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**MINUTES OF MEETING**

Each person who decides to appeal any decision made by the Board with respect to any matter considered at the meeting is advised that the person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which such appeal is to be based.

**HERITAGE ISLE AT VIERA  
COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of Heritage Isle at Viera Community Development District was held on **Tuesday, March 26, 2019 at 10:32 a.m.** at the Brevard County Government Center, located at 2725 Judge Fran Jamieson Way, Building C, Viera, FL 32940.

Present and constituting a quorum:

Jay Williams	<b>Board Supervisor, Chairman</b>
Bob Goldstein	<b>Board Supervisor, Vice Chairman</b>
Kenneth Bonin	<b>Board Supervisor, Assistant Secretary</b>
Jon Smallegan	<b>Board Supervisor, Assistant Secretary</b>
Kenneth Walter	<b>Board Supervisor, Assistant Secretary</b>

Also present were:

Anthony Jeancola	<b>District Manager, Rizzetta &amp; Company, Inc.</b>
Wes Haber	<b>District Counsel, Hopping Green &amp; Sams, P.A.</b>
Ana Saunders	<b>District Engineer, BSE Consultants</b>
Tony Romano	<b>Tropic-Care</b>
General Audience	<b>Present</b>

**FIRST ORDER OF BUSINESS**

**Call to Order**

Mr. Williams called the meeting to order and called the roll while Mr. Jeancola confirmed a quorum.

**SECOND ORDER OF BUSINESS**

**Audience Comments on Agenda Items**

Mr. McCauly expressed concern regarding the streetlighting issues posing safety concerns. He previously noted 21 lights being out in January and then 35 lights being out as of the night before. There will be an update regarding street lighting repairs as it is on the agenda.

Mr. Brady provided feedback regarding the streetlight situation. He stated that the financial statements show that \$5,417 is being spent monthly on 162 light fixtures. The lights are leased for \$7,907.00 per month. \$100.00 is paid monthly for FPL to inspect the lights. Discussion ensued.

Ms. Spedding expressed concern regarding the lights being too bright and somewhat blinding. She would also like to request emptying her spouse's ashes into the pond behind her home. Mr. Haber is unsure of any ordinances governing this action but he will get an answer. She asked about the distance between the easement and the edge of the waterway where the property sits. Ms. Saunders stated that it is a tract and that the homeowner does not own down to the water. Discussion ensued.

Mr. Roberts inquired about the pressure washing proposals and wanted clarification as to what was being included. Mr. Jeancola stated that these would be addressing sidewalks and curbing within the district boundaries. Vendors have also been asked to provide separate proposals for the driveway aprons, which the HOA can review.

Mr. Brooks commented on having a small crack in his driveway apron. He was told by a contractor that there isn't a building code in the County regarding expansion joints. Since about half of the homes in the community have expansion joints and half do not, those that do don't meet acceptable building standards. This has gone on for years and he was under the impression that an engineering firm was researching this further but money was spent and results were not provided. He intends to have the work done and will pursue legal action in order to be paid for the work. He commented on the streetlighting and stated that he sent an e-mail in February. He was told that there were two \$96,000.000 bonds that would be used to replace the lighting. He said that Lennar chose the "fancier" streetlighting but that the residents are paying for it. Discussion ensued. He expressed concern regarding BSE being the design engineer as he believes that the community is under water with failing streets, flooding yards and poor drainage. He believes that Ms. Saunders has worked hard to address many of these issues, he would like a third party to inspect the property. He disagrees with having the design builder inspect their own work. Mr. Williams confirmed that this was done several years ago and a positive report was received. Discussion ensued. He wanted clarification on if the LED lights would be replaced at no cost as they failed. Mr. Williams stated that this will be further discussed later in the meeting in greater detail. Discussion ensued. Mr. Goldstein asked that Mr. Brooks also brings these issues up to the other Boards as well. He confirmed that he has. Mr. Brooks appreciates the Board's work.

Mr. Taylor spoke with the HIDA the day before and submitted a report appealing that they don't interfere with the transition between the Associations and builder. Discussion ensued.

**THIRD ORDER OF BUSINESS**

**Consideration of the Minutes of the Board of Supervisors' Special Meeting held on January 22, 2019**

Mr. Williams reviewed the minutes with the Board of Supervisors. Mr. Jeancola noted that there was a scrivener's error brought to his attention in the motion box on line 148. It should read November 13, 2018 and not August 13, 2018.

On Motion by Mr. Goldstein seconded by Mr. Walter, with all in favor, the Board of Supervisors approved the minutes of the Board of Supervisors' Special Meeting held January 22, 2019, with noted changes, for Heritage Isle at Viera Community Development District.

**FOURTH ORDER OF BUSINESS**

**Ratification of the Operation and Maintenance Expenditures for January and February 2019**

Mr. Williams reviewed the amount for the Operation and Maintenance Expenditures for January and February 2019. Mr. Williams stated that he advised Anthony to stop all payments to FPL until clarification is received regarding the streetlighting issues. Discussion ensued.

Discussion ensued regarding amending the irrigation agreement. Mr. Haber briefly reviewed the process for amending the agreement. Consent from all parties would be needed. Discussion ensued.

On Motion by Mr. Walter, seconded by Mr. Smallegan, with all in favor, the Board of Supervisors authorized staff to prepare an amendment to the irrigation agreement for the Board's review, for Heritage Isle at Viera Community Development District.

Mr. Bonin commented on the \$8,600.00 paid for the bridge replacement in the January expenditures. He also noted that February's expenditures included a payment for \$48,000 for the replacement of five bridges. Mr. Jeancola indicated that the billing for East Coast Docks was previously approved for by the Board. The majority of the funds used for payments comes from a capital improvement funds. Discussion ensued.

Mr. Bonin brought up an issue that he brought up in the previous meeting regarding one of the bridge's top handrails. It appeared to utilize an inferior type of board and seemed rough. Ms. Saunders indicted that she spoke to the vendor and that they still have to perform all inspections as part of their contract. Discussion ensued.

On Motion by Mr. Bonin, seconded by Mr. Goldstein, with all in favor, the Board of Supervisors ratified the operation and maintenance expenditures for January 2019 in the amount of \$62,275.14 and February 2019 in the amount of \$95,600.28, for Heritage Isle at Viera Community Development District.

## FIFTH ORDER OF BUSINESS

## Staff Reports

### A. District Counsel

Mr. Haber brought up the prior motion regarding the irrigation agreement and asked for clarification as to what the Board's expectation was. He wanted to know if he should reach out to other Counsels in order to bring an amendment back for their approval. The Board agreed.

Mr. Haber briefly discussed the legislative hearings and will keep the Board updated once any laws pass. He informed the Board that he has to leave at 1:00 pm for a meeting at 3:00 pm in St. Augustine. He can participate by phone.

General discussion ensued.

Mr. Walter discussed sidewalk safety and courtesy for bicycles, golf carts and pedestrians and prepared a draft e-blast. While the District does not have policing power, a reminder would be something that he would like to have approved and sent out to the community. Discussion ensued. Mr. Haber suggested a line being added to the draft e-mail blast advising that each individual is responsible for knowing the applicable laws regarding bicycles and golf carts. Ms. Saunders suggested submitting an article to Viera magazine. General discussion ensued. There was discussion regarding golf carts not being allowed on the sidewalks and bike lanes for bicyclists.

Mr. Taylor discussed that the Viera trails are not intended for vehicular traffic. He also suggested permitting golf carts on the sidewalks.

Mr. Williams suggested a revised sidewalk e-blast in conjunction with the article for Viera.

Mr. Goldstein would only like to distribute an article in the Viera magazine only.

### B. District Engineer

Ms. Saunders discussed the HIDA driveway apron repairs with the Board. Ms. Bell, a representative of HIDA, reached out to her requesting information on how to analyze driveway cracks. Ms. Saunders suggested that if they undertake any repair work, conversations should also be had with the District.

C. District Manager

Mr. Jeancola briefly discussed the approved installation of hedges is almost complete. He stated that there have been recent conversations regarding plant material growing within ponds' edges. The aquatic vendor is aware and has a restriction as to what can be treated. There is a particular plant which is considered non-invasive plant material called Gulf spike rush. FWC considers it beneficial. It tends to trap trash and debris. The vendor is trying to obtain an amended permit put in place to legally allow them to treat it as it is a nuisance. Discussion ensued.

Mr. Goldstein noted that the property at 3981 Funston located at the corner of one of the bridges, has weeds in the backyard leading to the bridge and into water's edge. Mr. Goldstein noted that this was brought up two years ago. It was determined that this is on District property.

D. Field Service Manager

Mr. Jeancola introduced Mr. Bell to the Board as Mr. Green has transitioned into a new position.

Mr. Williams asked if the field service report could be posted on the website separately from the agenda.

Mr. Bell discussed and reviewed the report dated March 1, 2019 with the Board. General discussion ensued.

Mr. Smallegan commented on the missing landscape box covers. Mr. Romano indicated that they are typically replaced on a weekly basis.

E. Tropic-Care

Mr. Romano updated the Board regarding a few miscellaneous items.

Mr. Walter provided photos asked about the clover leaf/dollar weed near the water's edge. Mr. Romano stated that there are state and county regulations that must be followed. Discussion ensued.

*The Discussion Regarding Northern Gate and Duran Golf Course Access  
item was taken out of order*

Mr. Walter provided photos and discussed the northern gate and Duran Golf Course access issues with the Board.

General discussion ensued.

Mr. Romano previously suggested fencing. Ms. Saunders will work with Mr. Romano on obtaining bids.

On Motion by Mr. Goldstein, seconded by Mr. Smallegan, with all in favor, the Board of Supervisors approved obtaining pricing for fencing on the east side and moving the west side fencing, for Heritage Isle at Viera Community Development District.

*The Discussion regarding HIDA Natural Gas Line Installation item was taken out of order*

Mr. Jeancola stated that it was brought to the District's attention that as a part of the HIDA pool renovations there may be an effect on some of the District's infrastructure.

Ms. Bell from HIDA advised Florida City Gas needs as - builts and pond elevations.

Ms. Saunders stated that while some as - builts may be available and can be sent to HIDA, Florida City Gas will have to do locates.

Mr. Haber discussed a potential agreement as well as stipulations that may need to be reviewed.

**SIXTH ORDER OF BUSINESS**

**Discussion Regarding Legacy  
Boulevard Street Lighting Repairs –  
Florida Power and Light**

Mr. Walter stated that the lighting repair work will start sometime next week. The repairs will be alike and be consistent from south to north. This is anticipated to be completed in 2 weeks.

Mr. Smallegan inquired about the brightness of the lumens.

Mr. Goldstein asked about the globes. Mr. Walter advised that they should be repairing those as well and that he would confirm with Jarrett from FPL.

Mr. Williams stated that he would like authorization from the Board to engage District Counsel for the purpose of sending a demand letter/correspondence to FPL in a not to exceed amount of \$1,000.00.

On Motion by Mr. Goldstein, seconded by Mr. Walter, with all in favor, the Board of Supervisors authorized engaging District Counsel for the purpose of sending a demand letter/correspondence to FPL in a not to exceed amount of \$1,000.00, for Heritage Isle at Viera Community Development District.

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**SEVENTH ORDER OF BUSINESS**

**Discussion regarding HIDA Natural Gas Line Installation**

*This agenda item was taken out of order*

**EIGHTH ORDER OF BUSINESS**

**Discussion Regarding Norther Gate and Duran Golf Course Access**

*This agenda item was taken out of order*

**RECESS – 12:55 p.m.**

**RECONVENE BOARD MEETING –1:11 p.m.**

**NINTH ORDER OF BUSINESS**

**Consideration of Infrastructure Inspection Report Proposal – BS Consultants, Inc.**

Ms. Saunders reviewed the proposal and general process involved (i.e.- infrastructure ranking). A per the meeting held last August, the report and bids are for applicable repairs.

Ms. Saunders indicated that she would pursue multiple bids, however, Watson has been the only vendor to submit a bid in the past.

<p>On Motion by Mr. Smallegan, seconded by Mr. Walter, with all in favor, the Board of Supervisors approved the proposal received from BSE Consultants, Inc. for the infrastructure inspection report, for Heritage Isle at Viera Community Development District.</p>
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**TENTH ORDER OF BUSINESS**

**Consideration of Pressure Washing Proposals**

General discussion ensued.

Mr. Goldstein suggested obtaining a 3<sup>rd</sup> quote from an additional vendor.

Mr. Bonin would like to approve the bid.

After further discussion, the Board tables this agenda item until the next scheduled meeting.

**ELEVENTH ORDER OF BUSINESS**

**Audience Comments and Supervisor Requests**

Ms. LaBrecque thanked the Board for speaking into the microphones during the second half of the meeting. She requested that the Board consider restrictions on hedge heights.

Mr. Taylor provided a handout to the Board of Supervisors appealing for district support regarding the transition litigation process of the HIDA and HIRVA, provide insurance to repair any damage to homeowner property resulting from irrigation related ruptures, and assure homeowners of protection provided by the CDD. Discussion ensued. Mr. Williams requested that the Board have more time to review his request and would discuss at a future meeting.

There were no Supervisor requests at this time

Mr. Jeancola announced that the next meeting is scheduled for Tuesday, May 21, 2019 at 10:30 a.m.

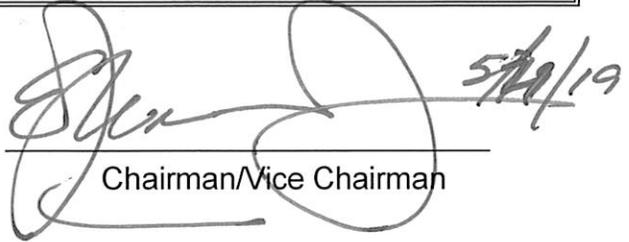
**TWELFTH ORDER OF BUSINESS**

**Adjournment**

On Motion by Mr. Walter, seconded by Mr. Goldstein, with all in favor, the Board of Supervisors adjourned the meeting at 2:38 p.m. for Heritage Isle at Viera Community Development District.



Secretary/Assistant Secretary



Chairman/Vice Chairman