

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 21, 2020 at 11:00 a.m. at the RiverTown Amenity Center, 156 Landing Street, St. Johns, Florida.

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
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
Robert Beladi	VerdeGo
Ernesto Torres	GMS
Fred Baron	Resident

The following is a summary of the discussions and actions taken at the October 21, 2020 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**

**Public Comments**

There being none, the next item followed.

**THIRD ORDER OF BUSINESS**

**Approval of the Minutes of the September 16, 2020 Meeting**

On MOTION by Mr. Saks seconded by Mr. McIntyre with all in favor the minutes of the September 16, 2020 meeting were approved as presented.

**FOURTH ORDER OF BUSINESS**

**Ratification of Engagement Letter with Berger Toombs Elam Gaines & Frank for the Fiscal Year 2020 Audit**

Mr. Perry stated their fee is consistent with what they had proposed previously, and it is \$4,450.

On MOTION by Mr. Saks seconded by Mr. Schaublin with all in favor the engagement letter with Berger Toombs to perform the fiscal year 2020 audit in the amount of \$4,450 was ratified.

**FIFTH ORDER OF BUSINESS**

**Consideration of Policies**

**A. Towing Policy, Form of Agreement and Form of Authorization**

Ms. Gentry gave an overview of the changes made since the last meeting; regular vehicles are not restricted from parking in on-street spots, oversize vehicles are not permitted to park in the designated on-street spots unless they are loading or unloading, but they can get a parking pass to park at the amenity lots.

On MOTION by Mr. O'Keefe seconded by Ms. Long with all in favor the towing policy was approved.

Ms. Gentry stated the next step is to enter into an agreement for a towing provider who will come in at the request of staff and tow vehicles that are violating. They are not doing roam towing and looking for vehicles to tow.

On MOTION by Mr. O'Keefe seconded by Ms. Long with all in favor the form of agreement was approved in substantial form and the chairman was authorized to sign the agreement once completed.

**B. Riverfront Park Policies**

Ms. Gentry gave an overview of the revised Riverfront Park policies. The Board requested that the policies be revised to allow shade structures up to 10'x10'.

On MOTION by Mr. Saks seconded by Mr. McIntyre with all in favor the Riverfront Park Policies were approved as revised.

**SIXTH ORDER OF BUSINESS**

**Consideration of Proposals from VerdeGo for Landscape Maintenance of North Lake and Mainstreet Phase 2**

Mr. Beladi stated a portion of Mainstreet Phase 2, should be going to CDD 3 so we will amend that proposal and bring it back to the next meeting.

Mr. Zach Davidson stated this is to amend the North Lake common area Phase 3. Supervisor Schaublin asked whether this area had been deeded to the CDD.

Ms. Gentry stated it has been dedicated to the CDD by plat but has not yet been formally deeded. We have been looking into your request about lands intended to be owned by the CDD and I will give a report under my agenda item.

On MOTION by Mr. Saks seconded by Mr. O'Keefe with all in favor the proposal for landscape maintenance of North Lake in the annual amount of \$3,132.06 was approved

**SEVENTH ORDER OF BUSINESS**

**Consideration of Amendment to Vesta Agreement**

Mr. Perry stated item seven is consideration of amendment to the Vesta Agreement and this amendment is related to a reduction in insurance coverage from \$5 million to \$2 million under section 2 and this proposed amendment is consistent with the Vesta Agreement with Rivers Edge 2, your sister district.

Mr. Saks asked why are reducing the amount of insurance?

Ms. Gentry responded the original amount in the contract was based on some of our districts with more expansive operations where staff is working with children. We don't require this in every amenity contract but we do include it in the ones where there is extensive interaction with children through programming or events or any other activities. The \$5 million is what we have in place in some of our larger districts, but looking closer at the scope here, the scope is a lot

lower than what they are performing at those other districts. Given the scope we are comfortable with the reduction to \$2 million. There is no adjustment in the contract price.

Mr. Perry stated I think this was a holdover from a larger district that operated a daycare facility. The services here are more limited.

On MOTION by Mr. Saks seconded by Mr. O’Keefe with all in favor the amendment to the agreement with Vesta reducing the amount of insurance coverage for abuse/molestation to \$2 million was approved.

**EIGHTH ORDER OF BUSINESS**

**Consideration of Resolution 2021-01  
Adopting Interim Rates for Memorial  
Donations and Cleaning Fees**

Ms. Gentry stated usually when we adopt rates, we go through a formal rulemaking process that requires you to publish notice in the newspaper and go through a formal hearing to adopt them. As a way to test these rates and make sure that they work and that we have a full slate of rates that we might need to amend before we go through that expensive process, we can adopt them as interim rates. We will eventually need to go through the formal process but for now to get them on the books and test them out and see if there are other rates we want to amend; we can adopt on an interim basis. This resolution adopts the memorial bench donation rate that the board chose at the last meeting and it also adopts an additional cleaning rate that would be applicable to facilities rentals to cover the increased cost of cleaning and sanitization due to the COVID situation. This amount was recommended by Vesta staff. We prepared an addendum to your rental agreement, so they are signing a rental agreement and an extra sheet of paper that states all of the extra terms that apply because of COVID, including the extra fee. The Board requested that the cleaning fee be renamed to clarify that it was due to COVID and covered sanitization as well. Ms. Gentry stated we can add some language in the resolution to rename it “COVID Cleaning and Sanitization Rate,” and we can send an updated resolution for signature.

On MOTION by Mr. McIntyre seconded by Mr. Saks with all in favor Resolution 2021-01 was approved with the change in the language as outlined by district counsel.

**NINTH ORDER OF BUSINESS**

**Consideration of License Agreement and Addendum with Soccer Shots**

Ms. Gentry stated this is your standard agreement that you have had with Soccer Shots before plus a COVID addendum making them aware they are responsible for enforcing safety measures and that sort of thing during the COVID public health emergency. They did submit a COVID plan, which we incorporated into the addendum, so they are bound to that. Marci has worked with them to get the schedule, which is November 30<sup>th</sup> to February 6<sup>th</sup> , and 15% of the fees collected would be remitted to the district.

On MOTION by Mr. Saks seconded by Mr. McIntyre with all in favor the license agreement and addendum with Soccer Shots was approved.
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**TENTH ORDER OF BUSINESS**

**Staff Reports**

**A. Attorney**

Ms. Gentry stated as promised, I will provide an update on the review of land that is intended to be owned by the CDD. We did review the plats in both this district and Rivers Edge 2 and in this district, we identified three of the most recent plats do dedicate land to the CDD, but we have not gone through the formal deeding process. The plat shows the CDD is intended to own it and intended to maintain it, but they would need to eventually deed that to the CDD. We have gotten in touch with Mattamy and their legal counsel and we are working through which areas are ripe to be formally conveyed to the CDD, and we are also pinpointing any improvements on those tracts of land such as landscaping, stormwater improvements, irrigation, all that sort of thing that may need to be acquired by the district in connection with that the land conveyance. We would like to do all of this in a bundle together at one time to make it more efficient for you and make sure it is all done at the same time. We are hoping to have documents for you to review at your next meeting.

**B. Engineer**

There being none, the next item followed.

**C. District Manager**

There being none, the next item followed.

**D. General Manager**

**1. Report**

A copy of the general Manager’s report and field operations report were included in the agenda package.

**2. Reupholster Quotes**

On MOTION by Mr. McIntyre seconded by Mr. Saks with all in favor the proposal from Vincent & Son Upholstery in an amount not to exceed \$720.72 using Sunbrella fabric was approved.

**3. Christmas Lighting and Decoration Quotes**

On MOTION by Mr. Schaublin seconded by Mr. Saks with all in favor the proposal from Hulihan Territory for holiday lighting installation in the amount of \$5,117 was approved.

**4. Landscape Proposals for Tennis Courts and Riverfront Park Buffer Trimming**

On MOTION by Mr. McIntyre seconded by Mr. Saks with all in favor the proposal from VerdeGo for Riverfront Park Buffer Trimming in the amount of \$5,600 and the proposal for Riverhouse landscape enhancements in the amount of \$4,343.42 were approved.

**E. Landscape - Report**

Mr. Beladi gave an overview of his report, a copy of which was distributed at the meeting.

**ELEVENTH ORDER OF BUSINESS                      Supervisors’ Requests and Audience Comments**

Ms. Long stated Mr. O’Keefe won’t be here after this meeting, he will be replaced, I will be replaced. In the newsletter if you could let the residents know if they have complaints or questions about the River Club to go to CDD 2 so they can talk to Mr. O’Keefe because he won’t

be here. Since we are doing this transition it is best to separate the two CDDs so the residents will have a better understanding of where to go to address their concerns.

Mr. Saks stated regardless shouldn't they go to Jason?

Mr. Perry stated yes.

Mr. Jason Davidson stated everything can come to me and I can direct it to whatever department, supervisor or district is responsible.

Mr. Saks stated I wanted to thank Judy for everything she has done while on the board and thanks to Jacob for helping us over the last few months.

I suggested having a holiday market as we have always had and next year restarting all of this. Marci has done some preliminary planning but couldn't go any further until we take a vote to move forward.

Ms. Pollicino stated as discussed in our meeting I solicited some vendors that are on board knowing that it may or may not happen. I have 22 vendors and the plan is to set them up on the soccer field about 10 feet apart and that will allow social distancing. The only concern is the amount of people who will come in. We talked about sign-up genius but with the soccer field that is difficult because of all the access points. I have it slated from 10 a.m. to 1 p.m. We can make a recommendation in the newsletter and people are not going to sign up they are going to show up and gather.

Mr. Saks stated how liable is the district if everyone shows up at the same time?

Ms. Gentry stated it is hard to predict that. The Florida Department of Health has gotten more aggressive about contact tracing. The governor has lifted a lot of statewide restrictions that were previously in place so there is more flexibility, but you run the risk that someone can contact trace a case back to our event. Your insurance provider is recommending you have procedures in place for social distancing, limit large events that you are hosting. There is not a mandate that says you can only have a certain number of people at an event; it is a case-by-case evaluation. If the board wants to move forward with this kind of event we can work with Marci for signage and safeguards to put in place, but what I'm hearing is that we can't really limit the number of people. Most districts are not hosting large events yet, but some are, if they have the staff capacity to manage them appropriately. If the board wants to proceed with this, it is a gray area and I recommend deferring to your amenity staff who are capable and professional and can make good recommendations about what safeguards can be implemented and what can't.

Mr. Saks stated I think what we have in place by any standards would be considered reasonable precautions taken to avoid anyone potentially being exposed to something.

Mr. Perry stated I think the only concern for staff is we know there are going to be a number of attendees there larger than a group of 10 and probably in excess of 50. If there is an issue with an outbreak, obviously, if there are requirements to some type of contact tracing and we don't have anything in place, I think that is an issue. We don't want to be a poster child where there is an outbreak and 75 people tested positive and we have no idea who was here.

Mr. Saks asked are you comfortable holding it regardless of how few or how many residents show up.

Mr. Jason Davidson stated it can be managed to a specific point depending on the guidelines you are setting where it is come and go, use at your own risk. It is the contact tracing and reporting that may be required. We wouldn't have a large staff present because we don't have a large staff.

Ms. Long stated I don't think it is a good idea.

Mr. Jacob O'Keefe stated I'm hearing that three board members are not in favor of having this event.

No board members disagreed.

**TWELFTH ORDER OF BUSINESS                      Other Business**

There being none, the next item followed.

**THIRTEENTH ORDER OF BUSINESS            Financial Reports**

**A.    Balance Sheet & Income Statement**

Mr. Perry stated these are financials as of September 30<sup>th</sup> and they are materially accurate, but we are still going through some of the accounts and analyzing them. This is closing out the end of the year and it takes a little longer to do that, but I don't believe there will be any material changes.

You have the balance sheet including the general fund, debt service funds, capital projects and the capital reserve. I will highlight certain items in the statement of revenues and expenditures. Starting with the administrative section we were \$31,000 unfavorable to budget and that is the expenses related to the administration of the district, the budget for district counsel is \$30,000 and



the run rate was \$63,000. They bill on an hourly basis, we try to as staff not involve them as much as we can and if you have anything that needs to be addressed, try first to address it with me or staff and if we need to get counsel involved we will. Everything we go out on to develop policies and certain things costs money. We have had a lot of issues this year and we are trying to keep and manage that process a little bit better. I'm not saying the fees are unreasonable, there was a lot of work that has been done, but it is a large variance.

Grounds maintenance, there are contracts with VerdeGo and we are favorable to budget, we had assumed some additional contracts coming online and they didn't this year. In addition, there were some contracts that came online that we adjusted out. In the May/June timeframe there were some additions of services that should have been in Rivers Edge 2 and those were backed out of Rivers Edge. The biggest thing in grounds maintenance is the irrigation water use for the reuse water. \$62,000 unfavorable variance at this time. There are 60+ accounts between this district and your sister district and we have been working with Zach and Ryan in making sure we have all the accounts in the proper district, and we have gone through and analyzed the usage of those accounts. If you look at your month by month analysis you will see for the month of September, there was a negative \$77,000 in expenditures. We probably have two or three accounts that we still need some work done on, but during the course of this year new sections came online, a lot of them are sections for Rivers Edge 2 that should have been over there; they were originally in Rivers Edge so there are two components that we have adjusted, one was the usage charges for Rivers Edge 2 that were originally charged to Rivers Edge and there are capacity charges. When that meter is set there is a capacity charge a JEA charge and there was about \$60,000 of capacity charges for those meters that are capital items that should not be incurred by the district. Those are either Rivers Edge 2 if they belonged to Rivers Edge 2 or charges to Mattamy.

Those adjustments have been made and what we are going to do is on that month by month analysis we are going to go back and restate the months so that you have a baseline that we can use for this year and next year when you are looking at usage in regard to charges and gallons. We worked with Zach and they have now a spread sheet, every time we get bills in each month it goes to them, we review it also but anything that is unusual it is looked into. That is what we have done for this last year; there are a number of accounts where we had issues with the meters, we have had issues with line breaks, a various number of items. We will summarize all those when we give you those spread sheets.

The other item was electric and there was a \$23,000 negative variance where the budget was \$45,000; some of that is related to new accounts, not all of it and we are still analyzing that.

In regard to the amenity center, this one is interesting and when you go back and look at the amenity center a lot of those costs had a great impact because of COVID. There was a reduction in charges from Vesta for staffing and so forth and that is reflected in there.

**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. Saks seconded by Mr. O’Keefe with all in favor the check register was approved.

**FOURTEENTH ORDER OF BUSINESS**

**Next Scheduled Meetings – Workshop on November 10, 2020 at 11:00 a.m. and Regular Board of Supervisors Meeting on November 18, 2020 @ 11:00 a.m. at the RiverTown Amenity Center**

Mr. Perry stated our next scheduled meeting is a workshop on November 10<sup>th</sup> and I will ask the board to reschedule that to December 16<sup>th</sup> after our regular meeting. You have two new board members coming on and I haven’t had time to set up the agenda for it. We have been working through closing out the books and getting that irrigation issue worked through. We will have our regular meeting on December 16<sup>th</sup> and immediately thereafter have the workshop.

On MOTION by Mr. McIntyre seconded by Mr. Saks the workshop was rescheduled for December 16, 2020 at 11:00 am.

Mr. Perry stated our next meeting will be November 18, 2020 at 11:00 a.m. at this location.

On MOTION by Mr. Saks seconded by Mr. McIntyre with all in favor the meeting adjourned at 12:47 p.m.

October 21, 2020

Rivers Edge CDD

  
Secretary/Assistant Secretary

  
Chairman/Vice Chairman