

**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, December 15, 2009 at 1:00 p.m., in the Waterside Room at the Golf Club, 4561 Pelican Sound Boulevard, Estero, Florida 33928.**

Present at the meeting were:

Terry Mountford	Vice Chair
Bob Schultz	Assistant Secretary
George Schoenheider	Assistant Secretary
Rusty Demeules (via telephone)	Assistant Secretary

Also present were:

Cleo Crismond	Assistant Regional Manager
Tony Pires	District Counsel
Charlie Krebs	District Engineer
Bill Brearly	PSGRC
Jim Whitmore	PSGRC General Manager

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Ms. Crismond called the meeting to order at 1:00 p.m., and noted, for the record, that all Supervisors were present at Roll Call, with the exception of Mr. Costabile, and with Mr. Demeules attending via telephone.

SECOND ORDER OF BUSINESS

**Discussion: Quality Assurance Checklist
for Roads Owned by District**

Ms. Crismond stated the next item is further discussion of the Quality Assurance Checklist for Roads Owned by the District. She advised Supervisor Mountford sent a request to add the inspection of the gutters being cleaned and asked for further clarification from him regarding this request. Mr. Mountford indicated many of the gutters are literally black from years of mildew and dirt buildup and he feels they should be cleaned. Ms. Crismond reminded the Board that the Management Staff is not looking at routine maintenance items; they are

looking at structural integrity, two (2) times a year, and she stated she hoped that the current routine with Pelican Sound is that they are inspecting and cleaning the gutters on a routine basis. Mr. Mountford advised they are not. He suggested it be done once a year and said the first time they clean them, it will be a large job, because they are so dirty; after that, they could be cleaned on a routine basis. He stated this topic gets bounced around between homeowner associations, the Club and the CDD. He said he thinks the proper place is the Club, as a whole, because it benefits The Meadows and it needs to be done throughout the community. He added he would like this added to a checklist for aesthetics.

A Board Member asked if he was suggesting power washing and Mr. Mountford replied affirmatively. Ms. Crismond stated, the last time cleaning out the pipes was done, by Pelican Sound, was when Sherri Ensing was still around. Ms. Ensing contacted Ms. Crismond for names of contractors probably a year or so ago. Mr. Demeules stated, if you pressure wash the gutters, they will have to be sealed; they will mildew almost immediately. The Board requested that Pelican Sound obtain quotes for discussion at the next meeting.

Ms. Crismond asked if there were any other suggestions. Mr. Schultz indicated some editorial changes are required and he will discuss them with her after the meeting. He advised there are some places where the manhole structure is protruding because the road has been compressed around it. He noted, at some point, this will need to be addressed because it feels almost like a speed bump when a vehicle goes over it. He stated there must be a requirement for a manhole structure to be so far above the surrounding surface. Mr. Krebs stated he does not know if it is necessarily a requirement, but said generally, when they pave them, they pave them flush. He explained they will be fixed when any future resurfacing of the road is done; otherwise, someone would have to saw cut around it and raise it and that is quite an expense. If the roadway around it is cracked and depressing, it will need to be repaired; however, if there is a half inch or so rise on the manhole, versus the asphalt around it, it is not an immediate concern. Mr. Krebs indicated he can take a look at them when he inspects the roads. Mr. Schultz stated it is nothing that has to be done immediately, but it should be noted. Mr. Krebs explained if they see that the asphalt around the manhole cover is sinking, one (1) of the telltale signs is that even as it depresses, it begins to crack, because, generally, the material beneath it is washing out. If it is still a clean surface and there is no depression, it probably has always been that way.

Mr. Brearly asked if they would ever entertain resurfacing over the asphalt to try to seal some of the cracks. Mr. Krebs responded if there is severe cracking, it needs to be milled down, patched, and then a complete resurfacing of that section of the road will need to be done to make it contiguous. Putting a sealant coat on roadways is useless. He stated there is a 15-year life span on the roads and they are getting close to that right now, so they will start to see more cracks. Mr. Krebs stated they can determine which roads need to be done first. Mr. Brearly stated it may not have to be done all at once, because the roads were not put in all at once. Ms. Krebs suggested, as part of the inspection, they can analyze which roads need to be done first, because some may have held up better than others. Mr. Brearly stated they also need to consider the cost of doing it in stages, versus all at once.

Mr. Pires advised them that Pelican Marsh piggybacked on a county contract; a contractor was already doing some milling and resurfacing work in the area, so the mobilization cost was less.

Mr. Brearly asked if, as part of his checklist, Mr. Krebs gives an estimate of when the roads will need to be redone. Mr. Krebs responded the only way to tell is to pay a testing agency to physically do non-destructive testing on the roadway to ensure they are still within the acceptable tolerances. That is to say either the road is in satisfactory condition or there are concerns that it might be deteriorating. If the concerns are valid, they may have a consultant come out and test a section to see if it is failing, or if it is just one (1) area. Mr. Brearly stated, by using this process, they should be able to get some sort of red flag indicating there is a section of road that may be approaching the end of life and they need to have someone come in and tell them if, in fact, that is what is happening. Mr. Krebs responded either they call in the consultant or they decide that they know it has been 15 years and they should go ahead and do the entire surface. He added, if it is an isolated spot, like a storm drain or manhole or something localized, that is when they would call a consultant in to determine if the pavement is failing or if there is something underlying that is causing the problem. He stated the checklist is a tool to determine the condition of the road; if it is satisfactory, is it good for the age or is there another problem occurring. It will indicate the road has been inspected and its condition. The next year, they will use it for comparison. Mr. Brearly asked if he keeps files on that. Mr. Krebs indicated the reports are kept on file to compare year to year. He noted there were some inspections years ago on Pinehurst, the Boulevard and one (1) other road, where they had a consultant come out

because there was a question about whether the roads were built correctly and were the depths correct; they determined that the roads met the standard. In addition, core samples were taken and they exceeded the minimum standard.

Mr. Brearly asked if the light poles were the Club's responsibility or FP&L and Ms. Crismond responded FP&L maintains them. He asked who is supposed to be doing the maintaining. Ms. Crismond stated they look at the poles and if there are issues, they turn them into FP&L as a work order. He advised some of the light poles in his neighborhood go up into the trees and then the light is obscured by the tree limbs and the leaves. Ms. Crismond advised they can add it to the list and report it to FP&L; the Association needs to do something about the tree obscuring the light. Discussion was held regarding notification to FP&L about light bulbs being out and Mr. Whitmore stated he was told by the security people that the property managers wait until there are five (5) or six (6) light bulbs out before calling FP&L. Mr. Pires asked if a notification process was provided to them and he was advised they do.

THIRD ORDER OF BUSINESS

Discussion: Possibility of Pelican Sound Receiving an Easement Through 65 Feet of River Ridge Property for Access Into and Out of the Koreshan Property

A site plan was distributed and Mr. Whitmore explained that this site plan was drawn up by the Club to meet all of the criteria for the Board to adopt and recommend the purchase of the Koreshan piece, which was passed at the last Board meeting. In their initial discussion with the county, they were trying to line up the road to go in through the Pelican Sound piece of property. They were going to try to get a variance because the street does not meet 125' from each access point. He noted they were 8' short and the county decided not to give the District a variance. He stated, from the original WCI site plan, they were required to give access to this property and it never got done. What the county is saying is that the original access piece was supposed to line up directly with Hammock Greens to allow access for this piece. He advised that, for whatever reason, it was never recorded. The county will not give a variance because they feel that it should line up with Hammock Greens under the initial site plan that WCI had. They are saying that River Ridge, at one point, was required to give that access. Mr. Krebs stated they have access. He advised that is why there is a 15' break in the conservation easement along the north property line, because that is their access that comes in through the north parking. Mr. Pires

stated the resolution for the PD for Pelican Sound provides that there must be access over the roadway system on Corkscrew, to get through this property. It does not say they have to give them access from the District road to the parcel.

Mr. Whitmore stated what the county is asking for is the continuity coming off that other road. He said these are just concepts, whether or not a road is ever put in there, but they would like to have the approval to be able to do it, in order to close on the property. At the last Board meeting, the Board voted to approve him closing on the property. He indicated they would like to get permission from the CDD to be able to cross that area.

Mr. Schoenheider made a motion that the Board approve the possibility of Pelican Sound receiving an easement through 65 feet of River Ridge property for access into and out of the Koreshan property. The motion was seconded by Mr. Schultz.

Mr. Pires read the following into the record: *"Pete indicated the County will require access to the subject property to line up with the existing access way Hammock Greens. The River Ridge CDD has a vested interest in the original Developer; therefore, is required to grant the easement for access to the subject property. He indicated that River Ridge CDD and its owner will also have to grant access from the Island Sound Circle, no matter where the access point is constructed. The CDD previously was required and did provide access to one of the other properties mentioned in the resolution."* Mr. Whitmore stated the language said "need to provide access over the District roads to the property"; it did not say that they had to provide access to the strip between the District road and the parcel because that is the association's property. He said, in this case, this is the District's property. He added, as Mr. Krebs stated, there is access to the northern side to get to the whole parcel. Mr. Krebs stated his concern is that the part they are looking at is a conservation easement with South Florida. Mr. Pires agreed. Mr. Krebs stated you cannot cross that. Mr. Whitmore stated, depending upon how the Board wishes to proceed, if there is a desire to modify the conservation easement, they have to go back to South Florida, modify the existing permit, modify the conservation easement and there will be a cost for offsetting acreage for mitigation purposes to offset that acreage and that cost will be totally born by the Club. He stated the appropriate motion may be to authorize Staff to do the necessary work and then report back to the Board at the next meeting as to any issues and solutions to issues, with regards to granting an easement.

Mr. Krebs stated his concern is if they grant an easement over a conservation easement before they resolve the conflict. The District still owns the land and will be responsible for any damages that occur to the wetland. Mr. Pires stated the conservation easement has particular prohibitive activities and allowed activities, so if there is to be any grant of easement, it cannot be inconsistent with, or contradict, the objectives provided by the conservation easement. The better course of action is to agree, in concept, to grant the conservation easement, let them go ahead and do what they need to do, have Staff report back and let them obtain the permit modification and then, upon the permit modification occurring, grant the easement. Mr. Krebs agreed. Mr. Brearly stated they are not going to request a conservation easement until they know what they are going to do with the property.

Mr. Pires stated the alternative could be that the Board authorize granting of an easement upon Staff review and upon verification of proof that there not be any impact to the conservation area, or all of the issues are resolved. He advised they could agree in concept, but not record it until that is taken care of. Mr. Brearly stated they were trying to create lots based on the current zoning. If the Club ends up doing something else there, say, in the Community Center, they will have to rezone the property. If they rezone the property, the County may require an access point in a different location, so they do not know the official location. Mr. Brearly pointed to a map and stated, right now, they are saying, based on the current zoning and the current site plan of four (4) lots, you would be required to come in this way; in a different scenario, the entrance would be up here, close to the overflow parking.

Mr. Schultz asked what was needed from the Board today. Mr. Brearly stated we need to know that they can get an easement from the District to cut across some portion, somewhere, of either the side or the end of the property. Mr. Pires stated the Board can agree, in concept, to granting an easement, subject to all other permit conditions being obtained.

Mr. Pires stated you do want flexibility on where to locate it, as well.

On MOTION by Mr. Schoenheider and seconded by Mr. Schultz, with all in favor of approving, in concept, the possibility of Pelican Sound receiving an easement through 65 feet of River Ridge property for access into and out of the Koreshan property, upon verification of proof that there is no impact to the conservation area and subject to all other permit conditions being obtained.

Mr. Pires stated, and Ms. Crismond agreed, that this will come back to the Board for execution.

FOURTH ORDER OF BUSINESS

Approval of November 19, 2009 Regular Meeting Minutes

Ms. Crismond presented the November 19, 2009 Regular Meeting Minutes and asked if there were any additions, corrections or deletions. The following changes were made:

Line 24: Add "PSGRC" before "General Manager"

Line 144: Replace "Mr. Schultz" with "Mr. Mountford"

Line 233: Replace "the District will need to do something" with "there is a need for a joint meeting with the Membership, Pelican Sound and the District"

Lines 237 and 238: Replace "the county" with "SFWMD" and replace "road" with "work"

On MOTION by Mr. Schoenheider and seconded by Mr. Mountford, with all in favor of approving the November 19, 2009 Regular Meeting Minutes, as corrected.

FIFTH ORDER OF BUSINESS

Other Business

There being no Other Business, the next item followed.

SIXTH ORDER OF BUSINESS

Staff Reports

a. Attorney

Mr. Pires distributed an email that he received on December 4th regarding the Traffic Agreement. He noted he passed it on to Mr. Whitmore, Mr. Brearly, Mr. Krebs and they had a conference call to address some of the items raised by Mr. Miller, in the email. He said he has the agreement back from the county and so he will have Mr. Mountford execute it today. He stressed that the Sheriff will only come in, upon the request of the District or its designee, in this case, the Golf and River Club, so even after the agreement is implemented, there will be no Sheriff's patrol until they are asked to come in. He added, they had a conference call after receiving the email to discuss the next course of action to be taken and how to address the issue.

Mr. Krebs was going to check to see if he needs to place the location of the golf cart signs, whether they are in the District right-of-way or not. With regard to the speed limit, Mr. Finan indicated that Brian Miller stated that BSO could not enforce speed limits of 15 mph. The Board will need to see if the Golf and River Club would be willing to go to 20 or 25 mph. Mr. Finan indicated the Board of the Golf and River Club was included to agree with that concept if they were going to have the traffic enforcement.

Mr. Pires asked Mr. Krebs if he verified the location of the golf cart signs. Mr. Krebs responded after the first of the year, the inspector will come out and they will start to do the investigation on the whole system, taking notes of pavement markings and the stop signs and their locations and making sure they are the appropriate heights and doing the inventory of the roadway signs throughout the whole system. Recommendations will be made on whatever changes need to be made to bring any deficiencies, whether they are pavement markings, warning signs or existing signs, that do not fall into the correct tolerances and entertain any requests from the Club regarding additional signs or pavement markings that they would like to see and see if the warrant is there for those locations.

Mr. Schultz stated his understanding is that the inspection was a limited inspection for compliance review, but they did verify or determine whether or not signage location was appropriate for the standards and the height was appropriate for the standards.

Mr. Krebs stated he spoke with Mr. Miller on the phone and he said it was a very cursory inspection. They drove the site and made sure there were stop signs and stop bars. If a sign was in question, they got out and measured it. It was a very limited inspection, which is why he will come out and do a more in-depth inspection, based on the previous conversations, to make sure that the whole roadway system is taken care of and that they are not open to any liability, based on the sign being the correct height or the correct distance from an intersection.

Mr. Schoenheider stated, based on this letter, are they saying that these 15 mph speed signs should be either 20 or 25? Mr. Krebs responded based upon what Mr. Pires was saying in the conference call, they do not have a way of enforcing 15 mph because the device that they use has such a large margin of error that at 15 mph, the person who gets tracked could go to Court and argue that they are within the margin of error of the device and can get out of the ticket. He thinks they have set their arbitrary limit of enforcement at 20 or 15 so that that deviation is acceptable and it is harder for them to get out of a ticket. Mr. Pires stated he believes Mr. Finnen

addressed that and he thinks there was a 5 mph tolerance, which is a huge tolerance at 15 mph. He indicated that the Board of the River Club was inclined to elevate the speed limit to 20 or 25 mph. Mr. Brearly stated all of the 15 mph zones are where there are no sidewalks. The 25 mph zone is where there is a sidewalk.

Mr. Pires indicated the Traffic Agreement will be executed and he will send it back to Mr. Hagen in the county attorney's office and he will send it to the Sheriff's office for execution and they will send it to the County Commission. Then Mr. Krebs will do his work and then also, this Board needs to have communications with the Golf and River Club Board as to how they wish to proceed.

Mr. Pires noted one of the questions that was part of their conversation was where the mid-block golf cart crossing warning signs were located, whether they were on the District right-of-way, or not. Mr. Krebs stated he was going to have his staff do it as part of their inspection. He said they are going to take an inventory of what is out there now and make any comments as far as pavement markings, if they are too faded and need to be re-stripped, or maybe they are not there at all; then that can be presented at a Board meeting, with a list of corrective measures. Mr. Pires stated and a list of desired aspects from the Club, as well. Mr. Brearly stated he will bring it up at the Club as to what they would like to see. Then he can bring that back to the Board so they can give direction to the Staff how to proceed.

b. Engineer

A Board Member asked if Mr. Krebs was still observing communication on the dry detention area with WCI. Mr. Krebs responded they have not received any more letters from SFWMD about compliance issues regarding the overall permit and as he gets them in, he will forward them to the staff at WCI and ask them if they have received it, if they have been in communication with SFWMD. On the reverse side, he can call SFWMD and say he has spoken with WCI and he thought they were communicating with them. He confirmed that since the last letter from SFWMD, and the communication he had with WCI, he has not received anything else. Based on that, he would say they have been communicating with each other.

Mr. Krebs indicated he will update the Board as information is obtained.

c. Manager

i. Unaudited Financial Statements as of November 30, 2009

Ms. Crismond presented the Unaudited Financial Statements as of November 30, 2009.

Mr. Schultz had a question on the financials having to do with last year's revenue. He asked if there were any delinquencies outstanding, such as people not paying their taxes. Ms. Crismond stated he would have seen that on the September financials. She indicated that she would have that information forwarded to him.

ii. NEXT MEETING DATE: January 27, 2010 at 3:00 P.M.

Ms. Crismond indicated the next meeting is January 27, 2010 at 3:00 p.m. It was noted that this is not a normal date or time.

d. Grounds Committee

Mr. Schultz stated this month's meeting was cancelled due to scheduling conflicts of critical members. He noted the next meeting is January 8th.

e. Entry Enhancement Committee

Mr. Demeules stated he thinks that some of the heat is off, as far as the front entry, but people still want to see some improvement. He reported that they met with Theresa, from Hole Montes, on November 24th and went over the conceptual design. He advised they discussed the original plans of rebuilding the monument to the original design with no water, only plantings; plantings on the lower level and enhancement in the upper level and demolition starting over. It ended up that there are two (2) viable options: no water, only plantings; plantings in the lower level and water enhancement in the upper level. In either case, the monument would be approved; the tile would be removed or something done to improve it and upgrade the landscaping and doing something with the gravel area on the north side behind the monument. Ms. Crismond indicated they would like to sod that area. Mr. Krebs noted the District does not own that land. Ms. Crismond asked if there was a section on the north side that belongs to the District. Mr. Krebs answered maybe five (5) or ten (10) feet right behind the monument. A Board Member stated it is enough to grass in and it would make it look better.

Ms. Crismond asked about a stop sign that was located where the gravel road is, on the District right-of-way. Mr. Krebs stated he would take a look at it. He indicated he thought there was a meeting where they talked about the entrance coming out of the commercial area and there not being one. Mr. Pires indicated it is an undeveloped parcel of land. Mr. Schoenheider stated we need to direct Staff to look into that. Mr. Pires stated it would be appropriate to contact Lee County to see if they have any record of it, or to ask the property owner to the north. Mr. Krebs stated they should start with the property owner to the north, because he does not feel the County

would have installed the sign. Mr. Pires stated if he recalls the agreement for the utilization of the road, there are points for which driveway access can be achieved into the District road right-of-way, but there is no specific easement over that piece. Mr. Pires advised Ms. Crismond he does not feel there is any prohibition against sodding the gravel area.

Mr. Mountford stated the first option should be less money. If they go with Option 2, they will need more specifics as to what kind of fountain it is going to be and what the maintenance level will be. Ms. Crismond stated what she is looking for today is approval for the next phase of this project, which is the construction documents; she is looking for approval from the Board for \$4,500. That will get their specifications put together by Hole Montes, they will go out to bid and they will be able to bring pricing back to the Board, hopefully, at the next meeting. Mr. Krebs indicated he will have the construction documents by then. He asked how long Ms. Crismond is going to give them for bid. Ms. Crismond stated she does not need that much time for bidding. Mr. Mountford stated they already authorized \$3,500. Ms. Crismond stated that was for what they have now, for the conceptual design plans. Now they need to get the specifications written so they can go out to bid. Mr. Mountford stated he would have hoped that for that much money, there would have been some numbers attached this estimate as to how much it would be for each option. Ms. Crismond stated they will not know that until they bid out to the contractors and they have to have the detailed specifications to do that. Mr. Mountford stated Option 1 does not call for much. It might now be as much as they are asking for now. Mr. Demeules responded yes, it would, because you cannot put dirt in those monuments and put plants in them. He added the electrical lighting all has to be redone; there is lighting, plumbing, drainage and quite a bit of work that will have to be done with either option. Mr. Mountford asked what they ended up charging for it. Ms. Crismond responded \$3,250.

On MOTION by Mr. Schoenheider and seconded by Mr. Demeules, with all in favor of approving \$4,500 for the construction documents for hardscape, landscape and specifications from Hole Montes.

Ms. Crismond advised the Board that the next meeting of the Entry Enhancement Committee is January 12, 2010.

Mr. Schoenheider asked if they will get specifications and pricing. Ms. Crismond responded they will get the specifications and, once Hole Montes gets them the specifications, they will be sent out to contractors to bid on the two (2) projects. In answer to a question from Mr. Krebs, she stated there were four (4) options: the first option was to rebuild what they have and they already received pricing for that, which was \$70,000 - \$80,000; the second option was to blow it up and start over and they thought that was ridiculous so that option was thrown out; then there were the other two (2) options, which they are moving on now.

SEVENTH ORDER OF BUSINESS

**Audience
Requests**

Comments/Supervisors'

There being no Audience Comments or Supervisors' Requests, the next item followed.


EIGHTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Schoenheider and seconded by Mr. Demeules, with all in favor of adjourning.

The meeting was adjourned at 2:30 p.m.


Secretary/Assistant Secretary


Chair/Vice Chair