

## **MINUTES OF MEETING**

*The following is a summary of the actions taken at the Habitat Community Development District (CDD) Board of Supervisors meeting.*

### **HABITAT COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of Habitat CDD was held on May 21, 2019 at 4:00 p.m. in the Bella Terra Clubhouse at 20070 Bella Terra Boulevard in Estero, Florida.

#### **Present and constituting a quorum were:**

Mark Novitski  
Larry Roth  
Linda Gibson  
Jenny Licht  
Joe Napolitano

Chairman  
Vice Chairman  
Assistant Secretary  
Assistant Secretary  
Assistant Secretary (telephone)

#### **Also present were:**

Cal Teague  
Chris Pepin  
Tad Kring  
Residents

District Manager  
Field Manager  
Irrigation Specialists

#### **FIRST ORDER OF BUSINESS**

#### **Call to Order and Roll Call**

The meeting was called to order and the District Manager called roll. All Supervisors were present, with Supervisor Napolitano participating via telephone. The Field Manager and Mr. Kring were also present for today's meeting.

On MOTION by Vice Chairman Roth, seconded by Supervisor Gibson, with all in favor, the Board voted to allow Supervisor Napolitano to participate in the meeting via telephone.

#### **SECOND ORDER OF BUSINESS**

#### **Pledge of Allegiance**

After reciting the Pledge of Allegiance, the next Order of Business followed.

#### **THIRD ORDER OF BUSINESS**

#### **Approval of the Agenda**

The Agenda was approved as presented.

On MOTION by Vice Chairman Roth, seconded by Supervisor Napolitano, with all in favor, the Agenda was approved as presented.

**FOURTH ORDER OF BUSINESS****Audience Comments on Agenda Items**

- Reas Grabber spoke on the swale behind 21027 Torre del Lago. He stated the problem with the swale is that during heavy rains the water gathers behind about three or four houses and stays there. Instead of the swale working properly and the water getting carried to the lake it just sits behind these houses, creating both an insect and landscaping issue.
- Mike Rubin asked why there was no communication with the Sub Association's about getting their reimbursement for the cul-de-sacs. The Board stated this will be discussed during financials.
- Mike Rubin also commented on the stones placed around the lamp posts stating that it looks like they were just dumped there.

**FIFTH ORDER OF BUSINESS****Approval of Meeting Minutes****A. Regular Meeting Minutes from April 16, 2019**

The Meeting Minutes were presented and accepted as amended with changes as follows:

- On line 117 The Chairman needs to be changed to Supervisor Napolitano.
- On line 256 and 257 this needs to be broken into two discussions with a period after "a streetlight at this location". Then it should read "Supervisor Gibson said that near the garbage cans in this area, there is a very dark area to drive or walk by".
- Somewhere in the document is the word payed and it should be edited to be paid.

On MOTION by Supervisor Gibson, seconded by Supervisor Licht, with all in favor, the Regular Meeting Minutes from April 16, 2019 were approved as amended.

**SIXTH ORDER OF BUSINESS****Staff Reports****A. Irrigation Contractor**

Mr. Kring was in attendance and reported that everything is running smoothly. He stated there was an issue with pump station number four. It overheated and raised the new suction lines and they floated right out of the water. They got that fixed, but one pump still wasn't working. They discovered the heat sensor was old and bad, so they replaced the heat sensor. One pump still wasn't working, and they found out that the bad heat

sensor set off something in the VFD. They rebooted and reset it and now it is working. They also brought the suction lines back down and replumbed the piping.

The Chairman would like to have the Field Manager, Mr. Kring and Water Works work together and decrease the amount of water to the clock tower fountain by about 10%. The Chairman would also like them to work on resolving the issue of the water from the fountain being blown onto the bushes and spreading mulch all over the sidewalk. The fountain also overflows and spreads mulch all over the sidewalk. The Board discussed getting a weather station at the clock tower to turn the fountain off if the wind speed is 15 mph or over and to turn it off if there is a half an inch of rain or more. Water Works suggested putting in a variable speed drive, an overflow pump or a UV light and a variable speed pump on a circulation motor. The Board asked for estimates next month for all of these items as well as an estimate pertaining to monitoring the fountain remotely.

## **B. Lake Management**

The District Manager distributed an estimate for lake sample testing for \$400 per two samples. The Board decided to start this project with two of the oldest lakes in the community, Lake 1 and Lake 4 for a not to exceed amount of \$1,600.

On MOTION by Vice Chairman Roth, seconded by Supervisor Gibson, with all in favor, the estimate for lake testing is approved for a not to exceed amount of \$1,600 for Lake 1 and Lake 4.

## **C. District Manager**

### **i. Website Update**

The District Manager reported that everything is on schedule and the website should be ready by the end of July. The District Manager also reported that the Board should be able to get their email on their phones once the new website is ready.

### **ii. Annual Audit Update**

The District Manager discussed a letter that was received with a request for more information and notified the Board that the audit should be ready by the next meeting. Also discussed was a letter that was received with an overview of what the audit will include.

### **iii. G.I.S. Project**

The District Manager stated that Mr. Lemus is still working on this project.

The Chairman explained to the Board that the County came out and mapped water and sewer lines in the community. Given this was done very recently, the Chairman asked Mr. Lemus to get with the County and see if he can get this information to add to the G.I.S. project in the future.

#### **iv. Approval of Fiscal Year 2020 Budget/Set Public Hearing**

The District Manager presented the budget for review, discussion and questions. After the District Manager discussed the budget and answered all questions, the Board adopted Resolution 2019-02 setting the Public Hearing for August 20th and adopting a tentative budget.

On MOTION by Supervisor Napolitano, seconded by Vice Chairman Roth, with all in favor, Resolution 2019-02 is approved.

#### **v. Engineering Proposals**

The District Manager notified the Board that they received two Proposals, but proposals were requested from seven different companies. However, five of the companies were busy. One of the proposals received is from the current company CPH and the other is from Hole Montes. The District Manager discussed whether the Board would like to delay and ask for more proposals or go ahead and interview the companies that sent in these proposals. The Board asked the District Manager to go ahead and create a ratings sheet for these companies for the next meeting. The board also asked for a proposal from Banks Engineering.

#### **vi. Notification of Registered Voters**

The District Manager spoke about this briefly.

#### **vii. Arbitration**

The District Manager stated to the Board that this is a copy of the Arbitrage Report for this year. It is showing that they have negative arbitrage which is a good thing.

On MOTION by Supervisor Licht, seconded by Vice Chairman Roth, with all in favor, the Arbitrage Report is accepted.

#### **viii. Follow-up**

There being none, the next item of business followed.

**D. Field Manager's Report****i. Project Updates****a. Preserve Areas Yet to be Staked/Marked**

The Field Manager, Mr. Pepin, drew the Boards attention to a map under Project Updates in the Agenda Packet. Mr. Pepin explained that the green lines represent where the new markers have been placed and the red lines represent areas that haven't been staked yet. The Board asked how many stakes are left in inventory, to which Mr. Pepin stated approximately 250. The Board asked that Mr. Pepin get a proposal from CPH to break the red sections up into two sections and complete the two sections.

**b. Maintenance Tasks Update**

Mr. Pepin notified the Board that he went around for a day spraying the utility boxes and now he is waiting for the chemicals to soak in and start working.

**c. Concern/Complaint Log**

The Board reviewed these and there were no comments or questions.

**d. Clock Tower Update**

- **Spotlights and Outlets**

Mr. Pepin stated that the spotlights have been ordered and he is waiting for West Coast Electrical to deliver them. He was told they will be installed by early June.

- **Fountain Cleaning and Maintenance**

The Field Manager reported that the new filters are working great and that the fountain looked crystal clear today.

- **Clock Tower Maintenance Agreement**

Mr. Pepin called PH Bell for a service call and was notified that the owner of the company suffered an injury to his shoulder and is out of commission for a year. Unfortunately, he is a one-man company. Therefore, Mr. Pepin reached out to the previous company Verdin and they submitted a semi-annual maintenance proposal. Verdin's pricing is similar but a little more.

On MOTION by Supervisor Gibson, seconded by Vice Chairman Roth, with all in favor, the contract with P.H. Bell is to be cancelled and a thirty-day notice sent out.

On MOTION by Vice Chairman Roth, seconded by Supervisor Licht, with all in favor, the contract from Verdin is accepted.

#### **e. Speed Cushions Update/Discussion**

Mr. Pepin reported that the Village of Estero has requested a permit for the speed cushions from D&G. Mr. Pepin also reported that he is waiting to hear back from the fire department to see if the speed cushions get approved because they have final say. If the fire marshal approves them, then the permit will be given. The Board inquired as to the cost of the permit and Mr. Pepin estimated the cost around \$800. There was a lot of discussion regarding removing the speed cushions, keeping them or keeping them for a short period of time such as a few months and then reevaluating.

A motion was made by Vice Chairman Roth to remove the speed cushions and it was seconded by Supervisor Gibson, but it was tabled until next month for further discussion. Vice Chairman Roth requests a traffic count to see how important keeping the speed cushions are. More data is to be collected by Vice Chairman Roth, such as the traffic count and speeding ticket information from the HOA. If the speed cushions don't get removed, Vice Chairman Roth hopes to get the speed cushions lowered as he can't go more than 5 miles per hour over them.

#### **f. Sapling Planting Update**

Mr. Pepin reported that they are waiting to plant the saplings in the last week of June, when there is more frequent rain.

#### **g. New Aerator Hoses and Air Stations for Lake 14 Update**

This task has been completed by Vertex. Vertex found good tubing in the lake so there was a reduction of cost for the work by \$1,742.55. The Board was pleased with this news.

The Chairman asked about the farthest South aerator on Lake 7 and Mr. Pepin reported that it is up and running. It had a clogged airline, so they cleaned out the airline and air station.

### **ii. Project Tracking Logs**

The Chairman asked about the rocks being placed around the signs. Mr. Pepin stated that they are doing the project utilizing the guidelines of how it was

previously, so they are putting the rocks out as far as a foot around the signs. The Board asked about how often these areas are getting sprayed and Mr. Pepin responded that maintenance is spraying those areas every two months.

### **iii. Site Inspection Report for May**

Reviewed with no questions or comments.

### **iv. Work Order Requests/Proposals**

There being none, the next Order of Business followed.

#### **a. Other Requests/Proposals**

There being none, the next Order of Business followed.

### **E. Legal**

There being nothing to discuss, the next order of business followed.

### **F. Engineer**

There being nothing to discuss, the next order of business followed.

### **G. Landscape**

There being nothing to discuss, the next order of business followed.

## **SEVENTH ORDER OF BUSINESS**

## **Discussion/Action Items**

### **A. Lake Naming Report**

Supervisor Licht discussed that she has a list put together but is still gathering name suggestions. She stated that she probably won't be ready to present the name suggestions until July or August. The theme she chose was Mediterranean.

### **B. Lighting Option(s) for Cobble Stone Crosswalk**

The Field Manager presented an estimate from West Coast Electrical to install two LED light fixtures at Cobble Stone crosswalk for \$7,850 plus another \$1,500 just in case.

On MOTION by Supervisor Gibson, seconded by Supervisor Licht, with all in favor, the estimate from West Coast Electrical for two LED light fixtures is approved for a not to exceed amount of \$10,000.
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The Board asked the Field Manager to get with Estate Landscaping and other necessary individuals and notify them of this project.



**C. Additional Cypress Trees Along Empty Shore Lines**

The Field Manager presented two estimates for 47 Cypress Trees. One from Lake and Wetland Management for \$1,410 and one from SOLitude for \$2,303. Given the fact that the estimate from Lake and Wetland Management was more reasonably priced, the Board chose to award them the project.

On MOTION by Supervisor Gibson, seconded by Vice Chairman Roth, with all in favor, the estimate from Lake and Wetland Management for 47 Cypress Trees is approved for \$1,410.

**D. Lake Sediment Testing**

Discussed under 6. B. Lake Management.

**E. Swale behind 21027 TDL**

The Field Manager recommended having the Engineer do a survey for the elevation and see if there is a low spot as this drain is not draining properly. This drain is collecting water behind several homes and creating an issue for the homeowners. The District Manager explained that technically the CDD owns this property, but ownership has not been transferred over yet. The Board discussed fixing the elevation of the drain or possibly replacing the swale with pipes. The Board gave the Field Manager a discretionary amount of \$3,000 for CPH to do a survey of the elevation and for this project to be completed however the Field Manager feels is best.

**F. Update on Aerator System Upgrades**

The Field Manager put together a list of the aerators that have been upgraded.

**G. Estero Fire Rescue Letter**

This item was not discussed.

**H. Updated Erosion Map Review**

The Field Manager created a map showing the erosion in the community. It is color coded to show the priority levels with red being the most severe, yellow is a medium priority level and blue is low priority.

**I. Clock Tower Operation During Wind and Rain**

Discussed under 6. A. Irrigation Contractor.



**J. Crosswalk Across BT Blvd., Nearest Corkscrew Rd.**

This item was not discussed.

**K. HOA Landscape Committee Concerns**

There are five pots by the guardhouse that are considered an eye sore by the HOA Landscape Committee and they would like to remove them. The Board discussed extending the bull nose out to remove these planters. However, if there is an emergency then this area is blocked. The Board asked the Field Manager to get with CPH and have them look at this and see if they would be allowed to extend the bull nose.

**EIGHTH ORDER OF BUSINESS****Financials****A. Approval of Financial Statements, Check Runs, and Bank Statements for April 2019.**

The financial statements were presented and accepted.

On MOTION by Vice Chairman Roth, seconded by Supervisor Napolitano, with all in favor, the Financials for period ending April 30, 2019 were accepted.
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**NINTH ORDER OF BUSINESS****Communications****A. Estero Council of Community Leaders: Estero Development Report for April 2019****i. <https://esterotoday.com/estero-development-reports/>**

Reviewed with no comments.

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

- Supervisor Gibson commented that it would be a good idea for the HOA to extend the roof of the guard house.
- Supervisor Napolitano discussed the process for the cul-de-sac maintenance and for the HOA's to get paid. He stated that he spoke with Alliant about sending over a payment and even sent over a sample of an invoice for them to create. The HOA's get paid quarterly and they can't get paid unless they send in an invoice.
- Supervisor Licht commented on the warranty for the new Cypress Trees as she was concerned about the trees getting taken care of properly and getting enough water. The Field Manager explained that they are getting planted during rainy season and will be planted next to the lake banks, so the trees won't have a problem getting water. She was also concerned with any chemicals getting sprayed near the trees and the Field Manager explained that nothing gets sprayed that close to the lakes.

- Supervisor Roth commented that there is a new website that shows the progress with Corkscrew Road. He also suggested to the Field Manager a website, washsafe.com, that looks environmentally friendly.
- Supervisor Napolitano stated that people are still crossing where they blacked out the crosswalk and he is concerned this is a safety issue. The Chairman stated that he is hopeful that once they have the actual crosswalk lit up that people will stop doing this and use the actual crosswalk.

**ELEVENTH ORDER OF BUSINESS****Audience Comments**

- Ed Caputo asked about the warranty on the plants. He also commented about the clock tower fountain and its importance to the community. He stated that turning the fountain off during peak hours would not be ideal. The Chairman stated that is why he would like to go with the variable speed pumps suggested by Water Works.
- Jim Meeks commented that the Board should hold off on doing anything with the speed humps until they receive something in writing from Estero Fire. He stated that getting permits is getting difficult and that they are requiring permits for almost everything.
- Billy Huskins who has lived at 21767 Bella Terra Boulevard since November of 2009, stated that his wife and kids were coming home on May 9 and it was flooded where they live so they decided to go down Velino Lane. Their car got flooded out and stuck in the street and it ruined their engine. Now they must purchase a new engine for their car. He is being charged \$1,026 out of pocket to get his engine replaced and he feels as though the CDD should help him with the cost as there was not more than two or three inches of rain that day. The Board stated that the streets are meant to flood so that the homes don't flood. Therefore, unfortunately the CDD cannot help with the cost. The Board recommended they pull over and wait it out next time and within 45 minutes the streets will be clear of the flooding.
- Don Pointer informed the Board that Bosco Court, a newer road that was put in around 2011, is sinking. The Board asked that the Field Manager turn this into Lee County Sewer and Water to have them come look at it.

**TWELFTH ORDER OF BUSINESS****Adjournment**

There being no further Orders of Business, Chairman Novitski adjourned the meeting at 6:04 p.m.

On MOTION by Supervisor Napolitano, seconded by Supervisor Licht, with all in favor, the meeting was adjourned at 6:04 p.m.

**Next Meeting: June 18, 2019 at 4:00 p.m.**

  
**Secretary/Assistant Secretary**

  
**Chairman/Vice Chairman**