

Minutes of Meeting
Rivers Edge
Community Development District

The regular meeting of the Board of Supervisors of the Rivers Edge Community Development District was held Wednesday, April 17, 2019 at 11:03 a.m. at the RiverTown Amenity Center, 156 Landing Street, St. Johns, Florida.

Present and constituting a quorum were:

Jason Sessions	Chairman
Judy Long	Vice Chair
Charles Oates	Supervisor
Mac McIntyre	Supervisor

Also present were:

Ernesto Torres	District Manager
Lauren Gentry	District Counsel
Ryan Stillwell	District Engineer by telephone
Jason Davidson	Amenity Manager - Vesta
Dan Fagen	Vesta
Marci Pollicino	Vesta
Zach Davidson	Vesta
Robert Beladi	VerdeGo

The following is a summary of the discussions and actions taken at the April 17, 2019 meeting. A copy of the proceedings can be obtained by contacting the District Manager.

FIRST ORDER OF BUSINESS

Roll Call

Mr. Torres called the meeting to order and called the roll.

SECOND ORDER OF BUSINESS

Audience Comments

Ms. Sharp stated I have a comment as far as golf carts. I understand there is a lot of activity on Facebook with people commenting on what they will and won't do and I'm hoping we have some reasonable consideration of the ramifications for the entire community. It is not just individual needs but what is best for the community and we are concerned about liabilities

the community might take on and the rules. I have a concern that I just don't want us to go crazy and let chaos reign.

Mr. Session asked how many people participate in that conversation on Facebook?

Ms. Sharp responded I have no idea; it is second hand. I had one person tell me that people commented they were not going to register.

Mr. Sessions asked has the CDD received any concerns over the golf cart rules from residents?

Mr. Torres stated I have not.

Mr. McIntyre joined the meeting at this time.

THIRD ORDER OF BUSINESS

Approval of the Minutes of the March 27, 2019 Meeting

On MOTION by Mr. Sessions seconded by Mr. Oates with all in favor the minutes of the March 27, 2019 meeting were approved as presented.

FOURTH ORDER OF BUSINESS

Acceptance of Audit Committee's Recommendation and Authorization for Staff to Issue an RFP

Mr. Torres stated the audit committee met just before this meeting and approved the selection criteria for audit services.

On MOTION by Mr. Sessions seconded by Ms. Long with all in favor the recommendation of the audit committee of the selection criteria was accepted.

FIFTH ORDER OF BUSINESS

Discussion of Golf Cart Policies and Registration

Mr. Torres stated at the last meeting this item came up, there was discussion and several of the board members wanted additional time to review the polices. Keep in mind the rules and regulations were adopted by the board a few months ago.

Mr. Sessions stated Ryan, in response to the audience question and to the board I know that several CDDs, including Nocatee have terminated their rules and regulations for golf carts and they default to the St. Johns County policies for golf cart communities. Is that correct?

Mr. Torres stated yes.

Mr. Sessions stated they no longer have rules and regulations they just defer to the St. Johns County Road and Traffic Enforcement Agreement that they have in place that we have with the county as well. Ryan, if we remove the rules and regulations and registration process then the community residents would need to adhere to the St. Johns County Traffic Enforcement Agreement as it applies to golf carts. Is that correct?

Mr. Stillwell stated that is correct.

Ms. Gentry stated the traffic enforcement agreement allows the county to enforce that on district roads and if you were to go to the policies and didn't have district policies then it would be incumbent upon anyone who notices a violation to call the county sheriff's department and ask them to come enforce that. If multiple residents complain you are more likely to get a positive response from them.

Mr. Oates stated that would include, I assume, non-county roads. There are a few here that are CDD roads.

Ms. Gentry stated yes and that traffic enforcement agreement allows the county to enforce on all the roads.

Ms. Long stated the reason why they dropped the registration, and I can see why, is a lot of personal information would have been handled and not been secure and the other reason people did not want to register is because they did not want to buy insurance on their golf carts and I think that is reasonable too. I think that is a personal decision on whether they do that or not so I am kind of glad we are doing away with it but I still think the community wants some type of structure if we did like a directive where we could have a piece of paper we could have a link to it on our newsletter. I have noticed some other counties have done this where the top part of the newsletter is the county and state laws regarding golf carts then at the bottom of the newsletter it is kind of a community input as to other things that should be added and I handed out some things for discussion. I'm putting it out there because if people have a guideline to go by, you have your rules, your law, but then you think that is the way that is and it is very cold and very blunt and that is it. Then you have other things that you need to add.

Mr. Oates stated we were told Nocatee did away with their rules and regulations and that is what this purports to be. Is that right?

Ms. Long stated yes. This is what they adopted.

Mr. Sessions stated this is 2017 this is what they dropped. They rescinded this. This isn't active today. They have taken away all of this.

Ms. Long stated I went on their website and this is what they have for Nocatee.

Ms. Gentry stated the last update that I received was that Nocatee had dropped their own CDD specific regulations. If they have done something since then that could be possible. I don't work on Nocatee but the last update I had was that they were not doing their own enforcement rule.

Mr. Sessions stated they might just be reprinting the state and county rules.

Ms. Long stated they would have to abide by that. They wouldn't have any choice.

Mr. Sessions stated they wouldn't be required to provide that to the residents.

Ms. Long stated in other words we don't have to tell them that they have to abide by rules and regulations.

Mr. Sessions stated we don't have to tell people they have to drive 30 mph if there is a 30 mph speed sign. We don't have to tell people they have to register their cars to drive within RiverTown. We don't have bicycle rules.

Ms. Long stated then we can't add that as an addendum.

Mr. Sessions stated it is whatever you want to do. What rules we put into place on top of the St. Johns County rules is up to you.

Ms. Long stated just leave it at the St. Johns County rules and let it go.

Mr. McIntyre stated my opinion is that we do away with any special restrictions within RiverTown and let it be what it is because that is kind of how things are going right now. If we start putting specific targeted policies then now we are stuck with enforcing those and we have no enforcement power and you are going to have some people who abide and others that don't and then you are going to have those that complain about those that don't and it brings it back to not being able to have any real power to enforce anything. It is probably best to leave it as it is and let everyone deal with the county and state rules.

Ms. Long stated as is the registration and all these rules and regulations, I was trying to do away with that. If we go back then we just have a link to the state law and county law, right?

Ms. Gentry stated if that is what you decide to do. If I can point out one thing and to be clear from a legal standpoint it works both ways, you can have your policies or you cannot so I have no preference here but one thing that enacting your policies does allow you to do is it

allows you to tie it to your amenity privileges so if people were violating your rules not registering then you could go through the normal disciplinary process that you have for amenity violations. If you revoke your policies and don't have anything of your own then you lose that but that depends on someone being willing to enforce it within the CDD.

Mr. McIntyre stated that also brings up the case of they would have to register and if they were going to register it would probably have to be an extremely modified, abridged registration without so much personal information. Then it also comes down to how do you enforce it. The bottom line, the enforcement is put a sticker on their golf cart with a number that is registered to them.

Ms. Gentry stated I believe the rules contemplate getting a decal.

Mr. McIntire asked how do you force people to put a decal on their vehicle? They are going to show up at the River Club or River House in a golf cart that someone has to be responsible to see it and track them down and then tell them you are supposed to have this on here, it is not there, remove your golf cart. Then that creates a whole different can of worms. I'm trying to figure out the best way to do what needs to be done for all parties, residents or Vesta without infringing on anybody's personal information and not have anyone be RiverTown enforcement in an unofficial capacity.

Ms. Gentry stated if everyone agrees that is the way to go then the board can revoke those CDD specific policies.

Ms. Long stated you said Nocatee did away with their policies. Do they have a link in their newsletter to say they have done away with the policies?

Mr. Torres stated I manage a community, St. Johns Golf & Country Club, with 800 homes and we had a golf cart policy. No one volunteered to register so we did away with it. When suspending someone's privileges there is a process for that as well, it is an administrative process. We have to send them a letter and they have to come to a meeting and state their case and then the Board decides from there. It is a bit of a cumbersome process and as far as the community I manage that did away with the policy there is no policy that refers them to the St. Johns County ordinance. Just as Jason pointed out, we don't tell you to register your vehicle, we don't tell you that your son or daughter has to be 16 with a driver's license to operate it, that is the law.

Ms. Long stated I think this is going to become an issue the county is going to have to address.

Mr. Sessions stated I would like to get to the finish line. We have talked about this for 20 minutes every CDD meeting. At some point we have to live with what we have.

Ms. Long stated what we have is what we don't want.

Mr. Sessions stated but that is what you asked us to draft and that is why you approved in the May 2018 meeting.

Ms. Long asked how do we eliminate what we have?

Mr. Sessions stated I think the rules we have add additional liability to the CDD because we have rules that go outside of the St. Johns County rules and regulations. If we want to eliminate them then let's do so or if we want to modify them let's do so. We spent a great deal of time and money with counsel drafting these rules and to redo them is fine but we need to get to a place where we give clear direction as to what we want.

Mr. Torres stated you can rescind the policy and if it becomes an issue you already have the draft policy that you could refer to in the future.

Mr. McIntyre stated I want to be fair to Vesta and the rest of the community. I'm okay with very limited registration not necessarily for out here on the roads but for people being careless and reckless or doing things on their golf carts at the community facilities.

Mr. Sessions stated we already have the ability to manage that with our rules we have in place for the facilities.

Mr. McIntyre stated I mean concerning a golf cart because right now there is no way to identify the owner.

Mr. Sessions stated it would be the same process if someone rode up here on a bicycle and skidded through the grass and caused damage. We have no ability other than to grab that person and figure out who they are and then go for it. It is the same with the golf cart or skateboard.

Mr. McIntyre stated rescind the policy and let it be what it is going to be.

Mr. Oates stated we are talking about rescinding the policy and if we do the county rules and regulations for golf carts will control and we don't know what that says. How does that differ from what we have? Are there any surprises in that or anything in there that we don't want?

Mr. Sessions stated we could table this and send out the traffic enforcement agreement along with the county rules and regulations for golf carts and give everybody a chance to review them.

A resident stated the St. Johns County rules automatically apply so we are already under that guidance.

Mr. Sessions stated yes.

A resident stated then all you are saying is if I see something that I feel is inappropriate then call the sheriff.

Mr. Sessions stated yes.

Mr. McIntyre stated I would like to table this for today; you send out the county's rules and give us time to look at it and come back when it comes back up.

Mr. Sessions asked are you asking that it be an agenda item on the next meeting?

Mr. Oates stated I think it should be an agenda item for the next meeting.

SIXTH ORDER OF BUSINESS

Discussion of the Meeting Schedule

Mr. Torres stated I took the liberty of drafting a meeting schedule and this gives the board an idea of what a meeting actually costs. We had a brief discussion last month about possibly reducing some of the meetings because some of the agendas are somewhat light and could actually wait for a meeting. I also explained to the board that in the event that during the month we discover an issue that presents any urgency that we could schedule a special meeting and there is a process for that. You scheduled 12 meetings for FY19 that started in October and ends September and you have canceled one meeting and that was the January meeting. I wanted to see if there is any consideration of modifying the current schedule and this information will serve well when you draft your 2020 meeting schedule.

Mr. Sessions stated for the audience's benefit, today's meeting cost \$2,623, \$800 of that is the four supervisor's fees. I think that having a \$2,600 meeting every month is not a good use of our funds. If we hadn't had the golf cart discussion today there would be nothing else to discuss and I think it would be better served for pickleball lines on a basketball court or things of that nature that would be used for the community.

Mr. McIntyre stated I'm okay with scheduling and if there is nothing of great importance or one item maybe cancel but I wouldn't want to start off with a set number of meetings such as

cutting it from 12 to 9 or something like that. I think we can go by what the agenda calls for. If it is one item maybe push it to the next month.

Mr. Oates asked that is the way it has been done in the past, hasn't it?

Mr. Sessions stated yes but because Mattamy controlled the board I was able to make that call, now I can't make that call. When we got the agendas I would notify the management team and say there is nothing on here that we need to spend \$3,000 on, let's kick it to the next meeting and we did that today on Rivers Edge CDD II. We didn't have anything on the agenda that needed to be addressed today so we didn't have a meeting. I would have suggested that for this meeting today but I don't have that authority anymore behind the scenes. Can they do it behind the scenes and say cancel the meeting? Obviously, we can't speak outside these meetings.

Mr. Torres stated we can do that. It would be the district manager communicating directly to each supervisor.

Mr. Sessions stated if you see an agenda that doesn't warrant a meeting you can let them know that you don't feel like the meeting is warranted.

Mr. Oates stated I'm concerned if there is something important that needs a meeting that there will be a meeting; if there is not anything important then there is no reason to have a meeting. To me that is very practical.

Ms. Long stated it seems like in the past Mattamy had a lot of things that needed to be voted on and they needed approval and our agenda was full. It seems like now that we have more board members all that stuff has disappeared. I don't know where it went but it disappeared. When we have meetings now our meetings are discussions about the community and what we need to fix in the community or what people have come in and have discussed and talked about. We are kind of a community board instead of a Mattamy board now.

Mr. Sessions stated that is the intent. The reason that the board is made up of the development team for a certain period of time is to get through all the formation of policies, the bond issuance, the refinancing, all those start-up things. Next month we have to start the budget process, that is part of policy and rule and accounting and we as a board also have a fiscal responsibility to the CDD to manage the funds. That all needs to be considered as well. At the next meeting we have to have to start the budget process and that is part of the things you have to do.

Ms. Long stated there are community issues as well as Mattamy issues.

Mr. Sessions stated I don't disagree that there are community issues that will need to be discussed here like the golf cart rules that needs to be discussed in this meeting but we are fortunate today we don't have anybody here asking for a sprinkler head to be fixed or a tree limb that has not been maintained or a pond bank that needs to be maintained better or things of that nature. That is not the intent of these meetings. Those kinds of discussions will go on and on and foster more of that; it is not productive.

Mr. Torres stated for the board's information, I manage Turnbull Creek that is a community east of here and has 959 platted lots and we meet six times a year. It is a totally homeowner board. They went through the exercise not long ago trying to cut costs and you generate costs when the attorney, engineer and district manager are present. There are legal matters you have to handle at certain meetings such as the audit and budget and we work within the schedule to do those things.

Mr. Sessions stated next months' meeting is the kickoff of the budget and at the meeting we can decide if we want to cancel the following meeting.

SEVENTH ORDER OF BUSINESS

Staff Reports

A. Attorney

Ms. Gentry stated as some of you may recall in 2017 this district was named as a defendant in a lawsuit involving an alleged bicycle accident. Our office has not been very involved in that as it is covered under your liability insurance and they supply defense counsel for it. I wanted everybody to know it has been scheduled for mediation on July 3rd. There is no action that is needed. If anything happens at that mediation that is noteworthy we will let everybody know.

Mr. Sessions asked will you confirm that with Jennifer because I got an email from the Mattamy side that it has been settled.

Ms. Gentry stated I will check and let everyone know.

B. Engineer

There being none, the next item followed.

C. Manager

Mr. Torres stated we will start the budget process next month.

D. Amenity Manager – Report

Mr. Jason Davidson gave an overview of the amenity manager’s report, a copy of which was included in the agenda package.

E. Field Services - Report

Mr. Zach Davidson reviewed the field services report, a copy of which was included in the agenda package.

EIGHTH ORDER OF BUSINESS Supervisors’ Requests and Audience Comments

Mr. Sessions stated Judy mentioned workshops and I think what you were referring to is workshops that people are handling that aren’t on the board. There is the ability to have committees within the CDD that can work on things and can bring them to the board that is not a noticed meeting. If you wanted to have a golf cart committee and they wanted to review policies and bring a recommendation to the board that is what you can do.

Ms. Long asked how do I go about doing that?

Mr. Sessions stated you can do it on your own. You can have Marci put it in the newsletter that if people want to be on the golf cart committee they can contact you.

Mr. McIntyre stated if you want to do committees I will be willing to help.

Mr. Sessions stated you can’t do it together.

Ms. Long stated I think it would be better if people from the community put together their thoughts and it could be presented to the board and we can see how they feel.

Mr. Torres stated there is a form of workshop but from the CDD side it would have to be noticed and no decisions could be made all recommendations would be brought back to the board. You don’t have to have a quorum and I can get with you and we can discuss that.

Ms. Long stated I think that would be a good idea, it would be people who would like a formal committee and maybe make recommendations and that way when we have problems or situations come up we can refer back to what the committee had come up with.

Mr. Torres stated I will get with you.

Ms. Ligmanowski stated Marci is doing a fabulous job. I enjoy all her activities and she goes above and beyond and I’m having a great time.

Mr. Sessions stated we appreciate that and I think they are all doing a great job. I was commenting in my office the other day that they are all doing an outstanding job and one of the

main reasons you know that is we are sitting here in a CDD meeting and there are three of you. If we didn't have a good team on the ground running the show this room would be a lot more crowded. I think the team is running this place very well and Mattamy is continuing to do the right thing with RiverTown and I'm proud to be a part of that and the board is doing a great job running the CDD along with GMS.

Mr. McIntyre stated I understand you don't want the CDD meetings to be a resident complaint board but I'm still searching for a way to have those concerns heard but not necessarily impact the board's time.

Mr. Sessions asked what concerns?

Mr. McIntyre stated you have three residents here and last time there were 6 or 7 and they have concerns about fallen trees and midge flies and all those things. I get that it takes more time to rehash all those things and I'm trying to find a way to gather those concerns and have the board or respective parties that control certain things deal with them. How do other communities deal with those things?

Mr. Sessions stated those concerns are being addressed outside the meeting. If we don't let them do what we are paying them to do, if we get involved in everything it will be too cumbersome.

Mr. Torres stated the point to the residents is don't wait for a CDD meeting to bring something to light, you have a staff in place that your assessments pay for. Bring it to their attention before the meeting so they have a chance to fix whatever the deficiency may be.

Ms. Long stated the newsletter has contact people for complaints or problems and it has those people listed in those different areas so you can contact them and they have been contacted several times and they handle complaints constantly.

Mr. McIntyre stated I'm sure they do and I'm not saying nobody is dealing with it but we are also dealing with human nature. Some people don't do well with addressing an individual one on one face to face about a complaint. Others don't want to talk to people who are there I want to bring it up at the meeting.

Mr. Sessions stated that happens now, I get calls once every two weeks from residents who have complaints that something is not being handled. I got a call the other day from a woman who had three or four complaints; she wouldn't give me her name so I couldn't figure

out where she lived to address the complaints. If these meetings become three hours long and become Julington Creek it is a nightmare. The loudest voices win.

Mr. McIntyre stated I don't want it to become that and I don't necessarily agree that we should have a room full of residents with their complaints. When residents are here we sometimes spend 30 minutes on issues that have already been addressed with VerdeGo and Vesta but they still show up to complain about the same thing. What I'm looking for is to help minimize that here. I think some people might be a little more open to coming together and collating everything with a board member and the understanding is you don't necessarily have to come to a meeting to bring these things up.

Mr. Sessions stated you are encouraging people to go outside our normal course of business. Our normal course of business should be the residents should contact the people they need to get the issue resolved with not a board member. Board members should not be handling issues of that nature.

Mr. Jason Davidson stated if the residents come to the meeting with a concern that me or my staff or VerdeGo or anyone hasn't been able to address then we failed. 60% of my day is working with the residents to come up with a common solution for a concern they might have. I see what you want to do and I see your goal and if you would like I would like to get with you to discuss this. It is our job and our duty to make sure the residents enjoy everything they have and if they have any concerns or questions because they might not understand something to reach out to us. At the previous meeting there were a good number of residents here concerned about specific things and they were directed by the board to make sure they contacted the proper individuals. We move that piece of paper around as many times as we can and finally it hit and my phone and email began. It went through district management or Mattamy or it got to me and I directed them that if they want to get it done quicker, come straight to me and we can get this taken care of as quickly as possible. My goal is to make sure the residents are comfortable and that they have the information they need and I'm providing that. If they are showing up in a meeting and coming to the board with that then I'm not doing my job.

Mr. Sessions stated the other thing that Mattamy can do when Jason has something he knows is going to be an issue that is maybe unsolvable such as midge flies, we can help but we can't solve it, so Jason says at the board meeting you are going to hear about this. He can send an email to all of us we just can't reply to all. He can say this is the issue, this is what we have

done and this is what we are planning to do and this is still the issue. I think some of what you are asking for is being done in the background. I think Judy’s request to put the information at the top of the sheet has helped and I think our passing out the sheet at the town hall meeting helped and I think finally people are getting it.

Mr. McIntyre stated I’m satisfied with that as long as the residents’ concerns are being addressed.

Ms. Long stated these people do a good job.

A resident stated I had an issue and I talked to them and everything was taken care of. It works. I sent it to the HOA and the HOA said it was a CDD issue, from the residents’ side there has to be some closure and that is why people come to the board meeting so someone is hearing what they are saying.

Mr. Sessions stated they probably deal with so much to email you back and tell you it is done might be a little bit cumbersome, but that is something we can consider and maybe think about that and report back to the board at the next meeting. The second thing is I’m very happy to hear that you have been pleased in most regards and we will have room for improvement. We are not going to please everybody; there are going to be people who are unhappy. We are doing the best we can and the community sells itself.

NINTH ORDER OF BUSINESS

Financial Reports

A. Balance Sheet & Income Statement

A copy of the balance sheet and income statement were included in the agenda package.

B. Assessment Receipt Schedule

A copy of the assessment receipt schedule was included in the agenda package.

C. Approval of Check Register

On MOTION by Mr. Sessions seconded by Mr. Oates with all in favor the check register was approved.

TENTH ORDER OF BUSINESS

Next Scheduled Meeting – Wednesday, May 15, 2019 @ 11:00 a.m. at the RiverTown Amenity Center

Mr. Torres stated our next meeting is May 15, 2019 at 11:00 a.m. in the same location.

On MOTION by Mr. Sessions seconded by Mr. Oates with all in favor the meeting adjourned at 12:02 p.m.


Secretary/Assistant Secretary


Chairman/Vice Chairman