

**MINUTES OF MEETING
RIVER RIDGE
COMMUNITY DEVELOPMENT DISTRICT**

A Regular Meeting of the River Ridge Community Development District's Board of Supervisors was held on **Tuesday, May 24, 2016 at 1:00 p.m.**, in the **River Room** at the **River Club Conference Center (Second Floor of Fitness Center), 4784 Pelican Sound Boulevard, Estero, Florida 33928.**

Present at the meeting were:

Terry Mountford	Chair
Bob Schultz (<i>via telephone</i>)	Vice Chair
James Gilman	Assistant Secretary
Judy Haase	Assistant Secretary
Tom Schoenheider	Assistant Secretary

Also present were:

Chuck Adams	District Manager
Cleo Crismond	Assistant Regional Manager
Charlie Krebs	District Engineer
Tony Pires	District Counsel
Jim Whitmore	PSGRC General Manager
Eric Long	PSGRC Assistant General Manager
Steve Bolte	PSGRC President

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Adams called the meeting to order at 1:03 p.m., and noted, for the record, that Supervisors Mountford, Gilman, Haase and Schoenheider were present, in person. Supervisor Schultz was attending via telephone.

On MOTION by Mr. Mountford and seconded by Ms. Haase, with all in favor, authorizing Mr. Schultz's attendance and full participation, via telephone, due to exceptional circumstances, was approved.

SECOND ORDER OF BUSINESS

Public Comments: Agenda Items (5 minutes per speaker)

There being no public comments, the next item followed.

THIRD ORDER OF BUSINESS

Continued Discussion: Traffic Calming

Mr. Krebs presented a quote from Lykins-Signtek (Lykins) for 24” by 12” aluminum signs for Corkscrew Circle. Mr. Krebs recalled discussion about installing a “*Yield to traffic on the left*” sign at the roundabout and on or below the one-way signs at each leg. According to Mr. Jim Geiger, of Lykins, the price for three signs would be \$795. The Department of Transportation (DOT) suggested a “*Yield to oncoming traffic*” sign but the concern is that people do not understand that oncoming traffic comes from the left in a roundabout. Mr. Geiger provided options such as, “*Yield to oncoming traffic*” or “*Yield to traffic entering the intersection*” signs.

In response to Mr. Mountford’s question, Mr. Krebs indicated that currently, there was a one-way sign in the island, yield sign on the right-hand side and a posted 25-miles-per-hour (mph) sign.

Mr. Krebs recalled resident complaints that, when drivers reach the intersection, they slow down but proceed without looking left. Mr. Mountford agreed that drivers are not familiar with how to drive around roundabouts.

Mr. Krebs stated that three yield signs would be ordered; one would be affixed to the bottom of the one-way sign in the island, past the gatehouse on Corkscrew Road, the second on the bottom of the one-way sign leaving Pinehurst and a third sign on the bottom of the one-way sign down Pelican Sound Boulevard. Mr. Krebs hoped that the signs would force drivers to look left. The signs would have wide frames, similar to existing signs around the community.

Mr. Mountford asked if the purpose of the yield sign was to help traffic exiting Pinehurst. Mr. Krebs recalled resident comments that, when drivers come through the gatehouse, from Corkscrew Road, they do not look left when exiting the roundabout into Pinehurst.

Mr. Steve Bolte, a resident, witnessed cars “flying” through the gate and pointed out a visual impediment from the foliage on the left side of the gate. Mr. Bolte felt that, if the signs were placed at the left of the straight-away, drivers would be forced to shift their eyes left.

On MOTION by Mr. Schoenheider and seconded by Ms. Haase, with all in favor, installation of three yield signs, at Corkscrew Circle, was approved.

FOURTH ORDER OF BUSINESS

Continued Discussion: Lake H1-B and E4-A Maintenance Issues

Mr. Adams presented an email, with pictures, and a report, from Mr. Gonzalo Ayers, of Lake & Wetland Management (Lake & Wetland).

Ms. Crismond reported that Lakes H1-B and E4-A have been chronic eyesores due to algae; raking and treating the lakes with chemicals was not effective. At the last meeting, the Board approved one application of Bio-Zyme[®], in Lake E4-A, for \$7,600, which is scheduled for this week. During the last meeting, the Board requested that Lake & Wetland take muck samples, prior to applying enzymes. The decision to use Bio-Zyme[®], on Lake H1-B, was based on the results of the Bio-Zyme[®] application in Lake E4-A. Lake & Wetland endorsed the use of the Bio-Zyme[®], in Lake H1-B, to help clear the water and remove muck from the bottom but the cost would be \$12,000. Ms. Crismond suggested waiting for the results of the Lake E4-A Bio-Zyme[®] application before proceeding with Lake H1-B.

In response to Mr. Schoenheider’s question, Ms. Crismond explained that Lake E4-A is the reuse pond in Edgewater, which has beautiful canna lilies, and Lake H1-B is in Palmetto Dunes.

Ms. Haase asked how long it would take to see results. Mr. Adams estimated six months. Another core sample will be taken from the same location to determine if the muck reduced from 12”.

Mr. Mountford pointed out that a reuse lake has a different chemical composition than a typical lake. Mr. Adams stated that has no effect on the muck. Mr. Mountford asked if the chemical is supposed to eat muck. Mr. Adams indicated the muck and high nutrient content of the muck does help regenerate algae and submersed aquatic growth.

Mr. Schoenheider asked Ms. Crismond to inform Mr. Gordon Brown, a resident, that the Board is not taking action on the Palmetto Dunes lake until the results of Lake E4-A Bio-Zyme[®] treatment were received.

Mr. Mountford asked about the depth of the core sample. Mr. Adams advised that below 6” was the norm and reducing the muck by half would be a positive step. Mr. Mountford asked

if one application would resolve the issue. Mr. Adams indicated that the District would be on a maintenance program.

Mr. Pires recalled that Phoslock® was discussed. Mr. Adams explained that this is a second option, if the Bio-Zyme® does not reduce the muck or reduce it to a more manageable level.

Mr. Bolte suggested using Phoslock® in the irrigation pond. Ms. Crismond disagreed. Mr. Adams recalled an Alum treatment in the irrigation pond, which had minimal affects.

• **Consideration of Lake & Wetland Management Special Service Agreement for Lake H1-B BioZyme Installation**

This item was deferred.

FIFTH ORDER OF BUSINESS

Consideration of Resolution 2016-1, Approving the District’s Proposed Budget for Fiscal Year 2016/2017 and Setting a Public Hearing Thereon Pursuant to Florida Law and Providing an Effective Date

Mr. Adams presented Resolution 2016-1 for the Board’s consideration. According to the statutes, Staff is required to provide the proposed budget prior to June 15, each year, and set a Public Hearing no sooner than 60 days from today. The resolution identifies August 23, 2016 as the Public Hearing date for final adoption of the Fiscal Year 2017 budget.

Mr. Adams polled the Board for purposes of a quorum. Mr. Schultz and Ms. Haase would not be in attendance. Mr. Mountford would not attend the June meeting.

Mr. Adams reviewed the highlights from the proposed Fiscal Year 2017 budget. In terms of appropriations, the budget was similar to prior year budgets. The most significant change was in the “Field services” category and the repurposing of \$200,000 for “Roadway Resurfacing”, which will remain in the Fiscal Year 2017 budget, and used to make the principal and interest payment against the loan for the road resurfacing project. The loan documents with Florida Community Bank will be complete in a few weeks and placed on the July or August agenda for Board approval, along with the road resurfacing bids.

Mr. Adams reported that assessments would remain the same, both inside and outside of the gates, as there were no changes to the revenues and expenditures.

When the roads are repaired, Mr. Schoenheider asked if any consideration was given to the pavers in Palmetto Dunes. Mr. Krebs indicated that only the asphalt would be repaired; the pavers would be considered at a later time. Bids for the curbing are forthcoming and expected to be on next month's agenda for consideration, at which time bids for the asphalt will be requested. The third set of bids is for the pavers. Mr. Krebs advised that the contractor will be expected to view cracked and settled pavers, which can either be flipped or replaced. Pavers in Palmetto Dunes and the roundabout could be switched with pavers from other areas to fill in holes.

Mr. Mountford asked if there was a budget for pavers. Mr. Adams anticipated a minimal cost for the pavers, as many could be cleaned; he felt that Mr. Krebs' suggestion of flipping and utilizing pavers from other areas was ideal. Mr. Mountford voiced concern about the labor cost. Mr. Krebs recalled that the cost to replace pavers in Island Sound was reasonable because the contractor lifted the pavers, stacked them to the side and re-sanded the base to a level platform before re-installing; however, the limerock base must be solid and there was no indication that the limerock base was not solid. The roundabouts are the worst areas. Mr. Mountford pointed out that many places, such as the entrances to The Masters and Gleneagles, have damaged pavers. Mr. Adams recommended completing those areas after resurfacing.

Mr. Schoenheider noted a .5' to 2'-wide strip of cement of that is starting to break loose, due to sunken pavers. Mr. Krebs indicated that header curbs, where pavers either sunk or are starting to chip, must be repoured. The pavers must be lifted and the base must be re-sanded. This will be addressed as part of the bid.

Mr. Whitmore sent the District Engineer a map of the cart crossings that must be addressed. Mr. Krebs reported that the existing 2' valley gutters will be removed and expanded to a 3' curb.

On MOTION by Mr. Gilman and seconded by Mr. Schoenheider, with all in favor, Resolution 2016-1, Approving the District's Proposed Budget for Fiscal Year 2016/2017, Setting a Public Hearing Thereon Pursuant to Florida Law for August 23, 2016 at 1:00 p.m., at this location, and authorization for the District Manager to transmit the Proposed Budget to Lee County and the Village of Estero and post on the District's website, was adopted.

Mr. Schultz requested a copy of the Capital Improvement Plan (CIP). Mr. Adams will update the CIP and include it in the next agenda package.

SIXTH ORDER OF BUSINESS

Notice of General Election: November 8, 2016 [Seats 3, 4 & 5]

- **Official Candidate Qualifying Period: Noon, June 20, 2016 – Noon, June 24, 2016**
 - **Candidates May Pre-Qualify Beginning June 6, 2016 at 10:00 A.M.**

Mr. Adams advised that, as this is an election year, and the District is required to identify the seats that are up for election. Seats 3, 4 and 5, currently held by Ms. Haase, Mr. Mountford and Mr. Gilman, respectively, are up for general election on November 8, 2016. The pre-qualifying period starts on June 6, 2016 at 10:00 a.m. and the official qualifying period is from Noon, Monday, June 20, 2016, through Noon, Friday, June 24, 2016. Mr. Adams advised interested parties to apply directly with Ms. Bernie Feliciano, of Lee County Elections, who is the Qualifying Officer.

- **Consideration of Resolution 2016-2, Implementing Section 190.006(3)(A)(2)(C), Florida Statutes, and Instructing the Lee County Supervisor of Elections to Conduct the District’s General Election**

Mr. Adams presented Resolution 2016-2 for the Board’s consideration. According to the Resolution, Board Members receive \$200 per meeting, not to exceed \$4,800 per year, and the terms are for four years. The District Manager is required to work with the Supervisor of Elections to run the required advertisement, 30 days in advance of the qualifying period. Mr. Pires asked if Lee County runs the notice. Mr. Adams replied affirmatively. Mr. Pires noted that the 30-day time period had passed. Mr. Adams confirmed that the advertisement was sent to Lee County.

On MOTION by Mr. Mountford and seconded by Ms. Haase, with all in favor, Resolution 2016-2, Implementing Section 190.006(3)(A)(2)(C), Florida Statutes, and Instructing the Lee County Supervisor of Elections to Conduct the District’s General Election, was adopted.

SEVENTH ORDER OF BUSINESS

Consideration of Florida Community Bank Line of Credit Term Sheet

Mr. Adams indicated that the term sheet from Florida Community Bank is for the \$250,000 revolving line of credit, which was discussed, previously.

Mr. Adams highlighted the following terms:

- Floating rate of 1.8% over the one month London Interbank Offered Rate (LIBOR) rate. As of the date of the term sheet, which is May 3, 2016, the rate was 2.24%. A floor of 2.4% and ceiling of 5%, will exist for the life of the loan.
- Late charges of 6% of the overdue payment
- Commitment fee of .3% of the proposed amount of \$750 and a non-usage fee/un-utilized fee of .3%

Mr. Adams advised that Florida Community Bank is a Qualified Public Depository (QPD), and by law, is required to collateralize all balances for governmental entities and secured lines of credit. This means that, even though the District has not used the \$250,000, the bank will be required to collateralize this amount, as part of the QPD requirements. The charge of \$750 was minor, considering that the bank was not requiring any balances.

- Document preparation fee of \$500

Mr. Adams explained that Florida Community Bank works with many CDDs and have template documents at its disposal.

- Annual renewal

Mr. Pires asked about the maturity date. Mr. Adams indicated that the maturity was expected to have an auto-renewal, not exceeding five years, which would be part of the loan documents. Mr. Pires advised that, if the loan exceeds five years, the District must hold a bond validation proceeding. Mr. Adams explained that, once the District enters into the line of credit, the term of repayment cannot exceed five years. Mr. Pires noted that there cannot be more than four renewals of the five-year term.

Mr. Pires clarified that number four, under “Covenants”, should state Community Development District, not municipality and under “Legal Opinion”, “bond counsel” should be changed to “counsel”. Mr. Pires will handle items that the bank requests.

On MOTION by Mr. Mountford and seconded by Ms. Haase, with all in favor, the Florida Community Bank Line of Credit Term Sheet, as amended, and execution of the Term Sheet and any other required documentation, was approved.

EIGHTH ORDER OF BUSINESS

Consideration of Estimate for Installation of “Yield to the left” Sign (to be provided at meeting)

This item was presented during the Third Order of Business.

NINTH ORDER OF BUSINESS

Approval of Minutes

A. March 22, 2016 Regular Meeting

Mr. Adams presented the March 22, 2016 Regular Meeting Minutes and asked for any additions, deletions or corrections.

Mr. Mountford asked about the status of Mr. Albano’s insurance claim. Mr. Adams indicated that District Staff had not heard anything further from Mr. Albano, either through his insurance or directly.

The following changes were made:

Line 25: Delete “Assistant”

Line 128: Delete: “He could not remember if he completed the parcel but it would have been documented through the association”

Line 145: Change “Mountford” to “Pires”

Line 145: Change “NBR” to “NVR”

Line 153: Change “is” to “owns the roads in”

Line 160: Delete “it”

Line 163: Change “sway” to “day”

Line 423: Insert “Howell” after “Mr.”

Line 520: Change Mr. _____ to “A resident”

Line 527: Change “wake” to “lake”

Line 528: Delete “at night”

Line 539: Insert “Florida” before “Gulf”

On MOTION by Mr. Gilman and seconded by Mr. Schoenheider, with all in favor, the March 26, 2016 Regular Meeting Minutes, as amended, were approved.

- **Action/Agenda Items**

All Items were continued.

The following change was made:

Item 8: Change "AJAZ" to "AJAX".

B. April 26, 2016 Regular Meeting

Mr. Adams presented the April 26, 2016 Regular Meeting Minutes and asked for any additions, deletions or corrections.

The following changes were made:

Line 24: Delete "Assistant"

Line 190: Change "inside" to "enzyme"

Lines 260 and 261: Delete "going into Vanderbuilt"

Mr. Schultz stated that the road within Turnberry has many cracks.

Line 276: Change "Lakes" to "River"

Line 579: Change "Southwest" to "South"

Lines 580 and 585: Change "SWFWMD" to "SFWMD"

• **Action/Agenda Items**

The following change was made:

Item 8: Change "AJAZ" to "AJAX".

Item 17: Change "Southwest" to "South".

Items 1, 2, 3, 10, 13, 14, 15, 17, 18 and 22 were continued.

Items 4, 5, 6, 7, 8, 9, 11, 12, 16, 19, 20, 21 and 23 were completed.

Regarding Item 4, Mr. Adams has the software and will upload the data. Mr. Whitmore recalled that only one radar sign was would be used during the summer. In response to Mr. Schoenheider's question, Mr. Whitmore indicated that a battery pack can last ten to 12 days.

Regarding Item 6, Mr. Adams reported that the contractor will cut the bag open, on The Masters Circle Lake, and sod within the next several weeks.

Regarding Item 7, Mr. Pires indicated that the easement for the Corkscrew sidewalk was executed and will be recorded.

Regarding Item 10, Mr. Krebs will provide the road resurfacing bid packages at the July meeting. Mr. Krebs will provide the specs at the end of next week. Mr. Schultz asked if the contract would be awarded in July. Mr. Adams indicated that the bid tabulations would be provided at the July meeting for implementation in October.

Regarding Item 13, Mr. Adams and Mr. Whitmore continue having ongoing discussions.

Regarding Item 14, Mr. Krebs received three responses. Mr. Schultz asked if the Board can take action on the curbs. Mr. Adams indicated that \$200,000 was budgeted for roadway repairs. Mr. Schultz recalled that the first estimate was \$63,000. Mr. Krebs noted that another 250 linear feet was added, bringing the total cost close to \$100,000. This item will be continued under "Other Business".

Regarding Item 17, Mr. Krebs contacted the South Florida Water Management District (SFWMD). The initial response regarding wetland maintenance work was positive but SFWMD must discuss this matter with their environmental staff, review the permit conditions and conversation easement. The individual in charge of compliance has no issues. Mr. Krebs is awaiting confirmation from environmental staff, which could take time due to administrative law hearings.

Regarding Item 19, Ms. Crismond reported that, yesterday, Florida Power & Light (FPL) repaired the street light burning during the day. She would call FPL about another light.

The following changes were made:

Item 20, Line 2: Change "Landing" to "Sound".

Item 20, Line 3: Change "Pelican Landing" to "the gates on Pelican Sound Drive".

Regarding Item 22, Mr. Adams indicated that the audit for Fiscal Year 2015 would be presented at the next meeting.

Mr. Schultz requested that amendment of the Lake & Wetland contract to remove ferns from the dry retention area and cleaning the small canals from the three bubblers to the main canal be included on the next agenda.

Mr. Whitmore advised that the Torrey Pines NVR does not want anyone to clean their canals. Mr. Schultz recalled that the cleaning of the fern was only along the border. Ms. Crismond reported that ferns are growing in the cordgrass. The District authorized removal of the ferns because they will grow very large and it would cost to remove them, versus removal now, at no cost.

On MOTION by Ms. Haase and seconded by Mr. Mountford, with all in favor, the April 26, 2016 Regular Meeting Minutes, as amended, were approved.

TENTH ORDER OF BUSINESS

Other Business

Mr. Adams requested implementation of the sidewalk and curb repairs, in a not-to-exceed amount of \$100,000.

Ms. Haase asked if the authorization was for sidewalks and gutters. Mr. Krebs indicated that sidewalks are not being repaired, only curbs.

On MOTION by Mr. Gilman and seconded by Mr. Schultz, with all in favor, implementation of the curb repairs, in a not-to-exceed amount of \$100,000, and authorization for the District Manager to execute the contracts on behalf of the District, were approved.

Mr. Schultz asked when the golf course restoration work would be completed and the heavy equipment removed. Mr. Whitmore anticipated completion of the work by mid-July.

Regarding sidewalks and roads, Mr. Adams met with Mr. Whitmore about the ongoing maintenance and operation, under the Facilities Maintenance Assignment Agreement. The Pelican Sound Golf and River Club (PSGRC) has reservations about continuing in that capacity, especially with the roads and sidewalks, after what happened with Mr. Albano.

Mr. Whitmore received a letter from Mr. Albano’s attorney and, in preliminary discussions with the PSGRC’s attorney, even though Mr. Albano fell on CDD property, by having the Facilities Maintenance Assignment Agreement, the PSGRC has the liability risk for the sidewalks and roads; however, routine maintenance, such as cleaning sidewalks, is reasonable. Mr. Whitmore requested opting out of the road and sidewalk portion of the agreement.

Mr. Mountford advised that the PSGRC is still liable, even if it is only maintaining the sidewalks. Mr. Whitmore noted that the risk is less and trip hazards were a red herring, as many roots were encroaching on the sidewalks, causing the trip hazard. Re-pouring sidewalks was not considered ongoing maintenance, rather it would be a capital project. Mr. Whitmore indicated that the PSGRC budgets for cart paths and replaces them, on a yearly basis.

Mr. Mountford suggested that the District perform the inspection and the PSGRC perform routine maintenance work.

Mr. Adams advised that the District owns the sidewalks, roads and curbs but the PSGRC is targeted because slip and falls result in trip hazard claims. Mr. Adams suggested removing the PSGRC from liability by placing the liability under the ownership of the District, since the District has sovereign immunity protections. Mr. Pires clarified that the District has limited sovereign immunity, under the statute, with statutory caps of \$200,000 per individual, \$300,000 in the aggregate, per incident. The District also carries liability insurance.

Mr. Schultz had no problem with the District taking over responsibility of the roads, curbs and sidewalks but wanted to retain the PSGRC's maintenance staff to observe and report issues, daily, versus relying on annual inspections.

In response to Mr. Adams' question, Mr. Pires preferred to have an agreement, versus a verbal agreement; however, if a duty is created by contract with the District, there may be liability.

Mr. Pires will modify the PSGRC agreement to release the PSGRC from any liability, under the assumption that the District will have an inspection program and the PSGRC will notify the District about problem areas, clean and paint, as a contractor.

Mr. Schultz requested that the sidewalks be repaired as soon as possible. Mr. Adams concurred, noting that most of the work entails grinding. Ms. Haase noted that some areas need replacement.

Ms. Haase reported that painting completed by Mr. Krebs is fading. Mr. Krebs will touch-up the light poles.

Mr. Pires clarified that the scope of work will be amended for the PSGRC to perform street cleaning and painting.

Mr. Schoenheider is not attending the July meeting.

Mr. Adams polled the Board; there would be a quorum for the June meeting but not July.

Regarding road resurfacing, Mr. Adams indicated that, after the bid opening he will contact the low bidder to ensure that they are available in October.

Mr. Adams stated that, if necessary, the District could fly a Board Member in to attend the July meeting or a special meeting scheduled sometime in July.

ELEVENTH ORDER OF BUSINESS

Staff Reports

A. District Counsel

There being no report, the next item followed.

B. District Engineer

There being no report, the next item followed.

C. District Manager

i. Approval of Unaudited Financial Statements as of April 30, 2016

Mr. Adams presented the Unaudited Financial Statements as of April 30, 2016. A scrivener’s error was corrected and “Capital outlay-reimbursement to PSGRC” is now properly reflected in only the Pelican Sound portion of the budget.

ii. NEXT MEETING DATE: June 28, 2016 at 1:00 P.M.

Mr. Adams stated that the next meeting is scheduled for June 28, 2016 at 1:00 p.m., at this location but would probably not be necessary. It would be determined if something would be necessary in July.

TWELFTH ORDER OF BUSINESS

Supervisors’ Requests and Public Comments (5 minutes per speaker)

There being no Supervisors’ requests or public comments, the next item followed.

THIRTEENTH ORDER OF BUSINESS

Adjournment

There being nothing further to discuss, the meeting adjourned.

On MOTION by Mr. Schoenheider and seconded by Mr. Gilman, with all in favor, the meeting adjourned at 2:19 p.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]


Secretary/Assistant Secretary


Chair/Vice Chair