

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

The Board of Supervisors of the River Hall Community Development District held a Regular Meeting on September 7, 2023 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
Daniel J. Block (via telephone)	Assistant Secretary
Paul D. Asfour	Assistant Secretary
Michael Morash	Assistant Secretary

Also present were:

Chuck Adams	District Manager
Cleo Adams	District Manager
Shane Willis	Operations Manager
Greg Urbancic (via telephone)	District Counsel
Charlie Krebs	District Engineer
Andy Nott	Superior Waterway Services, Inc.
Robert Rewis	Fire Chief
Sally Shown	Resident
B. Don Burman	Resident
Andy Kasl	Resident
Paul Carapella	Resident
Michele Brown	Resident

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Adams called the meeting to order at 3:32 p.m. Supervisors Mitchell, Stark, Morash and Asfour were present. Supervisor Block attended via telephone.

SECOND ORDER OF BUSINESS

Public Comments (3 minutes per speaker)

Resident Michele Brown recalled a motion a year ago approving installation of a fence, Clusia hedges and irrigation along the border of Hampton Lakes and Portico. She discussed the need for security and privacy and her disappointment that the Board is reconsidering the hedge. Mr. Mitchell stated the matter is on today's agenda.

Resident Paul Carapella reserved his comments until the fishing policies are discussed.

Resident Andy Kasl reserved his comments until the fence and landscaping discussion.

Resident B. Don Burman voiced discontent about the various colors of light bulbs on the street lights in his subdivision. Mr. Adams advised that the CDD is only responsible for the lights on the Parkway but, in his experience, Florida Power & Light (FPL) should be able to work with the HOA Property Manager to have the lights replaced. Mr. Burman discussed responses from FPL and stated his opinion that energy needs to be directed to a remedy, as new fixtures are being installed to replace poles damaged during Hurricane Ian and he was advised that FPL does not have the bulbs available. Mr. Mitchell suggested remedies be sought by the HOA and written documentation be requested.

Resident Sally Shown asked how long the will CDD continue and if the CDD pays for sewer, cable and electric lines. Mr. Adams stated the CDD does not pay for any of those items. The CDD will operate in perpetuity as a governmental entity that owns, operates and maintains public assets. Unless those assets are transferred to and accepted by another governmental entity, the CDD will continue in perpetuity, levying assessments to pay for Operation and Maintenance (O&M) expenses. The bonds applicable to properties will eventually be paid off. He offered to advise Ms. Shown of when the bond payments will end; however, each property will continue to be assessed for its O&M expenses. Asked what the CDD pays for, Mr. Adams stated the CDD operates all the infrastructure along the Parkway, from SR80 to the median cutout, including landscaping, lighting, drainage, pavement, etc., and the stormwater management system, lakes and conservation areas. Mrs. Adams provided a copy of the budget to Ms. Shown and stated the budget is also on the CDD website.

THIRD ORDER OF BUSINESS

Developer Update

Mr. Adams stated that Mr. Miars was unable to attend; he will inform him of any issues.

FOURTH ORDER OF BUSINESS

Consideration of Award of Contract for Lake Maintenance Services

Mrs. Adams stated that SOLitude was terminated, effective Friday, September 1, 2023. If a contract is awarded today, it can go into effect Monday, September 11, 2023.

Mrs. Adams stated three contractors bid on the project; however, the memo does not include the Deangelo Contracting Services (Deangelo) proposal, which was distributed. The contractor advised that Management did not receive because the file size was too large to email. So their submittal was received by the CDD, after the agenda was posted on the website.

Mrs. Adams presented proposals from Deangelo, Crosscreek Environmental Inc. (Crosscreek) and Superior Waterway Services, Inc. (Superior).

Mrs. Adams stated the CDD is withholding two months' payments from SOLitude, totaling \$25,411, to help cover expenses related to initial cleanup; unused funds will be paid to SOLitude. She noted that Deangelo is not requesting up-front payment for cleanup. Mr. Adams stated that some replanting of littoral plants will likely be necessary.

Discussion ensued regarding the proposals and the scope of work.

Mr. Nott discussed his estimate for initial cleanup and stated that more herbicide is needed for cleanup than maintenance treatment. If the treatments do not reach the level of \$23,500, the actual amount will be charged.

Mr. Block left the call.

On MOTION by Mr. Stark and seconded by Mr. Morash, with all in favor, the Superior Waterway Services, Inc., proposal, in the amount of \$159,489.40 for the first and second years, with initial cleanup in a not-to-exceed amount of \$23,500.00, was approved.

FIFTH ORDER OF BUSINESS

Consideration of Collier Paving and Concrete Proposals for Sidewalk Grinding and Asphalt Repairs

Mr. Krebs presented Collier Paving and Concrete Proposal #23-145 for sidewalk grinding and asphalt repairs.

Discussion ensued regarding the scope of work, estimate of 242 square yards and the estimated start date.

Mr. Krebs will ask for the proposal to be corrected to remove the statement “Price excludes all concrete repairs or replacements.” and confirm a start date.

SIXTH ORDER OF BUSINESS

Continued Discussion: Roadside Catch Basin Ownership Responsibility

This item was discussed following the Seventh Order of Business.

SEVENTH ORDER OF BUSINESS

Discussion: Fishing Policy

Mr. Carapella recalled discussions in previous years about liability and stated he wants to know the current fishing policy. A Board Member thinks resident fishing on public land has been allowed to continue. It was noted that, historically, fishing has been allowed in The Cascades. Mr. Carapella stated others have been fishing on his and on golf course property. He described an incident in which a trespasser fishing at 10:00 p.m., with lights and music on, refused to identify himself and disappeared upon being questioned. People were also observed hunting for alligators.

Mrs. Adams stated the HOA is responsible for setting and enforcing a policy. Mr. Stark believes the issue requires a joint agreement with the HOAs and the HOAs can designate areas where fishing is allowed. Fishing is not permitted on the Golf Club shorelines, as stated in their rules. He distributed copies of Fishing Rules in another community as an example of a best practices document. He noted that teenagers were observed fishing on easements, claiming the right to do so but, in his opinion, they have no right. He thinks the HOAs can implement a policy and use their fining capacity as an enforcement tool. Mr. Asfour noted that the teenagers do not have fishing licenses and asked who to call. Mr. Stark stated, if it becomes an HOA violation, the HOA will enforce the rules and levy fines. Police response is needed to enforce a trespassing violation. Mr. Mitchell stated a 500-pound alligator was recently removed from a nearby pond.

It was noted that the HOA already prohibited fishing in the lakes.

Mr. Mitchell will provide the information to the HOA for their consideration and request that any fishing permission be limited to the hours between sunrise and sunset.

- **Discussion resumed: Collier Paving and Concrete Proposals for Sidewalk Grinding and Asphalt Repairs**

Mr. Krebs was unable to confirm a start date. The consensus was to approve the proposal contingent upon mobilization within 30 days and completion within 60 days.

On MOTION by Mr. Stark and seconded by Mr. Morash, with all in favor, Collier Paving Proposal #23-145, in the amount of \$23,375.96, contingent upon mobilization within 30 days and completion within 60 days, was approved.

- **Continued Discussion: Roadside Catch Basin Ownership Responsibility**

This item, previously the Sixth Order of Business, was presented out of order.

Mr. Krebs had no update as he has not received anything from the Developer indicating that the catch basins were paid for, by the CDD.

Discussion ensued regarding sand collecting in catch basins and the need for silt blocks during construction.

Mr. Krebs stated the easements for the new portions in Hampton Lakes are being provided. He discussed typical procedures for Lee County transferring the easements and stated the CDD does not take ownership until the Final Bill of Sale, which is contingent upon everything being cleaned and documentation being provided accordingly.

EIGHTH ORDER OF BUSINESS

Continued Discussion/Update: Portico Fence Hedge Installation Project

Mr. Morash recalled that the goals of the project were to accomplish visual line of sight and security. He voiced his opinion that a Clusia hedge will not provide security and recommended a Bougainvillea hedge instead.

Discussion ensued regarding the benefits of a thorny hedge and the need for maintenance and irrigation.

Mr. Willis will request bids to install red or purple Bougainvillea with thorns.

On MOTION by Mr. Morash and seconded by Mr. Stark, with all in favor, in an installation of a hedge, in a not-to-exceed amount of \$48,000, was approved.

NINTH ORDER OF BUSINESS

Continued Discussion/Consideration of Agreement with Lee County Sheriff's Department for Patrolling Certain Areas

Mr. Willis stated he received the paperwork and is waiting for a schedule. As soon as an update is received, he will inform the Board.

Discussion ensued regarding managing construction traffic.

TENTH ORDER OF BUSINESS

Continued Discussion/Consideration of Removal of Front Entry Decorative Lake Fountains

Mrs. Adams stated a representative from the HOA asked why the fountains were off and she advised the person that the topic will be on the agenda. Mr. Mitchell stated he suggested turning the fountains off due to the sizeable ongoing cost to homeowners for what, in his opinion, is essentially a selling point for the Developers. He has not received calls about the fountains.

Mr. Burman stated his wife has called to complain twice about the fountains being off. He discussed his appreciation for the aesthetics when he purchased his home and asked how much repairs cost. Mrs. Adams stated the cost to replace a fountain is \$5,000 to \$6,000. Mr. Burman suggested sending a survey to residents and reiterated his opinion that upscale attractions improve property values and the aesthetics of the upscale community.

Mr. Mitchell noted that two of the HOAs are controlled by GreenPointe and stated he has no problem with the CDD contributing to the fountains as long as the HOAs also contribute.

Mr. Block arrived in person to the meeting at 4:31 p.m.

A Board Member voiced their belief that the HOAs do not want the fountains, the Developers are the ones who want them.

Discussion ensued regarding needs versus wants, resident reactions to the fountains being turned off, limited visibility of the fountains and the suggestion to table the issue.

Mr. Mitchell will send a letter to the HOA informing them of the cost and asking them to share the cost. Mrs. Adams stated one of the fountains is broken. The consensus was the fountains will be left off at this time.

ELEVENTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of July 31, 2023

Mr. Adams presented the Unaudited Financial Statements as of July 31, 2023.

The financials were accepted.

TWELFTH ORDER OF BUSINESS

Approval of August 3, 2023 Public Hearing and Regular Meeting Minutes

The following change was made:

Line 245 and 246: Change "Minor" to "Miars"

On MOTION by Mr. Morash and seconded by Mr. Asfour, with all in favor, the August 3, 2023 Public Hearing and Regular Meeting Minutes, as amended, were approved.

THIRTEENTH ORDER OF BUSINESS

Staff Reports

A. District Engineer: Hole Montes

Mr. Krebs stated the South Florida Water Management District (SFWMD) was happy with the berm repairs.

B. District Counsel: Coleman, Yovanovich & Koester

Mr. Urbancic stated he re-sent the letter to the HOA's attorney regarding the property that was not being maintained. He has received no response so he will follow up again. Mr. Asfour asked Mr. Urbancic what the CDD must do to enforce its rights.

Mr. Stark asked for vines growing through the fence along Windsor Way to be addressed. Mr. Willis will ask GulfScapes to address the vines.

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

- **NEXT MEETING DATE: October 5, 2023 at 3:30 PM**
 - **QUORUM CHECK**

All Supervisors confirmed their attendance at the October 5, 2023 meeting.

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

Mr. Willis presented the Field Operations Report and noted the following:

- At least 20 resident calls about unmaintained common areas were received and he advised the residents about the disagreement between the CDD and the HOA . Residents have been polite but are aggravated about the land within the gates that is not maintained.
- A hog keeps evading traps and is causing damage on Apple Blossom Drive.
Mrs. Adams noted the following:
- The Landscape Maintenance Contract with GulfScapes, in a total amount of \$190,397, was executed. As residences are built and sodded, the lake banks are no longer bushhogged so costs continually decrease.
- Annual landscape renovation project contracts were executed. Projects will commence in October.
- A proposal was requested from Lykins-Signtek for entry column repairs but it was vague and expensive for four columns that need minor work. The scope of work was emailed to Mr. Robert Nelson and a proposal is pending.

FOURTEENTH ORDER OF BUSINESS

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

Fire Chief Robert Rewis reported that the Fire Station is operational on a part-time basis.

Mr. Mitchell congratulated Chief Rewis and welcomed the Fire Station.

Discussion ensued regarding a request for Supervisor name cards.

Asked where the terms of office for the Board Members can be found, Mr. Adams stated the information is available on the CDD website. Mr. Asfour stated there is a period of five months between the candidate qualifying period in June and the beginning of the term of office in November, following the General Elections.

In response to a question, Mr. Adams stated the HOA is responsible for speed limit signs inside the gates.

Discussion ensued regarding speed pillows installed in Hampton Lakes, speeding issues, the need for traffic enforcement, etc.

FIFTEENTH ORDER OF BUSINESS

Supervisors' Comments/Requests

Discussion ensued regarding inviting the HOA to the next CDD meeting. Mr. Adams stated, if the HOA is receptive, a Special Meeting can be scheduled.

Mr. Asfour voiced his opinion that the HOA will not voluntarily maintain property inside the gate. He believes some type of action will need to be filed and, if so, homeowners should be notified that the CDD's legal fees will ultimately be borne by the homeowners.

Mr. Urbancic stated that could be the HOA's position. He does not litigate but, with Board direction, his partner can advise how to litigate, if necessary. The consensus was to begin by trying to schedule a meeting.

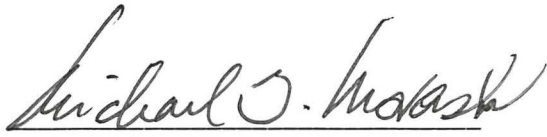
Discussion ensued regarding a fishing policy, the HOA's Fining Committee and the need to find a solution.

SIXTEENTH ORDER OF BUSINESS

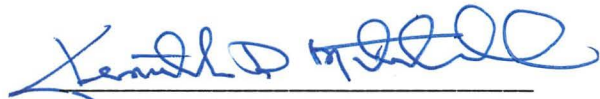
Adjournment

On MOTION by Mr. Morash and seconded by Mr. Asfour, with all in favor, the meeting adjourned at 5:02 p.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

Handwritten signature of Michael J. Morash in blue ink.

Secretary/Assistant Secretary

Handwritten signature of Kenneth D. [unclear] in blue ink.

Chair/Vice Chair