

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, March 17, 2021 at 11:00 a.m. at the RiverTown Amenity Center, 156 Landing Street, St. Johns, Florida.

Present and constituting a quorum were:

Randy Schaublin	Chairman
Mac McIntyre	Vice Chairman by telephone
Erick Saks	Supervisor
Frederick Baron	Supervisor
Robert Cameron	Supervisor

Also present were:

Ernesto Torres	District Manager
Jennifer Kilinski	District Counsel by telephone
Lauren Gentry	District Counsel
Ryan Stillwell	District Engineer
Dan Fagen	Vesta/Amenity Services
Jason Davidson	Vesta/Amenity Services
Zach Davidson	Vesta/Amenity Services
Marilee Giles	GMS, LLC
Robert Beladi	VerdeGo

The following is a summary of the discussions and actions taken at the March 17, 2021 meeting. An audio copy of the proceedings can be obtained by contacting the District Manager.

FIRST ORDER OF BUSINESS

Roll Call

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

SECOND ORDER OF BUSINESS

Audience Comments

There being none, the next item followed.

THIRD ORDER OF BUSINESS

Approval of Consent Agenda

- A. Minutes of the February 17, 2021 Meeting**
- B. Balance Sheet & Income Statement**
- C. Assessment Receipt Schedule**
- D. Approval of Check Register**

On MOTION by Mr. Schaublin seconded by Mr. Saks with all in favor the consent agenda items were approved.

FOURTH ORDER OF BUSINESS

Update on Landscaping Areas on Longleaf Pine Parkway

Mr. Torres stated this is the form we use any time there is a cost share change to our agreement with the other two districts. This is in regard to Longleaf Pine Parkway at the front of the development that was previously discussed. At the end of the year you will have a true-up of the additional enhancement and there is a certain percent that this district will be responsible for. There are other areas when they come online that were budgeted between the districts as a cost share that we may not reach the same level of cost.

Ms. Gentry stated as new areas come online or additional maintenance is added you will see these cost share forms from time to time, when we are bringing new items into the interlocal maintenance agreement for funding. This is for maintenance of the enhanced landscaping on Longleaf Pine.

On MOTION by Mr. Saks seconded by Mr. Schaublin with all in favor the cost share request for landscape areas along Longleaf Pine Parkway was approved.

FIFTH ORDER OF BUSINESS

Consideration of Adopting an Easement Improvement Policy

Ms. Gentry stated we did provide a cover memo in the agenda package that explains some of the background and why we recommend that you get a policy in place. There are easements along rear and side lot lines that belong to the district, which give the district rights to go in and maintain its drainage infrastructure, landscaping infrastructure, etc.; there are different easements for different purposes. If residents construct improvements in those areas, they may have impacts on our systems. It is important for the district to review those before something is approved to go into those areas and give our permission for it. We discussed at the last meeting processes that

residents have to go through with the HOA as well. What we are proposing is to work with the HOA to make this a seamless process for residents, and the idea would be that we get in contact with the HOA, make sure they have our paperwork, make sure they have all the information they need in order to advise residents about next steps, so residents are clear on what they need to do to get that necessary permission from the CDD.

You have two options for those policies. We included one resolution that adopts a policy with no fee so residents would send in an application form, it would be reviewed by your district engineer and any other staff review that was necessary. Your engineer would make a recommendation that either (1) yes, is okay to approve it is not going to impact our system or (2) no, this improvement would have negative impacts and should be denied. Those applications could be processed outside of the meetings; they wouldn't be required to go before the board unless someone wanted to dispute the engineer's decision. It really streamlines things for the residents, they don't have to wait a month for a board meeting in order to get approval for whatever they are looking for approval for. Option 1 is to adopt just the policy that I described.

Option 2 is to adopt the policy but also adopt a fee. Obviously, there are administrative costs that come with this, paying the engineer's time to review the request, any legal time that was needed. I anticipate that legal fees will be rather minimal because we will have a form of agreement that is in place. The idea would be that you fill in the blanks specific to that request. Some districts opt to adopt a fee that residents pay when they make their application in order to offset some of those costs that are incurred in the process. Option 2 is to adopt the policy and an interim fee that residents would pay. In the future we would go through formal rulemaking to cement that into our fee schedule.

Mr. Baron asked is it possible to have one hour of engineering services or time on staff and if it exceeds that amount then it defaults to option 2 with a feedback to the resident to say there is a cost and they are given an estimate of the costs?

Ms. Gentry stated – If I am understanding you, the idea would be that there is no fee to them as long as it was under a certain amount and if it exceeded that amount they would get passed through the actual cost? We could draft something that puts that in place, but from an administrative perspective I think it may be easier to charge them a fee upfront rather than have to chase them down for it, but that is an administrative problem rather than a legal problem. The

other option is to set a fee at a low amount with the expectation that some of these will be a very low lift, some of them may be more, and it will all average out for the District.

Mr. Schaublin asked what have other districts done?

Ms. Gentry stated I have seen some at a \$150 fee, and I have one that adopted a \$300 fee although no one has actually utilized that yet. You can set it at whatever you like.

Mr. Cameron stated this would give the homeowner the right to build across the easement.

Ms. Gentry stated yes, if it was approved, they would execute the document that is attached to the policy, that would get recorded in the public records so that there is a record of that and if they sell their lot the next owner knows that the CDD has approved it. If they do pay a fee, in exchange for that fee they will get that document recorded, it will be there for posterity. This is only a step they have to go through if their plans involve constructing an improvement on district property. It wouldn't apply across the board; only if it crosses into the district easement.

Mr. Cameron stated I'm looking at the easement that was totally encroached upon by my neighbor who was given permission by the HOA. Maybe the cost should be added to the HOA fee that they are charging rather than us.

Ms. Gentry stated if the HOA approved a plan that went into the CDD easement they did not have the authority to grant any permission on behalf of the CDD. The request should have come to us.

Mr. Baron stated from the legal standpoint the individuals who did this, in the HOA documents it says if the CDD needs to go into that easement no matter what is there they go in, take it down, move it, do whatever their job is then it is the homeowner's responsibility to then do the repair on the fences or whatever is there. It says that in the document today. The homeowner bears the burden whenever an easement needs to be exercised. You are saying some of these may be minimal impact on the easement because we can't get into the easement to mow.

Ms. Gentry stated you make a good point. In some cases, it may be that one fence doesn't have that big of an impact, but if everyone constructed a fence in that area we wouldn't be able to access anything and that is a big problem.

Mr. Baron stated the other piece of this that we are talking about is they are not supposed to go over their property boundary line. If they are over the boundary line, are we calling them out by these pictures that they are over their property line and the fence has to be moved?

Mr. Schaublin stated there are different types of restrictions. There are some with a fence over a drainage easement and we know if they have to work on the drainage, they come in our backyards take care of business and if there are damages, I am responsible for that. There are restricted easements like conservation areas where they are not supposed to be putting anything at all otherwise, we will get a fine.

We don't know what the right cost is. I would rather figure out what the volume is going to be so we can gauge what the cost should be. I like option 1, which is to approve the request without a fee. We need to evaluate this and see what fee we may need and if the fee is too high people won't pay it and do what they want.

Ms. Gentry stated the board can always revisit a fee later. We have two issues here – the first is what to do going forward, and the second is what to do about existing encroachments. This policy is what we will apply going forward. People who want to install something going forward would follow this process. For improvements that are already in the ground we can talk separately about how you want to handle those. Some districts say we are not going to require homeowners to go back and take action but we are going to send a letter that informs them, what an easement is and basically echoes what the HOA tells them: if the district needs to access this in the future or if it is having a negative impact on us then at that point we may need to address it then.

Going forward would the board like to adopt an easement improvement policy, and if so, would you like to adopt it with or without a fee?

Mr. Schaublin stated without a fee.

Mr. Saks stated I would like a trial period of time to see what it actually costs us to do this review. Also, I understand these will be approved unless the engineer says we have a problem.

Mr. Stillwell stated what we use these easements for is access and drainage. When I need to get to an outfall structure, we need to be able walk there and if both homeowners put a fence over top of that easement, we have no access. If they went one-foot over the easement line that is a different story but the minute we give them one-foot they are going to want two or three or four. Similarly, those easements are the same thing that VerdeGo uses to mow the grass in those ponds and maintain those ponds. Those easements are also given to St. Johns County because we are draining county roadways back into CDD ponds. Everywhere we start encroaching it becomes a problem for everybody then the county comes out to look at the ponds and there is a fence there and while I know that you may walk through that guy's yard, the county doesn't and the guy will

say we need access, we can't get back there. We are in the middle of a hurricane and there is a log stuck in the outfall structure and nobody can get back there. My default is going to be no more than it is going to be yes. I think most of those pictures were taken in the Lakes 2 area, which at one point it was going to be alley loaded homes so there was an alley back there and storm pipes back there, but they didn't build alley loaded homes they built front loaded homes. That alley remains, there is an easement back there for that alley, there are storm pipes in the alley, but it is all grass now. I think most of those pictures if I'm remembering correctly, that is a very different situation than everything else I described. As long as the pipe doesn't blow up back there we don't have an issue for this easement because I don't think we are responsible for mowing that area, I think the homeowners do. Back to a different situation than everything else that is built recently and things that are built in the future.

Mr. Torres stated Erick to your point, in some districts it is just a hard no because it becomes who has it who does not, and you can get into awkward situations.

On MOTION by Mr. Schaublin seconded by Mr. Baron with all in favor Resolution 2021-03 adopting an easement improvement policy without a fee to be reviewed in six-months was approved.

Ms. Gentry stated if the board would like we can talk about the issue of existing improvements that have been constructed in easements. A lot of those improvements predate Prosser being here, they may predate the current HOA. What some boards opt to do is go through an informational process to sort of grandfather in the existing improvements and say we are not going to require homeowners to take action right now but we are going to send them a letter that basically gives them the CD D's stance, and that says we are not requiring you to take action now but if in the future this is impacting our systems or if we need to access this easement for something then you may be required to remove it. That is probably the path of least resistance. If the board would like to take a different route, I have districts that require homeowners to remove it and that is usually met with a lot of resistance from the community, but that is an option as well.

Mr. Schaublin stated I would rather grandfather and informational.

Mr. Cameron stated there is a situation where two neighbors encroached and he wanted to encroach too, but if those other two people are grandfathered but we don't grant him that is going to be awkward. It's like before the 17th you are okay but after the 17th you are not.

Ms. Gentry stated if the board would like to have this policy come into effect April 1st or something like that, we can discuss that as well. They really should not be constructing anything in our easement without permission. The HOA has conducted their own review and identified homes that have these existing encroachments. I suggest we get these addresses from them, we send a letter, and if the HOA has their own process for people who have constructed things outside their own approval I would say the HOA can handle that side. We would clarify in our letter this is just from the CDD's perspective, but you need to refer to the HOA for any additional steps they may require.

Mr. Cameron stated I know the HOA can take actions, but do we have any actions we can take?

Ms. Gentry stated sometimes if a homeowner has an encroachment into an easement that they don't have permission for, sometimes it shows up on title reports when they try to sell the property. In another district a homeowner was trying to sell their home, this encroachment came up and at that point they had to come to the CDD to get permission. That is something that homeowner's risk if they have constructed these without permission.

We will work on those informational items to the homeowner addresses that we know have existing encroachments.

SIXTH ORDER OF BUSINESS

Update on SR 13 Roundabout Construction and Joint Use/Maintenance Agreement

Ms. Gentry stated when this community was in its infancy in 2012 there was roadway construction to build a roundabout on S.R. 13. It is planned to have in total a series of three roundabouts. The first one was constructed by this district and in order to construct that FDOT required two different agreements, a construction and joint use agreement and a maintenance agreement. In 2016 this district constructed a second roundabout, so those documents were updated then. Now, the third roundabout is in the planning stages, that is further down S.R. 13 in the vicinity of the Rivers Edge III, so it is currently planned to be constructed by Rivers Edge III and financed through that district. In order to do that, FDOT is going to require Rivers Edge III to be involved in a maintenance agreement as well. Because this district has the interlocal maintenance agreement with your sister districts to share in the maintenance of those kinds of offsite improvements, what we are proposing is to add Rivers Edge II and Rivers Edge III to your existing maintenance agreement with FDOT so that everyone shares that maintenance burden with

you, and so that Rivers Edge III has the permission it needs from FDOT in order to complete the construction. We are not anticipating changing anything that this district is seeing on the ground. Your finances will look the same, how this operates will look the same, we are just proposing to add II and III to the same agreement. In your agenda package is a resolution approving that change. Attached to the resolution is a sample agreement; we just inserted II and III into your existing agreement. We are waiting on feedback from FDOT to make sure there aren't any other terms that may need to be tweaked to their updated standards since this was last updated several years ago.

On MOTION by Mr. Schaublin seconded by Mr. Baron with all in favor Resolution 2021-04 approving a maintenance agreement in substantial form was approved.

SEVENTH ORDER OF BUSINESS

Consideration of Temporary Construction Easement for Trail

Mr. Torres stated at the last meeting there was a discussion regarding the intent of Mattamy to construct a trail system and this temporary construction easement grants them permission to do that.

Mr. Stillwell stated the agreement is for the locations we talked about going to the east side of Rivertown Mainstreet. The dog park is one of the locations where Mattamy needs to construct the trail out to the parking lot and construct a kiosk also up at the northern end at the existing lake and the existing park there where the trails interconnect. That is CDD property and we are asking for an easement to cut across with the trail on CDD property to construct those trails and construct the kiosks.

Ms. Gentry stated it is anticipated to be a natural trail.

Mr. Stillwell stated this request is just where we are crossing the CDD property with the natural trails and signage.

On MOTION by Mr. Schaublin seconded by Mr. Cameron with all in favor the hardscape, lighting, signage and multi-use path easement agreement between the district and Mattamy was approved.

EIGHTH ORDER OF BUSINESS

Consideration of Additional Dog Waste Stations and Related Services

Mr. Jason Davidson stated I can cover this under the general manager's report.

NINTH ORDER OF BUSINESS **Consideration of Grass Carp Stocking Agreement**

This item tabled. Staff was directed to obtain more information about the pricing and the type of fish stocked.

TENTH ORDER OF BUSINESS **Consideration of Asphalt Millings Between Pathway in RiverFront Park**

This item tabled. No golf carts are allowed in RiverFront Park due to roadway restrictions. Staff was directed to look into the possibility of making RiverFront Park golf cart accessible.

ELEVENTH ORDER OF BUSINESS **Staff Reports**

A. District Counsel

There being none, the next item followed.

B. District Engineer

There being none, the next item followed.

C. District Manager – Discussion Regarding Conversion to Electronic Packets and Devices

Mr. Torres stated I want to point your attention to the iPads the other two districts used for the first time today. We would like to introduce this to the Rivers Edge CDD board. Instead of sending paper packets to you, you would still get them electronically before the meeting but at the meeting you can use the iPad.

D. General Manager

Dog Stations

Mr. Jason Davidson stated first is the dog station location and cost discussion. We have identified five areas within the community that we have gathered from resident requests and other areas we feel there is good traffic where they would be utilized. We tried to keep it on a good trail where others were so the maintenance guy is not going out of his way so you will not incur more costs. The upfront cost of those five dog stations would be \$1,195 and the maintenance and stocking of bags is \$300 monthly

On MOTION by Mr. Saks seconded by Mr. Baron with all in favor the proposal from Terra Bound Solutions for five dog waste stations in the amount of \$1,195 was approved.

Clubs

Ms. Gentry stated most of you came on board after this club policy was initially adopted in 2019. Before we get into the details, I will give you a little background on what this is and how it is intended to work. There is a policy in place to allow for resident clubs. These are not endorsed or sponsored by the district; it is just something to help residents form their own social groups and be able to use district facilities as meeting space. The applications you will be considering today all want to meet at the RiverHouse and the times for that can be coordinated with staff. The process is they fill out this application form, tell us the type of club they want to form. We can make sure it is not actually a business in disguise because we don't want commercial activity happening in our facilities. We have certain restrictions in place, they can't use the RiverTown name or the CDD name, they can't have anyone earning a profit from their club, there are restrictions if they want to have alcohol. We have the applications for this, and the idea is the board would approve it, but by approving it you are not saying I want to join this club or I endorse the purpose of this club. You are just giving your stamp that we are comfortable allowing this under our policies.

Mr. Jason Davidson stated the Don't Mom Alone Club is a podcast. They will participate in the podcast then meet afterwards to discuss that podcast. All the information is in their application. The next one I will be bringing back; I didn't get the facility use form from them and I will bring that to the next meeting. The final one is the River Runts; it is crafts and the only money that will be collected will be to cover the costs of materials.

On MOTION by Mr. Saks seconded by Mr. Baron with all in favor the applications for the Don't Mom Alone and River Runts Clubs were approved.

Mr. Jason Davidson gave an overview of the upcoming events that were all acceptable to the board.

E. Landscape - Report

Mr. Beladi stated I was supposed to get a proposal from Rainbird, but they are switching from a 3G network to a 4G network and we don't have the costs together for that. We are looking at other providers. It will be a more substantial cost than we thought it was going to be for the 3G.

Mr. Baron stated I have gone around with Rob over the last month and we looked at different meter readings. I just got the report and I find a few meters that are excessively high. I'm asking that the report be shared with Rob so he can zero in on those three. We just went through the proposal today on Longleaf Parkway and all the irrigation is about 700,000 gallons out of the 4 million was there so a large portion of that cost is being borne by one CDD only. That covers all the new growth, but it should be in the cost share and CDDI should not be paying all the costs for irrigation on a shared location. There were other locations identified that are also metered for shared locations and next month I would like to come back with the following billing to be allocated to shared costs just as we do cost sharing on the roundabout and the amenity center.

Ms. Gentry stated we can work with GMS to look at how those are currently being billed and what our options are to share those costs if they are not already.

Mr. Torres stated we will put that on the next agenda.

TWELFTH ORDER OF BUSINESS Supervisors' requests and Audience Comments

Mr. Cameron stated I contacted Zach about the sidewalk damage along Longleaf Pine.

Mr. Baron asked is that CDD property or Mattamy's property?

Mr. Stillwell stated that is all St. Johns County property but from the standpoint of the CDD and landscaping being installed that we maintain if the damage was done by the contractor doing the landscape work we will want to get those sidewalks repaired by the contractor not the CDD.

Mr. Saks stated the St. Johns Sheriff's Office is volunteering to do a golf cart safety event. I have the contact information and I would like to turn that over to staff to set something up. I want to put on the radar the 4th of July event.

Mr. Jason Davidson stated we will put something together as it relates to the 4th of July and bring it back in May for approval.

Mr. Cameron stated if Zach needs me to walk with him to show him my concerns, I will do that.

Mr. Jason Davidson stated as to the sidewalk concerns, we are currently working with the developer with the concerns of the board. We will be walking from the boatyard all the way to the entrance as it relates to the sidewalks.

Mr. Cameron asked is something going out in a newsletter about the paths that golf carts are allowed to go on?

Mr. Jason Davidson stated I will work with Ryan to get an accurate map before we post it on the website.

Mr. Stillwell stated the multi-use paths that include golf carts are those that follow along the major collectors, RiverTown Mainstreet and Orange Branch Trail. Everything else does not allow golf carts, the golf carts should be in the road throughout RiverTown.

Mr. Baron stated we talked about signage for the new developments going in, whether it be the Preserves, West Lake Estates, can I get a report at the next meeting that the locations that are planned are going to happen. We are lacking signage for the new developments. I want to make sure the locations of where to turn for those developments are on the rack in place of the empty spaces.

Mr. Stillwell stated the developer's marquis team is working on that, that is not something the CDD would be involved with.

Mr. Baron stated the same thing with the Gardens, some of the signage is one side of the board and not the other and not lit. Is that marketing that does that?

Mr. Jason Davidson stated that sign is being repaired as I identified in the report I sent back to you on Friday.

Mr. Baron asked are all the development signs lit or supposed to be lit so that it is not only visible during the day but at night they are visible?

Mr. Jason Davidson stated a good example of that is the North Lake back sign and the Arbor sign was lit and we reached out to the developer and he said there is supposed to be a light there and they installed that light.

THIRTEENTH ORDER OF BUSINESS Other Business

There being none, the next item followed.

March 17, 2021

Rivers Edge CDD

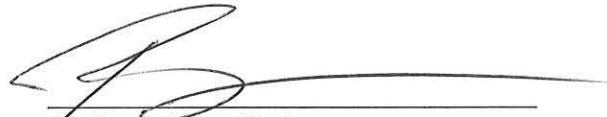
FOURTEENTH ORDER OF BUSINESS

Next Scheduled Meeting – Wednesday, April 21, 2021 @ 11:00 a.m. at the RiverTown Amenity Center

Mr. Torres stated the next scheduled meeting is April 21, 2021 at 11:00 a.m.

On MOTION by Mr. Baron seconded by Mr. Saks with all in favor the meeting adjourned at 12:21 p.m.


Secretary/Assistant Secretary


Chairman/Vice Chairman