

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

The Board of Supervisors of the River Hall Community Development District held a Regular Meeting on May 7, 2026 at 3:30 p.m., at the River Hall Town Hall Center, Kids Room, located at 3089 River Hall Parkway, Alva, Florida 33920.

**Present:**

Paul D. Asfour	Vice Chair
Daniel J. Block	Assistant Secretary
Bob Cunningham	Assistant Secretary
Patrick F. Infante	Assistant Secretary

**Also present:**

Chuck Adams	District Manager
Cleo Adams	District Manager
Shane Willis	Operations Manager
Greg Urbancic (via telephone)	District Counsel
Tim Bramwell (via telephone)	Bond Counsel
Charlie Krebs	District Engineer
Carl Barraco	Barraco and Associates, Inc.
Grady Miars	GreenPointe

**Residents present:**

David A. Ocampo	John Varrone	Steven Fox	Michael Pocchynsky
Karen Asfour	Tim Loy	Philip Mintz	Gerry Bailey
Sally Shown	Other residents		

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Mr. Adams called the meeting to order at 3:30 p.m. Supervisors Asfour, Block, Cunningham and Infante were present. Supervisor Mitchell was not present.

- **Acceptance of Resignation of Supervisor Kenneth D. Mitchell, Seat 3 & Consideration of Appointment to Fill Seat 3**

**This item was an addition to the agenda.**

Mr. Adams stated he received Supervisor Kenneth Mitchell's resignation today.

**On MOTION by Mr. Cunningham and seconded by Mr. Infante, with all in favor, the resignation of Mr. Mitchell from Seat 3, was accepted.**

Mr. Cunningham nominated Bob Lorenzo, who was previously vetted by the Board, to fill Seat 3. Mr. Asfour stated he thinks Mr. Loranzo is a very good candidate but suggested readvertising the vacancy to find other interested candidates.

**On MOTION by Mr. Cunningham and seconded by Mr. Block, with Mr. Cunningham and Mr. Block in favor and Mr. Asfour and Mr. Infante dissenting, the appointment of Mr. Bob Lorenzo to Seat 3, term expires November 2028, was not approved. [Motion failed 2-2]**

## **SECOND ORDER OF BUSINESS**

### **Public Comments – Agenda Items (3 minutes per speaker)**

Resident David A. Ocampo of Hampton Lakes read the first several paragraphs from his handout titled “Opposition to the \$10 Million Bond Proposal” in which he expressed his concerns regarding the impact of the \$10 million bond proposal and construction of 282 additional homes in Hampton Lakes. He urged the Board to consider the traffic, density and quality of life impacts and also specific legal issues affecting bond risk exposure in Hampton Lakes.

Resident Steven Fox echoed Mr. Ocampo’s concerns and asked if density and ingress and egress were studied before the proposal to fund more development. He asked if an additional gate will be considered.

Resident Michael Pocchynsky asked for an explanation regarding the bonds and the cost. It was noted that this will be discussed later in the meeting.

- **Update: Superior Waterway Services, Inc. Treatment Report – Andy Nott**

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

Mr. Nott stated water levels are low, and many lake banks are exposed. Additional manpower has been assigned to maintain the lake banks.

Mr. Nott reported that his crew had a run in with a homeowner on Lake 3-4B because the crew accessed the lake through the homeowner’s yard. He apologized, but the homeowner was irate and belligerent. Mr. Nott stated he made sure there was no damage to the yard and advised the homeowner that he will make sure it does not happen again, and that the CDD would be informed.

Mr. Infante reported that several dogs near Papyrus Court experienced digestive issues and local veterinarians implied that the dogs might have ingested a foreign material or chemical. He asked if chemicals applied to the lake could be the cause. Mr. Nott stated he does not believe so due to the small amounts of chemicals used. The blue dye is natural and non-toxic; glyphosate is applied in very small amounts, and it binds to organic material very quickly. It was noted that with very little rain, no herbicide is washing into the lakes, and all treatments are restricted to very small amounts. In many cases, the issues are related to pest control and fertilization in the homeowners' yard. If a lake treatment were the issue, it would likely affect the entire community.

Mr. Infante stated that he will try to get additional information for the next meeting. He asked why lake dye was applied to the lake near the lift station. Mr. Nott discussed blue dye being installed in certain circumstances to help slow the growth of algae when water levels are very low. Mr. Block noted that the lake treatments are FDA approved and suggested the homeowners' treatments and contractors should also be considered as possible causes.

**THIRD ORDER OF BUSINESS**

**Presentation of Supplement #4 to the Engineer's Report**

Mr. Barraco delivered a signed and sealed copy of Supplement #4 to the Engineer's Report to the District Manager. He presented Supplement #4 to the Engineer's Report, related to the "2026 Project" and noted the following:

- Exhibit A depicts the 2026 Project Limits.
- Exhibit B depicts the Updated Phasing Map.
- The 2026 Project will consist of Drainage and Surface Water Management; Onsite Utilities; Offsite Improvements; and Professional Consultant Services and Fees.
- The Order of Magnitude Cost Estimate for the 2026 Project, including a 20% Contingency, totals \$9,324,000.

Mr. Block noted that the total number of homes increased from 1,598 to 3,244, and asked if all infrastructure, including roads, water and sewage have been addressed and judged adequately. Mr. Barraco replied affirmatively.

- Density and traffic were reviewed by the County and the Florida Department of Transportation (FDOT). The Fire District has an opportunity to review everything during the Lee County Development process.

➤ A second south gate to the east will be installed, in addition to the current south gate to the west. A gate system is set up so each of the gated communities can be maintained separately, or procedures can be implemented to allow crossover. Both gated communities can be kept separate, if desired.

Mr. Block asked if either of the south gates will be used for construction equipment and trucks or if traffic will utilize Hampton Boulevard. Mr. Barraco does not believe that any requirements designate any one gate for construction equipment; he thinks it would be the contractor's choice, to the extent that he has knowledge.

Members of the public were asked to refrain from speaking out.

Mr. Asfour asked members of the public to treat one another with respect. He suggested allowing members of the public to ask additional questions following the presentation.

Mr. Infante asked Mr. Barraco about the choice regarding which gate to use to enter the community being left for the contractor's choice. Mr. Barraco stated he is not fully prepared to answer that question; to the extent of his knowledge, he is not aware of any restrictions on why a certain vehicle type could not be used for construction purpose.

It was noted that the green area on Exhibit C denotes 60' lots versus 50' lots. Mr. Asfour asked for a map to be included with the Boundary List. Mr. Barraco stated the sketch is optional and was not included because it appears in other areas, but it will be added.

Mr. Adams noted that the acreage of Assessment Area 6 is 134.73 gross acres.

**FOURTH ORDER OF BUSINESS**

**Presentation of Sixth Supplemental Special Assessment Methodology Report for Assessment Area 6**

Mr. Adams presented the Sixth Supplemental Special Assessment Methodology Report for Assessment Area 6 dated April 2, 2026. He reviewed the pertinent information and discussed the Development Program, Capital Improvement Plan (CIP), Financing Program, Assessment Methodology, special and peculiar benefits to the units, True-up Mechanism and the Appendix Tables. He noted the following:

➤ The anticipated total costs of the 2026 Project are estimated at \$9,324,000.

➤ The total par amount of bonds, including the costs of financing, capitalized interest and debt service reserve, is \$8,235,000 to finance a portion of the 2026 Project costs in the estimated total amount of \$6,814,898.

➤ Assessment Area 6 envisions 282 units.

Mr. Adams stated no residents currently reside in Assessment Area 6; the land is currently unplatted and undeveloped.

Mr. Asfour noted that the total bond issue of \$8,235,000 will be sold to investors. When lots are platted, the owners of those lots will pay per unit on the bonds, just as current homeowners are responsible for paying the bond interest and principal. Mr. Adams stated that, based on the CIP funding of \$6,814,898, the Developer will contribute approximately \$2,500,000. Mr. Asfour stated the Landowner will sign a Completion Agreement indicating their commitment to fund the difference.

▪ **Public Comments**

**This item was an addition to the agenda.**

Resident Steven Fox asked how construction vehicles can use the two south gates previously discussed and noted they are currently required to use the main gate. He noted the low lake levels and restricted irrigation and expressed concern about the impact of additional development.

Mr. Barraco reiterated that he is personally not aware of any provisions for gate access; other plans might be in place. The lakes primary functions are to attenuate stormwater runoff and to cleanse the water before discharging. He defers to the District Engineer, but does not believe the additional units will affect the area.

Mr. Krebs discussed the planned amendment to the water use permit, which will increase the amount of groundwater available for resident use. The current restrictions affect the entire state.

Discussion ensued regarding the purpose of stormwater lakes and water restrictions due to the drought. It was noted that the plans were reviewed and approved by the South Florida Water Management District (SFWMD).

Resident Philip Mintz asked if two gates will be added for Hampton Lakes residents. He expressed concern about contractors failing to follow the rules at the gates.

Resident John Varrone expressed concern about GPS systems directing all traffic coming from the south towards the back gate. He recalled that, when the Developer changed the plans for commercial property, the vegetation was removed from the entrance and it greatly affected the appearance of the entrance and harmed property values.

Mr. Ocampo discussed a perceived violation of Florida Statute 723.03 related to the requirement to provide at least 14 days' notice to members for any meeting at which the Board considers amendments to governing documents exposing the public debt at risk. It was noted that this is an HOA matter.

Mr. Miars addressed the matters raised on behalf of the Landowner, noting that the decisions have been made by the HOA Board and the Management Company. The Florida Statute mentioned will be addressed at the HOA level. He discussed the handout distributed by Michael Olech, and discussed Developer contributions to the CDD and the plans for the gates. He stated he appreciates the opportunity to address these matters.

Mr. Infante asked Mr. Miars to address Mr. Varrone's question about the townhomes area. Mr. Miars discussed the impact on the real estate market and the decision not to proceed with the previous plan. He reported 54 recent sales.

Regarding whether Lennar and Pulte will remain as homebuilders, Mr. Miars stated uncertainty has led to reduced home sales.

Resident Tim Loy asked where the new entrance will be built. Mr. Miars stated the entrance will match the other entrance and will be installed according to the schedule in September or October 2026.

A resident asked about the capacity and wear and tear of the Amenity Center. It was noted that the Amenity is an HOA matter.

Resident Gerry Bailey asked for the tonnage capacity of the bridges into the CDD. He asked if that is why loaded trucks usually exit through a particular gate. Mr. Barraco stated he is unsure.

Mr. Pocchynsky asked how the bond will affect existing homeowners. Mr. Asfour stated that the new bonds will attach to the land being approved; the new bond issuance will have no negative financial impact on existing homeowners. Mr. Pocchynsky asked if a commercial area can be developed. Mr. Miars discussed properties being developed and stated the area to the

right of the Sales Center and the area across from the fire station are planned to be commercial property.

Resident Sally Shown thinks if the new area being developed is for Hampton Lakes, the next exit should only be for Hampton Lakes.

An attendee thanked Mr. Miars for the information and asked him to attend HOA meetings in the future.

Mr. Bramwell stated Resolution 2026-04 does not approve the Reports presented earlier in the meeting and suggested approving them.

**On MOTION by Mr. Cunningham and seconded by Mr. Block, with all in favor, the Supplement #4 to the Engineer’s Report, was approved.**

**On MOTION by Mr. Cunningham and seconded by Mr. Block, with Mr. Cunningham and Mr. Block in favor and Mr. Asfour and Mr. Infante dissenting, the Sixth Supplemental Special Assessment Methodology Report for Assessment Area 6, was not approved. [Motion failed 2-2]**

Mr. Adams stated there is no reason to consider Resolution 2026-04 because debt cannot be issued without an Assessment Methodology.

Mr. Cunningham asked Mr. Urbancic to discuss the CDD’s responsibility.

Mr. Urbancic stated the decision was made to form and utilize the CDD as the best of the various methods by which community infrastructure can be provided to allow for the development of property. He stated that the CDD has been used to develop the infrastructure that supports the residential construction within the CDD. He cautioned that the Board should not act arbitrarily or capriciously in denying or delaying a request to issue bonds without a good faith basis.

Mr. Asfour distributed and read his opinion statement titled “Formal Notice of Financial Risk Regarding 2026 Bonds for Assessment Area 6 of the River Hall Development” into the record as follows:

“The supervisors of the River Hall Community Development District have a fiduciary responsibility to its residents pursuant to Florida Statutes§ 112.311 (6). With that said, I am submitting this notice to be incorporated into the official minutes of this meeting. My intent is to establish a formal record of risks that, in my capacity as a Supervisor, must be addressed before the Board exercises its discretionary authority to issue bonds under Florida Statute§ 190.016.

The Board is currently considering Resolution 2026-04, Supplementing its Resolution 2005-18 by authorizing the issuance of its River Hall Community Development District Capital Improvement Revenue Bonds, Series 2026 for Assessment Area 6. The primary security for infrastructure completion in excess of the bond proceeds is a completion agreement signed by RH Venture II, LLC. The completion agreement does not include a performance bond. Furthermore, the following is from page 28 of the bond documents.

**Insufficient Resources or Other Factors Causing Failure to Complete Development**

The cost to finish the 2026 Project will exceed the net proceeds from the 2026 Bonds. There can be no assurance, in the event the District does not have sufficient moneys on hand to complete the 2026 Project, that the District will be able to raise, through the issuance of additional bonds or otherwise, the moneys necessary to complete the 2026 Project. Further, the Indenture sets forth certain limitations on the issuance of additional bonds.

Although the Landowner will agree to fund or cause to be funded the completion of the 2026 Project regardless of the insufficiency of proceeds from the 2026 Bonds and will enter into a completion agreement with the District as evidence thereof, there can be no assurance that the Landowner will have sufficient resources to do so. Such obligation of the Landowner is an unsecured obligation, and the Landowner is a special-purpose entity whose assets consist primarily of its interest in the Development.

There are no assurances that the 2026 Project and any other remaining development work associated with Assessment Area 6 will be completed. Further, there is a possibility that, even if Assessment Area 6 is developed, Lennar Homes and any other homebuilders that enter into builder contracts may not close on all or any of the lots therein, and such failure to close could negatively impact the construction and sale of homes in Assessment Area 6. There can be no assurance the Landowner will enter into builder contracts for Assessment Area 6, and such contracts, if entered into, may also be terminated by the respective builders upon the occurrence or failure to occur of certain conditions set forth therein. Further, even if development of Assessment Area 6 is completed, there are no assurances that all of the planned homes will be constructed and sold within Assessment Area 6.”

Mr. Asfour noted that the above concludes the excerpt from the bond documents and continued reading from his opinion statement.

“With the foregoing in mind, RH Venture II, LLC, the landowner, a subsidiary of GreenPointe, is selling off its developed lots, i.e., its assets. Therefore, if it failed to abide by the terms of the completion agreement, the District would be forced to file a lawsuit against an entity that has fewer and fewer resources that would be available to satisfy a judgment against it. Consequently, in the event of default of the completion agreement, the District may not be able to recover sufficient assets from the landowner to complete the infrastructure, resulting in a financial burden to the District and, ultimately, to its residents. That risk could be compounded by the fact that the completion agreement stipulates that GreenPointe does not have to complete the infrastructure for up to 3 years following the issuance of the bonds.

Authorizing public debt based on a guarantee from a "thinly capitalized" or 'judgement proof' entity may constitute conscious disregard of a known risk. To reiterate, if RH Venture II becomes insolvent, the District and its residents could be left with unfunded infrastructure liabilities of in excess of two million dollars, funds that it does not have.”

Mr. Asfour stated that, while his document states \$1,000,000, the bond documents estimate the potential unfunded infrastructure liabilities in excess of \$2,000,000. He continued reading his opinion statement:

“Furthermore, GreenPointe has recently unilaterally amended the Declarations of the Hampton Lakes Homeowners Association and the Town Hall Center Association...”

Mr. Asfour stopped reading and stated that portion is not relevant to the matter at hand. He continued reading from his opinion statement:

“I seriously doubt that anybody today would enter into such a one-sided transaction if it were their business and they had to suffer any potential losses. Therefore, let the record reflect that any vote to approve these bonds today is made with actual knowledge of the potential liability to the District and its residents. Consequently, I will oppose the passage of Resolution 2026-04.”

Mr. Asfour stated that he was going to read this statement into the record if a motion was made to pass Resolution 2026-04; however, while no motion was made, he felt it necessary to read this statement in response to District Counsel’s comments regarding “arbitrary and capricious” actions.

Mr. Cunningham asked Mr. Miars if GreenPointe or any of its subsidiaries ever failed to complete a project. Mr. Miars discussed Agreements into which GreenPointe has entered and

funded the monies necessary and requested a verbatim transcription of Mr. Asfour's comments related to this matter.

Discussion ensued regarding the provision of a performance bond.

Mr. Infante read an opinion statement of his findings into the record regarding Consideration of Resolution 2026-04, River Hall COD Capital Improvement Revenue Bonds, Series 2026 (Assessment Area 6) as follows:

“Based on the materials presented to the Board, I do not believe there is sufficient information to support approval of this resolution. While the Engineer's Report describes what will be constructed, it does not include the analyses necessary to evaluate the impact of this phase on existing infrastructure or community assets. The materials do not include a detailed capacity analysis or engineering demonstration showing how existing potable water, wastewater, or irrigation systems will accommodate the additional demand associated with this phase. The materials do not include an analysis evaluating the impact of additional construction traffic and long-term usage on existing community roadways. The materials do not include a detailed stormwater performance analysis evaluating the impact of additional runoff on the existing stormwater system. While the materials include a general construction timeframe and phasing map, they do not include an analysis evaluating interim impacts and burdens on current residents or existing infrastructure during construction. The materials do not include an evaluation of impacts on existing amenities relative to current usage or intended capacity. While the Assessment Methodology Report allocates assessments using Equivalent Residential Unit (ERU) formulas, I do not believe the materials clearly demonstrate how the specific assessment amounts proportionally relate to the actual benefits received by each property type.

Overall, the materials suggest these improvements will function as part of an integrated system with existing infrastructure, but I do not see a clear demonstration that current infrastructure has sufficient capacity to support this phase. Therefore, based on the materials presented to the Board, I am unable to support approval of this resolution.”

Mr. Block stated ‘this bond is not the first, but the last’. He contended that a performance bond was never required. He stated that all current residences were funded by bonds approved to develop those plots and homes and all homes pay a CDD assessment. He asked what makes this bond different. Mr. Asfour voiced his belief that he raised the matter of a performance bond in the past.

A resident expressed concern about the capacity in the CDD.

**FIFTH ORDER OF BUSINESS**

**Consideration of Resolution 2026-04, Supplementing its Resolution 2005-18 by Authorizing the Issuance of its River Hall Community Development District Capital Improvement Revenue Bonds, Series 2026 (Assessment Area 6), in an Aggregate Principal Amount Not Exceeding \$10,000,000 for the Purpose of Acquiring and Constructing Assessable Improvements; Delegating to the Chair or Vice Chair of the Board of Supervisors of the District the Authority to Award the Sale of Such Bonds to FMSbonds, Inc., Subject to Compliance with the Applicable Provisions Hereof, by Executing and Delivering to Such Underwriter a Bond Purchase Contract and Approving the Form Thereof; Approving the Form of and Authorizing the Execution of a Seventh Supplemental Trust indenture; approving U.S. Bank Trust Company, National Association as the Trustee, Bond Registrar and Paying Agent for Such Series 2026 Bonds; Making Certain Findings; Approving the Form of Such Bonds; Approving the Form of the Preliminary Limited Offering Memorandum and Authorizing the Use By the Underwriter of the Preliminary Limited Offering Memorandum and the Limited Offering Memorandum and the Execution of the Limited Offering Memorandum; Approving the Form of the Continuing Disclosure Agreement and Authorizing the Execution Thereof; Authorizing Certain Officials of the District and Others to Take All Actions Required in Connection with the Issuance, Sale and Delivery of Said Bonds; Providing Certain Other Details with Respect to Said Bonds; and Providing an Effective Date**

This item was discussed during the Fourth Order of Business.

**SIXTH ORDER OF BUSINESS**

**Update: Superior Waterway Services, Inc.  
Treatment Report – Andy Nott**

This item was presented following the Second Order of Business.

**SEVENTH ORDER OF BUSINESS**

**Continued Discussion: Additional Street  
Light Request on NW Corner of Hampton  
Blvd and River Hall Pkwy**

Mr. Krebs discussed the pricing and scope of work for the additional street light request on the northwest corner of Hampton Blvd and River Hall Pkwy. The estimated total cost to upgrade the existing light is \$20,000.

Discussion ensued regarding children waiting at the school bus stop in the dark during standard time. This item will remain on the agenda.

**EIGHTH ORDER OF BUSINESS**

**Acceptance of Unaudited Financial  
Statements as of February 28, 2026**

Mr. Adams stated the CDD is solvent.

The financials were accepted.

**NINTH ORDER OF BUSINESS**

**Approval of April 5, 2026 Regular Meeting  
Minutes**

**On MOTION by Mr. Cunningham and seconded by Mr. Block, with all in favor,  
the April 5, 2026 Regular Meeting Minutes, as presented, were approved.**

**TENTH ORDER OF BUSINESS**

**Staff Reports**

**A. District Engineer: Bowman Consulting Group LTD**

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

There were no District Counsel or District Engineer reports.

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

• **NEXT MEETING DATE: June 4, 2026 at 3:30 PM**

○ **QUORUM CHECK**

The June 4, 2026 meeting will be rescheduled to June 11, 2026 due to lack of quorum.

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

The May Field Operations Status Report was included for informational purposes.

Mr. Infante asked about the hole in the fence on River Hall Parkway. Mr. Willis stated the very small repair was approved and will likely be done in conjunction with another small job.

Mr. Krebs was asked to oversee removal of the extra 30 MPH sign. Mr. Krebs stated Lykins was due to come out, and the location was in question. He will follow up with Lykins.

**ELEVENTH ORDER OF BUSINESS**

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

Discussion resumed regarding improving the dark bus stop at the northwest corner of Hampton Blvd and River Hall Pkwy. The belief that the lumens on the existing poles are insufficient was noted. Staff will have new brighter bulbs installed in the median.

**TWELFTH ORDER OF BUSINESS**

**Supervisors' Comments/Requests**

Mr. Infante discussed the need gate repairs on the shared property line. Mr. Krebs believes it is LAMSID property and the gate is subject to an Agreement.

Discussion ensued regarding the Agreement with the Sheriff to increase patrols.

Discussion ensued regarding the vacant Seat, redesignating officers, and contacting previous candidates. The HOA will be asked to send an e-blast inviting interested candidates to apply.

Staff will order a plaque to commemorate Mr. Mitchell's service to the CDD.

**THIRTEENTH ORDER OF BUSINESS**

**Adjournment**

**On MOTION by Mr. Cunningham and seconded by Mr. Infante, with all in favor, the meeting adjourned at 5:14 p.m.**

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

  
Secretary/Assistant Secretary

  
Chair/Vice Chair