

**MINUTES OF MEETING
OF THE HABITAT
COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of the Habitat Community Development District was held on July 17, 2018 at 4:00 p.m. in the Bella Terra Clubhouse, 20070 Bella Terra Boulevard, Estero, Florida.

Present and constituting a quorum were:

Mark Novitski	Chair
Larry Roth	Vice Chair
Linda Gibson	Assistant Secretary
Cheryl Hampton	Assistant Secretary
Joe Napolitano	Assistant Secretary (via telephone)

Also present were:

Cal Teague	PDM District Manager
Pete Doragh	PDM District Attorney
Chris Pepin	<u>PDM Field</u> Manager
Jeff Satfield	PDM District Engineer
Residents	

The following is a summary of the actions taken at the July 17, 2018 regular meeting of the Habitat Board of Supervisors meeting.

FIRST ORDER OF BUSINESS

Call to Order and Roll Call

Chair Novitski called the meeting to order and District Manager Teague called the roll.

All were present with Supervisor Napolitano participating via telephone. Field Manager Chris Pepin, Attorney Pete Doragh and Engineer Jeff Satfield. The first thing to be addressed required the Boards' approval for Supervisor Napolitano to participate in today's meeting via telephone.

On MOTION by Supervisor Gibson seconded by Vice Chair Roth with all in favor, Supervisor Napolitano's participation via telephone was approved.

SECOND ORDER OF BUSINESS

Pledge of Allegiance

The Pledge of Allegiance was recited, and the next Order of Business followed.

THIRD ORDER OF BUSINESS

Approval of the Agenda

The Agenda was presented.

On MOTION by Supervisor Gibson seconded by Supervisor Hampton with all in favor, the Agenda was approved as presented.

FOURTH ORDER OF BUSINESS

Audience Comments on Agenda Items

Ms. Brenda Njiwaji and Ms. Jenny Licht were present representing The Landscape Subcommittee pointing out the upgrades, which need to be made to the single-family cul-de-sac areas. They further stated that they had worked with Estate Landscaping to develop a Proposal. This was discussed at length as well as the costs incurred with these cul-de-sac upgrades if approved by the Board.

FIFTH ORDER OF BUSINESS

Approval of the Meeting Minutes

A. Regular Meeting Minutes from June 19, 2018

The Regular Meeting Minutes from June 19, 2018 were presented with changes as follows:

- Line 287 changing HOA to Sub-Association HOA
- Line 297 changing Arleta to Barletta
- Line 299 changing Riley to Riley Abshire

On MOTION by Supervisor Gibson seconded by Vice Chair Roth with all in favor, the Regular Meeting Minutes from June 19, 2018 were approved as amended.

SIXTH ORDER OF BUSINESS

Staff Reports

A. Irrigation Contractor

Mr. Kring’s report was passed out at today’s meeting for discussion with questions/comments as follows:

- Chair Novitski questioned if the snail treatment was helping but felt it still has not really been long enough to tell. He asked that this matter be on next

month's Agenda to be better able to assess the progress of decreasing the snail population over time.

- Chair Novitski advised that the pumps that were referred to as needing work in Mr. Kring's report should be repaired prior to the start of "season." The District Manager advised that Mr. Kring submitted Proposal #1587 for replacement of one (1) 25 horsepower submersible pump at Pump Station 3 in the amount of \$13,993.33 and after discussing this with Mr. Kring via telephone, the Board approved this replacement pump but again reiterated the need of completing this prior to "season."

On MOTION by Vice Chair Roth seconded by Supervisor Gibson with all in favor, Proposal #1587 in an amount not to exceed \$15,000 for replacement of the PS-3 pump and repair of the I-7 pump was approved.

B. Lake Management Update

The Chair advised that spraying around the lakes seems to be underway. The Field Manager advised that he was not aware of any new issues and that the littorals are looking pretty good.

C. District Manager

i. Insurance/FEMA Claim Update

The District Manager advised that FEMA sent confirmation on receipt of the Appeal, which they will be reviewing. He further advised that a letter was sent to Congressional Representative Rooney, which was included in the Boards' packet for review. Chair Novitski reported that he will be meeting with the Village of Estero Public Works Director next Friday regarding future storm preparation concerns.

ii. Water Control Structure Concerns

The District Manager advised that the requested public documents were fulfilled, and that Field Manager Pepin will be painting the structure this week. Engineer Satfield summarized a meeting that he and District Manager Teague had with the Water Management District to discuss this water control structure. The finding was that the new structure had been

constructed as originally permitted, however, the developer obtained a modification, which permitted removal of a drain pipe at the lower elevation and reducing the head wall by 5.5 inches. This in turn created a water retention situation that would be at a higher elevation than that, which was originally permitted and the Engineer recommended that FWMD rescind the developer’s modification and keep to the original 2004 design. He further recommended silt removal as well as a few additional suggestions to alleviate ongoing resident concerns. Engineer Satfield is going to address permit issues at no cost to the District and will be present to discuss at next month’s meeting.

On MOTION by Supervisor Hampton seconded by Vice Chair Roth with all in favor, modifications to permits as needed were approved.

iii. Website Updates

The insurance company’s recommendation to engage legal representation in this matter was approved by the Board of Supervisors.

On MOTION by Supervisor Hampton seconded by Vice Chair Roth with all in favor, the insurance company’s recommendation for legal engagement was approved.

iv. Resolution for Adoption of Statewide Mutual Aid Agreement

Resolution No. 2018-04 for Adoption of the Statewide Mutual Aid Agreement was approved.

On MOTION by Supervisor Hampton seconded by Supervisor Napolitano with all in favor, Resolution 2018-04 was approved.

v. Follow-up

- The FY 2019 Budget, which will be presented at next month’s public hearing was presented for the Boards’ final review. The District Manager advised that notices will be sent out to residents as per

Florida Statute 720.303 as the Board will be considering a \$100/unit increase. This increase is being considered for roadway maintenance and/or possible resurfacing. These costs have been projected to exceed a million dollars and even with the annual surplus that the Board has operated from, there will still not be enough money to have the needed roadway reserve. Thus, the increase was felt necessary.

- Chair Novitski took this opportunity to remind the Board of Supervisors of their responsibilities regarding “Public Records,” what constitutes a “Public Record,” how these records are handled, and some of the different scenarios that Board members could face over time.

D. Field Manager’s Report

Field Manager Pepin’s report was included as part of the Agenda Packet with questions, comments as follows:

i. Project Updates

a. FY 2018 Maintenance Tasks

- Field Manager Pepin reported regarding trash removal along the lake banks, which is still underway. He stated that so far they have filled eight (8) of the 55 gallon trash bags.
- He reported that mowing is underway on a regular basis.
- There was some maintenance that was performed to the clock tower door and batteries were changed.

b. Solar Lights Update

The Field Manager reported that all three (3) lights have been installed, however there is an issue with the controllers. West Coast Electrical is working with Green Shine to alleviate the problem.

c. Storm Water System Televising Update

The Field Manager stated that MRI began televising the week of July 9 and the project should be completed by the next meeting.

d. Clubhouse Entrance Crosswalk Improvements Update

- Field Manager Pepin reported that the solar markers have stopped working and thus, has contacted the company where they were purchased. They are sending new ones at no cost.
- Chair Novitski had requested a proposal for installation of two (2) solar lights at this location as well, which was presented at the meeting, however, due to the concerns being expressed over the lights, no action was taken.

e. Clock Tower Painting Update

Field Manager Pepin reported that this project has been completed. He stated that there are concerns, however, on why the Permacast stone caps were sealed but not painted. He explained that not only does Sherwin Williams not recommend that these be painted but that there would be no warranty if they were painted because the stones are always wet with chlorinated water. The Board of Supervisors asked that Supervisor Gibson, Field Manager Pepin, the Collier Water District and Gomez Painting meet to discuss options that might be available to address the concern and report back at the next meeting.

f. Concrete Repairs

The scheduled concrete repairs are to begin during the week of July 30 by Conidaris Builders and are as follows:

- Curbing installation at County Pump Station
- Curbs, gutters and sidewalks updates

g. Battery Powered Irrigation Timer for Cul-de-Sacs Update

The single-family homes have been completed by Estate. They are also working on exchanging those at the townhomes and villas as well.

h. Roundabout and Additional Crosswalk Reflectors Update

These reflectors have been ordered, however, they are on backorder at the company. The Field Manager advised that a 10% discount as well as free shipping has been garnered due to the size of the order.

i. Tree Removal at 13418 Irsina Update

This is scheduled to be completed by Estate during the week of July 30.

ii. Project Tracking Log

Reviewed. Chair Novitski voiced his appreciation for this log as it is good for residents to be able to see what is being accomplished at any given time.

iii. Site Inspection Report for June

This report was reviewed as a part of the Agenda Packet.

iv. Work Order Requests

a. Other Proposals/Requests

• Plant Installation with Median Proposal

The planting request caused by Hurricane Irma to replace missing plants around a tree was presented.

On MOTION by Vice Chair Roth seconded by Supervisor Napolitano with all in favor, the replacement of the missing plants was approved for an amount not to exceed \$405.

E. Legal

i. Townhomes

a. Drainage Maintenance Request

Attorney Doragh reported receiving a letter from Bella Terra's Association Counsel. He further advised that he has discussed and corroborated data with the District Engineer and is working on a response.

F. Engineer

Engineer Satfield reported his main thing this week has been the preserve survey. He also reported that they received a response from the lighting vendor and that they recommended approximately 90 light poles (roughly one every 120 to 150 feet), which would thoroughly light the area up. After extensive discussion, question was raised as to whether Florida Power and Light (FPL) had responded about moving some of the trees and finally asked if the Engineer and Field Manager can work together to resolve this issue and tabled this for now.

G. Landscape

There being nothing further, the next Order of Business followed.

SEVENTH ORDER OF BUSINESS**Discussion / Action Items****A. 12 Acre Parcel in Front of Bella Terra**

Chair Novitski updated the Board of Supervisors and emphasized that the CDD has a vested interest in this parcel. He advised that this property is in the CDD and that the CDD owns the irrigation and storm water management system which would service the site. He further stated that if the HOA were to put in a parking lot with drains, that they would have to pay to connect and pay for the irrigation as well. However, by the same token if someone were to decide to sell this and develop the property putting townhomes in, the developer would have to put the infrastructure in for that. The CDD would then have to decide what the appropriate share of the CDD's infrastructure would be included on their tax bills.

B. Fish Stocking

The Board of Supervisors considered a Proposal from SoLitude for stocking of the lakes with Mosquito Fish. The Board approved 114,000 fingerlings at a cost of \$10,156 to stock ALL Habitat Lakes. Question was raised if anyone had checked with Lee County to see if they happened to be giving away free fish like Collier County was. The District Manager advised that no one from Lee County has gotten back with him in this regard.

On MOTION by Vice Chair Roth seconded by Supervisor Gibson with all in favor, 114,000 fish in the amount of \$10,156 was approved to stock ALL Habitat ponds.

C. Street Lighting Review and Upgrades Planning Discussion

This was discussed previously within the Agenda.

D. Cul-de-Sac Landscape Maintenance

This continues to be an ongoing issue as to how the CDD is going to maintain the 21 cul-de-sacs. The Board agreed to take these cul-de-sacs back in exchange for the Master accepting the maintenance responsibilities for the Guardhouse and installing an emergency generator. The Board continues to work toward a plan that will be fair and equitable to all concerned. The Master has taken over the Guardhouse and installed the emergency generator at their expense as per the agreement.

i. SFH Improvements

The plan submitted by the Single-Family Landscaping Sub-Committee was discussed but was not approved by the Board. Several options, however, were discussed to assist with cul-de-sac upgrades.

ii. Contracts with Sub-Association HOAs

The Board of Supervisors approved the Attorney and District Manager approaching the sub-associations to include single family, about entering into an agreement where they (the sub-associations) maintain their own cul-de-sacs with the CDD contributing \$1,000 per year for each cul-de-sac that is identified in the agreement.

On MOTION by Supervisor Hampton seconded by Supervisor Gibson with all in favor, authorization for the Attorney and District Manager to approach each sub-association including single family, with a maintenance contract option in an amount not to exceed \$1,000 per year per identified cul-de-sac was approved.

E. Roundabout Signage

Chair Novitski and the Field Manager will meet to discuss the roundabout signage.

EIGHTH ORDER OF BUSINESS Financials

A. Approval of Financial Statements, Check Run, and Bank Statements for June 2018.

The financials for period ending June 30, 2018 were presented.

On MOTION by Supervisor Hampton seconded by Vice Chair Roth with all in favor, the Financials for period ending June 30, 2018 were accepted as presented.

NINTH ORDER OF BUSINESS Communications

A. Estero Council of Community Leaders: Estero Development Report for June 2018

Received and distributed with no issues.

TENTH ORDER OF BUSINESS Supervisor's Requests

Chair Novitski asked about several proposals in the packet with the following actions being taken.

- The Board of Supervisors ratified the proposal from Collier Water Systems to replace the check valve and miscellaneous services at the clock tower fountain for \$3,570.

On MOTION by Vice Chair Roth seconded by Chair Novitski with all in favor, replacement of the check valve and miscellaneous services at the clock tower fountain in the amount of \$3,570 was approved.

- The proposal from Lykins-Signtek for \$690 to replace two (2) sign frames was approved.

On MOTION by Vice Chair Roth seconded by Supervisor Napolitano with all in favor, replacement of two (2) sign frames in the amount of \$690 was approved.

ELEVENTH ORDER OF BUSINESS Audience Comments

The following comments were received from the audience:

- Ms. Marilyn Kinsley expressed appreciation for the Field Manager’s update on the check valve issue.
- A resident gave recommendation of a contractor who has experience sealing stone to prevent the current discoloration which is occurring. The Field Manager will check on this further.
- Extensive discussion ensued over the cul-de-sac upgrades. Chair Novitski then asked that all Board members come up with a plan to present at the next meeting outlining how to proceed on these cul-de-sac upgrades going forward.

TWELFTH ORDER OF BUSINESS

Adjournment

There being no further Orders of Business, Chair Novitski adjourned the meeting at 5:46 p.m.

Chair Novitski adjourned today’s meeting at 5:46 p.m.

Calvin Teague
Secretary

Mark Novitski
Chair