpose of this emergency meeting was to expedite the repair because the Board could not make any decisions outside of another Board meeting, which was not until the end of February.
- *When they would build the wall.* Mr. Showe stated the CDD had no control over what happened on private property.
- *Whether the CDD had leverage because the CDD was taking their stormwater.* Mr. Showe stated as part of the settlement agreement, they would pay for the stormwater maintenance costs.
- *The City of Satellite Beach was giving a presentation in January to Montecito residents. Residents should attend and ask questions to the city officials.*

On MOTION by Mr. Weinreb seconded by Mr. Henson with all in favor the relocation of the main line irrigation system was approved.

January 5, 2022

Montecito CDD

THIRD ORDER OF BUSINESS

Adjournment

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



Secretary/Assistant Secretary



Chairman/Vice Chairman