

MINUTES OF MEETING  
VIERA EAST  
COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Viera East Community Development District was held on Thursday, August 29, 2019 at 6:00 p.m. at the Faith Lutheran Church in the Multi-Purpose Room, 5550 Faith Drive, Viera, Florida.

Present and constituting a quorum were:

Paul McCarthy	Chairman
David Bedwell	Vice Chairman
William 'Bill' Oakley	Secretary
Jo Walsh	Treasurer
Melinda Thomsen	Assistant Secretary

Also present were:

Jason Showe	District Manager
Residents	

**FIRST ORDER OF BUSINESS**

**Roll Call**

Mr. McCarthy called the meeting to order at 6:00 p.m. All Supervisors were present.

**SECOND ORDER OF BUSINESS**

**Public Comment Period**

There being none, the next item followed.

**THIRD ORDER OF BUSINESS**

**Approval of Minutes of the July 25, 2019 Meeting**

On MOTION by Ms. Walsh seconded by Mr. Oakley with all in favor the minutes of the July 25, 2019 meeting were approved as presented.
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**FOURTH ORDER OF BUSINESS**

**Public Hearings**

Mr. Showe: This is a public hearing to consider the rules, rates, budget and assessments for the upcoming fiscal year. First, we need a motion to open the public hearing.

On MOTION by Ms. Walsh seconded by Ms. Thomsen with all in favor the public hearings were opened.

**A. Rules and Rates**

**i. Consideration of Amendments to Attachment A to Chapter IV of the Rules of Procedure**

**ii. Consideration of Golf Course Rates for Fiscal Year 2020**

Mr. Showe: We have two attachments. Attached to the rules and rates is Attachment A, which are the Rules of Procedure. They remain unchanged for this upcoming year. I think Tim was happy with the golf rules we were able to put together last year so are no changes. It would be a Board consideration of re-affirmation. What has changed are the rates. Attachment A has a range of rates. The CDD is required for anything we charge a fee for, to have a range of rates that lay out that fee. So that is what this chart does. It's important to note that this sets a ceiling and a floor for those rates. That's why they are wide. Behind that are the actual rates that we are going to charge. There is a daily golf rate as well as a schedule for greens fees, golf cart fees, miscellaneous range balls, junior rates and associate membership fees. I believe there has been some additional changes on these based on the expectations and needs of revenue on the golf course. Are there any questions from the Board? I know we've discussed these at several different workshops.

Tony Volpe, IRCC: Could I have a point of order?

Mr. Showe: Sure.

Mr. Volpe: Is there a public comment period?

Mr. Showe: We will open it up before the vote. I just wanted to see if there were any questions from the Board. Hearing none, we will open it for public comments on the rules and rates as presented. Please state your name and address and keep your comments to three minutes, if possible.

Mr. Volpe: Are you going to vote on the budget for the fiscal year starting in October?

Mr. Showe: That is the next step of the public hearing. Our fiscal year is October 1, 2019 through September 30, 2020.

Mr. Volpe: So, this is just for review tonight and then you'll vote on it at the next meeting?

Mr. Showe: No. This is the final budget. This Board held several different workshops over the past couple of months, both on the rules and rates. Prior to approval, we are required to have a public hearing on these items.

Mr. Volpe: Okay. I don't know how serious this actually is, but at the north entrance of IRCC, there is no turn lane. Does the CDD cover that sidewalk?

Mr. Showe: We don't have anything to do with that issue at all. Those roads belong to the County. We went over both issues with Mr. Carnesale. They own a piece of the sidewalk at the entrance and the County owns the other piece.

Mr. Volpe: I wanted to make sure that I heard it from you.

Mr. Showe: Absolutely. VECA owns a piece of it as well.

Mr. Volpe: Okay. Thank you.

Mr. Showe: You're welcome.

Mr. McCarthy: Thank you for your comment. Would anyone else like to speak?

Jim McSeveney, Heron's Landing: Yes. How many associate members are there this year?

Mr. McCarthy: I don't have the exact figure in front of me, but I believe that number is approximately 650.

Mr. McSeveney: How much do they play?

Mr. McCarthy: I don't know.

Mr. Oakley: I think there were 763 members. Out of the associate members, only 400 are actually active. Several bought the plan and for some reason, don't play as much. I asked Tim that question once before and he told me there are about 400 active players.

Mr. Bedwell: The snowbirds are coming back to look at it.

Mr. McSeveney: So, some come in and pay \$79.

Mr. Bedwell: No. I don't know if anyone has done that, but some do to get the 20% discount.

Mr. McCarthy: Do you have anything else, Jim?

Mr. McSeveney: No. Thank you for your comments.

Mr. Showe: Are there are other comments on the rules and rates? Hearing none, we will bring it back to the Board for a motion to approve the amendments to Attachment A and the golf course rates for 2020.

On MOTION by Mr. Oakley seconded by Ms. Walsh with all in favor the Amendments to Attachment A to Chapter IV of the Rules of Procedure and the Golf Course Rates for Fiscal Year 2020 were approved.

**B. Budget and Assessments**

**i. Consideration of Resolution 2019-07 Adopting the Fiscal Year 2020 Budget and Relating to the Annual Appropriations**

Mr. Showe: This Board spent a lot of time going over this budget. It is my understanding that we started this process in May. They have looked it over the past several months to refine the budget the way they want to. I have a quick presentation for the audience and the Board. This is a similar presentation to what we presented last month. The first page are the boundaries of the CDD.

Mr. Oakley: Woodside Park is the field area and the lake. There is also a nature trail that goes parallel to I-95.

Mr. Volpe: Could I ask a question?

Mr. Showe: Sure.

Mr. Volpe: I have been looking at different areas. I don't have it in front of me, but I think its Area 56. It's a swamp. It's halfway down Barnes. There are no homes in there. It says it's part of the CDD.

Mr. Showe: The CDD maintains over 1,000 acres of wetland and conservation area, which is likely part of that.

Mr. Volpe: Is anything going to be done with it?

Mr. Showe: If it's a conservation area, typically homeowners are not allowed to do a lot with it. Its intended to be left natural. If it's a wetland, its intended to have water runoff.

Mr. Volpe: Are there any liability issues?

Mr. Showe: No. It must be left natural.

Ms. Witcher: We do have signs.

Mr. Showe: If trespassing becomes an issue, there are signs.

Mr. Oakley: Also, along Barnes, there's a short section that buffers our property that is owned by Brevard County. At one time, Brevard County talked about selling that and I think there was some agreement, unofficially to leave it alone and not sell it. It's just a buffer on

Barnes. So, our 422 acres doesn't go up to Barnes, but it goes to the Brevard County project. I've gone back through there and looked at it and it's all natural.

Ms. Witcher: I don't think there's any true access to that area, but that doesn't make it favorable for development either.

Mr. Oakley: At the time, I was looking for a house or two. Thank you.

Mr. Showe: No worries. The CDD has 31 different subdivisions, over 4,200 homes and approximately 205 worth of commercial properties. Again, as we just discussed, there are 1,000 acres of wetlands and conservation area and the CDD maintains a scrub jay habitat. There are 84 lakes or retention ponds that the CDD is responsible for maintaining as well as five miles of sidewalks and bike paths. The CDD leases a restaurant, Woodside Park, other various infrastructure, natural areas and a golf course. The CDD has approximately 50 staff members, both full and part-time and the CDD website with all of the information is [VieraEastCDD.com](http://VieraEastCDD.com). Some of the accomplishments of the CDD over the last several years includes lake bank restoration. The CDD owns over 33 miles worth of lake banks. So, we try to do about 2,000 linear feet of restoration each year. Yesterday, we approved another 2,000 linear feet. The CDD also completes 51,000 linear feet of fire line maintenance each year. A third of that fire line is maintained every single year. The CDD re-did the greens, added the EZLinks software tee time system, purchased a new Rain Bird pump and started a golf school for the youth, which has been very successful. The proposed CDD assessment for 2020 did not change, so there will be no change on your tax bill. There is a chart showing different funds and how much comprises your assessment. The General Fund is about 20%, the Water Management Debt Service Fund is 61%, the recreation bonds make up 17% and there is a CDD Recreation Fund, which includes parks and golf and makes up 2% of your assessment. The Water Management Debt Service Fund assessment makes up the principal and interest of those bonds. At the start of the 2020 fiscal year, there will be \$6.4 million remaining. Those bonds will be paid off on May 1, 2022. We included all of the revenues and expenses, but those also tie into what you have in the budget.

Mr. Oakley: What is the percentage of the bond interest?

Mr. Showe: I think it's about 6%.

Mr. Oakley: I think it's 5.75%. The new one we are trying to get is 3%.

Mr. Showe: Its under 3%.

Ms. Witcher: That was after we refinanced.

Mr. Showe: Yes. This has actually been refinanced twice. It's been brought down considerably in terms of the interest rate. It's no longer eligible to be refunded because of how close it is to amortization. The General Fund covers CDD administration, park maintenance, lake maintenance, fire line maintenance and all of the common and conservation area maintenance. We collected about \$864,000 worth of revenues and have the same level of expenses. For the golf course, what we budgeted in 2019 was to have an approximate net gain of \$7,200. For actuals through July, we have a net gain of \$103,000. Based on our projections right now, we think we will end the year at about \$30,000. That's typical for this golf course because the summer months are slow for the golf course. In terms of the golf course, there were revenues of \$1.9 million. For 2020, we expect about \$1.9 million in expenses and net income of about \$7,500. By category, we listed the revenues and descriptions of all of these funds, but that gives you an overview. The vast majority of our revenue comes from outside play and general greens fees. Obviously, the largest expense we have is maintenance, which is \$1.1 million. Then there's the Recreation Fund, which includes expenses to Woodside Park, the golf course and the debt of the Recreation Fund. As of the beginning of 2020, the recreation debt has approximately \$3.3 million and will be paid off in 2026. The CDD has a Capital Projects Fund. If there is any unspent money in the other funds, it gets swept into this fund and is used for capital expenses throughout the year for the CDD for the golf course and general operations. So, if there's a major landscape expense or something else happens that is outside the scope of the budget, this would likely be the source of it. We have a historical perspective of how much we had in each of those years for the fund. We are projecting about \$150,000 at the end of 2020, but that is with an expense projected of \$100,000 as a placeholder at this point. I will note that we don't have any expenses projected in the budget for potential litigation costs, which will be borne through the assessments or some other means, but without knowing what that is, we didn't want to put that in the budget. With that, I can answer any questions.

Mr. Volpe: You indicated that there are 4,200 residents. Do you mean 4,200 units?

Mr. Showe: I'm sorry. There are approximately 4,200 homes.

Mr. Volpe: I'm trying to differentiate. I thought I saw 4,380 units.

Mr. Showe: The District has 4,222 assessable home units.

Mr. McCarthy: Approximately 7,400 residents.

Mr. Volpe: Okay. So, for the General Election, it isn't one vote per unit. It's a vote for every resident that registered to vote.

Mr. Showe: If you are a registered voter, you get one vote. The next election will be at the same time as the Presidential Election. So, it will be on the same ballot with everything else.

Mr. Volpe: My research tells me that we have a population of 11,000, so there would be 11,000 possible votes, not 4,200.

Mr. Oakley: There are 7,200 registered voters.

Mr. McCarthy: 7,400 to 7,500 registered voters at this time.

Mr. Showe: Within the boundaries of our District.

Mr. Volpe: You answered my question that the population size is not the same.

Mr. Showe: Correct.

Mr. Volpe: Understood. Thank you.

Mr. Bedwell: About 4,000 people usually vote.

Mr. Volpe: Regarding the bond refunding, it's too late for the current bond, but at what point can the new bond be paid off?

Mr. Showe: At this point, there is no new bond, but when you issue bonds, each one has a certain call date, meaning it's not eligible to be called until a specific date. It's also not eligible for the bonds to be called more than "x" amount of times. At this stage, we have none of that information for what would potentially be a new bond issue.

Mr. Volpe: Okay. Did you say there was net income of \$7,000?

Mr. Showe: Correct. That's what we normally use for the budget. Essentially when we do these budgets, with governmental budgeting, we try to budget as close to zero as possible. So, when you take that \$7,000 profit and go down to the next section, you will see that there is a \$7,000 negative that balances out the bottom line. That's how we do typical government budgets. Obviously, the intent is to make more profit than that and that's what the General Manager is tasked with, which is being as efficient as possible with the governmental revenues that we have. So, the goal is to make more than that, but in order to balance the budget, that's what we utilize.

Mr. Volpe: Understood. So, you would take that excess and put it into capital.

Mr. Showe: Correct. Every year, when we go through the audit process, whatever funds are leftover as beginning fund balance, gets transferred into a capital reserve. That way it's in a separate fund, its trackable and any expenses out of that gets approved by the Board.

Mr. Volpe: Good. Thank you.

Mr. Showe: You're welcome.

Mr. Volpe: We haven't talked about the detail, yet. Right?

Mr. Showe: The Board has gone through it piece by piece.

Mr. McSeveney: Is that presentation included somewhere?

Mr. Showe: I will place it on the website. Are there any other questions or comments? If not, we need a motion to adopt Resolution 2019-07, adopting the Fiscal Year 2020 budget.

On MOTION by Mr. Oakley seconded by Ms. Walsh with all in favor Resolution 2019-07 Adopting the Fiscal Year 2020 Budget and Relating to the Annual Appropriations, was approved.

**ii. Consideration of Resolution 2019-08 Imposing Special Assessments and Certifying an Assessment Roll**

Mr. Showe: The second part of the public hearing tonight is Resolution 2019-08. Attached to this resolution are two items. The first is the budget that you just approved, but it will be the final Adopted Budget. Also attached to it, which we don't include in your agenda because it's about 150 pages, is the actual Assessment Roll for the District. I have it for anyone who would like to inspect it. It's essentially an Excel spreadsheet that lays out all of the assessments for the entire District. This is the actual levying mechanism that places the assessments on the tax bill from the CDD. At this point, we can open it up for public comments just on the Assessment Roll.

Mr. Volpe: It's per unit, correct?

Mr. Showe: Correct.

Mr. Volpe: It should be the same.

Mr. Showe: Correct.

Mr. Volpe: Is it two or four per business?

Mr. Showe: There are different methodologies for the business. So, for the General Fund and Water Management Fund, the original methodology assesses each property 9.2 units. On the recreation side, 4 units per home is assessed. That is based on when the District was first created in 1992. There was a fee that was established through an economic study. That Economic Study laid out how we should be assessing these items throughout the District.



Mr. Volpe: How do you assess the .2?

Mr. Showe: That's what that Economic Study from 1992 said is the equivalent rate.

Mr. Volpe: So, it's by economics, not by square footage.

Mr. Showe: Correct. The theory behind a government assessment with CDDs is it is based on the benefit you receive from the assessment. So, the theory is that each home in Viera benefits equally from stormwater, recreation and the General Fund. They also determined that businesses benefit from the stormwater and the recreation benefits slightly less, so they went from 9.2 to 4 on the recreation for businesses.

Mr. Volpe: Okay. Thank you.

Mr. Showe: You're welcome.

Mr. McCarthy: We are going to vote on Resolution 2019-08, imposing special assessments and certifying an Assessment Roll.

On MOTION by Ms. Walsh seconded by Ms. Thomson with all in favor Resolution 2019-08 Imposing Special Assessments and Certifying an Assessment Roll, was approved.
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Mr. Showe: We need a motion to close the public hearing.

Mr. McCarthy: Does anyone have any further questions?

Mr. Bedwell: I would just like to make a comment to these gentlemen from Heron's Landing and the IRCC. We had the County Commission who represents this area come for a Town Hall Meeting where we expressed our concerns about Viera Boulevard. I don't know if the turn on from Viera Boulevard is close to Heron's Landing, but I suggest that the two subdivisions get together and invite the County Commissioner to meet with them. He was more than willing to come and listen to us. We talked about having a traffic light somewhere and got one halfway down. We wanted one at IRCC and Heron's Landing, but we didn't get that, and we wanted to stop the U-turns. I still think its beneficial. There are a lot of residents between the IRCC and Heron's Landing.

Mr. Volpe: A lot of people use that gate to go to US-1. I think the challenge is that given I-95 opening up, there's a lot of traffic going through there. To make a left onto US-1 is challenging. I had a challenge coming here, to be honest with you.

Mr. Bedwell: I live in Grand Isle and we have a lot of older residents. They are getting scared to go out onto Viera Boulevard.

Mr. Volpe: I agree.

Mr. Bedwell: They are looking left and right and coming over that hill at 50 to 60 mph. It's getting scary.

Mr. Volpe: The street down where the satellite organization is, didn't have a traffic light for a long time.

Mr. Bedwell: I know.

Mr. Volpe: They finally put one there. I'll be honest with you. I do the speed limit. My friends tell me I'm going too slow, but there are people screaming for someone to come out.

Mr. Bedwell: The County Commissioner told us that the light at Holiday Springs Road costs \$250,000. My mouth fell open at the cost to put two poles up and run the wire. It was a suggestion for you guys to go to the County Commission.

Mr. Volpe: Thank you.

Mr. McCarthy: The public comment section is closed.

On MOTION by Ms. Walsh seconded by Mr. Oakley with all in favor the public hearing was closed.
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Mr. McCarthy: This time we did things a little differently with this meeting. We normally have a three-minute time period and a 30 second warning. This has been a very open Board in terms of the public and our General Manager and Jason have always volunteered to help people. Tim Melloh would meet with the HOAs at 6:00 p.m. and answer any questions, but when we get into a situation like the last public hearing, when 40 to 45 people wanted to speak, it becomes impossible. You have to cut people off. So, we are very open to letting people ask questions and try to give you the answers.

## **FIFTH ORDER OF BUSINESS**

### **Staff Reports**

#### **A. General Manager's Report**

Mr. McCarthy: The General Manager is not here.

**B. District Manager's Report****i. Approval of Fiscal Year 2020 Meeting Schedule**

Mr. Showe: We provided that in your agenda. Every year, we have an issue with the November and December meetings, due to Thanksgiving and Christmas, so we moved the November and December meetings to Thursdays. Unfortunately, because everybody moves their meetings up, there are a few conflicts that we have that day. Just to make sure we can cover it and get you served appropriately, we looked at November 21<sup>st</sup> and December 19<sup>th</sup>. We can change that if that's the Board's desire.

Mr. Oakley: Is that a Thursday?

Mr. Showe: The November 21<sup>st</sup> and December 19<sup>th</sup> meetings are on Thursday.

Ms. Walsh: Were we able to get this location?

Mr. Showe: We can get something here.

Ms. Thomsen: It's a week later.

Mr. Showe: Its eight days later from the workshop. Timing wise it was hard this year with the timing of all the holidays.

On MOTION by Ms. Walsh seconded by Ms. Thomsen with all in favor the Fiscal Year 2020 meeting schedule was approved.

Mr. Showe: For the benefit of the Board and the audience, this doesn't mean you are locked into this meeting schedule, exclusively. You are able to set other meetings if things come up.

Mr. Oakley: My only comment on this is to make sure that Judy can schedule the room.

Mr. Showe: We will. I know you want to talk about how we advertise these meetings.

Mr. Oakley: Yes. John mentioned trying to get the information out to people. I know it's on our website, but you have people still having trouble with computers. Maybe we can start advertising of the meeting in The Viera Voice because everyone gets one. Hopefully they will cooperate with us.

Mr. Showe: We can look. For the benefit of the audience and the Board, sending it to The Viera Voice doesn't qualify under the Florida Statutes. It has to be a newspaper of general circulation. So, the actual advertisement will go to Florida Today, but we can do more. We can certainly get a hold of The Viera Voice and see what we need to do.

Mr. Oakley: Could we include the agenda in The Viera Voice?

Mr. Showe: I'm sure we could. We may be able to include a short agenda or say, "For more information see the website," and give them a link. We will see what we can do. As a District, you can always do more. We just have to make sure that we meet the minimum qualifications of the Florida Statutes.

## **SIXTH ORDER OF BUSINESS**

### **Supervisor's Requests**

Mr. McCarthy: Melinda?

Ms. Thomsen: Nothing. Thank you.

Mr. McCarthy: Bill?

Mr. Oakley: I'm good. Thank you.

Mr. McCarthy: Jo?

Ms. Walsh: I'm fine. Thank you.

Mr. McCarthy: David?

Mr. Bedwell: No thanks.

Mr. McCarthy: I had just one comment. I talked with Ed Grasser who is the head of our retention ponds. He and his crew manage four flowways that cross underneath I-95. They are very diligent about that and make every effort to make sure that they are open. That will follow right through to White Saudi. You will have people out there. Once the storm goes through, he will have his crew out there, cleaning up the debris. Hopefully, we will not have any problems.

Mr. Showe: Just for the record, I will let the Board know that I spoke to Lane about that yesterday. GMS is going to have staff in the area handling our other properties, so if Lane or any staff member needs help, please reach out. We would be more than happy to assist in any way we can.

Mr. Oakley: The county finally replaced the sidewalk in front of the old IRCC building, which has been a sore point with me for about six years now. The gentleman in Heron's Landing picked up the stick and actually got it accomplished. We are in the process of getting a quote. I was supposed to have it before yesterday's meeting for the sidewalks that need to be replaced, but we did not receive it. Hopefully we will have that at the next meeting, and we can get that process taken care of.

Mr. McCarthy: Thank you.

Ms. Walsh: Were we able to see about signing in with somebody else?

Mr. Oakley: We are working with Eric at Fairway Management. He has a contractor that he can refer to us. When I get this price, I'm going to communicate with him to see if we can work something out, so we can get both of them done at the same time.

Ms. Walsh: Thank you.

**SEVENTH ORDER OF BUSINESS**

**Adjournment**

Mr. McCarthy: If there is nothing further, we need a motion to adjourn.

On MOTION by Mr. Oakley seconded by Ms. Thomsen with all in favor the meeting was adjourned.
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Secretary/Assistant Secretary

  
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Chairman/Vice Chairman