

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, July 21, 2021 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
Erick Saks	Vice Chairman
Frederick Baron	Supervisor
Robert Cameron	Supervisor

Also present were:

Ernesto Torres	District Manager
Jennifer Kilinski	District Counsel
Ryan Stillwell	District Engineer
Jonathan Perry	Vesta
Roy Deary	Vesta
Jason Davidson	Vesta
Clint Waugh	Vesta
Jim Perry	GMS
Marilee Giles	GMS
Shane Blair	VerdeGo

The following is a summary of the discussions and actions taken at the July 21, 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

Ms. Sharp stated I have a concern about what is going to happen when we have to resurface district-owned roads, where the money is that is being accumulated, hopefully, and dedicated

July 21, 2021

Rivers Edge CDD

towards to reduce the amount of the special assessments or anything we might have to make at that time. Can someone tell me where it is in the budget or financial statements?

Mr. Torres stated we have a capital reserve account, and the district makes an annual contribution to that account. Based on our capital reserve study we make a financial contribution to the capital reserves each year so that account grows. When a major expense like that occurs, we will have the funds to take care of that.

Ms. Sharp asked is there are special dedicated fund so they can't be borrowed from for other purposes?

Mr. Torres stated it is at the board's will, but we make a conscious decision each year to follow the capital reserve study.

Mr. Gray stated I have a concern about Sternwheel Park. I don't know if anyone has looked at it, but it looks like 40% of the grass is dead, it hasn't been cut in several weeks. Are there any plans for that park?

Mr. Baron stated I agree, I looked at it the other day and I'm going to be speaking with a couple of the residents in the Main Street area next week and we are going to walk around and locate various areas of need, Sternwheel Park and the pond behind the homes. I will be addressing that with several residents and if you would like, you can leave me your contact information and when we put that group together, I will make sure you are a part of it. It appears from the info I have been getting it seems that there may be a couple areas that have been missed or forgotten or not even known that they were there. We are going to make sure they are in the loop to be maintained.

Mr. Gray stated we have asked for signs like the ones around the soccer field because the kids come flying in with their golf carts and slide and it destroys the grass. We need signage there that says golf carts are not allowed in that park.

Mr. Blair stated we are aware of this park and I will be there today or tomorrow to get it cleaned up and we also have our vendor to get the weeds knocked out and fertilization and we will take a look at the sod. We are aware of that situation.

The next item taken out of order.

July 21, 2021

Rivers Edge CDD

ELEVENTH ORDER OF BUSINESS**Ratification of Transfer of Client Matters to
KE Law**

Mr. Torres stated the day before yesterday we received a letter from Hopping Green & Sams and that was forwarded to the Chairman, giving the district's options regarding district counsel services. Hopping Green & Sams provided the client matters letter, listing three options, (1) continue services with Jennifer Kilinski and her law firm now (2) continue services with Hopping Green & Sams and (3) issue an RFQ for district counsel services. Jennifer is no longer with Hopping Green & Sams and that is what triggered the matter. Based on my discussion with the Chair, he strongly urged continuity of the services provided by the individual who understands the district the most. He chose alternative one. We can ratify his decision and if a majority is opposed and want to go in a different direction this is the time to do it.

Mr. McIntyre stated the other attorneys that are going with her have been here since the beginning and they are fully aware of the ins and outs and all the issues we have had, and I felt that with everything that is going on and with all the moving parts that continuity should remain and have no hiccups. It would be a smooth transition.

Mr. Baron asked are the rates the same as the contract we have in place with Hopping Green?

Ms. Kilinski stated correct. It is the same rates and fees, and my hope is that because we are able to provide very efficient legal services the escalation of those fees would be very limited over the next several years.

Mr. Baron stated it was an amicable split with Hopping Green and your new firm?

Ms. Kilinski stated it was, there are five of us in the special district practice group that left, it was no disrespect to the firm at all, it was a desire to do something a little different. The joint letter is required to go out by the firm that gives you the opportunity to do that, that is why I didn't contact any of you, I wasn't allowed to until that joint letter was sent out and we had the advantage of this board meeting.

On MOTION by Mr. Saks seconded by Mr. Cameron with all in favor the transfer of client matters to KE Law was ratified and the proposed fees were approved.
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THIRD ORDER OF BUSINESS**Organizational Matters****A. Consideration of Appointing a New Supervisor to Fill Seat No. 2**

July 21, 2021

Rivers Edge CDD

Mr. Torres stated we received interest from six parties and those letters and resumes were included in your agenda package. Dan Griffin, Scott Maynard, Darren Johnson, Jacob O’Keefe, Ronald Bilyew and Wes Huddleston. We invited all of them to be present and some are here and two are on the phone.

Mr. Maynard, Mr. Griffin, Mr. Bilyew, Mr. O’Keefe and Mr. Huddleston reviewed their background and qualifications to serve on the board and after discussion the board took the following action.

On MOTION by Mr. Saks seconded by Mr. Cameron with all in favor on roll call vote Scott Maynard was appointed to fill the unexpired term of office of seat no. 2.

Mr. Torres stated unfortunately I am not able to administer the oath of office over the telephone and he will not be able to participate in the rest of the meeting. I can reach out to you before the next meeting and administer the oath of office and you can participate in the next meeting. I will also provide a package of information to you.

B. Oath of Office for Newly Appointed Supervisor

C. Consideration of Resolution 2021-06 Designating Officers

Mr. Torres stated each time we have an appointment we go through the process of designating officers. At the same time, I would like to update the designations of staff.

On MOTION by Mr. Saks seconded by Mr. Baron with all in favor Resolution 2021-06 was approved reflecting the following: Mac McIntyre chairman, Erick Saks vice chairman, Ernesto Torres Secretary and Treasurer, Frederick Baron, Robert Cameron, Scott Maynard, Marilee Giles, Daniel Laughlin, Jim Oliver and Jim Perry assistant secretaries.

FOURTH ORDER OF BUSINESS

Approval of the Consent Agenda

- A. Minutes of the June 9, 2021 Meeting**
- B. Balance Sheet & Income Statement**
- C. Assessment Receipt Schedule**

July 21, 2021

Rivers Edge CDD

D. Approval of Check Register

Mr. Saks stated someone contacted me about it taking a long time for people to get minutes. We can't get the minutes out until they have been approved, but the minutes are part of the agenda package. Is there a way to get the draft minutes out a little quicker on the website so that people who can't attend can see what happened at the meeting?

Mr. Torres stated we don't make the minutes public until after they are approved by the board in the event there is an error.

Ms. Kilinski stated that is accurate, we do have audio and draft minutes available if there is a public records request. Our preference is not to post them until they are final because sometimes there are errors and then you have to unwind things that were posted that may not have been recorded accurately.

Mr. Baron stated on the budget page 11 shows \$104,000 in June as an expenditure, there is no details against it. Is that a typo of accumulation of some of the pool expenses?

Mr. Torres stated that was the contribution made to capital reserves, but I will check on that.

On MOTION by Mr. Baron seconded by Mr. McIntyre with all in favor the consent agenda items were approved in substantial form.

FIFTH ORDER OF BUSINESS

Consideration of Revising Board Vacancy Policy to Remove Requirement that Candidate Submit hard Copies of Resumes in Addition to Electronic

Mr. Torres stated based on your policy you adopted regarding handling of a vacancy, it requires resumes be electronically sent and a hard copy mailed. Usually, we just receive them electronically.

Mr. Baron asked do we need to do to paper on everything? Last time we went to iPads for staff, and I would like to remove the packets being printed unless mandated by the state or submission to the county or whatnot, otherwise we now go electronic.

Mr. McIntyre stated I would like to have a policy for candidates that electronic resumes and packets are acceptable, hard copies are optional, but once we have those items for a meeting and it is time to vote, that the supervisors only are allowed to ask questions of the candidates and

July 21, 2021

Rivers Edge CDD

there is a free discussion among the supervisors and take a vote as to whom each member wants, no. 1 or 2 and take a vote on who has accumulated the most votes at that time.

Mr. Torres stated we will draft this and bring it back to the next meeting for you to review and it will be on the next agenda for review and approval and if you want all efforts made to have packages electronically, we will take that motion separately.

On MOTION by Mr. Baron seconded by Mr. Cameron with all in favor staff will make every effort to have agenda packages and all documents sent electronically.

SIXTH ORDER OF BUSINESS

Consideration of Resolution 2021-07 Declaring the 2016 Project Complete

Ms. Kilinski stated this is required by the indenture. We issue bonds and once the project is complete and it has been declared complete you do a resolution that wraps up that closure and essentially declares there is no deferred costs from the developer and that there are no other projects that we anticipate flowing through the construction account. It doesn't mean that there is not more construction to do, it just means for purposes of financing that construction there are no more constructions proceeds left to finance anything. That project is declared complete.

Mr. Stillwell stated on page 208 of your agenda package is a map that shows where the 2016 project was located. The 2016 project included the main entry with the waterfalls and towers, all the stormwater along what is now Rivertown Main Street, it used to be called Orange Branch Trail, and the stormwater through the Homestead area as well as some neighborhood pocket parks; that original portion of the development. The construction account is zeroed out at this point.

On MOTION by Mr. Baron seconded by Mr. Saks with all in favor Resolution 2021-07 was approved.

SEVENTH ORDER OF BUSINESS

Acceptance of the Fiscal Year 2020 Audit Report

Mr. Torres stated the board selected Berger Toombs Elam Gaines & Frank to provide this report to you and that report is included in the agenda package. This is a clean audit with no prior year or current year findings or recommendations.

July 21, 2021

Rivers Edge CDD

On MOTION by Mr. Saks seconded by Mr. McIntyre with all in favor the fiscal year 2020 audit was accepted.

EIGHTH ORDER OF BUINSESS

Consideration of Use of St. Johns County Sheriff's Off-Duty Patrol Services

Mr. Saks reported on his analysis of the current security versus a hybrid of private security and use of St. Johns County Sheriff's off-duty officers and after discussion the board decided to use a combination of services, adjust the budget to increase this line item and to have a closed session to discuss specific services.

NINTH ORDER OF BUSINESS

Discussion of the Fiscal Year 2022 Budget

There being none, the next item followed.

TENTH ORDER OF BUSINESS

Consideration of Combined Meeting with Rivers Edge II and III Boards to Consider Proposal for Amenity Management Services

Mr. Torres stated Evergreen contacted me and they will not be proposing so First Service and Vesta will be proposing.

ELEVENTH ORDER OF BUSINESS

Ratification of Transfer of client Matters to KE Law

This item taken earlier in the meeting.

TWELFTH 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

There being none, the next item followed.

D. General Manager - Report

July 21, 2021

Rivers Edge CDD

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

Kendall Crossing Pond Maintenance

On MOTION by Mr. Baron seconded by Mr. McIntyre with all in favor the proposal from Charles Aquatics for the new pond on Kendall Crossing was approved.

Kayak Trips Hosted by St. Johns County Rec at Riverfront Park

On MOTION by Mr. Baron seconded by Mr. Cameron with all in favor the proposal from St. Johns County Recreation Department to host kayak trips was approved and district counsel will prepare a license agreement for these services.

Food Truck Fee

On MOTION by Mr. Baron seconded by Mr. Saks with three in favor and Mr. Cameron opposed an interim fee of \$25 for food trucks with a fee of \$15 for dessert trucks was approved.

Mr. Stillwell stated Jason did acquire our stencil we were planning to use on some of the paths that are not golf cart paths, but I wanted to check with the board. Jason and I are going to work on locations for that stencil, but would the board like to review that prior to us using that stencil?

Mr. Baron stated put it in the newsletter and if anyone has concerns Jason is a point of contact.

Mr. Davidson stated the newsletter comes out the 1st and 15th and what you are requesting is that an e-blast will go between those.

Mr. Cameron stated an eblast to recognize we are about to stencil paths that are not golf cart paths that are receiving a lot of damage. The eblast is to let the community know this is being done.

July 21, 2021

Rivers Edge CDD

E. Landscape - Report

Mr. Blair stated we had 45 days landscaping. We had a staff change at VerdeGo, Robert Beladi is no longer with us, Seth is taking over his role at Rivertown and I will make sure he has support from our south office to help fill my position. I have been dedicated out here for the last two weeks. We have had 28 consecutive days of downpours throughout June and the first couple weeks of July that led to the irrigation being off from June 10th to last Thursday. The last two weeks we have been able to work through that and there are some missed areas that I need to get caught up on. The teams are separated into specific sections, and I have a map that I will provide to Vesta by end of business Friday along with a weekly schedule. We are working to get the crews on a more consistent schedule to have consistent results.

Mr. Baron stated I would like to get a weekly schedule out to the residents.

THIRTEENTH ORDER OF BUSINESS Supervisors' Requests and Audience Comments

Mr. McIntyre stated I may not be able to attend the second meeting, but I would like to bring something to the board for consideration that I don't think has been thought about yet. Another option could potentially be to have a CDD employee as the district manager that works directly for the board and community. There are a couple communities that have that, and it seems to work very well, and it could end up in a cost savings to us by not having to pay a larger company for that person and have them split what they want with that manager and keeping the rest for operating expenses. It doesn't have to be voted on today however it is open for discussion, and we can get some numbers and some help from Ernesto and GMS to figure out how to put that together so it can be considered in six months to a year. This is something we should consider as a potential cost savings and giving us more control. From what I gather it doesn't give us any additional liability having an employee but those are things we can work out.

Mr. Cameron stated I agree because the infrastructure is getting older. Jason does a good job but is split between all three CDDs. As they grow, I don't know what additional staff we would need.

Mr. Saks asked what would this person do differently than what we already get from GMS and Jason?

Mr. McIntyre stated the biggest thing is it would give us the accountability and be a potential cost savings. Part of the problem is when you have larger organizations and a community

July 21, 2021

Rivers Edge CDD

like ours sometimes it becomes us against them. It is not that the community necessarily sees them as a part of us, it is just some company that does stuff for us. Whereas if the district manager belonged to us it may have a different community relation because now they see that person as belonging to us, the community, the CDD board. With that on top of potential savings it is something to explore. It is an idea, it is something I have been looking into but I haven't had the time really dig into it deep enough for this meeting, but I wanted to put it on the table to let you know what I was thinking and the possibilities and I would rather dig more and bring it back to the board, but I wanted to put it out there so everyone was aware. Along the same lines I had earlier some discussion with Jason with regard to possibly looking at these contracts and a cost share aspect, government does a lot of 70/30 splits on cost shares when they exceed a budget or the failures at issue are related internally, we are getting hit both sides. One, we are asking them to do the maintenance and then their negligence causes a repair action to be implemented, which we are paying for again. There are ways of putting cost shares 70/30 where 70% is put back on them and we are only charged 30% of that fee instead of 100%. Again, look at different ways of mitigating this cost down on these contracts or at least holding that accountability to the contractor.

Mr. Baron stated I think with what it is and the how the community is growing, and the end result we should look at every possibility since it is on the table now we should avail ourselves of all possibilities and that is the only way we can make the best decision for the community.

Mr. Saks stated another option and what some of the other districts do is they will actually assign board members to specific oversight and that would put more accountability on each one of us as a board member.

Mr. Baron stated another thing we can engage in also is innovation type techniques. You have infrastructure in today and bring back ideas to bring revenue in whether it be cell towers, new pickleball courts or some other activity. Some center to be funded that actually brings revenue is another committee. I would like to explore that.

Mr. McIntyre stated my other item is going to be very short. We were able to get some of the rules changed at the River House last year where residents can now bring their own canned beverages in a more reasonable sized cooler to have food and drinks for the day. However, I would also now like to entertain the possibility of helping offset some of the crowd and pressure on the River Club by working to figure out how we can bring a very limited menu, maybe grab and go of some sort and maybe having someone there that can also serve beverages for those that don't bring

July 21, 2021

Rivers Edge CDD

their own but maybe even work a cost share to bring revenue to the CDD, but also whoever is going to handle that also make what they need. I would like to present to the board that we work to figure out how we can bring something here to help offset the crowding and pressure with the River Club that works, and people can have their choice if they want River Club or an easier time and just go to the River House and grab a sandwich and a coke there.

Mr. Baron asked you are asking to look into that.

Mr. McIntyre responded sure; I will take that on.

Ms. Testh stated I didn't know we had security. I only saw his car parked here and it never moved. So, we have security that drives around?

Mr. Davidson gave the hours of security and stated they drive around he amenities.

Ms. Testh stated I heard the word accountability several times. I don't know why it is not a good idea to hold the residents accountable for their actions. Are people not held accountable when they are driving too fast and get aggressive with people? Residents should be held accountable. You are hurting other residents by not being held accountable.

Mr. McIntyre stated I have been speaking to Jason on that issue and we are going to work together to figure out the best way to curb some of the resident's behavior because Vesta or whomever it is does not deserve some of the stuff they get. None of the residents would dare accept some of the treatment some of the employees get from an employee towards them and it goes both ways. That is being addressed.

Ms. Testh asked isn't that in the documents we have to sign when we move in?

Mr. McIntyre stated it is in there however, sometimes it is not so aggressively worked for the fear of creating a tinder box. I want to look into things a little bit more and make sure that we are going down the right way and that it has the backing of the board so if there is any kickback, it is coming directly from the board. Also, they are not obligated per se to report these to us and that is something I'm looking at. If there is an incident that is aggressive enough, I feel it should be brought to the board at the next meeting and us being aware of it so we can potentially discuss what the proper steps would be. So, it is taken off of management and put back on us so there is no kickback because it is not just some random employee being a jerk. It will be addressed.

Ms. Aguilina stated I'm addressing the landscaper. There is a path by the last road in the Landings and two ponds and you missed the path, and the grass is very tall.

Mr. Blair stated the field should have been mowed by now.

July 21, 2021

Rivers Edge CDD

Ms. Aguilina stated they did around the edges.

A resident asked when was CDD1 originated?

Ms. Kilinski stated it was established in 2006.

A resident stated Main Street CDD was incorporated in with another CDD.

Ms. Kilinski stated there were two at the beginning, there merged in 2010.

A resident asked when is the end of that CDD?

Ms. Kilinski stated there is no end.

A resident asked when does it mature or when does it get paid?

Ms. Kilinski stated you are talking about the district entity itself, it is a governmental entity so it goes on in perpetuity, just like a city or county. If you are talking about the bonds, they have different maturity dates. There was an original issuance in 2008, you can't extend it longer than 30 years so you can always pay it off as an individual owner, but if you extrapolate it out to its maturity it can only go for 30 years, so 2038 would be the maturity date. Then there are the 2016 bonds, same thing, 30 years so 2046 maturity.

A resident stated I drove the property yesterday and it looks so much better than it did two weeks ago. I want to commend you and your crew, it looks good.

A resident stated a tremendous job on landscaping. Just driving in from Longleaf Parkway the whole area just doesn't look like a \$300,000 to \$1 million property. The weeds are in the flower beds and are taller than the bushes. I should not have to patrol my neighborhood and tell people what needs to be done.

Mr. Mareth stated there were a lot of fireworks on the last holiday and a lot of people didn't clean up their mess. The CDD is responsible for the ponds and the washouts that were created when the construction was done has not been taken care of. Who is going to pay for that? You have to walk the pond to see the washouts.

Mr. Stillwell stated I will take a look at that.

Ms. Barker stated I don't know if we are supposed to be speaking towards the next meeting or not, but we pile a lot of stuff onto Jason from Vesta and now we are talking about getting rid of them. If we are done with Vesta is somebody going to be here?

Mr. Torres stated the process will start at the continuation meeting of the joint boards. We had a request for proposals and vendors provided their estimates on how to operate this facility

July 21, 2021

Rivers Edge CDD

and only two are left, which is Vesta and First Service. The board will consider both proposals and make a decision, but it is a board decision and will be discussed at that meeting.

Ms. Dixon stated I live on Chandler and the streetlights have not been working since we moved in.

Mr. Davidson stated OUC has been working to get those back on.

Ms. Dixon asked what did you mean about putting signage on some paths?

Mr. Davidson responded “no golf carts beyond this point” that will be painted on the pavement.

Ms. Dixon asked are there plans to expand the golf cart paths?

Mr. McIntyre responded no.

Mr. Stillwell stated within Rivers Edge CDD 1 as of today all the multi-use paths that are in place, are minor collector roadways so they were required by the county as part of the design. Everywhere else within Rivertown other than on Rivertown Main Street or Keystone Corners or a little portion of Orange Branch Trail, the golf carts should be in the road. That is why there are “share the road” signs, the golf cart is to be in the road, not on the sidewalk, not on the asphalt path that goes around a lake, those are only 8-foot wide, golf carts only go on 12-foot-wide asphalt paths.

Ms. Dixon stated we have been encouraged to participate and attend these meetings but for what purpose since we don't have a voice.

Mr. Torres stated there are times for public comment and also at public hearings. These board members are public officials and subject to the sunshine law. You can contact them directly through the district website, you don't have to wait for a meeting to voice your opinion. During the month they are available to you.

A resident stated there are some trees that grow along the road, and I sent a couple messages and it has never been replaced. I have emailed nicely to whoever, he has told me to communicate with and finally the tree is completely dead. I think we need to cut it down, but it needs to be replaced. Who is in charge? Who should be replacing that tree?

Mr. Davidson stated if you will give me that location specifically and I will talk to VerdeGo.

Mr. McIntyre stated I hear what you are saying, but I would encourage people to not tamper with CDD property, not cut down trees or shrubs.

July 21, 2021

Rivers Edge CDD

A resident stated we also have an issue with the trees across from the park, they are all overgrown and if the moss is not removed it is going to kill the tree.

Mr. Saks stated we talked about that a few months ago and some are on resident property and we are not authorized to cut them back, only the residents can cut them back.

A resident asked then I can go ahead and trim that tree?

Mr. McIntyre stated no, the only tree you can trim is if it is planted on your property and hangs out onto the CDD property, but you cannot trim or cut down a CDD tree. I beg all of you to give VerdeGo a chance to correct all the things. They are hearing you; we hear you; we are working diligently behind the scenes. They are really doing a bang-up job but some of these things take time because it has been deferred maintenance and they have to catch up on that maintenance and then put together a plan to maintain it. Keep an eye on the things you are concerned about but give us and them time to fix those issues. This is a new board, and we are working to do some great things for you, but it takes time.

A resident stated there are rules about the pools and when adults are in the lanes doing laps the kids are going the opposite way and some of them are hanging off the ropes. The lifeguards are not enforcing the rules.

Mr. Davidson stated I need to be made aware of that when it happens.

A resident asked who is responsible to oversee and take care of our property and they drive on the grass? It is not a golf cart. I'm a golf cart owner and I am tired of hearing about golf carts, I have seen workers driving over these beds and lawns.

Mr. Davidson stated that would be Mattamy.

Mr. Torres stated I recommend you get with Jason and Shane after the meeting. You don't have to wait for a meeting to provide these comments. My information is also on the website and if you are not getting resolution timely, go to the website and contact me.

FOURTEENTH ORDER OF BUSINESS Other Business

There being none, the next item followed.

**FIFTEENTH ORDER OF BUSINESS Next Scheduled Meeting – Wednesday,
August 18, 2021 @ 6:00 p.m. at the RiverTown
Amenity Center**

Mr. Torres stated the next scheduled meeting is August 18, 2021 at 6:00 p.m.

July 21, 2021

Rivers Edge CDD

SIXTEENTH ORDER OF BUSINESS

Continuation to 1:30 p.m. for Joint Meeting of Rivers Edge, Rivers Edge II and Rivers Edge III Related to Consideration of Proposals for Amenity Management Services

The meeting was continued to 1:30 p.m. in the same location.

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Secretary/Assistant Secretary

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Chairman/Vice Chairman