

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

The Board of Supervisors of the River Hall Community Development District held Multiple Public hearings and a Special Meeting on September 9, 2021, at 3:30 p.m., at River Hall Town Hall Center, located at 3089 River Hall Parkway, Alva, Florida 33920.

Present were:

Ken Mitchell	Chair
Robert Stark	Vice Chair
Paul D. Asfour	Assistant Secretary
Michael Morash	Assistant Secretary
Michael Hagan	Assistant Secretary

Also present were:

Chuck Adams	District Manager
Cleo Adams	Assistant District Manager
Shane Willis	Operations Manager
Greg Urbancic	District Counsel
Charlie Krebs	District Engineer
Peter Dame (via telephone)	Bond Counsel
Dave Heinkel	Pulte Homes
Carl Barraco	Barraco and Associates, Inc.
Holly Schwartz	Resident
Mike Brosy	Resident
Paul Ligado	Resident
John Scaduto	Lee County Sheriff's Community Resource Officer
Other Residents	

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Adams called the meeting to order at 3:30 p.m. All Supervisors were present.

SECOND ORDER OF BUSINESS

Public Comments (3 minutes per speaker)

Resident Holly Schwartz stated that she observed ATVs in the conservation area. She thought that they are accessing the property through the Florida Power & Light (FPL) easement. She noted that one got stuck and a truck pulled it out. She was concerned about liability and potential fires.

Resident Mike Brosy asked if the operations and maintenance (O&M) assessment increases should have been offset by the 100 new homes in the CDD. Mr. Adams stated that the new homes were already accounted for. Assessments would be increasing and that would be discussed next. Mr. Mitchell explained that all lots are assessed whether built or not; new construction does not mean the CDD will receive additional assessment revenue.

Discussion ensued regarding the Mailed Notice information and a possible reduction in assessments for homeowners with bond payments as the bonds were refinanced.

THIRD ORDER OF BUSINESS

Public Hearing on Adoption of Fiscal Year 2021/2022 Budget

A. Proof/Affidavit of Publication

The affidavit of publication was provided for informational purposes.

B. Consideration of Resolution 2021-11, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2021, and Ending September 30, 2022; Authorizing Budget Amendments; and Providing an Effective Date

Mr. Adams reviewed the proposed Fiscal Year 2022 budget, highlighting line item adjustments, compared to the Fiscal Year 2021 budget, and explained the reasons for the adjustments. The O&M assessment increase would be 5%.

Mr. Adams opened the Public Hearing.

A resident asked where the extra assessments could be found in the budget. Mr. Adams stated this amount was rounded up for noticing purposes only.

Resident Paul Ligado asked for clarification of the landscaping increase and whether the CDD or HOA is the responsible entity. Mr. Adams stated the CDD is responsible for landscaping outside of the gates and does the lake bank mowing inside the gates just around the stormwater ponds, until the property is transferred to the homeowner. He differentiated the various items that the CDD and HOA maintain.

Mr. Asfour stated that O&M assessments have not increased since he and Mr. Morash joined the Board over nine years ago and they had not increased in the four years before then.

Mr. Adams closed the Public Hearing.

Mr. Mitchell presented Resolution 2021-11.

On MOTION by Mr. Morash and seconded by Mr. Asfour, with all in favor, Resolution 2021-11, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2021, and Ending September 30, 2022; Authorizing Budget Amendments; and Providing an Effective Date, was adopted.

FOURTH ORDER OF BUSINESS

Public Hearing to Consider the Adoption of an Assessment Roll and the Imposition of Special Assessments Relating to the Financing and Securing of Certain Public Improvements

- *Hear testimony from the affected property owners as to the propriety and advisability of making the improvements and funding them with special assessments on the property*
- *Thereafter, the governing authority shall meet as an equalizing board to hear any and all complaints as to the special assessments on a basis of justice and right*

These items were addressed below.

A. Proof/Affidavit of Publication

The affidavit of publication was included for informational purposes.

B. Mailed Notice to Property Owner(s)

A copy of the Mailed Notice, Chairman’s letter and Debt Assessment Notice regarding refinancing the Series 2011A-2 bonds, were included for informational purposes.

C. Consideration of Resolution 2021-12, Making Certain Findings Including Those Related to the Refinancing of the District’s Special Assessment Bonds, Series 2011A-2 and Imposition of Series 2021A-2 Assessments; Confirming and Approving District Projects for Construction and/or Acquisition of Infrastructure Improvements; Equalizing, Approving, Confirming, and Levying Special Assessments on Lots or Parcels of Land Within the District Specially Benefitted by Such Projects to Pay the Cost Thereof; Confirming and Adopting a Supplemental Assessment Methodology Report; Providing for the Payment and the Collection of Such Special Assessments by the Methods Provided for by Chapters 170, 190, and 197 Florida Statutes; Providing for the Recording of an Assessment Notice; Providing for Severability, Conflicts and an Effective Date

Mr. Urbancic presented Resolution 2021-12. He explained the purpose of the Resolutions presented today and discussed the following:

- Resolution 2021-12: This was the equalizing Resolution that will finish the process for the Series A-2 bonds and adopt the Assessment Methodology presented at the last meeting.
- Resolution 2021-13: This was the Supplemental Resolution prepared once the bonds were priced. It finalizes the assessment amounts for the Series 2021A-1 and 2021A-2 bonds.
- There would be an increase in O&M assessments and a decrease in debt assessments.
- Mailed Notices require certain verbiage, so the Chairman’s letter was included to provide a clearer explanation of the assessments.

Mr. Adams opened the Public Hearing.

No members of the public spoke.

Mr. Adams closed the Public Hearing.

The Board of Supervisors, meeting as the Equalizing Board, made no changes.

On MOTION by Mr. Asfour and seconded by Mr. Morash, with all in favor, Resolution 2021-12, Making Certain Findings Including Those Related to the Refinancing of the District’s Special Assessment Bonds, Series 2011A-2 and Imposition of Series 2021A-2 Assessments; Confirming and Approving District Projects for Construction and/or Acquisition of Infrastructure Improvements; Equalizing, Approving, Confirming, and Levying Special Assessments on Lots or Parcels of Land Within the District Specially Benefitted by Such Projects to Pay the Cost Thereof; Confirming and Adopting a Supplemental Assessment Methodology Report; Providing for the Payment and the Collection of Such Special Assessments by the Methods Provided for by Chapters 170, 190, and 197 Florida Statutes; Providing for the Recording of an Assessment Notice; Providing for Severability, Conflicts and an Effective Date, was adopted.

FIFTH ORDER OF BUSINESS

Consideration of Resolution 2021-13, Supplementing Resolution No. 2011-05, Which Resolution Previously Equalized, Approved, Confirmed, Imposed and Levied Special Assessments on and Peculiar to Property Specially Benefited (Apportioned Fairly and Reasonably) by the District’s Projects Relating to the Series 2011A-1 Bonds; Supplementing Resolution No. 2021-12, Which Resolution Previously Equalized, Approved, Confirmed, Imposed and Levied Special Assessments on and Peculiar to Property Specially Benefited (Apportioned Fairly and Reasonably) by

the District's Projects Relating to the Series 2021A-2 Bonds; Approving and Adopting the River Hall Community Development District Final Third Supplemental Special Assessment Methodology Report Prepared by Wrathell, Hunt & Associates, LLC Dated August 11, 2021, Which Applies the Methodology Previously Adopted to Special Assessments Reflecting the Specific Terms of the River Hall Community Development District Capital Improvement Revenue Refunding Bonds, Series 2021A-1 and River Hall Community Development District Capital Improvement Revenue Refunding Bonds, Series 2021A-2; Providing for the Update of the Improvement Lien Book; and Providing for Severability, Conflicts, and an Effective Date

Mr. Urbancic stated Resolution 2021-13 fixes the final pricing of the Series A-1 and A-2 bonds, adopts the Final Third Supplemental Assessment Methodology Report and the final assessment roll.

A Board Member referred to Table 2, on Page 9 of the Final Third Supplemental Special Assessment Methodology Report, which reflected cost savings related to the Series A-1 bonds and what is apportioned for the Series A-2 bonds.

On MOTION by Mr. Morash and seconded by Mr. Hagan, with all in favor, Resolution 2021-13, Supplementing Resolution No. 2011-05, Which Resolution Previously Equalized, Approved, Confirmed, Imposed and Levied Special Assessments on and Peculiar to Property Specially Benefited (Apportioned Fairly and Reasonably) by the District's Projects Relating to the Series 2011A-1 Bonds; Supplementing Resolution No. 2021-12, Which Resolution Previously Equalized, Approved, Confirmed, Imposed and Levied Special Assessments on and Peculiar to Property Specially Benefited (Apportioned Fairly and Reasonably) by the District's Projects Relating to the Series 2021A-2 Bonds; Approving and Adopting the River Hall Community Development District Final Third Supplemental Special Assessment Methodology Report Prepared by Wrathell, Hunt & Associates, LLC Dated August 11, 2021, Which Applies the Methodology Previously Adopted to Special Assessments Reflecting the Specific Terms of the River Hall Community Development District Capital Improvement Revenue Refunding Bonds, Series 2021A-1 and River Hall Community Development District Capital Improvement Revenue Refunding Bonds, Series 2021A-2; Providing for the Update of the Improvement Lien Book; and Providing for Severability, Conflicts, and an Effective Date, was adopted.

**Consideration of Amended and Restated
Notice of Special Assessments (Series
2021A)**

Mr. Urbancic stated the Amended and Restated Notice of Special Assessments for Series 2021A updates reference to the 2021A-1 and A-2 bonds; this was included for informational purposes. No further action was necessary.

The bond closing would be held after the meeting at which the Chair would execute all bond closing documents.

SEVENTH ORDER OF BUSINESS

**Q & A Session with Community Resource
Officer**

Officer John Scaduto introduced himself and stated that he is with the Lee County Sheriff Community Response Unit (CRU). He discussed the following:

- The CRU is updating contact information for existing and new communities throughout the County.
- ATVs: Resolving this issue is not easy because several adjoining properties are utilized to gain access and those areas are required to remain open for fire and power access.
- An Engineer must affirm that the CDD roadways and signs conform to Florida Statutes and file a petition with the Sheriff before a Traffic Control Agreement would be prepared, which would allow the Sheriff to commence enforcement of traffic infractions on the roadway.
- ATV instances were expected to increase; however, four operations were held in Lehigh Acres where a select team was cracking down on unregistered vehicles.

Officer Scaduto discussed the Sheriff's "Chase Policy" and informed residents to contact the Sheriff with any issues. He noted that surveillance cameras are helpful and discussed trespassing signs and the required criteria to issue a citation or make an arrest. More calls for service would bring more pressure to respond, especially during fire season.

Discussion ensued regarding past instances of hearing gun shots, towing and impounding unauthorized vehicles, police officer shortage due to COVID, gun range in the area, Sheriff's upgrading of its secured radio channels, gaps in Portico and Green Point, the Sheriff's crime trend e-blast alerts, etc.

Mr. Mitchell stated that he spoke to the representatives today and was told they would forward the Security Post Orders to him. This item was deferred to the next meeting.

NINTH ORDER OF BUSINESS

Discussion: School Parent Pick-Up
Overflow onto Parkway

Mr. Mitchell reported that both sides of the Parkway were backed up today. It was unknown if there is a new principal.

Mr. Adams stated he would contact the School Security Officer, Mr. Rob Boyles.

TENTH ORDER OF BUSINESS

Discussion/Consideration: FDOT Letter
Regarding Easement for Purchase

Mr. Adams stated that purchasing the easement does not make sense. He confirmed that the map attached to the Florida Department of Transportation (FDOT) letter was correct, despite a Board Member's belief that it was incorrect. Mr. Adams was asked to respond indicating the CDD will accept the FDOT releasing the easement and that the CDD is not interested in purchasing it.

ELEVENTH ORDER OF BUSINESS

Discussion: FPL Substation Buffering Plan

Mr. Barraco and Mr. Heinkel reported the following and responded to questions:

- Research revealed that FPL had a substation approved. The Lee County Development Order was emailed to a few Board Members.
- The landscape and site plan were included in the agenda package.
- Pulte is willing to install the landscape buffer; however, approval from the CDD is required, as it is located on CDD property.
- FPL requires the County to do the landscape package for new construction, independent of Pulte.
- Mr. Heinkel presented the landscape plans, which will need approval from a CDD Representative before the maintenance responsibilities are conveyed to the CDD.

➤ The District Engineer or Staff can review plans and make recommendations about the types of materials being used.

Discussion ensued regarding there being no buffer to the substation, the plan including zero vegetation on one side, a request made to add two rows across the right-of-way (ROW) and seal it with the double cow gates and augmenting south of the boundary line.

Mr. Barraco stated that they can approach the County to find out what they are allowed to do in the ROW and installing or reinstalling gates, as the area is considered a viewer’s road easement and open to the public.

Mr. Willis was asked to work with GulfScapes to review the FPL landscape plans.

On MOTION by Mr. Morash and seconded by Mr. Asfour, with all in favor, the FPL Landscape Plans, subject to review and approval by Mrs. Adams, were approved.

TWELFTH ORDER OF BUSINESS

Discussion/Consideration: Use of Refurbished Stop Signs from River Hall Stock Pile

• **Consideration of Lykins Signtek Estimate #41894**

Mr. Krebs stated that the Lykins Signtek (Lykins) estimate is to install signs in the islands, in both directions, in the places that were missed. The Property Manager provided the signs. Mrs. Adams requested approval of an additional \$2,612.75 for stop bars, painting and additional sign inserts and noted that unused funds from plant replacement would be used to offset the additional cost.

On MOTION by Mr. Morash and seconded by Mr. Asfour, with all in favor, the Lykins Signtek Estimate #41894, to install additional signage/stop bars, in the amount of \$2,374.95 and an additional \$2,612.75, was approved.

THIRTEENTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of July 31, 2021

Mr. Mitchell presented the Unaudited Financial Statements as of July 31, 2021.

Regarding the sidewalks, Mrs. Adams stated that they would be pressure cleaned in October. Mrs. Adams asked to defer the sidewalks and just pressure wash the monuments and pillars before decorating begins in October; the Board agreed to the request.

Mr. Asfour referred to the bond issue that was issued last year and asked where the amount designated for security was located. Mr. Krebs stated that, per Mr. Miars, the CDD was given funds for perimeter security; however, he did not have anything in writing confirming this. He believed Mr. Miars was paying for the substation fence and the one at Portico, which was included in the bonds; however, Mr. Barraco recalled that it was in the Engineer’s Report but public funds cannot be used for those improvements and there was nothing specific to security outlined on paper. There should be funds available for that improvement, though.

Mr. Barraco discussed Portico’s plans to install an emergency entrance, per the County’s requirement. Security discussions with Mr. Miars would continue. He would forward information to Mr. Adams to distribute to the Board.

Mr. Asfour asked if GreenPointe plans to rezone platted lots, reducing lot sizes so they can increase the number of lots. Mr. Barraco stated GreenPointe cannot go over the 2,695 units designated to build.

A Board Member requested backup for the \$385.90 payment to RH Venture II, reflected in the Check Detail Report. Mr. Adams would research the expense and report his findings.

On MOTION by Mr. Morash and seconded by Mr. Hagan, with all in favor, the Unaudited Financial Statements as of July 31, 2021, were accepted.

A Board Member asked Mr. Barraco a jurisdictional question about Windsor Way, in that there are drainage issues and neither the HOA or CDD is claiming responsibility; however, Pat thinks this is a Developer issue. After reviewing the plat, the golf course was deemed responsible for that area. Mrs. Adams would inspect several areas, including the box adjacent to the Fairway that carries water to Lake 3-1 and behind #12, to determine if there is a clogged inlet. If there is not, she would ensure the entity is notified to address each issue accordingly.

FOURTEENTH ORDER OF BUSINESS

Approval of July 29, 2021 Regular Meeting Minutes

Mr. Mitchell presented the July 29, 2021 Regular Meeting Minutes.

The following changes were made:

Line 189: Change "Asfour" to "Stark"

Line 192: Change "Mitchell" to "Asfour"

On MOTION by Mr. Morash and seconded by Mr. Asfour, with all in favor, the July 29, 2021 Regular Meeting Minutes, as amended, were approved.

FIFTEENTH ORDER OF BUSINESS

Staff Reports

A. District Engineer: *Hole Montes*

- **Update: Carter Fence Installation Project**

Mr. Krebs received confirmation that Carter Fence obtained all the necessary approvals to proceed with the project; the schedule was pending.

B. District Counsel: *Coleman, Yovanovich & Koester*

Mr. Urbancic stated that the bond pre-closing would be held after the meeting. He introduced Mr. Dame, Bond Counsel.

Regarding the bonds, Mr. Dame stated FMSbonds sells the bonds to high-end investors.

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

- **NEXT MEETING DATE: October 7, 2021 at 3:30 P.M.**

- **QUORUM CHECK**

All Supervisors confirmed their attendance at the October 7, 2021 meeting.

D. Operations Manager: *Wrathell, Hunt and Associates, LLC*

- **Monthly Status Report – Field Operations**

Mr. Willis reported the following:

- The GulfScapes landscape contract was executed in July.

- Hog Trapper: The Board decided to defer this while Mr. Roberts recovers from an injury.

It was noted that the only damage observed was on the golf course, at the 6 Tee box. A Board Member stated there are signs that the hogs are coming out. The acorns started to drop from the pine trees in his yard and he heard trappers and the dogs at the end of Walnut Run.

- Lake Bank Restoration projects will commence once the water recedes.

A Board Member stated the homeowner at Chestnut Grove Drive, at Lake 3-5B, believed that the builder should be held responsible and make the repairs because they did not install

gutters, which is causing erosion. Discussion ensued regarding the HOA implementing declarations requiring builders install jetty tiles down to the lakes, as Lee County does not want to implement this requirement.

- Installing Fiber Optics in the School ROW: An e-blast would be sent regarding when the project will start, once the schedule is finalized.

Mrs. Adams discussed a meeting with the homeowner to address erosion concerns behind her Lake 2-7 residence. Mrs. Adams stated her opinion that the erosion was minimal; she explained to the homeowner that they are responsible for remediating the issue by running pipe to the pond. She also recommended that the homeowner unplug their gutters. She has not heard from the homeowner since the proposal to complete the repairs was provided.

SIXTEENTH ORDER OF BUSINESS

Public Comments: Non-Agenda Items (3 minutes per speaker)

No members of the public spoke.

SEVENTEENTH ORDER OF BUSINESS

Supervisors' Comments/Requests

Mr. Asfour asked when the substation would come online. It was noted that initial date was the first week in September; however, they still need to do the road.

The Board agreed to the request to move the December 2, 2021 meeting to December 9, 2021. Staff would advertise accordingly.

Mrs. Adams stated that the pine straw project is scheduled to commence the week of November 15, 2021.

EIGHTEENTH ORDER OF BUSINESS


Adjournment

There being nothing further to discuss, the meeting adjourned.

On MOTION by Mr. Morash and seconded by Mr. Stark, with all in favor, the meeting adjourned at 4:25 p.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]


Secretary/Assistant Secretary


Chair/Vice Chair