

**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, June 26, 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 (<i>via telephone</i>)	Chair
Terry Mountford (<i>via telephone</i>)	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
Jason Olson	Assistant Regional Manager
Tony Pires	District Counsel
Charlie Krebs	District Engineer
Eric Long	PSGRC Assistant General Manager

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mrs. Adams called the meeting to order at 1:00 p.m. Supervisors Blumenthal, Fiesel and Gilman were present, in person. Supervisor Schultz was attending via telephone. Supervisor Mountford was not present at roll call.

On MOTION by Mr. Fiesel and seconded by Mr. Blumenthal, 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 stated the stop bar and stop sign, as well as the light pole at the Southern Hill intersection, still needed to be relocated away from the vegetation. Mr. Long was waiting for a response from Florida Power & Light (FPL) regarding the status of the light fixture relocation.

FOURTH ORDER OF BUSINESS

Update: Drainage Remediation Efforts

Mr. Krebs stated dates were added to the ongoing Drainage Improvement List. The following additional changes were made:

Change "May 2018" to "Spring 2019" - Send information to contractor for bids.

Change "July 2018" to "August 2018" - Inspection of drainage system for blockages/clean pipes.

*****Mr. Mountford joined the meeting at 1:06 p.m., via telephone.*****

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

▪ **Discussion of the Drainage Remediation Efforts resumed.**

Mr. Krebs distributed and explained the results of the FPL ditch surveys, which indicate both existing sections and proposed changes for slopes were to be less than 3:1, 4:1 or 5:1, with a 5' bottom. Any dredged neutral material would be held at the embankment and used for erosion repair. Mr. Schultz asked if any approvals were needed before performing this work. Mr. Krebs stated he would prepare and present a detailed report indicating the project specifics so that an accurate bid is received. Since the District already received approval to maintain and use the area as a drainage conveyance, approval from FPL was not necessary. It was noted that

the District must take heed to follow the specific criteria, clearance, etc., when performing this work. Mr. Krebs confirmed the majority of the work is sod-related and work will stop before encroaching on existing vegetation. The surveys do not include any improvements near the preserve area. Mr. Blumenthal asked if changing the shape of the bottom from a “V” to a “U” would enhance the flow out of the area and if it would also impact the amount the District could discharge into the river. Mr. Krebs explained that it was easier to maintain and increase the conveyance through the FPL easement, down to the river, if the bottom was flat, instead of V-shaped; the control structures were the culprit in restricting flow.

FIFTH ORDER OF BUSINESS

**Continued Discussion: Fiscal Year
2018/2019 Proposed Budget**

Mr. Adams stated the changes discussed in the prior meeting were incorporated into the proposed Fiscal Year 2019 budget. For the General Fund, assessments remained the same as in prior years and the Equivalent Residential Units (ERU) schedule was broken down between communities. The ERUs are based on acreage and not structures. The Methodology used to calculate the commercial strip, along US 41, was 5.75 ERUs per acre, typical for storm water CDDs. For the Special Revenue Fund Budget - Pelican Sound Program, “Lake/wetland” increased to offset the anticipated costs associated with maintenance and the bio-generators program and the “Drainage pipe annual inspection and cleaning” and “Lake bank remediation” line items were added, as part of repairing, using geotubes for the residential side of remediation along the golf course edge at Lakes E1-A, E8-A in 2019 and E8-C in 2020. “Capital outlay” increased to use to offset any gap funding needs and make payments on the \$400,000, 4.5% five-year loan; \$300,000 is dedicated to the paver brick program and \$100,000 is dedicated towards the control structure and FPL drainage improvements. The “Contingencies” line item increased but, if not needed, the funds would be used to build up fund balance. As proposed, the Fiscal Year 2019 assessments will be \$379.70 per unit.

In response to a question regarding delinquent assessments, Mr. Adams explained the Tax Collector’s notification process and action taken to ensure the District receives the funds due. In response to a storm contingency question, Mr. Adams stated that, typically, 25% to 35% of the annual operating budget should be dedicated as reserves.

The following change was made in the General Fund:

Create a new line item: "Contingency for Storm Cleanup" for \$23,469

"Unassigned": Reduce from \$73,469 to \$50,000

A Board Member asked to readdress the discussions, noted on Page 6 of the prior minutes, about stormwater management costs being dispersed over the entire District and not just Pelican Sound, and that Mr. Krebs and Mr. Adams would determine whether the stormwater management system was identifiable as a benefit across to the entire District to share the maintenance and repair costs. It was noted that a revised Methodology Report would be necessary to determine a fair and equitable distribution of the assessments. Mr. Adams stated the reasoning behind those costs being dedicated to the Special Revenue Fund was explained in the original Methodology Report; it mostly had to do with permits being required for aquascaping and the Engineer's Report determining the District, as a whole, was not contributing to deteriorating water runoff into the Estero River and that the other entities maintained their own systems, which were not conveyed to the District. He would defer the determination to Mr. Krebs. Mr. Schultz asked if this item could be addressed later and the budget adjusted for the following year. Mr. Adams replied affirmatively.

Mr. Fiesel asked if the pavers in the cul-de-sac, sidewalks and street areas could be pressure washed. Mr. Adams stated that is an HOA issue. Mr. Long will add it to his projects list to perform after the rainy season, usually in October.

The following additional changes were made:

Page 2: Change "All Properties" to "Pelican Sound"

Page 2: Add "Contingency for Storm Cleanup" line item and allocate "\$23,469" from the "Unassigned Fund Balance"

Page 8, Special Revenue Fund Professional Services: Change "Engineering Description" to "Paver Project"

Assessment notices will be sent, prior to the August Public Hearing to adopt the proposed budget, indicating that Pelican Sound Assessments would increase and that they had not received an increase in several years.

SIXTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of May 31, 2018

Mr. Adams presented the Unaudited Financial Statements as of May 31, 2018. General Fund assessment revenue collections were at 100%. Mr. Adams stated several one-time annual costs, unexpected hurricane cleanup and roadway repairs relating to installing the crosswalk were booked the second quarter, which caused expenditures to be at 78%. Special Revenue Fund assessment revenue collections were at 99% and are expected exceed 100%, in June, when proceeds from tax certificate sales are received. Several one-time annual costs, such as the audit, roadway resurfacing loan repayment and capital outlay were booked in the second quarter, which caused expenditures to be at 75%. In response to a question, Mr. Adams stated the Capital outlay expense was related to the District’s final payment of a three-year repayment to the Golf and River Club, for upgrades to the master irrigation pump station.

SEVENTH ORDER OF BUSINESS

Approval of May 22, 2018 Regular Meeting Minutes

Mrs. Adams presented the May 22, 2018 Regular Meeting Minutes and asked for any additions, deletions or corrections. The following changes were made.

Lines 118: Change “Mountford” to “Blumenthal”

On MOTION by Mr. Gilman and seconded by Mr. Blumenthal with all in favor, the May 22, 2018 Regular Meeting Minutes, as amended, were approved.

A. Action/Agenda Items

Items 16, 18, 20, 21, 22 and 23 were completed.

Items 1 through 15, 17, 19, 25 and 26 remained ongoing.

Item 6: Mr. Fiesel stated Lakes H1-B and H1-A were still unhealthy looking and plagued with algae, even with the recent maintenance. Mr. Long stated that residents residing on Lake H1-B had complained that the bio-generator should be screened with vegetation. He was obtaining estimates from International Greenscapes LLC (Greenscapes) to install landscaping to

block the view of the equipment. Mr. and Mrs. Adams will tour the area and provide a progress report detailing the current activities of SOLitude Lake Management (SOLitude).

Item: 22: Management will again email their response to Mr. Thomas Petrin's email.

Mr. Shultz asked for an update on the FPL letter addressing the sinking vault, at the intersection of Turnberry and Oak Run. Mr. Long stated that three separate people from FPL have toured the area and were working towards developing a solution. He will email FPL to follow up on the visits and possible solution. Mr. Pires and Mr. Mountford will be blind copied.

EIGHTH ORDER OF BUSINESS

Staff Reports

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

Mr. Pires had nothing to report but noted that several of Mr. Adams' Districts were being sued by one person who filed numerous lawsuits. Since May 2018, multiple corporations and CDDs were added, alleging that their websites are noncompliant with the Americans with Disabilities Act (ADA) website requirements for the blind and disabled. Management has engaged a firm to review and bring District websites into compliance.

Mr. Adams stated he was notified that the recent lawsuits were successfully defeated, with the Court basing its findings on technical assistance materials, which are not actual law. Management engaged ADA Site Compliance Incorporated (ADASC), who specializes in reviewing and bringing websites into ADA compliance at a cost of \$200 per client, which Management negotiated down from \$250. This includes training Management's clerical staff on how to update website documents and items to be compliant. Going forward, the website will be updated with PDF files formatted to enable users to select text to speech program. Mr. Pires stated the significance of this type of litigation could potentially result in diminishing the material posted on the website and that the District is aggressive in their Motion to Dismiss defense filings. Updates would be provided. Mr. Adams stated any litigation would be covered by the District's insurance carrier, through the District's General Liability Policy. In response to the question of relief, Mr. Pires stated the claims are requesting injunctive relief requiring compliance, continued compliance and paying court costs and attorney's fees; no other damages are being requested. Discussion ensued regarding prior ADA lawsuits against small businesses and public records challenges.

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. Mr. Schultz stated Mrs. Adams did a good job on the Report.

Mrs. Adams stated the Lake and Wetland Maintenance bids will be added to the August agenda. She sent BrightView a Defective Work Notice for not maintaining plants properly and, because of that, she obtained a landscape maintenance bid, which is lower than the District's current costs. Mr. Schultz recalled past issues when selecting a lower bidder and recommended evaluating the bidder's past performance before making any changes. Mr. Gilman recommended Green Heron Landscapes; he will provide their contact information.

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

Mr. Adams stated that the next meeting will be held on July 24, 2018 at 1:00 p.m., at this location. A decision to cancel the meeting will be made one week before the scheduled date. Agenda packages for Mr. Blumenthal and Mr. Fiesel will be sent to Mr. Adams.

NINTH ORDER OF BUSINESS

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

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

TENTH ORDER OF BUSINESS

Adjournment

There being nothing further to discuss, the meeting adjourned at 2:10 p.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]


Secretary/Assistant Secretary


Chair/Vice Chair