

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, August 19, 2020 at 6:00 p.m. using Zoom media technology pursuant to Executive Orders 20-52, 20-69 and 20-193 issued by Governor DeSantis and pursuant to Section 120.54(5)(b)2., Florida Statutes.

Present and constituting a quorum were:

Mac McIntyre	Chairman
Randy Schaublin	Vice Chairman
Judy Long	Supervisor
Erick Saks	Supervisor
Jacob O'Keefe	Supervisor

Also present were:

Jim Perry	District Manager
Jennifer Kilinski	District Counsel
Lauren Gentry	District Counsel
Ryan Stillwell	District Engineer
Dan Fagen	Vesta/Amenity Services
Zach Davidson	Vesta/Amenity Services
Jason Davidson	Vesta/Amenity Services
Marci Pollicino	Vesta/Amenity Services
Ernesto Torres	GMS
Shane Blair	VerdeGo

The following is a summary of the discussions and actions taken at the August 19, 2020 meeting. An audio copy of the proceedings can be obtained by contacting the District Manager.

FIRST ORDER OF BUSINESS

Roll Call

Mr. Perry called the meeting at 6:05 p.m. and called the roll.

SECOND ORDER OF BUSINESS

Audience Comments

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Rivers Edge CDD

A resident stated there are a lot of large commercial vehicles including trailers parked in the streets. Are we doing anything about this situation? That is the CDD, that is not something we do in the neighborhood.

Ms. Kilinski stated we have a towing policy on the agenda to discuss later, but we and Jason Davidson have had several issues come up where we have personally noticed folks parked improperly. We don't have a towing operator agreement in place yet to be able to tow on district property. The district is considering a towing policy. It is statutorily driven about how we need to notice folks and we are aware that it is becoming an increasing issue, which is why this district and district 2 are both considering the towing policy. There are some places where those folks are parked on county roadways and Jason has notified the county when there is an obstruction.

Mr. Jason Davidson stated when we find that the vehicle is improperly parked there is a policy that goes along with it and it isn't one that has been established by the board but it has been how we have been trying to handle it and it depends on what roadway it is in if it is a CDD owned roadway or county owned roadway. If it is a county owned roadway we will notify the police and try to run a tag on that specific vehicle and see if we can find them in our database and reach out to them and if that is unsuccessful we issue a letter to them letting them know they need to move that vehicle and we let district counsel know that we have issued the letter.

Mr. White asked is it a board decision to have the slide closed at the RiverHouse? Is it a Vesta decision? Is it a Mattamy decision? When will it be reopened as numerous communities in the county have their slides open?

Mr. Jason Davidson responded we are going to open the slide this Labor Day on Saturday, Sunday and Monday. Then we will have the slide open for the remainder of the weekends throughout September. Hours of operation will be 11 a.m. to 7 p.m. on those days.

Mr. Baron stated there has been a lot of discussion on the budget and one of the items I would like to address is the management of the reclaimed water. Currently, the budget is set at \$375,000 yet the water that we have had over the last three months has exceeded and this is the heavy rain period and you would expect the budget and these ponds would be down. I talked to one of the technicians who fixes all the sprinklers and he is the only one on there to both adjust and fix. Who oversees to make sure that (1) overwatering doesn't happen during the rainy season and that the budget is actually managed, and (2) could someone explain the general reserve, which has \$200,000 how that process operates and how expenditures are made against the budget itself?

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Mr. Jason Davidson stated we work diligently with VerdeGo to ensure that when it rains that the rain sensors are working properly. Some are on timers and if we see rain is coming, we turn those off. Residents reach out to us and let us know if a zone is stuck due to a malfunction and at that time, we reach out to VerdeGo and let them know and they send someone out and address that.

Mr. Blair stated our practice has been that any time we get heavy rains we go out and shut off all the pumps and we have done that all year. There has been a lot of new construction, which is part of the reclaimed system as well. For our side, every time we have heavy rain those pumps are shut off; they have been off all this week, we shut them off Thursday or Friday of last week. Sometimes if there is a valve that is stuck that would cause excessive water usage and needs repair, we do get out there as soon as possible and address that.

Mr. Baron stated I will call you personally and go over some of these bills because I have video of broken sprinkler heads. We should be seeing significant savings over June, July and August.

A resident stated I go up to RiverHouse and sprinklers are going wide open in the rain and that is not new construction. I agree with Fred, I don't think it is being managed properly.

Mr. Perry stated in reference to your question on the general reserve, this fiscal year there is \$200,000 and for next fiscal year there is approximately \$104,000. That \$200,000 will be fully funded this year and that goes into a reserve account and those funds are utilized to make extensive repairs or replacements to any of the infrastructure. For example, this year there was approximately \$35,000 in repairs to the walkways in the Riverfront Park and that will be applied against that fund. That is what the fund is utilized for.

Mr. Baron stated I understand the need for the fund. I was questioning how it gets executed. Does it go to public opinion before it is expended? Most of the stuff just like the budget gets allocated and set aside but if you have a need, an emergency normally it goes to a vote of some type. Is it just a vote of the board or is it brought to the public to hear public input before it is expended?

Mr. Perry stated this is typically for repairs and maintenance against assets that are already out there. You are looking for new assets then that would go before the public and/or the board, but that is not what this fund is utilized for. We had in the past pickleball courts; in order for those funds to be utilized for that, the board would have to approve that.

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Mr. Baron stated if you will put a little caption in the meeting minutes as to how those areas are allocated or typical examples just to document how it gets approved or what it goes towards. Remember it is everyone's input that they pay as part of their fee as part of RiverTown. It shouldn't be free will to spend as needed and whatever you think. It should be the public you are supporting on this.

Ms. Rausch stated many of our common areas such as the dog park around the lakes and bike and walking paths are very overgrown, have weeds, and when the landscapers were confronted by a couple homeowners on why they were so overgrown the response was that we can't mow because it is too wet. But the ground being wet doesn't prevent them from weed eating and at least getting the weeds down a little bit or edging some of the runners that are growing out over the bike paths and so forth. \$1.2 million for landscape maintenance and yet all of our common areas are completely grown up in weeds right now. That concerns me a great deal.

Mr. Perry stated we have had internal discussions about the level of service being provided at this point in time.

Mr. Jason Davidson stated we met this week with VerdeGo and brought a lot of this to light and as a team collectively coming up with ideas of how to best approach this to ensure everything in RiverTown is up to the standards that we all expect. We have come up with scheduling processes, they have new ideas of how they are going to address these sections by splitting them up and utilizing these days when it is too wet to mow to get in the beds and get everything cleaned up. They have assured us that we will be seeing a difference soon.

Mr. Perry stated for members of the public if there are things that are a concern to you between meetings, Zach and Jason are very accessible and they will look into your concerns and get back with you.

Mr. Halloran stated you have traffic signs throughout the community that are blocked by overgrown bushes and trees and VerdeGo needs to get on that too; that is a hazard.

Mr. Perry stated anything with line of sight issues they are supposed to be getting the regulations and if you have a specific area that you think needs to be addressed let us know, but I know Jason and Zach are out on the property quite a bit. We will try to address all your concerns.

Mr. Baron stated signs that are blocked by trees on someone's property VerdeGo is not allowed to cut. That is outside the CDD scope. What is the intersection between the CDD and HOA to contact the homeowners and say they need to trim these back?

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Mr. Jason Davidson stated the CDD and master HOA work seamlessly together. Robert and Zach have driven those areas and identified which ones are blocking the signs and which ones are the CDD's responsibility and which ones are the HOA's responsibility. We get them to Kyle, and he issues the letter and from that point forward it is the homeowner's responsibility to fulfill our request, if not Kyle sends another letter. They are being notified.

A resident asked why did they plant trees back in the median at the entrance to the Enclaves? Those trees when you are coming towards the Welcome Center and trying to cross back into the Enclaves onto Elk Grove block the line of sight. You need to make the trees so people can see or stop people from coming 40 mph down the street.

Mr. Perry stated we have an agreement with St. Johns County Sheriff's Department in regard to speed enforcement and so forth. It is not a district enforcement issue. In regard to line of sight issues I would ask Jason and Zach to add that to the list.

Mr. Stillwell stated when we are filling in landscape enhancements, they are approved by St. Johns County to make sure that it is meeting code from not only landscaping tree mitigation perspective but also a safety perspective.

A resident stated about the truck parking, they are parked on a main thoroughfare and I moved into a neighborhood to live in a neighborhood I didn't move into a neighborhood to live in a business district. The trailers block the line of sight coming around a curve and if a man runs a business, he should have a business location, not the streets in a homeowner's community.

Ms. Kilinski stated if it is a main thoroughfare it is a county roadway. The district doesn't have authority to remove a vehicle from that area. We may need to do more education on what we can do as a district and maybe what residents can do to notify the sheriff's office to remove those vehicles if they are obstructing traffic. It is part of a bigger issue we have discussed and we need to do better about being able to address these issues between board meetings and having an understanding of who to contact for what issue and who has the right and authority for different properties will be very helpful for everybody. We will definitely get our ducks in a row to make sure that folks know who to contact and how to do that between board meetings. You don't have to wait a month to have some of those issues resolved.

A resident asked do you have a map that delineates what roads are county versus CDD?

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Ms. Kilinski stated we do have one we use internally so we know as staff and we can post that somewhere that may help residents with a key code such as if you see something here, this is who you contact and post it and maybe email blast it.

A resident asked is anything being done about the roundabouts that are dangerous?

Ms. Kilinski stated that is a state road and FDOT doesn't do any sort of traffic calming outside of a roundabout. This is part of the educational process and we will see what we can come up with. You as residents probably have more power at FDOT than we as staff do. If you are petitioning FDOT to do something about traffic calming they won't listen to us and on any state road you won't see any traffic calming devices except roundabouts. It is an FDOT federal regulation.

A resident asked what about another flashing sign or cut the tree that is covering the one sign that is flashing, that's all them?

Ms. Kilinski stated it depends on where it is. If you want to send where those locations are between meetings, we can take a look at it to see who has the authority in those areas. I'm just talking about the roadway specifically.

THIRD ORDER OF BUSINESS Affidavit of Publication

A copy of the affidavit of publication of the public hearing was included in the agenda package.

FOURTH ORDER OF BUSINESS Approval of the Minutes of the July 15, 2020 Meeting

On MOTION by Mr. O'Keefe seconded by Mr. McIntyre with all in favor the minutes of the July 15, 2020 meeting were approved as presented.

FIFTH ORDER OF BUSINESS Public Hearing for the Purpose of Adopting the Fiscal Year 2021 Budget

On MOTION by Mr. O'Keefe seconded by Mr. Schaublin with all in favor the public hearing was opened.

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Mr. Perry stated included in your agenda package is the proposed budget for adoption tonight. This is for fiscal year 2021, which will run from October 1, 2020 through September 30, 2021. This budget is very similar to what you have seen that you approved. It has been updated for actuals through June 30, 2020, also the projected costs and revenues for the next three months.

In regard to the revenue section there was some realignment of some of the cost share for landscaping from Rivers Edge 2 and 3 along with the amenity cost share agreement, that is the interlocal agreement with Rivers Edge 2 and 3. The total amount of all those revenues is approximately \$850,000. Under total administrative costs those dollars are pretty much at the same level as originally proposed. Under grounds maintenance these items make up the bulk of this budget including landscape maintenance with the VerdeGo contract, the reclaimed water usage that was discussed earlier, and we also have some general reserves at the bottom for \$75,000. After that you have amenity center and RiverHouse budget and those dollars are \$704,000 for adoption this year. Most of those are relatively flat, they just change with regard to the general reserves, it will be \$104,000 this next year and we hope to fund more than that. What we intended to do this year was to keep assessments at the same levels as you have had in the past and the adjustment in order to keep assessments at that same level was to reduce the general reserve amount. Again, we can fund less expenditures and increase and our target amount of \$200,000 on an annual basis. After the budget itself there are narratives which are descriptions of the line items, then the bond amortization schedules, and those assessments are set and do not go up. I will open it up for discussion by the board members.

Mr. O'Keefe stated no CDD 1 funds go to support the café. Is that correct?

Mr. Perry responded that is correct. Any costs related to the café are completely in Rivers Edge 2 and currently it is getting funded by Mattamy.

A resident stated the community garden budget and what typically goes for the \$1,000 and \$2,000. I have gone to that area and there never seems to be any soil, or anything done. I have lived here over a year and I question where that money is and what it is used for.

Ms. Pollicino stated when residents that have leased lots for \$125 for one year for a one-time \$75 membership fee, those residents sign an agreement that they must maintain upkeep of their plots and I give them constant reminders. I also have my maintenance staff maintain the community garden, pulling weeds, making sure it is weeded around the garden as well, weed

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whacked, mowed. That is all on the maintenance side of it. Maintenance of the plots is solely on the residents that have leased the plots.

Mr. Torres stated if you look at the budget under revenues, community garden it is not an assessment roll item, funds are generated by the fees that Marci was speaking of.

Mr. Schaublin stated it was brought up at the last meeting and at this meeting, around the water and electrical and general reserves. I want to make sure you pay close attention to those as we go forward with this budget because we need to find ways to make sure that we are spending money more wisely. I don't know if it is every board meeting that we need to look at these three line items to make sure we have better control over them, but those are the heavy hitters, how much we spend on the irrigation, electrical and because if we reduce the general reserves we have less funds to do upkeep on areas such as the park across the street. Who repairs the roundabouts after those accidents? Do the people who cause the accidents pay for the damages or is that out of our pocket or does the state pay for it?

Mr. Perry stated we can we go against their insurance carrier if we know who did the damage and we are able; we have done several where we collected for reimbursements on those roundabouts. Unfortunately, for some of them there is no identification of who destroyed the landscaping, so staff has been diligent in trying to enforce that and collect on that.

Mr. Schaublin asked if we can't collect on that do the repairs come out of our landscape budget or general fund?

Mr. Perry responded landscape funds. In regard to the reclaimed water, that is a hot item that we have been working on and discussing quite a bit. I know that Prosser has been undertaking an in-depth review of that item with the JEA and hopefully, we can get some relief in regard to changes in the way that is delivered and stored and/or rate reductions.

Mr. Schaublin asked is CDD 1 completely sold out from the developer properties?

Mr. Stillwell responded it is not sold out, there is probably another 200 lots that are still getting put on the ground before full buildout of Rivers Edge 1, and with that comes the common areas as well as the remainder of the roadways that provide access to the community.

Mr. Perry stated in regard to mass CDDs, Rivers Edge is significantly built out. There will be some additional neighborhoods but as far as mass goes, it is minor compared to what is in place.

Mr. Schaublin stated we should flatten out not increase the expense.

Mr. Perry stated that is correct.

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There being no further comment from the Board or the public, Mr. Perry asked if there was a motion to close the public hearing.

On MOTION by Mr. Saks seconded by Mr. McIntyre with all in favor the public hearing was closed.

A. Consideration of Resolution 2020-09 Relating to Annual Appropriations and Adopting the Budget for Fiscal Year 2021

On MOTION by Mr. O’Keefe seconded by Mr. Schaublin with all in favor Resolution 2020-09 was approved.

B. Consideration of Resolution 2020-10 Imposing Special Assessments and Certifying an Assessment Roll

On MOTION by Mr. O’Keefe seconded by Mr. McIntyre with all in favor Resolution 2020-10 was approved.

Ms. Gentry stated for the record you were going to make the change to the assessment chart in the budget and that version will be attached to the resolution.

Mr. Perry stated that is correct.

SIXTH ORDER OF BUSINESS

Consideration of Policies

A. Towing Policy and Form of Agreement

Ms. Gentry stated the board saw this at your last meeting. I know there is a lot of resident concern about parking in places where people should not be parking. In response to that the board has asked to consider a parking and towing policy, so a draft of that policy is included in the agenda package. We define where people can park, what types of vehicles can park, basically, this policy sets forth that parking is only allowed in areas that are identified as designated parking areas. Our district engineer is working on a map that will clearly set forth which areas are designated for parking but even in those designated parking areas, overnight parking will not be allowed unless there is a specific exception granted, and oversize vehicles will not be allowed to park including vehicles with trailers attached, travel trailers, camping trailers, mobile homes, that sort of thing. We are prohibiting overnight parking and oversize vehicles. Under this policy the

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first offense people would get a written warning then staff would need to authorize towing if necessary. If it is a dangerous then staff could proceed directly to towing the vehicle to prevent the danger to the community. Also under this policy, we will be installing signage as required under Florida Statutes. If you are establishing towaway zones the statute sets forth specific signage you need to put up where you are going to be towing. That is a very brief overview and the board may have noticed that Exhibit A, the map setting forth the designated parking areas is still forthcoming. Staff is working on compiling that map showing all of your designated parking areas and it is still a work in progress, so we are not asking the board to take any action on the policy tonight. We understand you will want to see those parking areas before you adopt it. We plan to bring this back to you at your next meeting.

Ms. Long stated at the last meeting I wanted to address people with boats or motorhomes that need to park them and use them the next day. I hope that doesn't include them. Is that going to be excluded from this?

Ms. Gentry stated currently the policy does not specifically exclude that. This policy only addresses roadways and areas that are owned by the district. Some of the roadways within the community would be either state or county owned, this policy wouldn't apply to them; we don't have any control over their parking policies, but we have provided that specific exemptions can be granted by staff. If the board is concerned about this type of overnight parking, we could work with staff on options or granting specific exceptions and how that might work in areas where it can be allowed. There are certain roadways within the district where parking on the roadways may not be feasible because the roadways are not wide enough. We can work with staff to look into how those exemptions might work if the board is interested in that.

A resident stated I have heard a lot of complaints about commercial vehicles and trailers that are left in designated parking spots that already exist in the neighborhood. Some of them are on blind corners and blind turns where we had construction vehicles from Mattamy swerve in and outside of there and almost creating head-on collisions.

Mr. Stillwell stated the exhibit is going to show the real scope of the property we are talking about. For the most part is not going to be covering in front of houses regardless.

Mr. Schaublin stated we need to articulate that in the policy, what we are specifically calling out that it is not to impact the residents but strictly for commercial impact. I want to make sure the policy articulates who we are actually targeting for this violation.

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Ms. Gentry stated there are some concerns under the law with restricting only commercial vehicles. We have tried to cover that with some of the oversize vehicles that you would see anything larger than your 1-ton truck. We tried to be comprehensive, but we can make it clearer that it is just district owned areas. We can also work with staff to implement permits and that sort of thing when overnight parking is justified.

Ms. Kilinski stated we can have where a resident can come into the office and apply for a parking permit that they would place on their dashboard. In the event that someone is parking an RV for a day or two in order to clean it out and get ready for the next outing, they can apply for a permit through Jason's office. We do that in a number of districts. We are happy to add that to the policy to address that concern.

Mr. Perry stated if the board has any other items you have recommendations for in the policy contact me or counsel and we will incorporate those in a redline version for the next meeting.

B. Memorial Bench Policy

Mr. Perry stated we are not asking the board to approve this policy tonight. There are some blanks in it in regard to donations for the initial ten years and then an extension of that. This policy is taken from other districts and it makes sense if the board wants to enter into something like that. I will ask for comments no and we will bring it to the next meeting for approval.

Ms. Gentry stated this would apply to existing benches; this is to install plaques on benches that are already there in the community, not people installing their own benches around the community.

Mr. Perry stated if the board members will consider what type of fee structure you would like I will also bring that back for the next meeting.

Mr. Saks asked do we have any idea of how many benches we are talking about? Do we know what we have in the community?

Mr. Perry stated we have had only one request, but once you implement it you are probably going to have more.

C. Riverfront Park Policies

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Mr. Perry stated we have Riverfront Park policies is a draft that staff has gone through and this is a formalization of the policies that we would be looking to implement. We are finding that staff is having to address more issues in regard to the usage of that facility and we believe that requires some policies dedicated strictly to that amenity.

Mr. Saks asked are these new policies or is this what we currently have. I notice no pets allowed and I know people use the walking path through there and walk their dogs. Would this be changing the policy of the park?

Ms. Gentry stated currently there are no specific policies for the Riverfront Park, but we were getting a lot of questions about how it is used, what policies apply, that sort of thing. These policies mirror what is in place for other parks. We are open to board comment on these policies.

Mr. Schaublin stated at the last meeting Judy brought up the signage for at your own risk because of the wildlife, but I don't remember us asking for a policy like this. I would scratch three-fourths of this off the plate. What was the driver for this? When do we transition the ownership of the owning the park and paying for the park to the city because it is not only the residents who use it, but a lot of people outside the community use the park. When do we get an agreement with the city, since your people and our people use this we should have shared responsibilities for the upkeep and not put the full burden on RiverTown.

Ms. Kilinski stated we will talk a little bit about the genesis for the policies as well as your specific question. First of all, the district constructed part of the improvements with CDD bond funds in the original bond issue. Most of the improvements have been with the district since 2007, but the underlying fee ownership is still with Mattamy and there is some discussion about transitioning the underlying fee to this district as well to true that up. Part of the genesis of the policies came in that we haven't had a whole lot of people living out there and have not had a whole lot of use, but Marci can speak to this, she started to get a number of inquiries from the general public to host weddings in the park. The last couple months in particular there has been a pretty big increase probably because of COVID so a lot of the facilities are closed down and that is an open space and she presented to staff the questions about how are we going to use this and has the board given us direction on use. The board absolutely has control over the policies that you can implement. I refreshed my recollection on the DRI here, so the development of regional impact of RiverTown (not as the CDD), is a development of regional impact, which for purposes of the audience means that it has certain requirements, deliverables, etc. that the developer agreed

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to. It is a public document that I was able to review to see what exactly the park provisions said about future delegations to the county. It is not abundantly clear, but I think the county expects at some point it will become its responsibility. I will say just like all of our common areas, roadway areas, the enhanced landscaping, if you look around the county and you look at those roadways and parks that are county maintained my consistent experience is that standard county maintenance isn't even close to what the residents are going to expect. At the very least we want to have a memorandum of understanding about how that use works but right now this district controls it. The costs incurred for maintenance are part of the shared cost allocation throughout the districts because all the districts do enjoy the use. That is a long explanation but there is some historical nature to this park and some considerations the board will want to make in terms of consistent maintenance obligations, upkeep and how you want that park to be used. I agree, just like any other park in the area, it is very difficult to have security such that you keep non-residents out. I think it is impossible, but you can start to put parameters over how you want that used and if you want to start allowing people to rent that out or if you want the passive uses that the residents have always enjoyed. The policies are in there for you to think about, consider, you can change policy from meeting to meeting if you want to, to try something out and if that is not working, we can change it from meeting to meeting. We certainly solicit feedback now or feel free to email staff and we can update it and bring it back for your consideration at the next meeting.

Mr. Schaublin stated I caution that as we make policies let's be realistic on the policies because who is going to enforce these. Are we going to hire someone to walk around and make sure nobody is chewing gum, or walking their pet, or nobody parks their golf cart off the path? If not, then that is not a realistic policy. My viewpoint on the policy is that it is going to protect us from legal harm so if we call something out like no diving or jumping off the pier sounds like a good policy item, that way if someone does that and gets hurt we are not liable, we can't get sued. Those are the things I like to see in a policy, not about smoking or chewing gum or these other items. To my fellow supervisors let's be realistic when we look at this item and we can probably skim three-fourths of this off the plate and have something meaningful that will protect the people who use the park but also protect the community as well from legal impacts.

Ms. Kilinski stated we modeled these off St. Johns County park rules and rules that Nocatee has in place at their passive parks as well as Julington Creek. I recognize what you are saying,

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nobody is going to follow the policies all the time but from the protection and enforcement perspective it gives the district a little bit more latitude to control how the park is used.

Mr. Perry stated we will bring this back next month and if you have additional comments please forward them to us.

SEVENTH ORDER OF BUSINESS

Consideration of Proposals

A. Wildlife Signage for Kayak Launch (Fast Signs)

Mr. Jason Davidson stated the first estimate if for the wildlife sign that were requested for the kayak launch at Riverfront Park and is for two signs, \$101 each.

Ms. Long stated when I suggested that sign it was for the River Club because we rent kayaks at the River Club. I didn't mean for it to be used other than that and I will withdraw that because that was the main intent.

B. Removal of Oaks at Northernmost Entry (Suggs)

Mr. Jason Davidson stated this proposal is for removal of the oaks at the entry at our main entrance at the first roundabout heading towards the River House. The trees are dead, and this proposal is to have them removed and replaced.

Mr. Perry stated we typically don't bring these to the board if it is one or two trees, but this is a little different.

On MOTION by Mr. Schaublin seconded by Mr. O'Keefe with all in favor the proposal from Randy Suggs, Inc. in the amount of \$9,000 was approved.

C. Landscape Maintenance for Mainstreet Phase 1 and the Arbors (VerdeGo)

This item was tabled.

EIGHTH ORDER OF BUSINESS

Consideration of Memorandum of Understanding with the St. Johns County Property Appraiser Regarding Confidential Information

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Mr. Perry stated the district receives assessment roll information from the county and this agreement basically states that if we receive any confidential information, we will keep such information confidential.

On MOTION by Mr. O’Keefe seconded by Mr. Schaublin with all in favor the memorandum of understanding with St. Johns County Property Appraiser was approved.

NINTH ORDER OF BUSINESS

Consideration of Resolution 2020-11 Regarding Lots Partially Within District Boundaries

Ms. Gentry stated as staff was reviewing some of the plans for the newly brought online Rivers Edge 3 district it was discovered that there are a line of lots that are located mostly within Rivers Edge 3 district, but a small sliver of those lots is located within this district. In order to give those lot owners certainty about how they are going to pay assessments, who they will be paying assessments to, make sure that there aren’t any title issues related to their lots caused by an uncertainty about assessments, this district is being asked to give up any potential authority you would have to impose assessments on that portion of those lots with the understanding that they will be paying assessments to Rivers Edge 3 and contributing to Rivers Edge 3’s share of the cost share agreement through those assessments.

On MOTION by Mr. Schaublin seconded by Mr. O’Keefe with all in favor Resolution 2020-11 was approved.

TENTH ORDER OF BUSINESS

Staff Reports

A. Attorney

There being none, the next item followed.

B. Engineer

There being none, the next item followed.

C. Manager

1. Consideration of a Regular Meeting Schedule for Fiscal Year 2021

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This item was tabled.

2. Discussion of CDD's History and Background for a District Workshop or Special Meeting

Mr. Torres stated Jim will propose a date in October for a workshop or special meeting to go over the CDD's history and background and that will be open to the public and the intent is to have it onsite.

Ms. Gentry stated it is very helpful in districts as they are growing and new residents come onboard, it takes care of a lot of the issues that you hear coming up at the beginning of the meeting that could be cleared up by way of explanation to the community. The board has to have these kinds of collaborative discussions at publicly noticed meetings. Having a workshop like that lets us meet all the legal requirements for the board to have those discussions and get some information out to the community and answer questions that people have. We can get that scheduled and noticed for some time in the fall.

Ms. Kilinski stated as the COVID waiver got extended through October 1st, we are looking at October with the hope that we can be in the same room with the residents and board together.

D. General Manager

1. Report

A copy of the report was included in the agenda package.

2. Discussion of Amenity Facility Hours of Operation and Capacities

Mr. Jason Davidson stated we are currently remaining the same as we have been operating. River House open Tuesday through Sunday from 9:00 a.m. to 8:00 p.m. and the River Club open from Wednesday through Monday from 10:00 a.m. to 8:00 p.m. We will still be incorporating our signup genius with a total of 50 reservations and accepting 30 walkups bringing it to a total capacity of 80 per location.

3. Discussion of Extension of Gym Hours from 10:00 p.m. to Midnight

Mr. Jason Davidson stated our gym hours are currently from 4:00 a.m. to 10:00 p.m. and some residents have requested the hours be extended if possible, to a midnight closing. That is up for discussion. A couple more hours would help the individuals that work.

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It was the consensus of the board to extend the hours at the gym until midnight.

4. Discussion on Bartram Trail Swim Team Request to Use Pool for Practice

Mr. Jason Davidson stated the Bartram Trail swim team has requested to use the lap pool for practice as they have in the past, they are requesting the use of the pool for practice and three meets, the meet dates would be September 9th, another September meet and October 1 times to be determined. The practice schedule would be 4:30 to 6:45 Monday through Friday and would like to begin August 24th and run through the end of October. There would be an average of 20 participants during this practice.

Ms. Gentry stated if the board approves this, we would draft an agreement setting forth those parameters and parameters related to COVID-19 restrictions.

Mr. Saks stated we are going to allow this unaffiliated organization to use the pool while we still have limitations on the community, and is that something people are going to be concerned about.

Mr. Jason Davidson stated I can see how that would be perceived and we are not allowing guests now either. We want to remain consistent with what we do; this is something we have done with Bartram Trail in the past. This is a decision for you to make with the best interests of the community in mind.

Mr. Schaublin asked do we know the usage of the lap pool in those timeframes?

Mr. Jason Davidson responded it is slower in that timeframe; the lap pool is used mostly in the mornings. When it gets to the afternoon the lap pool is used by residents and their children not for lap lane swimming.

Mr. Saks asked where are we at in allowing residents to have guests at the pool?

Ms. Gentry stated this would be something controlled by an agreement, there are limitations on spectators attending, it is not intended to be a free for all, it will be restricted subject to more limitations than it has been in previous years.

Mr. Saks stated I would like Jason to look at opening the pool up for guests during the week.

Ms. Kilinski stated we can say guests on weekdays, Monday through Thursday and Jason can report back to the board at the next meeting on the use capacity and we can expand that as we head into September and October where use generally falls off.

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On MOTION by Mr. Saks seconded by Mr. Schaublin with all in favor the request of the Bartram Trail Swim Team was approved subject to preparation of an agreement that includes a provision for staff review of capacity and terminating at any time if necessary and the chairman or vice chairman were authorized to execute the final agreement.

5. Discussion on Slide Reopening

Mr. Jason Davidson stated the slide will be reopening for Labor Day, Saturday through Monday and for the remainder of the month of September on the weekends on Saturday and Sunday from 11 a.m. to 7 p.m.

6. Status of the Café at RiverClub

Mr. Jason Davidson stated we are looking at reopening of the café plan. Word will come at our upcoming town hall meeting September 15th.

ELEVENTH ORDER OF BUSINESS Supervisors' Requests and Audience Comments

Mr. Saks stated the overall landscaping feels like it has taken a turn. I spoke with Jason before that there have been issues and you have addressed it. I don't know what we need to do, and we are looking to renew their contract but it would be good to have some kind of trigger in there. I hate to give them a new contract when it doesn't feel like they have been doing what they should be doing.

Ms. Kilinski stated from a contractual perspective, we do have a fine provision and if we identify areas where they are failing to meet their contractual provisions and we have records of it, we do have a \$100 fine that can be imposed against the contractor. You have great staff onsite, they have a lot to manage right now, but to hold the landscaper's feet to the fire is something that every community has to handle, and it comes down to how aggressive onsite staff can be. We are as good as we can document it. As Jim Perry said earlier, we are not asking the residents to be the contract manager, but to the extent that residents see things and can take a snapshot of them and send them to Jason or Zach then we can do better at making a list of deficiencies that we can document and we can start assessing fines and penalties. I have been at this community since 2008

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as district counsel and routinely we have been through one landscape contractor after another; they tend to do good for a year or two then fall off.

Mr. Saks stated I would like to hold their feet to the fire on the irrigation management. It is part of what they are supposed to do.

Mr. Schaublin asked what is our process for getting an analysis to see what it would cost to put in sand volleyball courts. We have plenty of space.

Mr. Torres stated my recommendation would be to have staff bring proposals to the board to discuss and maybe have the district engineer weigh in as to location and study the cost. Right now, your budget does not include any provision for a project like this and you may consider it for next year or see if we can fund it from the capital reserves. The starting point would be to bring a plan to the board for consideration if that is what the board chooses.

Staff was directed to obtain proposals for the construction and ongoing maintenance and bring that to the next meeting.

Mr. McIntyre stated Randy brought up volleyball, but we have residents screaming about pickleball courts for the longest time. If we are going to look at volleyball courts, we have to consider pickleball courts. I'm okay with exploring those.

Mr. Torres stated Sampson Creek, which is St. Johns Golf & Country Club is considering standalone pickleball courts and I have a proposal for that. They are converting their sand volleyball court into a pickleball court.

Ms. Dixon asked are there additional amenities planned for RiverTown? They are trying to build 1,741 additional homes and \$7 million was set aside for additional amenities. Can we get some insight into what that will look like?

Mr. O'Keefe stated that is more of a developer related question and something that discusses the future of not only Rivers Edge CDD but all of RiverTown. Be patient and attend the developer update meeting on the 15th when Mattamy will go into more depth in terms of high level plans for future amenities through the buildout of RiverTown

Ms. Dixon stated the café runs at a loss. Has there been any consideration of having a third party run it possibly profitably?

Mr. O'Keefe stated all the staff members and Mattamy have been working diligently to figure out a plan that works not just for Mattamy, but the residents in providing an enjoyable dining experience that is also safe. We are viewing the whole proposal/reopening plan with Vesta later

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this week. Currently, our target goal is October 1st to open with COVID guidelines in mind. Given that these are government entities we are dealing with and the RiverClub is owned by CDD 2 so you have to keep in mind there are extra protocols when opening a facility like that. We are targeting an opening with some additional features that weren't there in the past as well as some additional safety protocols to make sure we are COVID compliant on October 1st. It will take us a few days to make sure we check all the boxes towards the end of August so we feel like we have our hands around what the plan looks like in full, and a few weeks later we have the developer update meeting at which we can communicate that. We are only talking about a few weeks before we can communicate a clear picture to the residents and not only the reopening date but also the services that go along with it.

Mr. Cannon stated for full disclosure I do work for the county and have been a resident of RiverTown since 2012. I want to address the agenda items that I feel that during discussion opened the residents as well as the board to litigation. If you are going to allow the high school to utilize our pool you are going to need to have hold harmless' from every single child that comes in, including their family members to swim in the pool or we are going to be in trouble. On street parking, there was a lot of discussion about that, I think the intent and issue at hand with the residents being angry is not about someone's personal vehicle being parked in front of their house because they have multiple vehicles and are doing a shuffle because they have teenagers or family members with different work hours. We have a timeframe that was established when the county was going to take over Riverfront Park and you should keep that in mind before we get into long discussions about rules and regulations of the park. You mentioned signage to be put up for the on-street parking issue, just focus on what works for the community, not what solves one problem that has a long domino effect for the rest of the community. Focus in on those things and get answers back to me and if you want to communicate as a group in an email discussion as long as everyone is on it, some of these things can be handled within sunshine law. You don't have to say we can't have a discussion until our next meeting, as long as everyone is included on the email that is within sunshine law. I ask you to focus and be cognizant, whether a car is two-wheel drive four-wheel drive or all-wheel drive does not classify it as oversize or undersize. We need to be fair.

Ms. Gentry stated thank you for your comments. For the board I want to clarify a few things. Our swim team agreement does include a hold harmless agreement that participants would

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sign, and we will also implement a waiver that has been used in other communities where we have negotiated these swim team agreements. We do have specific language related to COVID-19. We will include that in your swim team agreement. The on-street parking we do have our district engineer identifying those places where on street parking can be permitted and that will be a part of the map that we bring back at your next meeting. As far as the county taking over the park it is a good point, whatever policies the board sets right now would only apply while the district is in control of the park. At some point in the future when the county takes it over the county will be setting policies. As to the Sunshine Law, while residents can communicate with staff or individual board members outside the meeting, we don't want to have multiple supervisors on the same email outside of a publicly noticed meeting discussing district business. Residents feel free to contact staff, feel free to contact individual supervisors, but the Sunshine Law prevents multiple supervisors from engaging on the same email chain about district business outside of a noticed meeting.

Mr. Cannon stated my point is that some of this stuff can be done prior to a meeting and given to the supervisors ahead of time so when they come to the meeting they can ask more pointed questions instead of general questions so we can get down to what problems we have.

Mr. Torres stated we do communicate information among staff and we don't poll the board in between meetings, but we will do a better job of that.

Mr. Howard stated with the parking I heard everybody mention the commercial vehicles. I have seen personal vehicles parked on the grass and this is not their own home, this is the grass across the street from homes. Is there anything in place that prohibits that? If we are paying for that grass to be maintained, they should not be parking there.

Ms. Gentry stated the policy allows parking only in designated parking areas. If there are more specific problem areas, feel free to email staff outside this meeting and let them know where those are.

Mr. Berkowitz a few months ago a letter was proposed to go to the county about that cart path going from here to Publix and I understand it is county owned and there are going to be other neighborhoods there. Is there anything back on that? The north lake park is five feet from the lake, is there any plan to put a fence there? There was a yellow construction barrier, but it has been taken down now.

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Mr. Torres stated the golf cart usage is within district boundary when you go beyond that boundary you are expected to follow certain laws when it comes to golf carts and some golf carts are not street legal.

Mr. Stillwell stated Long Leaf Parkway is outside the district boundaries and that road is owned by the county, the county typically does not allow golf cart paths on major collector roadways like that and there is not enough right of way for that additional width.

I will have to get with staff and understand where the park is close to the lake. I'm not aware of any plans but will check with staff and follow-up.

A resident stated I appreciate Erick's position on the swim team and as long as we have resident restrictions and sign up genius and all that, I don't understand why we are letting an outside group come into the pool.

Mr. Baron stated I want to put a shout out to the contractor who did the repairs on the pier, it was efficient and professional. They did a nice job.

Mr. Contraras stated I'm a newer resident and apologize if this has been addressed but it seems like the majority of our parks do not have any shade or gazebo. Is that something that has been discussed and there is a reason why there is shade structure at the playgrounds?

Mr. Smith responded the recent ones we have integrated the shade structures based on feedback we received. We have focused on incorporating shade structures in the parks going forward.

Mr. Contraras asked is there a schedule that we can see when we can expect shade structures or do we have to keep bringing it up?

Mr. O'Keefe stated Mr. Smith is referencing parks going forward; existing parks in Rivers Edge will be a capital expenditure that would need to be approved by the board for installation at a later date. I don't think it has been discussed in this setting prior to today.

Mr. Torres stated it would be similar to the discussion about pickleball courts and volleyball. Board members and community residents often come up with improvements and we have to come up with how to fund those improvements. If that is something the board would like to see in the future, we can discuss it further.

Mr. Sokalski asked has any determination been made about the oak trees as a whole? I haven't heard any diagnosis or suggestions or if there is a solution.

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Mr. O’Keefe stated the ones on CDD property are managed by Jason Davidson and Vesta and VerdeGo to ensure if they are diseased or dying that appropriate attention is given to them or similar to what we had today we receive a proposal to remove and replace them. Trees on homeowner lots are a different story.

Ms. Wolf asked there been any consideration of an arborist study in the area because the trees are being replaced, which is a cost to the community but there is no consideration given to if those trees are dying because those are not the types of trees that should be there.

Mr. O’Keefe stated that is something we continue to evaluate to which trees and vegetation flourish as they are installed and make adjustments moving forward.

A resident asked what about the splash pad in front of the sales center, what is the problem? Is that for the community? What is the purpose? What is the possibility of getting something like that for the younger kids in the community?

Mr. Jason Davidson stated it has been down, we just got the parts ordered for it and are waiting for the arrival.

TWELFTH ORDER OF BUSINESS Other Business

There being none, the next item followed.

THIRTEENTH 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. O’Keefe seconded by Ms. Long with all in favor the check register was approved.

**FOURTEENTH ORDER OF BUSINESS Next Scheduled Meeting – Wednesday,
September 16, 2020 @ 11:00 a.m. via Zoom**

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Mr. Torres stated the next meeting is scheduled for September 16, 2020 at 11:00 a.m.

On MOTION by Ms. Long seconded by Mr. McIntyre with all in favor the meeting adjourned at 8:27 p.m.

DocuSigned by:

Jim Perry

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Secretary/Assistant Secretary

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Chairman/Vice Chairman