

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, October 16, 2019 at 11:00 a.m. at the RiverTown Amenity Center, 156 Landing Street, St. Johns, Florida.

Present and constituting a quorum were:

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

Also present were:

Jim Perry	District Manager
Jennifer Kilinski	District Counsel, Hopping Green & Sams
Lauren Gentry	Hopping Green & Sams
Ryan Stillwell	District Engineer
Dan Fagan	Vesta
William Rouse	Vesta
Zach Davidson	Vesta
Jason Davidson	Vesta
Marci Pollicino	Vesta
Robert Beladi	VerdeGo
Ernesto Torres	GMS

The following is a summary of the minutes and actions taken at the October 16, 2019 meeting. A copy of the proceedings can be obtained by contacting the District Manager.

FIRST ORDER OF BUSINESS

Roll Call

Mr. Perry called the meeting to order at 11:00 a.m. and called the roll.

SECOND ORDER OF BUSINESS

Audience Comments

Ms. Sharp stated I have questions about the Jacksonville Helicopter Services licensing; I'm not sure why RiverTown needs this and what benefit it is to the residents. I don't feel it is

something in keeping with the atmosphere and lifestyle in the community that is more laid-back nature-based lifestyle.

Ms. Pollicino stated that is an event that I asked about where residents would pay a small fee and have a helicopter ride up and down the river and it would be a one-time thing. I did not know if I could do that or not, which is why I asked district counsel if it were even possible and they looked at the agreement and I haven't heard back from Jacksonville Helicopter Services so I'm not sure that is going to happen.

THIRD ORDER OF BUSINESS

Approval of the Minutes of the August 21, 2019 Meeting

On MOTION by Mr. Sessions seconded by Ms. Long with all in favor the minutes of the August 21, 2019 meeting were approved as presented.

FOURTH ORDER OF BUSINESS

Ratification of the Engagement Letter from Berger, Toombs, Elam, Gaines & Frank for the FY19 Audit

On MOTION by Ms. Long seconded by Mr. Sessions with all in favor the engagement letter with Berger Toombs to perform the fiscal year 2019 audit was ratified.

FIFTH ORDER OF BUSINESS

Ratification of Amenity Soccer Agreement

Ms. Kilinski stated this was a concept approved by the board brought to you in August with authorization for us to draft a contract and we wanted to bring back the final form for your ratification.

On MOTION by Ms. Long seconded by Mr. Oates with all in favor the license agreement between the district and Kickstart Enterprises, LLC was ratified.

SIXTH ORDER OF BUSINESS

Consideration of Updates to Policies

A. Club Policies/Forms

Ms. Kilinski stated as more residents use the amenities and in working closely with your amenity management staff a number of questions have come up about use and how we use the space and what is allowed and not allowed. This will probably be a continuing process because we can't anticipate everything that will come up. The main updates to the resident clubs guidance forms entail the alcohol policy for resident clubs. We have worked closely with your general liability insurance carrier to give them a set of hypotheticals or real life events that may come up and get their guidance on when is the district covered by our current insurance policy and when are we not. The recommendations you see for insurance coverage and policy comes from in large part working with the insurance carrier and also other districts that have similar events and what has worked fairly well at those districts.

On MOTION by Mr. Sessions seconded by Ms. Long with all in favor the updates to the club policies and forms were approved.
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B. Amenity Policies/Forms

Ms. Kilinski stated these are your amenity facility policies; the policies all residents will acknowledge or have acknowledged that they are subject to when they use the River House or River Club. The key updates include the cross reference to Rivers Edge II because as Rivers Edge II residents come on-line, we want them to recognize the use of River House policies and likewise Rivers Edge I residents are acknowledging use of the River Club. The second change is to include policies and a rate related to use of the lawn, which was not previously in the amenity policies. The third is to update the rental policies in general, which includes the rates and alcohol policies. The last one is on the suspension and termination of privileges; this will get noticed and adopted by rule. This is largely just an update from your last one. It is not significantly different but the idea is to have consistency among the infractions; it has first offense, second offense, third offense provision but it also gives flexibility for staff as we have previously discussed in an event where you have especially egregious behavior, such as a crime is committed on district property or there have been ten violations of amenity policies, to immediately terminate the privileges. It will always come before you at the next available meeting; but this provides a step by step process about how that termination and suspension is followed.

The following items were discussed: "board of supervisors" to be reinserted in (1) of the alcohol policy, staff to work on a policy to allow tailgating that is safe, appeal process for

suspension of privileges, staff to get cost to provide hard copy of policies for new residents, rule availability on the website, availability of proposed changes in the agenda package that could have been uploaded by residents, and whether someone can bring alcohol in a cooler to the pool.

Ms. Kilinski stated I suggest you approve the policies as amended, let us massage the alcohol policy to reflect the feedback we received today and we can bring back that section next month and work with Vesta about how best to give you the backing you need operationally to be able to enforce something that is appropriate in case it did get out of hand, and we will talk to our insurance carrier about alcohol on the pool deck.

Mr. McIntyre asked is there any reason this door is locked during the day?

Mr. Davidson stated it is generally open during our office hours and I will check the time specs to make sure they are where they should be.

Mr. McIntyre stated to be clear there is no current policy that prohibits the use by any residents with a legitimate key card to come in here and use the space quietly if they need to within hours.

Mr. Davidson stated a staff person has to be present.

Mr. McIntyre asked why is that?

Mr. Sessions stated this is a couple million dollar building to just leave open to a kid that rolls up with a key card. Staff has to be onsite for this facility to be open.

Ms. Long stated when I first moved here this was open and people would leave their children here; you have to be careful.

Mr. Sessions stated it doesn't take a CDD meeting to call the proper parties and discuss the agenda and any items you need to help your understanding.

Ms. Long stated all the rules and regulations for the amenity centers, who does it come down to doing that. Is it just Jason Davidson or is it a committee or Jason and a pool person? Who says you broke this rule, I'm going to write you up?

Mr. Perry stated typically it is going to be Vesta staff who is out there on the ground and if there is an issue they will talk to the resident first and try to accommodate them. We don't want to suspend people. If they can't get the issue resolved it will go to the supervisor on staff and if it is a real issue that needs to be addressed right then, they might end up calling the sheriff's department. You can get into a trespass, which is different than what we are talking about here. There is always an incident report filled out and typically they will call me during the event or afterwards.

Ms. Long moved to approve the amenity policies and forms as presented in the package with the exception of the alcohol policy that will be brought back to the next meeting and Mr. McIntyre seconded the motion. With no vote the motion dies.

Mr. Sessions stated I'm confused, we're not changing alcohol policies. The alcohol policy today says what?

Ms. Kilinski stated the alcohol policy today is what it has always been, no BYOB; we are going to massage it and bring it back and make sure it meets everybody's approval and talk to the insurance carrier.

Mr. Sessions asked and the redline on the alcohol policy that we are not adopting says?

Ms. Kilinski stated we had the BYOB basis for a resident club so if you wanted to go ahead and approve that it is fine.

Mr. Sessions stated so now the clubs can't BYOB at this point.

Ms. Kilinski stated the club forms provide for that in the event of insurance. This is to Judy's point something that we would probably be okay with otherwise but want to be sure the board was on the same page.

Mr. McIntyre stated I'm okay with the club situation mainly because it ties into the potential tailgating if that is what it needs to be then I'm okay with that if it opens an avenue for people to be able to do that if they are willing to work with the rules or form a club.

Mr. Sessions stated I'm not in support of not putting these policies in place today. There is a lot of coverage here, it talks about patrons renting the facility, it gives the right to remove intoxicated people. I don't know why we wouldn't put these in place today.

Ms. Kilinski stated I have no problem with that. I will give you an example of the facilities application that you saw. We have a checklist to provide guidance for the amenity management company. Some districts have a fourth category that says, BYOB non-reservation of the amenity facilities for residents only. If you have a guest the whole thing changes so we are clear, which is what we need to put in our policies, then we are not covered. In a resident situation we will end up adding the fourth category that says, you can do it so long as it is consistent with the policies.

Ms. Long stated it is still the same rule until we adopt that. It is still in place.

Mr. Sessions stated I like the new rules, they give us additional coverage.

Ms. Long stated the only problem I have with the new rules is the time constraint to getting them and learning about them and asking questions of neighbors and friends and then coming back and being able to ask more questions about that so it is done right. It was the time constraint it wasn't because I was against anything.

Mr. Sessions stated I'm not in favor of not voting in this agreement.

Mr. Oates stated I agree with you.

Mr. Sessions stated we may have a challenge on the vote.

Ms. Kilinski stated let me amend what we were recommending, which is approving the policies as stated in the agenda package understanding from the board's perspective we will bring back a BYOB policy in addition to that alcohol policy in the amenity center.

Mr. Sessions stated that is not the motion they made.

Mr. McIntyre stated if we adopt whatever this is today with the understanding that the BYOB policy is coming between now and the next meeting, something in here rubs the wrong way or need clarification or you think it needs to be amended that is doable at any time brought up. Once we adopt it, it is that way until a specific period in time.

Mr. Perry stated you can change it at the next meeting and you can change it at every meeting after that.

Mr. Sessions stated I'm happiest when the district is protected the best they can for its liabilities.

Ms. Long stated I agree.

Mr. McIntyre stated we are with you on that.

Mr. Sessions moved to approve the redlined policies as stated in the agenda package Mr. Oates seconded the motion and on voice vote with all in favor the motion passed.
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SEVENTH ORDER OF BUSINESS

Consideration of Resolution 2020-01 Setting a Public Hearing Date for the Purpose of Adopting Rates and Amended Restated Rules of Procedure

Ms. Kilinski stated this resolution sets your hearing for December 18, 2019 on three different matters. One, is the updated rules of procedure. This is something the district has had since it was established, it is not your amenity operations, this is how the district functions on the

legal statutory side and every five to six years we recommend an update to these rules based on five years worth of statutory changes. This is not going to feel any different in operation to you but just to highlight them, one is the cost associated with public records. Every year we have a public records bill that gets adopted so there have been some changes to the way you can charge for public records requests. The second is a financial disclosure coordination and how you would disclose your financials to the Commission on Ethics. The third is agenda and meeting materials and I spoke with you about this previously with changes to the ADA and what we upload to the website. Meeting materials definition is somewhat narrow to say that what we have to do on the website is not necessarily what you are going to get in your agenda package. There may be some pictures that are not ADA compliant. The fourth is flexibility for board authorization and this allows you to waive board approval or disapproval processes, which gives you a little more flexibility when there are irregularities in bidding processes. Think about formal bids we have to do, public procurement, it allows you some flexibility to say we will waive that irregularity or we are not going to waive that irregularity. There is security and fire safety board discussions. A new bill that was passed that we are working with your auditors right now is a change to the way we adopt internal controls to prevent fraud, waste, and abuse. The auditing companies you contract with are working on a set of provisions that we will implement at the district level. There are changes in notice of competitive solicitations and auditor selection that were updated and the way that we notice protest bonds. These are all legal advertising considerations but those are the suggested revisions to your rules.

We will have the public hearing in December. If you have any questions between now and then, feel free to reach out to me. We can change it at your November meeting, we can change it at the December meeting. The public hearing is the last time you change it before we have to go back through the notice process. That is step one.

Step 2 is adopting new rates that you see behind the resolution. We have a couple new rates, there is the lawn that is going to be rented out at a proposed rate of \$50 that wasn't previously in your rate category and the guest passes changing from 10 to 12 guest passes for the same cost. That is part of the ratemaking that you go through where you adopt formal rates and have the hearing in case anybody objects to the rate being too high or too low.

The final piece that we will have a public hearing on is the termination and suspension of privileges policy that you just adopted. We adopt that by rule because it gives it greater deference

to the board's legislative and quasi-judicial actions in adopting that. If you do suspend or terminate privileges, which we take very seriously because we understand everybody here pays assessments, that gives it a greater weight under the law. Those are the three things you will consider at your December hearing. If there are any questions, I'm happy to answer them. This resolution just allows us to notice that rule hearing for December.

Ms. Long stated it says agendas shall be available in electronic format at least seven days before a meeting, hearing or workshop. Does that mean that our agenda is going to be available to the public?

Ms. Kilinski stated it is always available on the website seven days in advance; it always has been.

Mr. Perry stated we also update it with additional items that come between that seven days and the meeting if possible.

Ms. Long asked is there any way we can notify the residents that is available to them to see prior to a meeting? Then they can go to the website and see it and then come here and know what is going on.

Mr. Perry stated they can do it on an email blast as a reminder.

A resident stated it is in the newsletter and that is where I copied my agenda from.

On MOTION by Mr. Sessions seconded by Ms. Long with all in favor Resolution 2020-01 setting public hearing for December 18, 2019 was approved.
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EIGHTH ORDER OF BUSINESS

Consideration of Amendment #1 to the Traffic Control Agreement with St. Johns County

Mr. Stillwell stated this allows the sheriff to enforce those golf carts on the roadways. Now that CDD II has been established the original map included all three of the potential districts and we are just going to add CDD II into that traffic enforcement agreement so the county wanted River Edge I to bless that.

On MOTION by Ms. Long seconded by Mr. McIntyre with all in favor Amendment #1 to the traffic control agreement with St. Johns County was approved.
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NINTH ORDER OF BUSINESS

**Consideration of License Agreement with Jax
Helicopter Services Corp. for the Provision of
Helicopter Tours**

Ms. Kilinski stated Marci explained why this is in here, but usually we don't bring some of these events before you because it is just an event list that Vesta is doing. In the cases where there are events that maybe hover on the higher liability side our general routine is to bring that before you.

Ms. Pollicino stated it is a dead issue now. It was a one-time event.

Ms. Kilinski stated if you want to approve the form of agreement in the event they come back and agree to it that is fine. Again, we would like feedback from the board on how you want us to handle these kinds of situations, if you want us to use our discretion when we think there is a little bit more liability, and bring them before you before the event, we are happy to do that.

Mr. McIntyre stated I would like to know about activities like that.

TENTH ORDER OF BUSINESS

**Consideration of Updates to Interlocal
Agreement**

Mr. Perry stated next is updates to the interlocal agreement and that does include the assessment methodology report for allocation of the cost sharing of operations and amenity services. This was not included in the original interlocal agreement and this basically is a roadmap that shows how those costs are allocated between districts no. 1 and 2 and the third district that will be created.

Mr. McIntyre asked with this interlocal agreement does CDD 2 have the power to potentially override something or agree to something for CDD 1 without us being present, i.e. last month there was no CDD 1 board meeting. Are they allowed to approve something on our behalf without us being there?

Ms. Kilinski stated to answer your specific question, no. The master district in this scenario is this district. This district is the contracting entity for all the landscape, all the irrigation, all the pond maintenance and this facility. You would be doing the public procurement for it and then CDD 2 would do the cost share related to the methodology that Jim has in there based on whatever their proportional cost is. The only scenario that CDD 2 would have control over ultimately is the River Club amenity management operation they have their full discretion on how they are going to operate and maintain that. You have 100% full discretion on how you operate and maintain this facility even though it is part of the cost share.

Mr. Sessions stated just because we don't have a meeting doesn't mean there are decisions being made without us. The whole reason you can't talk outside of a meeting is because the only time decisions can be made is within the meeting. Nothing can happen for CDD 1 unless there is a meeting for CDD 1.

On MOTION by Mr. Sessions seconded by Ms. Long with all in favor updates to the tri-party interlocal and cost share agreement between Rivers Edge Community Development District, Rivers Edge II Community Development District and Mattamy Jacksonville, LLC was approved.

ELEVENTH ORDER OF BUSINESS

Consideration of Deed Conveying Tract 10

Ms. Kilinski stated whenever a plat is recorded oftentimes the plat language will say Parcel R, X and Z are hereby dedicated to the Rivers Edge CDD. That conveyance is not practical, it doesn't take into effect until we have a deed recorded. You will see on the warranty deed the tracts that are actually being conveyed to the district, it is landscaping, signage, open space and conservation areas, which are consistent with other plats. This deed simply recognizes that plat conveyance so we can show that chain of title and this is the normal form of deed. We discussed this a couple meetings ago and this is for the formal deed and not the plat that has actually been recorded.

On MOTION by Mr. Sessions seconded by Mr. McIntyre with all in favor the special warranty deed conveying Tract 10 from Mattamy Jacksonville, LLC to the district was accepted.

TWELFTH ORDER OF BUSINESS

Consideration of Landscape Maintenance Proposal for North Lake

Mr. Perry stated item twelve is consideration of landscape maintenance proposal for North Lake Phase 3 for \$7,644.53. This is consistent with our other landscape contracts for specific parcels.

On MOTION by Mr. Sessions seconded by Mr. Oates with all in favor the landscape maintenance proposal from VerdeGo for Northlake Phase 3 for an annual amount of \$7,644.53 was approved.

THIRTEENTH ORDER OF BUSINESS Discussion on the Procedure for Filling Board of Supervisors Seat Vacancies

Mr. Perry stated the board requested that staff draft a procedure to fill vacancies and it is somewhat consistent with other districts and has been formalized for your review.

Ms. Kilinski stated I will note there is no specific procedure for how vacancies are filled in the statute. There are provisions for when it occurs and the timeline in which it needs to occur; there is not really a formal process. This is one I have used elsewhere you are not required to adopt it and you can change it.

On MOTION by Mr. Sessions seconded by Mr. Oates with all in favor the policy to fill vacancies on the board of supervisors was approved.

FOURTEENTH ORDER OF BUSINESS Staff Reports

A. Attorney

There being none, the next item followed.

B. Engineer

Mr. Stillwell stated there was a question at the CDD 2 meeting earlier that had a question on a sidewalk and some ponding, and it was actually in River Edge CDD, so Jason and I are addressing that.

C. District Manager

There being none, the next item followed.

D. General Manager

Mr. Jason Davidson outlined the two proposals to add pickleball courts to the existing basketball court.

Ms. Mollohan stated after looking at the proposals if that is not something that can fit in the budget can you purchase stencils to do this?

Mr. Sessions stated that is not something I would support. Mattamy spent \$55,000 to build the basketball court and I wouldn't propose the residents to go out there and restripe the court. I

don't think that is in a professional manner that people bought in this community. I caution the board in allowing non-commercial grade installation and materials.

Ms. Harsknect stated I read the proposal and I would like to request that you get a different quote for just having the lines specifically. I think the pickleball players could provide the net if that is cost prohibitive.

Mr. Sessions stated since it is not budgeted for this year there could be an opportunity if you feel there is a demand for a pickleball club and they want to fund it because as much as I agree it is a hot sport and there are residents who want to do it, in the focus sessions we have done it is usually 10% of the community and I'm not sure the other 90% want to have a special assessment for it.

Mr. McIntyre asked can we explore alternative ways to meet that objective that are economical? I don't want to keep kicking the can down the road because it doesn't appear to be going away.

Mr. Sessions stated the time to address this would be at the budget meeting and we didn't do that at this past budget meeting. I have no problem getting proposals, but my opinion is not using commercial grade products is a big concern. I don't think \$7,000 is a lot of money for what we are getting, it just needs to be budgeted appropriately. We sent out a survey a year ago and asked for feedback on what the residents were looking for, pickleball was on that list but it was not in the top five.

Mr. Perry stated in the March timeframe we should send out a survey about those types of additional amenities or services and we will include the amount of increased assessments because residents might say we want all this, but we don't want to pay for it or to what extent.

Ms. Pollicino gave an overview of the events that took place since the last meeting.

FIFTEENTH ORDER OF BUSINESS Supervisors' Requests and Audience Comments

Ms. Mollohan asked since you are going to resurface the tennis courts can you have pickleball lines put in at that time?

Mr. Sessions stated it is my understanding that you cannot play pickleball on clay but we can get a proposal for it.

Ms. Sharp stated we don't have a lot of residents show up at these meetings to give input. Is there a way to have those residents who do attend be a committee to see if we can figure out a way to get the information out to get more people involved?

Mr. McIntyre asked do you have a suggestion as to how you would like that to unfold?

Ms. Sharp stated I would be happy to meet and think of things to recommend even if it is to show people how to go online and find things or town hall meetings to find out the concerns and bring it forward for the board. That sort of thing.

Ms. Long stated I don't see why there can't be an email blast to let everyone know we are having a board meeting and highlight what is going to be at the board meeting.

Mr. Perry stated I can tell you and Jennifer can confirm this, we have communities with 30,000 residents and we have five people show up at meetings month in and month out. It depends on the hot topic, but it is not unusual to have a low turnout.

Ms. Kilinski stated we have districts with 15,000 to 20,000 acres and 100,000 residents with two people at the meeting. We usually as staff take that as a good sign that usually means that questions are getting answered outside of the board meeting, that people are generally happy. It is when you have hundreds of residents showing up that there are generally issues.

Mr. Sessions stated I don't think the board meeting is the time to have a town hall meeting because the longer the board meetings get the less people that show up and we have seen that in the last six months. Sidewalks that need to be pressure cleaned or trees that need to be trimmed are not board meeting items. If you as a resident group want to organize a town hall function to address those concerns you can but I think we have been successful with 1,000 families here having four or five people show up. The staff does a really good job of addressing everybody's concerns.

Mr. McIntyre stated the only way I see to accommodate this is on a voluntary basis is have a town hall quarterly and have whatever supervisor volunteer and talk with the residents and take the top five issues that need to be addressed and bring it to the next meeting after that town hall and at least get them on the table to be addressed. The caveat would be we would need enough participation to continue that because we would be going out of our way taking time from our families to volunteer to give you an hour or hour and a half of our time. I'm open to something like that but participation would be needed in order to continue that.

Mr. Sessions stated I want to make sure it is not implied that it is a developer town hall meeting.

Mr. McIntyre stated I'm talking about something totally different.

Ms. Kilinski stated the only thing that raises the hair on the back our necks is if it becomes more official, because then you need to take minutes. You are speaking from an individual board member perspective, and if you are hosting then none of the other supervisors can attend. If you are doing it voluntarily and just putting the information out, there are people who do that without any issue.

SIXTEENTH 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. McIntyre with all in favor the check register was approved.

**SEVENTEENTH ORDER OF BUSINESS Next Scheduled Meeting – Wednesday,
November 20, 2019 @ 11:00 a.m. at the
RiverTown Amenity Center**

Mr. Perry stated our next scheduled meeting is going to be November 20, 2019 at this location at 11:00 a.m.

On MOTION by Mr. Sessions seconded by Mr. Long with all in favor the meeting adjourned at 12:37 p.m.
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Secretary/Assistant Secretary


Chairman/Vice Chairman