

RIVERCREST COMMUNITY DEVELOPMENT DISTRICT

September 21, 2020 Minutes of the Regular Meeting

Minutes of the Regular Meeting

The Regular Meeting of the Board of Supervisors for Rivercrest Community Development District was held on Monday, September 21, 2020 at 6:30 p.m. at the Rivercrest Clubhouse located at 11560 Ramble Creek Dr., Riverview, FL 33569.

1. CALL TO ORDER/ROLL CALL

Lisa Fernandez called the Regular Meeting of the Board of Supervisors of the Rivercrest Community Development District to order on Monday, September 21, 2020 at 6:30 p.m.

Board Members Present and Constituting a Quorum:

- Lisa Fernandez Chair
Ed Lamp Vice Chair
Elaine Sellent Supervisor
Michael Ryan Supervisor via conference call
Catherine Arnaez Supervisor via conference call

Staff Members Present:

- Debby Nussel District Manager, Meritus
Vivek Babbar District Counsel, Straley Robin Vericker
Tonja Stewart District Engineer, Stantec via conference call
Rick Reidt Onsite Staff

There were many resident audience members in attendance in person and some residents in attendance via conference call.

2. AUDIENCE QUESTION AND COMMENTS ON AGENDA ITEMS

A resident brought up a concern about an incident involving onsite staff and another resident. The resident felt that the Mr. Reidt should not have raised his voice at the other resident during the incident. The resident also said he felt the Board should terminate Mr. Reidt because of other incidents with residents he had witnessed. The resident then brought up a concern regarding a Board member's comments about the HOA. A resident commented about the new construction in the area and their community amenities vs. amenity improvements in Rivercrest. Another resident commented about the landscaping and garbage cans; she also said she feels that staff was rude to her on the phone. Mr. Reidt explained what he said on the phone call. The resident said she had recorded the conversation and could play it, and Mr. Reidt said that recording the conversation without consent could involve legal action. There were also resident comments about not wanting a gym since there are already many gyms in the area, making the cabana into a clubhouse, weeds in the community, having a pool table and games for kids at the cabana, asking for Mr. Reidt to apologize, drainage and fence issues, wanting the landscaping company to be present for the meetings, and construction behind Autumn Creek Dr.

49 The Board agreed to move up the discussion about the drainage issues with the Villas of
50 Rivercrest HOA.

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53 **4. NEW BUSINESS**

54 **B. Discussion on Drainage Issues with Villas of Rivercrest HOA**

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56 The attorney for the Villas of Rivercrest HOA addressed the Board. He went over that there is an
57 area behind the 400s and 500s in the Villas that has experienced significant flooding over the
58 year. The flooding has gone up into residents' lanais and homes in rainstorms. Melissa Knight, a
59 partner at the Villas attorney's firm with a background in environmental science, wrote a
60 memorandum on the issue, and she felt the CDD was responsible because they had agreed to the
61 permit from SWFMWD. The Villas of Rivercrest HOA know it will be a process and will take
62 some time, but they would like for the CDD to begin looking into it. Ms. Knight was concerned
63 about the maintenance inspections in her memorandum. The Villas attorney asked for the CDD
64 to keep this item on their agenda for future meetings, to do their due diligence to determine more
65 regarding what is going on and what needs to be done about it, and to work with District Counsel
66 and the District Engineer about the issue.

67

68 Mr. Babbar went over the process with SWFMWD and said the Engineer will need to look at the
69 permit, what was certified, the drainage and construction plans, and aerial footage of the area to
70 see what has changed. Ms. Stewart also described the process of grading plans for drainage. She
71 said there are trees with root systems that could have impacted the grading plan. Ms. Stewart will
72 work with staff to go out and assess the areas.

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75 **3. STAFF REPORTS**

76 **A. Debby Nussel – District Manager**

77 **i. Action Item List**

78

79 Mrs. Nussel briefly reviewed the action item list with the Board.

80

81 **B. Operations Manager – Rick Reidt**

82 **i. Operations Manager's Report**

83

84 Mr. Reidt briefly reviewed his report with the Board. Supervisor Sellent asked why the
85 maintenance guy did not do the pressure-washing on the cabana; Mr. Reidt and Supervisor
86 Fernandez explained that it was because it was part of the repainting job.

87

88 **C. Vivek Babbar – District Counsel**

89 **i. Discussion on 11102 Stone Branch Dr. Encroachment**

90

91 Mr. Babbar briefly provided an update on the encroachment. He also went over that he would
92 like for the Board to approve an action item regarding the HOA. Mr. Babbar also said he wanted
93 to make sure they have insurance agreements with the vendors the HOA is using to make sure
94 the District is covered for any liability issues.

95

96

97 Supervisor Ryan noted it was difficult to hear the meeting on the conference call. Supervisor
98 Fernandez agreed based on her experiences at the previous meeting while on conference call.

99

100 **D. Tonja Stewart – District Engineer**

101

102 There were no additional updates from the Engineer at this time.

103

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105 **4. NEW BUSINESS (cont.)**

106 **F. Discussion and Ratification on Painting of Clubhouse and Cabana and Pergola**

107

108 The Board discussed ratifying the pressure washing and repainting.

109

110

MOTION TO: Ratify the painting of the clubhouse.

111

MADE BY: Supervisor Fernandez

112

SECONDED BY: Supervisor Sellent

113

DISCUSSION: None further

114

RESULT: Called to Vote: Motion PASSED

115

5/0 – Motion passed unanimously

116

117 Mr. Babbar recommended having a proposal when voting so that there is no misunderstanding
118 on what the Board voted on.

119

120 **G. Discussion and Ratification on Wood Repair for Clubhouse and Cabana Pergola**
121 **Repair**

122

123 The Board discussed the pergola repair. Supervisor Ryan mentioned that if they are just
124 maintaining it, then it should be fine to proceed, but if they were changing something
125 structurally, they might need to get a permit.

126

127

MOTION TO: Approve the wood repair on the pergola.

128

MADE BY: Supervisor Fernandez

129

SECONDED BY: Supervisor Sellent

130

DISCUSSION: None further

131

RESULT: Called to Vote: Motion PASSED

132

5/0 – Motion passed unanimously

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- 136 **I. Discussion on HOA Donation Improvement Approvals**
- 137 **i. Repaint of Child Spray Feature**
- 138 **ii. New Roofing on Clubhouse**
- 139 **iii. Work Vehicle with Trailer and Tank and PW**
- 140 **iv. Shade on Pergola of Cabana**

141

142 Mr. Reidt went over the HOA donation improvements with the Board. Supervisor Lamp was

143 concerned about the procedure of approving the repairs. The Board discussed the new roofing on

144 the clubhouse.

145

146 **MOTION TO:** Submit the proposal for new roofing to the insurance

147 company as a claim, and if they approve it, the CDD

148 moves forward with the repair minus the deduction.

149 **MADE BY:** Supervisor Fernandez

150 **SECONDED BY:** Supervisor Arnaez

151 **DISCUSSION:** None further

152 **RESULT:** Called to Vote: Motion PASSED

153 4/1 – Supervisor Lamp opposed.

154

155 The Board discussed the shade structure on the pergola.

156

157 **MOTION TO:** Approve the proposal on the shade on the pergola for

158 the cabana with the District’s Engineer and sign off.

159 **MADE BY:** Supervisor Fernandez

160 **SECONDED BY:** Supervisor Sellent

161 **DISCUSSION:** None further

162 **RESULT:** Called to Vote: Motion PASSED

163 5/0 – Motion passed unanimously

164

165 Mr. Reidt went over the work vehicle and pressure washer.

166

167 **MOTION TO:** Proceed with getting the club car and the pressure

168 washer.

169 **MADE BY:** Supervisor Fernandez

170 **SECONDED BY:** Supervisor Arnaez

171 **DISCUSSION:** None further

172 **RESULT:** Called to Vote: Motion PASSED

173 5/0 – Motion passed unanimously

174

175 Mr. Reidt went over painting the old office. The painters have agreed to paint that room at no
176 cost. The Board agreed to the free painting.

177

178 **A. Discussion on Firewall Licensing Renewal & Replacement**

179

180 Mr. Reidt went over the firewall licensing. Supervisor Lamp asked about pricing and support.
181 The Board discussed.

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MOTION TO: Purchase the new firewall product and match the
184 price.

184

185 MADE BY: Supervisor Lamp

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186 SECONDED BY: Supervisor Fernandez

187

187 DISCUSSION: Supervisor Arnaez asked for clarification. Supervisor
188 Lamp explained.

188

189 RESULT: Called to Vote: Motion PASSED

190

5/0 – Motion passed unanimously

191

192 **C. Discussion on Employee Manuals and SOP**

193

194 Mrs. Nussel asked about putting a section in the manuals about how to handle conflicts with
195 residents. Mrs. Nussel said she can add this in there and then send it to the Board at the end of
196 the week. Supervisor Sellent asked about page 56 and the lightning being 12 miles away when
197 the pool closes. She said the Y closes when it's 8 miles away. Mrs. Nussel said she can check in
198 with the insurance.

199

200 Supervisor Lamp expressed a concern about the manual and not having a lot of changes
201 previously. Mr. Reidt explained the history of the manual.

202

203 **D. Discussion on Tennis Self Play**

204

205 The Board discussed the single play tennis court proposal. Supervisor Arnaez said she would like
206 to see more people than one express an interest in it. Supervisor Ryan agreed and would like to
207 ask the community. Supervisor Fernandez said they could do a survey of the community
208 regarding resident amenities.

209

210 **E. Discussion on HOA Fall Festival Agreement**

211

212 Mrs. Nussel went over that agreement on file was for 2019's festival. Mrs. Nussel asked if the
213 Board wants to amend. The District insurance directed her to ask the HOA's insurance about
214 COVID. Mr. Babbar went over how they could do the agreement. Supervisor Sellent mentioned
215 that the designee's name needs to be taken off on page 74. She also said the part about the dunk
216 tank needs to come out of the document since they are not doing it this year. The Board asked
217 about extra CDD staff. Mr. Reidt said there will not be any extra staff needed. Supervisor Lamp
218 said he would like to be taken off as the contact.

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| MOTION TO: | Approve the fall festival that the HOA is throwing with the amendment and changes to the agreement. |
| MADE BY: | Supervisor Fernandez |
| SECONDED BY: | Supervisor Sellent |
| DISCUSSION: | None further |
| RESULT: | Called to Vote: Motion PASSED |
| | 5/0 – Motion passed unanimously |

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H. Discussion on Long Range Improvements Master Plan

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235

Supervisor Lamp went over why he asked for this item to be the agenda. Mrs. Nussel went over the process. The Board discussed and would like to do a survey of the residents about improvements they would like to see.

236

5. CONSENT AGENDA

237

A. Consideration of Board of Supervisors Public Hearing and Regular Meeting

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Minutes August 24, 2020

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The Board reviewed the meeting minutes.

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| MOTION TO: | Approve the August 24, 2020 meeting minutes. |
| MADE BY: | Supervisor Lamp |
| SECONDED BY: | Supervisor Sellent |
| DISCUSSION: | None further |
| RESULT: | Called to Vote: Motion PASSED |
| | 5/0 – Motion passed unanimously |

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B. Consideration of Operations and Maintenance Expenditures August 2020

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The Board reviewed the O&Ms. Supervisor Sellent asked about the lights; Mr. Reidt answered. Supervisor Lamp asked about the pest control and said maybe they could look at another company. Supervisor Lamp asked about publications for meetings; Mrs. Nussel and Mr. Babbar answered. Supervisor Lamp also asked about the light repairs, plantings, and pool pumps. Supervisor Sellent asked about the cleanup at the pool and if they could figure out who it was. Mr. Reidt said that so far they have been unable to determine who is doing it.

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259

MOTION TO: Approve the August 2020 O&Ms.

260

MADE BY: Supervisor Sellent

261

SECONDED BY: Supervisor Lamp

262

DISCUSSION: None further

263

RESULT: Called to Vote: Motion PASSED

264

5/0 – Motion passed unanimously

265

266 **C. Review of Financial Statement Month Ending August 31, 2020**

267

268 The Board reviewed and accepted the financials. Mrs. Nussel updated the Board on how the
269 budget was tracking. The Board asked about a bridge loan; Mrs. Nussel said a bridge loan would
270 not be needed for the beginning of fiscal year 2021.

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273 **6. AUDIENCE QUESTIONS AND COMMENTS ON OTHER ITEMS**

274

275 An audience member commented about the cabana and survey. She stated that she would maybe
276 like to have a committee to help and also see if they can do more games and sports like
277 volleyball at the cabana to benefit the entire community. Another resident commented about the
278 communication and people on the conference call having trouble hearing during the meeting.
279 The resident also commented about the survey and having items on the agenda; he said that he
280 would like to see the Board get suggestions from people who attend the meetings. A resident
281 commented that she would like for a sign about social distancing and masks, but also requested
282 for people who are speaking to remove their mask and then put them back on when they are not
283 talking to help with everyone being able to better hear what is said. The resident also asked to
284 have more activities and games at the cabana and said that she did not see the importance of still
285 having a gym with so many gyms in the area.

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288 **7. SUPERVISOR REQUESTS**

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290 Supervisor Sellent asked about the speakers. Mr. Reidt mentioned that the HOA was willing to
291 put in a speaker outside of the building to broadcast the meetings outside. The Board discussed
292 and decided not to move forward with the outside speaker.

293

294 Supervisor Arnaez mentioned that the ponds have not been looking good lately.

295

296 Supervisor Fernandez reiterated she would like to find a better way to hear the meetings by
297 phone, as she could not hear a lot of what was said at the last meeting. The Board discussed
298 some options and asked for staff to work on something better and bring it back to the Board.
299 Supervisor Fernandez also brought up the landscaping. Supervisor Lamp and Supervisor Sellent
300 agreed there have been a lot of issues. Supervisor Fernandez also mentioned the ponds and
301 problems with drainage.

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303

304 Supervisor Lamp asked about the construction on Autumn Creek. Mr. Reidt went over that he
305 got the email from the Engineer with the layout. Some residents are concerned that part of the
306 nature area is now gone. The entity to contact would be Hillsborough County, as the CDD does
307 not have any control over it. Supervisor Lamp also asked about the ponds. Mr. Reidt and Mrs.
308 Nussel said they could talk more to the aquatics vendor maybe in April about serving more often
309 during the rainy months.

310
311 Supervisor Lamp expressed some concerns about the processes and things that have gone on
312 over the past few months regarding working with the HOA on updating the facilities. Supervisor
313 Fernandez, Supervisor Lamp, and Mr. Reidt discussed the timeline and what happened.
314 Supervisor Lamp said he was not happy with how the Operations Manager had handled the
315 process of the painting and how the Operations Manager has been interacting with residents.

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317

MOTION TO: Terminate the current Operations Manager and start the search for a new one.

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MADE BY: Supervisor Lamp

320

SECONDED BY: Supervisor Fernandez

321

DISCUSSION: Supervisor Ryan asked for Supervisor Lamp to repeat his reasoning. Supervisor Lamp repeated what he said. Supervisor Ryan asked if they could table the motion and discussion to the next meeting so they could discuss it. Supervisor Arnaez said she did not want to vote on it at this moment. Supervisor Sellent said she would like for all Board members to be present to vote on it next month.

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RESULT: Called to Vote: Motion PASSED

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3/2 – Supervisor Sellent and Supervisor Arnaez opposed.

332

333 Supervisor Lamp said he would like for there to be different leadership on the Board. He made a
334 motion to re-designate officers, but it died for lack of a second. The Board said they would need
335 to re-designate officers after the November election anyway.

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337 Supervisor Lamp also said he would like for the Board to adopt a more formal process for
338 communicating with the HOA.

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| MOTION TO: | Establish a process to communicate with the HOA and have the communication go through the District Manager and then brought to the Board before it goes any further, with the amendment to recommend for the District Manager, Operations Manager, and Board to follow the procedure. |
| MADE BY: | Supervisor Lamp |
| SECONDED BY: | Supervisor Fernandez |
| DISCUSSION: | Mrs. Nussel said they could put this in the Rules of Procedure since they are updating some of the rules anyway. Mr. Babbar agreed. The Board asked if it was necessary, and Mr. Babbar said no. |
| RESULT: | Called to Vote: Motion PASSED 5/0 – Motion passed unanimously |

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8. ADJOURNMENT

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| MOTION TO: | Adjourn. |
| MADE BY: | Supervisor Sellent |
| SECONDED BY: | Supervisor Ryan |
| DISCUSSION: | None further |
| RESULT: | Called to Vote: Motion PASSED 5/0 – Motion passed unanimously |

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367 *Please note the entire meeting is available on disc.

368

369 *These minutes were done in summary format.

370 *Each person who decides to appeal any decision made by the Board with respect to any matter

371 considered at the meeting is advised that person may need to ensure that a verbatim record of the

372 proceedings is made, including the testimony and evidence upon which such appeal is to be based.

373

374 Meeting minutes were approved at a meeting by vote of the Board of Supervisors at a publicly

375 noticed meeting held on 10/19/2020.

376

377 Gene Roberts

378 Signature

379 Gene Roberts

380

381 Printed Name

382

383 Title:

384 Secretary

385 Assistant Secretary

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Edward W. Lamp, II

Signature

Edward W. Lamp, II

Printed Name

Title:

Chairman

Vice Chairman

Recorded by Records Administrator

[Signature]

Signature

10/26/2020

Date

