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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, May 21, 2019 at 10:30 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 (<i>in-progress</i>)</b>
Jarrett Daniels	<b>Representative, FPL</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**

There were no audience comments on agenda items at this time.

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**THIRD ORDER OF BUSINESS**

**Presentation/Update Regarding FPL  
Streetlighting Repairs**

Mr. Walter thanked Mr. Daniels and his team for assisting with the repairs. They initially had 34 lights out in the District. There have been 27 lights repaired to date. The District is now down to only 7 being out. Mr. Daniels advised him that these repairs should be done within the next week.

Mr. Daniels advised they intend to have the remaining repairs done by the end of this week. Discussion ensued.

Mr. Walter discussed the updated process for observing and reporting.

Mr Goldstein asked about the globes and expressed concern regarding the globes being unstable during high winds and the potential for them to break and fall.

Mr. Smallegan asked if both lights being out on a double fixture indicated a power outage or damage to the pole. Mr. Daniels stated that it could be a number of things. Discussion ensued.

Mr. McCauley thanked Mr. Walter and Mr. Daniels and his team. He inquired about the bridge lights being under FPL jurisdiction. Mr. Walter responded that they might be, but they are not the District's responsibility. They are the HIDA's responsibility. Mr. McCauley asked who was responsible for any tree trimmings touching the lights. Mr. Daniels stated that this is the District's responsibility. Mr. Williams said that this could be brought to the tree vendor's attention.

A resident wanted to confirm that all payments to FPL were withheld until clarification was received regarding the streetlighting issues. Mr. Williams confirmed that payments were withheld.

**FOURTH ORDER OF BUSINESS**

**Consideration of the Minutes of the  
Board of Supervisors' Meeting held on  
March 26, 2019**

Mr. Williams reviewed the minutes with the Board of Supervisors.

<p>On Motion by Mr. Smallegan seconded by Mr. Walter, with all in favor, the Board of Supervisors approved the minutes of the Board of Supervisors' Meeting held March 26, 2019, with noted changes, for Heritage Isle at Viera Community Development District.</p>
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**FIFTH ORDER OF BUSINESS**

**Ratification of the Operation and Maintenance Expenditures for March and April 2019**

Mr. Williams reviewed the amount for the Operation and Maintenance Expenditures for March and April 2019. The April expenditures were inclusive of the pine bark. General discussion ensued.

A motion was made by Mr. Bonin and seconded by Mr. Smallegan, to approve the operation and expenditures for March 2019 in the amount of \$28,887.38 and April 2019 in the amount of \$52,826.73, for Heritage Isle at Viera Community Development District.

Mr. Goldstein opposed as he did not review.

Mr. Williams discussed a motion to adopt the new lighting procedure. Mr. Jeancola believes that this is the best course of action to be sure that FPL follows through. Discussion ensued.

On Motion by Mr. Goldstein, seconded by Mr. Smallegan, with all in favor, the Board of Supervisors approved the adoption of a new lighting procedure for Legacy Boulevard, for Heritage Isle at Viera Community Development District.

Mr. Walter indicated that this will go into effect in June.

**SIXTH ORDER OF BUSINESS**

**Staff Reports**

A. District Counsel

Mr. Haber presented and discussed the Consideration of Response to Resident Letter Appeal, RE: Irrigation System, with the Board. The appeal factually provided allegations regarding the status of the irrigation system. The letter is dated March 26, 2019. Mr. Haber discussed and reviewed the District's response to each of the three requests as follows:

1.) The first request asked for support and encouragement of the transition litigation process of the HIDA and HIRVA in all matters specifically involving property administered by the District. Mr. Goldstein asked what can be done as a resident and if the District can assist. Ms. Saunders confirmed that the correct pipe/material that was used was correct at the time of installation and as specified in the plans. Discussion ensued

2.) The second request asks that proper insurance is provided to repair any damage to homeowner property resulting from ruptures of irrigation mainline as administered by the District. Discussion ensued.

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The letter provides detail with regards to the resident's allegations as they pertain to the irrigation system itself. The District holds industry standard insurance and these documents are public record. Discussion ensued.

3.) The third request states that they inform and assure homeowners of protection provided by the District. Discussion ensued.

The District, without doing anything further, is satisfactorily fulfilling any obligations as it pertains to the irrigation system.

Mr. Romano stated that he only found one piece of material that should not have been used in 15 years. There has never been a rupture in the mainline system itself. Discussion ensued.

Mr Goldstein asked if there was any other way to resolve this matter rather than spend more time and money on it. Mr. Haber doesn't believe that there is a way to just resolve the issue and agrees that a response will more than likely be received.

On Motion by Mr. Goldstein seconded by Mr. Bonin, with all in favor, the Board of Supervisors approved and directed District Counsel to send the Response to Resident Letter Appeal, RE: Irrigation System, to Mr. Taylor, for Heritage Isle at Viera Community Development District.
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B. District Engineer

Ms. Saunders stated that the inspection report will commence in June. General discussion ensued.

Mr. Bonin asked if this inspection will include an inspection of the culvert drains by the gazebo. Ms. Saunders believes that this is included.

Mr. Walter indicated that he received feedback from homeowners regarding the irrigation system valve tops that are imbedded into the sidewalks. They pose a trip hazard. He provided a handout to the Board. Ms. Saunders recommended grinding the sidewalk down to get rid of the abrupt lip/edge. She also pointed out that these previous construction practices are no longer being used in newer phases. It was a standard construction practice in previous years.

Mr. Walter indicated that there is a bench in need of repair. Discussion ensued regarding replacing the benches if not repairable.

On Motion by Mr. Goldstein seconded by Mr. Walter, with all in favor, the Board of Supervisors approved that Tropic Care make the necessary repairs/replacement of 2 benches, for Heritage Isle at Viera Community Development District.
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Mr. McCauley suggested pressure washing the benches. It was advised the benches are to be pressure washed when the sidewalks are cleaned.

C. District Manager

Mr. Jeancola briefly discussed the irrigation agreement with the Board. He has been in contact with Mr. Walter and Mr. Haber. Mr. Walter has also been in contact with parties from both the HIDA/HIRVA. Everyone is in agreement to a streamline process at this point.

Mr. Haber added that in looking at the agreements, there appears to be an agreement with the HIDA. However, it seems that the HIRVA is fulfilling the responsibilities. He advised that HIDA and the District consent to a signed contract to HIRVA or terminate the contract with HIDA and enter into the same contract with HIRVA. There is more needed than just an amendment since the District would fundamentally be changing the party with whom they are contracting to provide these services. Discussion ensued.

On Motion by Mr. Williams seconded by Mr. Walter, with all in favor, the Board of Supervisors directed District Staff to work with HIDA/HIRVA to effectuate the payment system procedure change with regards to the irrigation maintenance agreement and authorized final review and execution by Chair, for Heritage Isle at Viera Community Development District.

D. Field Service Manager

Mr. Jeancola reviewed the Field Service Report dated May 3, 2019 with the Board. He discussed some housekeeping items which included securing valve tops and cleaning up after trimming, edging or weed whacking.

He asked Mr. Romano about treating to prevent the fungus on Indian Hawthorn Valley Way, Vallejo and Quint. Mr. Romano stated that it just has to be treated as it comes.

Discussion ensued regarding the aeration of the ponds being the first step to addressing issues upon the banks.

Ms. Zahler asked if this would include the area behind Kline Lane. Mr. Jeancola confirmed that it would.

Mr. Romano indicated that everything on the report was completed. He has 2 proposals to put together for the District which include the parks and standing water issues on the sidewalk. He asked the Board how long should it take for water to leave the sidewalk after a rain event. Mr. Williams suggested 24 hours. Discussion ensued.

E. Tropic-Care

*Discussed held under Field Service Manager's Staff Report*

Mr. Goldstein asked if trees are mature enough to be cut and if they are ready for hurricane season. Mr. Romano stated that they are and suggested phasing them into the budget so that they can start to go through them. Discussion ensued.

Mr. Walter asked about the proposal regarding the fence at the northside. Mr. Romano reminded the Board that he recommended moving the fence from the entry gate down to the water. Ms. Saunders and Mr. Romano will meet on-site. Discussion ensued.

**SEVENTH ORDER OF BUSINESS**

**Presentation of Registered Voter Count**

Mr. Jeancola stated that the registered voter count was 2,471 as of April 15, 2019 per the Supervisor of Elections office.

**EIGHTH ORDER OF BUSINESS**

**Discussion Regarding HIDA Gas Line Installation Project**

Mr. Jeancola provided the Board with a handout from Florida City Gas regarding the proposed installation locations for the HIDA pool project/gas line installation. Discussion ensued.

Mr. Haber advised that there are recorded easements permitting such work and that any damage caused would be under common law.

The Board directed District Staff to look into applicable specifics regarding the installation, repair to damage, and applicable easements related to the project with HIDA.

Mr. Haber asked Mr. Herb if HIDA had entered into the agreement. Mr. Haber would like a copy of the agreement between the HIDA and Florida City Gas.

The Board expressed concern regarding potential damage.

Mr. Haber asked if the District could be added to the Florida City Gas HIDA agreement as an additional interest/party for the protection of its infrastructure.

A special meeting may need to be held in July.

<p>On Motion by Mr. Smallegan seconded by Mr. Walter with all in favor, the Board of Supervisors directed District Staff to review and have Chair work with staff and entities as necessary, for Heritage Isle at Viera Community Development District.</p>
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**NINTH ORDER OF BUSINESS**

**Presentation of Proposed Budget  
Fiscal Year 2019/2020**

Mr. Jeancola presented and reviewed the fiscal year 2019-2020 proposed budget with the board. The budget allocations propose \$133,830.00 for administrative expenses, \$720,800.00 for field expenses, and \$14,000.00 for reserve funding. The assessments are proposed to maintain at the same level by utilizing a balance forward from general fund surplus in the amount of \$32,688.00. Discussion ensued.

*Consideration of Resolution 2019-03, Accepting the Proposed Budget Fiscal Year 2019/2020 and Setting the Public Hearing*

On a motion by Mr. Smallegan, seconded by Mr. Walter, with all in favor, the Board approved 2019-03, Accepting the Proposed Budget Fiscal Year 2019/2020 and Setting the Public Hearing (August 27, 2019 at 10:30 a.m. at Brevard County Government Center, 2725 Judge Fran Jamieson Way, Building C, Florida Room, Viera, FL 32940), for Heritage Isle at Viera Community Development District.

**TENTH ORDER OF BUSINESS**

**Review of Arbitrage Rebate Report  
Special Assessment Revenue  
Refunding Bonds, Series 2013A-1  
(Senior Lien) and Series 2013A-2  
(Subordinate Lien)**

Mr. Jeancola reviewed Arbitrage Rebate Report Special Assessment Revenue Refunding Bonds, Series 2013A-1 (Senior Lien) and Series 2013A-2 (Subordinate Lien) with the Board. There was no cumulative rebate liability.

On Motion by Mr. Williams, seconded by Mr. Bonin, with all in favor, the Board of Supervisors approved the Arbitrage Rebate Report Special Assessment Revenue Refunding Bonds, Series 2013A-1 (Senior Lien) and Series 2013A-2 (Subordinate Lien), for Heritage Isle at Viera Community Development District.

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**ELEVENTH ORDER OF BUSINESS**

**Consideration of Pressure Washing Proposals**

Mr. Jeancola presented the pressure washing proposals as follows:

**1. Blown Away Pressure Washing**

- a. Sidewalks - \$31,050.00
- b. Curbing - \$29,850.00

**2. Space Coast Pressure Pros**

- a. Sidewalks - \$29,850.00
- b. Curbing - \$58,468.00

Discussion ensued regarding having Blown Away service the sidewalks. The curbs on Legacy would be pressure washed only as a test. Discussion ensued regarding rust removal.

<p>On Motion by Mr. Walter, seconded by Mr. Goldstein, with all in favor, the Board of Supervisors approved the sidewalk pressure washing proposal received from Blown Away Pressure Washing in the amount of \$31,050.00 and only curbing on Legacy in the amount of \$4,842.75, for Heritage Isle at Viera Community Development District.</p>
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**TWELFTH ORDER OF BUSINESS**

**Audience Comments and Supervisor Requests**

Ms. Rossen asked about the fountain by the clubhouse. The Board advised that she speaks with the HIDA as it is their responsibility. She noted that she observed something attaching themselves to the oak trees on Legacy and believes that they are killing the trees. Mr. Romano stated that it is not a bug, and they are just a part of the tree.

Ms. Zahler thanked the Board for a productive meeting.

Mr. Rossi asked about the oak trees on Camberly. He asked if they can be straightened out before hurricane season. Discussion ensued.

Mr. Walter asked Mr. Romano if they could rake the mulch back more than an inch into the beds on the sidewalks along Legacy. Mr. Romano stated that adding sod was discussed. Mr. Williams asked for a proposal.

Mr. Bonin asked about adding a fence around the new pump station. Mr. Romano suggested shrubs. Discussion ensued as it has been difficult to obtain fence proposals.

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**THIRTEENTH ORDER OF BUSINESS**

**Adjournment**

On Motion by Mr. Williams, seconded by Mr. Goldstein, with all in favor, the Board of Supervisors adjourned the meeting at 1:25 p.m. for Heritage Isle at Viera Community Development District.



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Secretary/Assistant Secretary



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Chairman/Vice Chairman