

**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, March 27, 2018 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
Kurt Blumenthal	Assistant Secretary
Larry Fiesel	Assistant Secretary
James Gilman	Assistant Secretary

Also present were:

Chuck Adams	District Manager
Cleo Adams	Assistant Regional Manager
Tony Pires	District Counsel
Charlie Krebs	District Engineer
Tony Grau (<i>via telephone</i>)	Grau & Associates
Jim Whitmore	PSGRC General Manager
Eric Long	PSGRC Assistant General Manager
Neil Severance	Resident/PSGRC Board Member
Marcy Holtz	Resident/President of the Master HOA
Rick Ellis	Resident

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Adams called the meeting to order at 1:01 p.m. All Supervisors were present, in person.

SECOND ORDER OF BUSINESS

Public Comments: Agenda Items (5 minutes per speaker)

Ms. Marcy Holtz, a resident, stated that she represented the Master Association, specifically, a homeowner who applied three times to Pelican Sound Management requesting removal of a tree in the right-of-way (ROW) in front of a fire hydrant. The hydrant services 30

homes on both sides of the street. She referenced the First Amendment to the Amended and Restated CDD Systems Facilities and Operations Maintenance Agreement, effective April 28, 2015, and read Paragraph 2.4 into the record:

“The District retains the right and ability at any time at its discretion as to any landscaping materials or vegetation in, on, about or adjacent to the District Right-of-Way that the District believes creates a hazard or results in a hazardous or dangerous condition, to take unilateral action to remove or eliminate said hazardous or dangerous conditions created by or resulting from landscaping material or vegetation in, on, about or adjacent to the District ROW.”

Because of damage the tree could cause to the water supply system and the hydrant, currently and in the future as the tree continues to grow, Ms. Holtz asked that the owner be allowed to have the tree removed. The homeowner would pay all costs for removal and disposal of the tree. Mr. Adams stated this would be discussed during the Seventh Order of Business.

THIRD ORDER OF BUSINESS

Presentation of Audited Financial Report for Fiscal Year Ended September 30, 2017, Prepared by Grau & Associates

Mr. Grau stated that the “Independent Auditor’s Report”, on Pages 1 and 2, reflected a clean opinion, which meant that the financial statements were fairly stated, in accordance with accounting principles. On Page 9, the “Balance Sheet” for the “Governmental Funds” reflected \$116,947 in “Unassigned” funds as of September 30, 2017 and Page 10 highlighted Revenues, Expenditures, bond issue costs and “Capital outlay” of \$749,353. The District went from a fund balance of \$268,839 to \$184,879, resulting in a “Net change in fund balances” of \$83,960. On Pages 17 and 18, under “Note 6 – Long Term Liabilities”, “Long-term Debt Activity” reflected a bond payable amount of \$610,000 and the remaining amortized payment amounts, including principal and interest. There were no findings or instances of noncompliance in the “Independent Auditor’s report On Internal Control Over Financial Reporting and on Compliance and Other Matters”, on Pages 21 and 22, the “Independent Auditor’s Report on Compliance with the Requirements of Section 218.415, Florida Statutes”, on Page 23, the “Management Letter”, on Page 24, or the “Report to Management” on Page 25.

Mr. Blumenthal noted a few typos in the Audit; he would forward them to Management. Mr. Grau asked to receive a copy in order to make the corrections for Fiscal Year 2018.

FOURTH ORDER OF BUSINESS

Consideration of Resolution 2018-05, Accepting the Audited Financial Report for the Fiscal Year Ended September 30, 2017

Mr. Adams presented Resolution 2018-05.

On MOTION by Mr. Fiesel and seconded by Mr. Blumenthal, with all in favor, Resolution 2018-05, Accepting the Audited Financial Report for the Fiscal Year Ended September 30, 2017, was adopted.

In response to a Board Member’s question regarding a litigation item, Mr. Adams stated that the matter was settled at no cost to the District. The insurance company’s attorney and the attorney for the Plaintiff, reached an agreement, post mediation.

FIFTH ORDER OF BUSINESS

Continued Discussion: Traffic Calming

Regarding the eventual line-of-sight project, going into Southern Hills, and the sidewalk extension, which would not involve another property owner, Mr. Adam stated that it came down to the ROW line, where the District had ownership. It was a matter of twisting the sidewalk, as there was already a well-beaten path from pedestrian usage. Proposals were being sought and the project would be programmed into the budget for the following year. Mr. Fiesel stated that the line-of-sight improved dramatically when the shrubbery was removed. Discussion ensued regarding the landscaping, the berm, the view and adding street lights and signage.

SIXTH ORDER OF BUSINESS

Update: Drainage Remediation Efforts

Mr. Krebs stated that the application was submitted to the South Florida Water Management District (SFWMD) and was scheduled to appear on the website on April 8. As soon as a response from the SFWMD reviewer is received, he would inform Management, who would then circulate emails, engage contractors and proceed with the project. In response to Mr. Schultz’s question regarding what was currently happening, Mr. Krebs stated that surveyors were

dispatched to the property to retrieve data, photograph the control structures and gather as-built information. As to the Florida Power & Light (FPL) easement, Mr. Krebs would find out if the surveyors inspected it. Mr. Schultz asked if the pipe crossing the #2 fairway would be included. Mr. Adams stated that would be a separate project. Mr. Blumenthal stated the request was to relocate the structures down on Lakes E-1B and E-3A. He assumed that moving water out of those lakes would then move water out of the Masters' lake and the lake adjacent to Edgewater 4 faster and asked if something must be done to the pipes that connect all of the lakes to get water into the two lakes that were being worked on quicker. Mr. Krebs stated moving the control structure to Lake E-1E would help move water out in the Masters and the project would greatly improve the water flowing through the two lakes; the same thing would be done to Lake E-3A to help move water to the final outfall, which is the FPL easement. A Board Member questioned why the District Engineer would not submit an FPL easement request. Mr. Krebs stated that, if only involved maintenance to restore it back to its original state and it was not being expanded, then permits would not be required. Any additional work outside to increase the flow into the FLP easement would require Staff to remodel the whole system, which would be too time-consuming; therefore, it was a matter of obtaining the approval necessary to render the greatest impact and improvement and then Staff could modify and try to remodel it to show that more water can be discharged. When the surveyors inspect the control structures, they will know when maintenance should be performed on that line or if it will be something else. In response to a question, Mr. Krebs confirmed that the control structure location change is a minor modification. A Board Member asked if that was opposed to a more general amendment to an existing general permit, which is more costly and complicated. Mr. Krebs stated it would also be more time-consuming for Staff.

SEVENTH ORDER OF BUSINESS**Consideration of Resolution 2018-03,
Letter of Understanding to PSGRC
Regarding Street Trees Within District
Easements and Right-of-Ways**

Mr. Pires presented Resolution 2018-03 and a draft letter to Mr. Whitmore regarding the Street Trees Within District Easements and/or Right-of-Way (ROW), dated March 6, 2018. He referenced the stricken language, in green, the additional language, in red, and the relocation of language, which were based on conversations at the previous Meeting, to make the removal and

the planting in the courtesy notice consistent. It is courtesy only; the District does not want to have legal power or control over notice for purposes of letting the District take the opportunity to notify the PSGRC about some situations that may otherwise not be known to the PSGRC. If the Board felt that 15 days was too long, it could be changed to 10 days, if they otherwise agreed with the concepts. Mr. Pires responded to questions.

Mr. Schultz asked what the Board's intent would be, if it received a notice such as the one it just received. Mr. Adams replied that it was their location, in relation to underground facilities, such as the drainage pipes and irrigation transmission lines etc., and the location of the trees in these areas, in relationship with and in known underground facilities. District Staff would determine if any adjustments were necessary. Mr. Pires suggested that the Board's response should be "as to the following, the Board was not aware of any". Mr. Fiesel asked if the 15-day courtesy referred to calendar or business days. Mr. Adams stated calendar days. In response to Mr. Blumenthal's question regarding District policy on downed trees, Mr. Pires stated that the policy was in an appendix to the Amendment and, if approved, he would upload it to the CDD website. Mr. Schultz stated that it addressed only trees that tipped over onto the street and not onto private property. Mr. Pires stated that, if the Board wished to adopt a policy along those lines, it could be added; the new concept was in the case of a tree that falls onto a District roadway or sidewalk. Upon notification, the District will advise the PSGRC whether it will engage in removal activity or authorize the PSGRC to remove it. Mr. Adams suggested clarifying the policy in both directions. Discussion ensued regarding the trees, policy procedures in relation to courtesy notification, accountability and responsiveness. Mr. Blumenthal stated that the phrase, "Neighborhood Associations" should be included in the first paragraph of the letter, listing River Ridge CDD, PSGRC and resident property owners. Mr. Pires would contact Mr. Blumenthal to review the wording in the Letter of Understanding. Prior to the next meeting, Mr. Pires would accept all of the changes and incorporate the revisions. In response to Mr. Schultz's inquiry, Mr. Pires suggested deferring approval of the Resolution to the next meeting to ensure clarity in the letter. Mr. Shultz stated that, once the Board grants approval, the Amendments and the Revised Maintenance Agreement would reflect that responsibility for trees are delegated to the PSGRC, unless it is determined that a hazardous safety issue exists.

Mr. Shultz asked Mr. Rick Ellis, a Masters resident, to clarify his wishes regarding a tree that was discussed at a recent neighborhood meeting. Mr. Ellis stated that he did not want to cut the tree down; he wanted to know who owned and was responsible for the tree, since it was in

the ROW, as he felt it should be the CDD. There was discussion that the CDD would transfer responsibility for the trees to the PSGRC. Mr. Ellis stated that the trees should have never been placed in the ROW, in the first place; he was trying to remedy an impending issue and was willing pay for removal, since someone must take responsibility for the tree in question. Mr. Pires stated that the District did not own those trees because the Project Improvement Acquisition Agreement stated that the Development Order (DO) had typical plans that showed that the trees were not to be in the ROW and should be a certain distance away from the utilities. He also researched the Lee County Property Appraiser website for Mr. Ellis' property and learned that the District acquired a roadway tract in April or May of 2001 and Mr. Ellis' house received the Certificate of Occupancy (CO) May 30, 2001; an accompanying photograph depicted no tree in the yard. In response to a Board Member's inquiry, Mr. Pires confirmed that it appeared that the tree was planted on Mr. Ellis' property after the ROW deed was transferred. Mr. Schultz summarized that the responsibility for the tree, because it is in the ROW, rests with the PSGRC. Discussion ensued regarding Mr. Ellis' application, the Architectural Review Committee (ARC), utility easements, fire hazards, public safety and responsibility. This item was deferred until the next meeting.

EIGHTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements

A. as of January 31, 2018

Mr. Adams presented the Unaudited Financial Statements as of January 31, 2018.

B. as of February 28, 2018

Mr. Adams presented the Unaudited Financial Statements as of February 28, 2018. Assessment revenue collections were at 96%. Mr. Blumenthal noted that Page 1 of the Check Register contained check numbers but no amounts and wondered if the checks were voided. Mr. Adams stated that he would correct those items and forward an updated check register to the Board. In response to Mr. Blumenthal's question, Mr. Adams confirmed that the District only had one checking account. Management wrote checks on that account for items in the General and Special Purpose Funds and funds were transferred back and forth.

NINTH ORDER OF BUSINESS

Approval of February 27, 2018 Regular Meeting Minutes

Mr. Adams presented the February 27, 2018 Regular Meeting Minutes and asked for any additions, deletions or corrections.

On MOTION by Mr. Blumenthal and seconded by Mr. Fiesel, with all in favor, the February 27, 2018 Regular Meeting Minutes, as presented, were approved.

A. Action/Agenda Items

Regarding Item 5, Mrs. Adams stated that questions were recently raised regarding the street sweepers' attendance and whether they were partially cleaning the property. They are scheduled for every Friday and Management asked for pictures of their passes to prove that the streets were swept. The Board was urged to alert Mrs. Adams if they wanted the property swept more than once each week.

Regarding Item 6, Mr. Adams stated that the District utilized Pelican Landing's in-house street sweepers.

Regarding Item 9, Mrs. Adams stated that it would be on next month's agenda.

Items 10, 12, 13, 15, 17 and 18 were completed.

Regarding Item 15, Mrs. Adams stated that littorals have grown back in the flow way and SOLitude Lake Management (SOLitude) was directed to clean it out. Mr. Adams stated that erosion control material and riprap would soon be installed on the banks around the north side of Island Sound Drive, where the pipes are, to stabilize the banks and keep sediment from blocking the culvert.

Regarding Item 19, signage would be added as they were on order, per Mrs. Adams.

Regarding Item 20, Mr. Adams and Mr. Krebs will attend the Stormwater Management Meeting on March 6, 2018 at 1:00 p.m.

TENTH ORDER OF BUSINESS

Staff Reports

A. District Counsel: *Woodward Pires & Lombardo, PA.*

There being no report, the next item followed.

B. District Engineer: *Hole Montes, Inc.*

There being no report, the next item followed.

C. District Manager: *Wrathell, Hunt and Associates, LLC*

i. Annual Key Activities

The 2018 Key Activity Dates Report was provided for informational purposes. Mrs. Adams stated that the culvert and interconnecting pipe inspections will be completed this week and the lake and dry detention audit was completed; both will be on the agenda for consideration at the next meeting. Mr. Schultz requested that the action items be listed in chronological order.

ii. NEXT MEETING DATE: April 24, 2018 at 1:00 P.M.

Mr. Adams stated that the next meeting will be held on April 24, 2018 at 1:00 p.m., at this location.

ELEVENTH ORDER OF BUSINESS

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

In response to Mr. Gilman's question, Mr. Whitmore stated that Comcast was the sub-contractor installing the fiber.

Mr. Neil Severance, PSGRC Board President, stated that he appreciated the attention to Lake H-1B; eight people were clearing and raking it today. He asked for an explanation of the process. Mrs. Adams stated that the process involved treating and allowing it to sink to the bottom, once dead. Mr. Adams stated that the contractors would rake as much as possible and then return to apply another chemical treatment, which should have a quicker effect, as there was less material to treat with the chemicals and the remaining sediment decomposes. Mr. Severance felt that both the CDD and the PSGRC need to communicate about roadway safety and he would like both entities to send a message in that regard. He felt that there was a continuing speeding problem and cars that abuse both pedestrians and bicyclists and emphasized that pedestrians first have the right-of-way, followed by bicycles, golf carts and cars, and there should be no passing or endangering pedestrians and bicyclists. Both entities should communicate that to the residents.

TWELFTH ORDER OF BUSINESS

Adjournment

There being nothing further to discuss, the meeting adjourned at 2:20 p.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]


Secretary/~~Assistant Secretary~~


Chair/~~Vice Chair~~