

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

The Board of Supervisors of the River Hall Community Development District held a Public Hearing and Regular Meeting on August 4, 2022, 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 (via telephone)	Assistant Secretary
Michael Hagen	Assistant Secretary

Also present were:

Chuck Adams	District Manager
Cleo Adams	District Manager
Shane Willis	Operations Manager
Greg Urbancic	District Counsel
Charlie Krebs	District Engineer
Grady Miars	Developer, GreenPointe
Andy & Michelle Kasl	Residents
Michelle & Bryan Brown	Residents
Jake Lamb	Deputy Chief, Fire Department
Dan Block	Resident
Tony Wilson	Resident
Karen Asfour	Resident

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Adams called the meeting to order at 3:31 p.m. Supervisors Asfour, Mitchell, Hagen and Stark were present. Supervisor Morash was not present at roll call.

SECOND ORDER OF BUSINESS

Public Comments (3 minutes per speaker)

Resident Michelle Brown presented photographs and stated her property backs up to a pond directly across from the Portico property, where there is a shared property line. Portico residents have been accessing Hampton Lakes by foot and on golf carts or ATVs to fish during the day and to congregate at night until 1:00 a.m. In her opinion, it is becoming a safety issue and she would like a solid fence to be installed but would be amenable to bushes or another type of deterrent. Asked if she notified the authorities, Ms. Brown stated yes; however, the Sheriff did not come, citing that cross streets do not exist and the area is undeveloped.

Referencing an area map, Mr. Adams stated prior to the meeting, he received a commitment from Lennar to pay for and install decorative fencing at three key locations. Each location will have a 6' gate to allow CDD access crews to continue maintaining the area and Staff will coordinate with Lennar on an easement agreement to allow them to maintain from the Portico side down to the water's edge. The reason Lennar is paying for the fence is because they do not want the CDD to erect a 6' vinyl wall, which would remove views of the ponds.

Mr. Morash joined the meeting via telephone.

Ms. Brown felt that the problem will continue as trespassers will still access the community and disturb residents. A Board Member stated that only Portico can exercise control over the area.

Discussion ensued regarding the ongoing nighttime trespasser activities, the CDD potentially installing a solid barrier in the areas in question, enforcing a "No Fishing" policy and a Community Outreach Officer.

Resident Andy Kasl asked for an update on speeding enforcement on Hampton Boulevard. Mr. Miars would provide an update later in the meeting.

Resident Michele Kasl echoed Ms. Brown's comments and asked the Board to consider installing landscaping between Hampton Lakes and Portico to deter trespassers and to instill privacy and separation between the two communities. She felt that landscaping would be wonderful and that the CDD could do that for Hampton Lakes residents.

Referencing an area map, Mr. Adams stated Lennar has platted lots between Hampton Lakes and Portico and the ensuing construction of units would deter trespassing into Hampton

Lakes. Asked about the timing, Mr. Adams stated, once land is platted, construction occurs fairly quickly.

Asked if a quote was obtained to construct the white wall extension, Mr. Willis stated it would cost approximately \$120,000. Asked what kind of consequences the CDD might face if the CDD installs a wall in that area and it blocks the lake view, Mr. Urbancic stated someone might bring a lawsuit against the CDD; however, the wall would be erected on CDD property and the CDD would have a legitimate public purpose and a good reason to erect it.

Mr. Mitchell stated that Portico does not want the lake blocked off but, unless Portico hires a deputy to patrol that area nightly, the CDD will erect a wall. He has no issue with installing a wall and asked for Board feedback.

Discussion ensued regarding Lennar, new homes, stormwater ponds, Portico's responsiveness, policing authority and calling 911 versus calling the non-emergency number.

Mr. Willis provided Officer Scaduto's contact information, who previously attended a CDD meeting to speak about the issue, as follows:

Phone number: 239-887-8015

Email: jscaduto@sheriffleefl.org

Mr. Hagen motioned and Mr. Asfour seconded the motion to erect a 6' wall in the location. Mr. Willis cautioned that the proposal was obtained four months ago and the construction costs might have increased.

Conversation ensued about whether to install a decorative or chain-link fence, landscape barrier or a white wall.

A vote was not taken on the motion on the table.

Mr. Asfour moved to table the motion to build a wall to the September meeting to allow Portico the opportunity to come up with a solution that is more acceptable to residents and is more secure.

On MOTION by Mr. Asfour and seconded by Mr. Stark, with all in favor, tabling the motion to build a wall between Hampton Lakes and Portico to the September meeting, was approved.

Deputy Chief Jake Lamb introduced himself as the new Deputy Chief of Operations for the Fort Myers Shores Fire Department and extended an open invitation to the groundbreaking for the new firehouse, Firehouse 82, on August 18, 2022 at 6:30 p.m. Asked if an in-house Emergency Medical Station (EMS) is being considered, Mr. Lamb stated that there is currently no discussion of an ambulance station in the community but that could develop in the future.

THIRD ORDER OF BUSINESS**Developer Update**

Referencing slides, Mr. Miars provided the following update:

- Regarding construction, Developers are awaiting to obtain the Department of Transportation (DOT) portion of an application for the connections. He feels that the DOT will allow construction to proceed on the east/west fencing on either side.
- He met with the contractor this morning. Jimmy is working on getting the DOT permit approved by Lee County.
- In response to the unfortunate passing of a CDD resident at the front, the Florida Department of Transportation (FDOT) will lower the speed limit from Buckingham Boulevard to past River Hall Parkway to 50 miles per hour. The resolution has been passed and the signs have already been ordered.
- Additional lights will be installed on the east side, the traffic light will be enhanced and speed bumps are approved for Hampton Lakes and in River Hall Country Club (RHCC) pending one last sign-off in Lee County permitting.
- The Sheriff's office will commence patrols to monitor speeding and to issue tickets within the next few weeks.
- Home sales continue to be good in RHCC and Hampton Lakes.
- 197 lots are currently in design and were added to Hampton Lakes and will be submitted for permitting this week.
- GreenePointe is scheduled for the planning Board meeting in September, to be followed by a Commission meeting in October and a zoning meeting in late October-early November, which is separate.

Mr. Miars responded to questions about the status of the 70' and 100' lots, total number of platted lots, number of units designed and the original Development Order. He discussed the average home prices in Hampton Lakes and RHCC, the addition of speed bumps in East Hampton and sealed access from the gate down.

FOURTH ORDER OF BUSINESS

**Public Hearing on Adoption of Fiscal Year
2022/2023 Budget**

A. Affidavit of Publication

The affidavit of publication was included for informational purposes.

B. Consideration of Resolution 2022-09, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2022, and Ending September 30, 2023; Authorizing Budget Amendments; and Providing an Effective Date

Mr. Adams reviewed the proposed Fiscal Year 2023 budget, which was unchanged from when it was last presented. The strategy is to keep expenses at a level that results in no assessment increase for any of the product types, year-over-year.

Mr. Adams opened the Public Hearing.

Resident Tony Wilson stated that \$12,000 is budgeted to put up and take down Christmas lights yet the lights are up all year. Mr. Adams stated the lights in reference are a different part of the lighting program. When the lights wrapping the oaks were first installed, the Board liked it and wanted to leave them up year-round. They are higher-quality lights that are taken down annually and restrung when the rest of the holiday decorations are installed but those are left up all year.

Resident Karen Asfour commented that the wreath does not light up and has some type of wire hanging from it. Mrs. Adams would check the specifications.

Mr. Adams closed the Public Hearing.

Mr. Adams presented Resolution 2022-09.

On MOTION by Mr. Stark and seconded by Mr. Asfour, with all in favor, Resolution 2022-09, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2022, and Ending September 30, 2023; Authorizing Budget Amendments; and Providing an Effective Date, was adopted.

FIFTH ORDER OF BUSINESS

Consideration of Resolution 2022-10, Making a Determination of Benefit and Imposing Special Assessments for Fiscal Year 2022/2023; Providing for the Collection and Enforcement of Special Assessments, Including, but not Limited to Penalties and Interest Thereon; Certifying an Assessment Roll; Providing for Amendments to the Assessment Roll; Providing a Severability Clause; and Providing an Effective Date

Mr. Mitchell presented Resolution 2022-10 and read the title.

Mr. Adams stated that this is commonly referred to as the assessment levying resolution and accomplishes the following:

- Takes into account the budget that was just adopted and the assessment levels therein, which outlines the amount of benefit that each product type will receive.
- Authorizes the District Manager to finalize the lien roll and transmit it to the Tax Collector for placement of the assessments on the November property tax bill.

On MOTION by Mr. Stark and seconded by Mr. Asfour, with all in favor, Resolution 2022-10, Making a Determination of Benefit and Imposing Special Assessments for Fiscal Year 2022/2023; Providing for the Collection and Enforcement of Special Assessments, Including, but not Limited to Penalties and Interest Thereon; Certifying an Assessment Roll; Providing for Amendments to the Assessment Roll; Providing a Severability Clause; and Providing an Effective Date, was adopted.

SIXTH ORDER OF BUSINESS

Continued Discussion/Update: Wall/Fence Installation Along Shared Property Line with Portico

This item was discussed during the Second Order of Business.

SEVENTH ORDER OF BUSINESS

Discussion: South Entry Design and HOA Security Committee Meeting Notes

This item was addressed during the Third Order of Business.

EIGHTH ORDER OF BUSINESS

Consideration of Award of Contract for Lake and Wetland Maintenance

Mr. Willis reported the following:

- Bids were received from Crosscreek Environmental (Crosscreek), SOLitude Lake Management (SOLitude) and Superior Waterways (Superior).
- SOLitude will hold the previously-approved price for the two-year bid.
- All three companies have a wide range of services in aquatics and wetland maintenance and are well-established in Florida.

Asked if Staff is satisfied with SOLitude, Mrs. Adams replied affirmatively.

On MOTION by Mr. Hagen and seconded by Mr. Asfour, with all in favor, awarding the Contract for Lake and Wetland Maintenance Services to SOLitude Lake Management, in the amount of \$162,465 for one year with a second-year option at the same price, was approved.

NINTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of June 30, 2022

Mr. Adams presented the Unaudited Financial Statements as of June 30, 2022.

On MOTION by Mr. Asfour and seconded by Mr. Stark, with all in favor, the Unaudited Financial Statements as of June 30, 2022, were accepted.

TENTH ORDER OF BUSINESS

Approval of July 7, 2022 Public Hearings and Regular Meeting Minutes

Mr. Mitchell presented the July 7, 2022 Public Hearings and Regular Meeting Minutes.

The following change was made:

Line 86: Change “Asfour” to “Mitchell”

On MOTION by Mr. Stark and seconded by Mr. Asfour, with all in favor, the July 7, 2022 Public Hearings and Regular Meeting Minutes, as amended, were approved.

ELEVENTH ORDER OF BUSINESS

Staff Reports

A. District Engineer: *Hole Montes*

Mr. Krebs reported the following:

- Construction signage will be installed within the next few weeks.
- At the request of the School Board, he transmitted the different concepts that the CDD presented to improve vehicle traffic circulation and stacking during student pick-up.

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

Mr. Urbancic stated that the “No Parking” legal description was completed and would be emailed to Mr. Krebs and to Management.

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

- **NEXT MEETING DATE: September 1, 2022 at 3:30 P.M.**
 - **QUORUM CHECK**

The next meeting will be held on September 1, 2022.

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

Mr. Willis presented the August Field Operations Report, which was included for informational purposes.

TWELFTH ORDER OF BUSINESS

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

Resident Dan Block voiced his opinion that the flower beds on the Hampton Lakes side are overrun with weeds. Mr. Adams stated that, while that it is CDD property, the HOA is responsible for landscape maintenance.

In response to a resident's question, Mrs. Adams stated that the sidewalks are pressure-washed once per year, right before the holidays. Asked how long it lasts, Mr. Adams replied eight to ten months.

THIRTEENTH ORDER OF BUSINESS

Supervisors' Comments/Requests

Mr. Mitchell presented Mr. Hagen's letter of resignation. He suggested that the seat remain empty until the November election.

On MOTION by Mr. Stark and seconded by Mr. Asfour, with all in favor, the resignation of Mr. Michael Hagen, effective August 29, 2022, was accepted.

FOURTEENTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Asfour and seconded by Mr. Stark, with all in favor, the meeting adjourned at 4:55 p.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]


Secretary/Assistant Secretary


Chair/Vice Chair