

**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, December 13, 2016 at 1:00 p.m.**, in the **Sound Room** at the **River Club Conference Center (Second Floor of Fitness Center), 4784 Pelican Sound Boulevard, Estero, Florida 33928.**

**Present at the meeting were:**

Bob Schultz	Chair
Terry Mountford	Vice Chair
Judy Haase	Assistant Secretary
Tom Schoenheider	Assistant Secretary
Larry Fiesel	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
Bill Kurth	Lake Masters Aquatic Weed Control, Inc.

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Mr. Adams called the meeting to order at 1:00 p.m., and noted, for the record, that all Supervisors were present, in person.

**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**

**Administration of Oath of Office to Newly Elected Supervisors: Judy Haase, SEAT 3, Terry G. Mountford, SEAT 4 and Larry J. Fiesel, SEAT 5 (the following to be provided in a separate package)**

Mr. Adams, a Notary of the State of Florida and duly authorized, administered the Oath of Office to Ms. Haase, Mr. Mountford and Mr. Fiesel.

Mr. Adams provided and briefly explained the following items:

- A. **Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees**
- B. **Membership, Obligations and Responsibilities**
- C. **Financial Disclosure Forms**
  - i. **Form 1: Statement of Financial Interests**
  - ii. **Form 1X: Amendment to Form 1, Statement of Financial Interests**
  - iii. **Form 1F: Final Statement of Financial Interests**
- D. **Form 8B, Memorandum of Voting Conflicts**

Mr. Adams indicated that Ms. Haase and Mr. Mountford were incumbents and were familiar with all documents. They completed Form 1, Statement of Financial Interests when they qualified, in June, and would receive one next June or July.

Mr. Adams welcomed Mr. Fiesel to the Board and advised that a W-4 form must be completed to receive the \$200, per meeting, stipend, minus FICA. Mr. Fiesel completed Form 1, Statement of Financial Interest when he qualified, in June, and would receive one next June. Mr. Pires stated that violations of the Sunshine Law carried penalties. Mr. Pires encouraged Mr. Fiesel to forward District emails to Mr. Adams and to contact him, Mr. Adams or Ms. Crismond with any questions. Mr. Fiesel asked about replying to emails from residents asking about speed bumps. Mr. Pires advised that Mr. Fiesel could answer the emails and discuss what occurred at prior Board meetings.

**FOURTH ORDER OF BUSINESS**

**Consideration of Resolution 2017-2,  
Electing Officers**

Mr. Adams presented Resolution 2017-2 for the Board's consideration. After each election or appointment, the Board is required to reconsider its slate of officers.

Prior to the election, Mr. Mountford served as Chair, Mr. Schultz as Vice Chair and the remainder of the Board as Assistant Secretaries; Mr. Adams served as Secretary and Mr. Wrathell is an Assistant Secretary and Treasurer.

Mr. Schoenheider nominated Mr. Schultz as Chair.

Mr. Mountford volunteered to serve as Vice Chair.

The remainder of the Board remained unchanged.

**On MOTION by Ms. Haase and seconded by Mr. Fiesel, with all in favor, Resolution 2017-2, Electing Officers of the District, as nominated, was adopted.**

Mr. Schoenheider asked why Mr. Wrathell was Assistant Secretary. Mr. Adams stated that, in case of his absence, an Assistant Secretary's signature would be needed.

**FIFTH ORDER OF BUSINESS**

**Presentation: LakeMasters Recent Water Quality Testing Results and Bacteria Tank Installation on E4-A**

Mr. Bill Kurth, of LakeMasters Aquatic Weed Control, Inc. (LakeMasters), recalled that, at a prior meeting, the Board approved water testing to quantify the problems, particularly with Lakes E4-A and H1-B, which had problems in the past, along with several lakes in the H section. Although some numbers were skewed, it was not an issue. Lake E1-E was the control lake because it had no problems; however, hardness was extremely high, over 1,000 mg/L. Anything over 120 mg/L was considered very hard water and algacides do not work in hard water. The lakes were doing well and any algae treatments would be minor.

Mr. Kurth stated that, in Lake H1-B, which was a problem in the past, aeration was increased but none of the numbers were skewed. The alkalinity was relatively low and the pH number was possibly an anomaly, as pHs were never that low; it may have to do with the time of day that the testing occurred. Other than slender spikerush, there were minor and green film algae, which was typical with low phosphorus levels. The phosphorus level in Lake H1-B was 20 pg/L. Phosphorus levels were not a concern until they were over 100 pg/L. The total kjeldahl nitrogen was 4.162 but should be between 1 and 2; therefore, the nitrogen level in Lake H1-B was twice what it should be, even though there was aeration. If one nutrient was high but the other was limited, there would not be algae growth. In certain areas, there was high phosphorus that allowed the nitrogen to fuel algae growth, which may be why the lake was having periodic problems. Currently, Lake H1-B was not a problem. It was evaluated before the meeting and looked good; however, since water levels were dropping, some of the slender spikerush that was

killed was growing back and must be sprayed. Mr. Kurth stated that because of effective algae treatments Lake H1-B looked better than two to three months ago.

Mr. Kurth stated that lakes go through cycles and, the only way to install a drainage line into Lake E4-A would be to jack and bore, meaning that a pipe must be driven into the ground. The problem was going below the water level and drawing water from the lake because growth could get caught in the pipe. Every week, the applicator would harvest bacteria from Lake E4-A, in an effort to try to improve the lake. Once there was improvement, the bacteria would be split between the H Lakes and Lake E4-A to try to lower the nitrogen level. The phosphorus in Lake E1-E was 20 pg/L and, in E4-A, phosphorus was 326 pg/L, which was a major issue. Free reactive phosphorus which fuels algae growth was extremely high. Typically, free reactive phosphorus was 10% of the total phosphorus and Lake E4-A was above that, which was unusual in aerated lakes. Mr. Kurth recommended testing the effluent water and that Mr. Whitmore's Superintendent forward the test results to examine the amount of phosphorus. The nitrogen level was high but not out of control; however, nitrites and nitrates were 20 mg/L, which was considered toxic. Fish should not live at that level.

Ms. Haase stated that people were fishing in Lake E4-A and catching fish. Mr. Kurth assumed that there was an anomaly because, last week, the lake looked good. Ms. Haase stated that this week, the lake looked very good.

Mr. Kurth stated that, two weeks ago, his applicator sprayed \$700 worth of algaecide in one lake and, last week showed the best results he had ever seen but six days later, there was significant algae growth. A muck sample was attempted but instead of obtaining muck, sand, which had relatively high amounts of phosphorus was obtained. Mr. Kurth presented proposals for a bacteria grower, in the amount of \$1,750, and \$435 to maintain the grower. The people promoting the grower showed a 70% decrease in phosphorus and nitrogen in a few months. Mr. Kurth felt that was a good long-term approach to minimizing growth. The second option would be treating the lake with Phoslock<sup>®</sup>, which immediately reduces the phosphorus level in the water but it was fairly expensive. Because of the price, Mr. Kurth did not have a lot of experience with Phoslock<sup>®</sup> but, where Mr. Adams and Ms. Crismond used Phoslock<sup>®</sup>, the results were miraculous. Mr. Kurth recommended a major Phoslock<sup>®</sup> treatment and following up with periodic shorter Phoslock<sup>®</sup> treatments.

Mr. Schultz asked how much Lee County Utilities (LCU) contributed to the problem. Mr. Kurth would not know, without knowing the effluent water test results. Mr. Schultz stated that the answer should be known before the District invested in other treatments and asked if there was a requirement for LCU to provide water after treatment. Mr. Adams stated that Mr. Whitmore and his staff receive a periodic Water Quality Report from the County. In terms of water quality, the water is sufficient to water lawns. The County is only concerned that the water meets the state standard. The District would not have much leverage for the County to go any further. Mr. Adams recommended, as a first step, using Phoslock<sup>®</sup>.

In response to Mr. Whitmore's question, Mr. Kurth stated that the Phoslock<sup>®</sup> was a one-time application. Discussion ensued regarding Phoslock<sup>®</sup>.

In response to Mr. Schultz's question, Ms. Crismond indicated that the cost for a Phoslock<sup>®</sup> treatment in Lake E4-A was \$10,045. Mr. Kurth stated that there was no guarantee of how long the Phoslock<sup>®</sup> would last. Ms. Crismond suggested using Phoslock<sup>®</sup> for the H Lakes. Mr. Kurth did not recommend Phoslock<sup>®</sup> for Lake H1-B and would have a muck sample taken and provide a quote for applying Phoslock<sup>®</sup> to Lake H1-B. Ms. Haase asked why the lake was perfect last year but had problems this year. Mr. Mountford replied that more water was drawn from Lake H1-B this year. Mr. Whitmore explained that, during the summer, water was drawn from the lake each night and recharged the next day but now the drawing of the water was back to normal.

Mr. Schultz wanted to analyze what was entering Lake E4-A before committing to treatments. Ms. Crismond requested that Mr. Kurth attend the next meeting. Mr. Adams would include this item as a fixed item on the agenda.

Mr. Kurth was pleased that the lakes were improving but was frustrated that the growth returned. Lake H1-B would be treated each month. LakeMasters should be contacted when there was growth and they would address it.

**\*\*\*Mr. Kurth left the meeting.\*\*\***

## SIXTH ORDER OF BUSINESS

## Continued Discussion: Traffic Calming

Mr. Adams stated that Mr. Krebs was working with Bonness, Inc. (Bonness) to soften the speed hump at the roundabout to the original profile, which was 3" on 24" of width.

Discussion ensued regarding speed humps and rumble strips and their location, purposes, etc.

Mr. Mountford recalled that the cost to redesign the roundabout was \$120,000. Mr. Krebs would have Bonness provide a price to reconfigure the roundabout on Pinehurst Greens Drive and Pelican Sound Boulevard and to lower the speed bump 1” and 3’ wide.

Mr. Fiesel asked when the new bricks would be installed. Mr. Krebs did not put it out for bid.

Mr. Krebs stated that a speed bump could be installed from one edge of the pavement to the other, like the Department of Transportation (DOT). Mr. Schultz asked Mr. Krebs to provide the reconfigured drawing and quote to Mr. Adams, prior to the next meeting.

Mr. Schoenheider asked about the property across the street, coming out of The Meadows. Mr. Whitmore stated that it was part of the Village of Estero’s Development Plan. There would supposedly, be a cut through, which would trigger a light. Mr. Schoenheider recalled, several years ago, when the District wanted to install a new cable TV, line, Mr. Pires stated that the CDD could not take ownership. Mr. Pires stated that Chapter 190, the Charter for the District, had not changed to allow for it.

Mr. Schoenheider received an email from a Pinehurst resident about the reflective pavement markers (RPMs). Mr. Krebs stated that the RPMs were on the punch list for every neighborhood and Bonness was supposed to provide a Change Order for the additional RPMs. Mr. Whitmore stated that the other neighborhoods wanted the RPMs to form a “Y” at the islands, like The Masters. Mr. Krebs would add it to the punch list.

Mr. Mountford preferred to wait to discuss the RPMs until the Tenth Order of Business.

**SEVENTH ORDER OF BUSINESS**

**Update: Ownership Transfer of Roadway from Torrey Pines Court to River Club Parking Lot**

Mr. Whitmore had not heard anything further from the PSGRC’s attorney.

Mr. Pires distributed sample leases from other communities, which could be used if the District were to lease a segment of Torrey Pines Court. Mr. Adams stated that a lease would not remove the PSGRC from potential liability but it was sufficient if it was for repair and maintenance responsibilities.

Mr. Whitmore wanted to inform the PSGRC that the ownership was complicated and there were liability issues. Mr. Pires wondered if it was possible to have an administrative amendment to the Residential Planned Development (RPD) document to allow a conveyance without approval from the County. Mr. Krebs replied that the conveyance was bound by the Land Development Code (LDC). Mr. Whitmore stated that the road could be reconstructed for the price of going through this process with the County. Mr. Krebs stated that there must be a Type A DO, since there was a split in the parcel and a plat; however, the lot was already split too many times. Mr. Pires stated that there were costs for surveyors, plat preparation, having a hearing before the County Commission and filing fees. Mr. Whitmore estimated costs exceeding \$50,000. Mr. Krebs stated that it depends on the size of the adjacent parcel. If the adjacent parcel was the entire golf course area, someone would legally describe the parcel and set monuments. If the parcel belonged to the PSGRC, then it was easier to do.

Mr. Whitmore stated that maintenance of the road, for 15 to 20 years, would cost \$20,000 to \$25,000 and, if there was no liability, the PSGRC should keep the road. Mr. Whitmore would verify and report at the next meeting. Mr. Pires stated that the PSGRC was still the owner and, to the extent allowable under Florida Law, the CDD could indemnify and hold harmless without waiving sovereign immunity.

**EIGHTH ORDER OF BUSINESS****Continued Discussion: Potential Improvements to Corkscrew Road Entrance Vehicle Stacking**

Mr. Eric Long, PSGRC Assistant General Manager, distributed and reviewed weekly statistics, based on the frequency of four, five, six and seven vehicle backups, from mid-November to early December. Mr. Schultz requested that the backups be tracked during the busy season. Mr. Long would track January. Mr. Schultz recalled that Mr. Krebs was supposed to speak to Lee County DOT and LCU. Mr. Krebs stated that he did not speak to the County and the individual in charge at LCU was being replaced. Mr. Krebs placed this item on the Action Items List.

**NINTH ORDER OF BUSINESS****Update/Discussion: Village Assuming Ownership of Corkscrew Road Extension**

Mr. Schultz recalled that, at the last meeting, he was asked to serve as liaison between River Ridge and The Village of Estero relative to the Corkscrew Road West Extension. Mr. Schultz spoke with Mr. Howard Levitan, Vice Mayor of The Village of Estero. The County wanted no ties with that section of road. The County was concerned that if there was a sinkhole, they would be sued. The County did not want to transfer ownership to The Village of Estero because it would be assumed that the County owned the road. At The Village of Estero meeting, Mr. Levitan suggested filing a Quit Claim Deed, since the County was resisting and claiming that they did own the road and wanted nothing to do with it. This would clear the title and then The Village of Estero could take ownership. The majority of the Council seemed to be in favor and postponed taking action on the Interlocal Agreement until next Tuesday. The urgency was because turnover was scheduled for January 1, 2017.

Mr. Pires understood that The Village of Estero was filing a quiet title action. The question was whether the quiet title would be with The Village of Estero or the County and conveyed by a Quit Claim Deed. The County provided no good reason why they would not take ownership other than the liability issue. If they were talking about a negligence action, such as a slip and fall or traffic accident, there was a statute of limitations, which could have ran. Mr. Pires suggested that the County transfer ownership to The Village of Estero. Mr. Schultz stated that the Council wanted responsibility for that section of road. Mr. Whitmore stated that they wanted a Maintenance Agreement in place, at the same time, with the PSGRC, the District and future development for shared responsibility. The State Park did not want to be a part of it. Mr. Pires would include Mr. Schultz in his interactions.

**TENTH ORDER OF BUSINESS****Update: Roadway Resurfacing**

Mr. Krebs stated that Bonness completed resurfacing the community and were completing punch list items, including the placement of additional RPMs, which would be included in a Change Order.

Mr. Adams asked if the additional RPMs were for Pinehurst, The Masters and Turnberry. Mr. Krebs replied that the RPMs were for all of the neighborhoods; however, Hammock Greens would not have RPMs because it was not owned by the CDD. Mr. Whitmore stated that Hammock Greens was in the PSGRC. In response to Ms. Haase's question, Mr. Krebs believed that the RPMs were installed but would verify. Mr. Schultz wanted an estimated completion



date, as he received many phone calls. Mr. Whitmore suggested completing the islands the same way as The Masters.

Discussion ensued regarding issues with the repaving project and resolving them.

Mr. Schultz stated that, according to the contract, the striping and stop bars were supposed to be thermoplastic. Mr. Krebs stated that Bonness had to wait 30 days before applying the thermoplastic, which would be applied over the temporary markings. Mr. Schultz asked if there were major items on the punch list. Mr. Krebs stated that areas with indentations must be heated to repair them. All manhole covers must be cleaned to ensure that they open. A median island had one edge that was not rolled. Most items were minor.

Mr. Schultz received a called from the owner at 21744 Masters Circle regarding a low gutter trapping water and leaves. Mr. Krebs stated that all gutters would be evaluated. If a gutter needed to be replaced, it would be added to a list. Mr. Krebs would evaluate the gutter and report back to Mr. Schultz.

Mr. Adams asked when pressure washing would occur. Mr. Whitmore stated that pressure washing typically occurred in May but the schedule could be moved.

Mr. Mountford asked when street sweeping occurred. Mr. Adams stated that street sweeping stopped because the roads were torn up but resumed, upon completion, every Friday. Mr. Mountford asked if the community could have twice per week street sweeping. Mr. Adams stated that there was not much to sweep up today and asked Mr. Whitmore to inform him if additional street sweeping was necessary. Mr. Adams felt that it would make more sense to street sweep in February or March. Mr. Whitmore stated that The Masters and Gleneagles were the worst areas for leaves and acorns.

**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. NEXT MEETING DATE: January 24, 2017 at 1:00 P.M.**

Mr. Adams indicated that the next meeting will be held January 24, 2017 at 1:00 p.m., at this location.

**TWELFTH ORDER OF BUSINESS**

**Supervisors' Requests and Public  
Comments (5 minutes per speaker)**

Mr. Schultz stated that on the commercial strip, oak trees were encroaching over the road, between The Meadows and the commercial buildings. In several places, two cars cannot drive on the road without hitting each other. Mr. Adams suggested contacting The Village of Estero's Code Enforcement Department, as this was a commercial strip ownership issue. Mr. Schultz asked why Management sent a letter to The Village of Estero. Mr. Adams replied that it was a courtesy letter about pressure washing their wall.

Mr. Schultz stated that it was time for the annual letter to the community about the District's past and future accomplishments. Mr. Adams would provide a list of the annual action items and 2017 projects. Mr. Adams asked the Board Members to email items to include and he would draft a narrative.

Mr. Schultz stated that pavers at street entrances, such as The Masters, were inconsistent. Mr. Krebs would prepare exhibits of the areas where pavers must be addressed. Mr. Krebs asked if Mr. Schultz wanted to create a paver section at the entrances to Torrey Pines, Gleneagles and Pinehurst, where there were no pavers. Mr. Schultz replied affirmatively, similar to The Masters and Palmetto Dunes entrances. Mr. Adams would obtain prices for refurbishing existing pavers and additional pavers. Mr. Krebs asked if there should be a price to do all pavers at one time or if the neighborhoods should be separated. Mr. Adams would obtain a price for completing all neighborhoods at once, as an option. Ms. Crismond suggested completing the paver work in phases.

Mr. Fiesel stated that Palmetto Dunes residents requested replacement of a bald cypress tree that was cut down, on the edge of Lake H1-A, at the intersection of Classics Court and Palmetto Dunes Drive. In response to Ms. Crismond's question, Mr. Fiesel stated that a resident did not like the tree blocking his view of the lake and had the tree cut down. Mr. Fiesel was concerned about other residents removing trees. Ms. Crismond was concerned about the resident removing the new tree, if it was replaced. Mr. Pires asked if the tree was on District property. Mr. Adams stated that, if the tree was adjacent to the lake, it was on District property but, if it

was in an easement, the tree was on the resident's property. Mr. Schoenheider recalled that trees were planted by the developer after houses were completed. Mr. Adams stated that the District pursued people who removed trees on District property and would investigate.


**THIRTEENTH ORDER OF BUSINESS                      Adjournment**

There being nothing further to discuss, the meeting adjourned.

**On MOTION by Mr. Schoenheider and seconded by Mr. Schultz, with all in favor, the meeting adjourned at 2:44 p.m.**

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

  
Secretary/Assistant Secretary

  
Chair/Vice Chair