

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, December 15, 2021 at 6:00 p.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 by telephone
Robert Cameron	Supervisor by telephone
Scott Maynard	Supervisor

Also present were:

Ernesto Torres	District Manager
Jennifer Kilinski	District Counsel
Ryan Stillwell	District Engineer
Dan Fagen	Vesta
Jason Davidson	Vesta
Clint Waugh	Vesta
Jonathan Perry	Vesta
Shane Blair	VerdeGo

The following is a summary of the discussions and actions taken at the December 15, 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 and called the roll.

**SECOND ORDER OF BUSINESS**

**Audience Comments**

A resident stated I want to propose a district policy change that follows Florida Law that allows residents to shoot fireworks on December 31<sup>st</sup>, January 1<sup>st</sup> and July 4<sup>th</sup> on CDD land. There are hundreds of RiverTown residents who watched this year's fireworks, they truly enjoyed them, and it did not cost the CDD a single cent.

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Please stop blaming sprinkler problems, etc. on golf carts. Sprinkler heads get damaged because they don't retract when the zone is off, they get damaged by motorized vehicles and someone stepping or tripping on them or simply by age. I have seen trucks parked by workers on walking paths, grass and when doing mulching. I have a picture of a small truck with a hitch parked on Orange Branch Trail. Most of the people who own golf carts are tired of the vendetta against golf carts. We bought into a community that said golf carts are allowed. When you closed the paths to golf carts, you shut off a lifestyle that people enjoy.

A resident stated we would like to request a water fountain at the playground.

A resident stated I'm in favor of the fireworks on CDD property rather than someone putting them off in their backyard.

The next item was taken out of order.

**Landscape Report**

Mr. Blair stated everyone has a copy of the report. The plan is to finish up the rest of the winter season and be ready to go in the spring 100% with staffing and equipment.

Mr. Baron stated I will get together with Shane later on the irrigation bill to see if the watering cycles could be maximized.

Mr. Blair left the meeting at this time.

**THIRD ORDER OF BUSINESS**

**Approval of the Consent Agenda**

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

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

**FOURTH ORDER OF BUSINESS**

**Discussion on Brick Program**

Mr. Torres stated Mr. Saks asked me to inquire about the brick program that they have at another CDD property. Included in the agenda package is information that I acquired from David

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Ray, the district manager at Nocatee where they have a brick program. It was not used as a fund raiser although it did generate income; they were limited on the words and things you could put on the brick. The bricks sold for \$100 each, they sold a total of 274. There was an installation cost for those bricks of \$4,300, they had to make provisions to their rules for a fee schedule to purchase the bricks.

Mr. Saks stated it is not necessarily about raising funds but making people more connected to the community and I'm in favor of anything we can do to bring in additional income to offset assessments. I would like to try it here if there is any interest.

Mr. McIntyre asked do you have a location in mind?

Mr. Saks stated this would be a good place, it has bricks that can be replaced, or we could look within the communities.

Mr. Baron asked are these bricks available to be recycled through the program? We take out 200 bricks and as the new ones go in are the ones taken out able to be used in the program instead of buying bulk?

Mr. Torres stated I don't know the answer. I would have to check with the vendor if they would engrave the bricks we currently have. I need to do more research.

Mr. Baron stated I suspect a pilot program is in order here, get a quantity and a small location perhaps in front of the flagpole and see the interest.

Ms. Kilinski stated if the board is interested in pursuing it I recommend that we bring a policy package back to you in January. We can work with a board member to identify locations, we can get actual pricing, the difference between running the program ongoing versus once, especially with installation costs.

Mr. Stillwell stated I think the idea of using locations that already have pavers will avoid the permitting process, if you look at new locations you have to look permits.

On MOTION by Mr. Baron seconded by Mr. Saks with all in favor staff was authorized to move forward with the brick dedication program and to bring back to the January meeting a proposed policy and more details from the vendor on the program and Mr. Baron was authorized to work with staff on this project.

**FIFTH ORDER OF BUSINESS**

**Discussion on Donated Water Fountain and Installation at the Groves Park**

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Mr. Torres stated staff discussed this at our pre-meeting and there was some discussion regarding permits and other things that goes into installing a water fountain.

Mr. Stillwell stated one thing the board needs to consider is you will need to permit this with JEA, you will need a meter in that location to service this water fountain and the cost of the fountain.

Mr. Saks asked do we have an idea of the overall cost?

Mr. Baron stated there will be a \$20 monthly charge for a meter for a water fountain and a charge for usage so it may be \$25 per month from JEA.

Mr. Saks stated the installation of the fountain would be at a cost. How do we make determinations because they want a water fountain but next meeting, we may have someone from another community saying we don't have a water fountain?

Ms. Kilinski stated you can direct staff to get you a proposal, that doesn't cost you anything.

Mr. McIntyre stated maybe we can get a cost share with the developer to cover some of that cost.

Staff will come back to the next meeting with a proposal on the installation of the fountain and a response as to possible developer cost share.

## **SIXTH ORDER OF BUSINESS**

### **Discussion of Fireworks on District Property**

Mr. Torres stated we have received public comments earlier in the meeting about the fireworks. District counsel has prepared a memo that was included in the agenda package.

Ms. Kilinski stated we have been talking about this for some time and trying to think of creative solutions to the issue of fireworks and you had talked a lot about the legality of fireworks being allowed by state law on certain holidays, July 4<sup>th</sup>, December 31<sup>st</sup> and January 1<sup>st</sup>. Also trying to weigh the risk to persons and property on district property where if something happens everybody in the community ends up paying for that infraction. The three options we have come up with are just no change to current policy, host a community fireworks show, and the cost was about \$10,000 for 10 minutes, and to designate a specific fireworks area and our recommendation is to do that away from these buildings, find a place that is more of a field and have some sort of provision in place for allowing people to do that. Those are the three options, and we are happy to take your direction and implement it into our policies one way or the other.

After discussion the board took the following action.

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On MOTION by Mr. Saks seconded by Mr. McIntyre with all in favor Chairman McIntyre was authorized to work with staff on a potential location and the attorney will implement option 3 of the memo regarding fireworks into the district policies.

## **SEVENTH ORDER OF BUSINESS**

### **Discussion on Holiday Sign Decorating and Ratification of Sign Decorating Program**

Mr. Davidson stated we sent out an application to be filled out by residents as it relates to hanging décor on the entry signs throughout RiverTown. We have the applications for the ones that are currently out, and they have been approved because they are within the guidelines. They look nice and add festive light throughout the community.

Mr. Torres stated Mr. Davidson and district counsel drafted a policy after the meeting and we ask that the board ratify that policy.

Mr. Maynard stated I have had requests from several residents for the board to consider leaving the holiday lights up at the entrance from the base of the palm trees year round.

On MOTION by Mr. Maynard seconded by Mr. Saks with all in favor the holiday decorating policy was approved.

## **EIGHTH ORDER OF BUSINESS**

### **Consideration of Draft RFP for Landscape and Irrigation Maintenance**

Mr. Torres stated counsel has prepared a memo to inform the board as to how we got here and our way forward. We are not asking that this be approved tonight, this is just for your information and to provide staff comments. We incorporated some of those items that the board has asked to be in the scope, but this is in draft form. It is going to be a long process; we would publish a notice for these types of service in March 2022 and go through the presentation and selection process. We are trying to time it to coincide with the budget process; landscaping is the largest expenditure this district has.

Ms. Kilinski stated you have a pretty comprehensive package put together. One of the things we are going to add is the contractor's approach to fungicide application to get their feedback on if it is needed, why it is needed and how it is needed, how much is the cost, that sort of thing. That will be added but please send us comments so we can compile it and hope to finalize it close to the January board meeting.

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Mr. Baron asked is it possible to change the cost share on irrigation heads if they are busted? Last year alone we spent over \$100,000 on irrigation repairs. I would like some kind of cost share in the proposal on the RFP before it goes out that the cost share is 70/30 and the burden is on the landscaper for the repair and not on the CDD.

Ms. Kilinski stated we can do that. You may want to have an alternative to what the bid pricing looks like with the 70/30 split versus not a 70/30 split because you may have some contractors that inflate your costs, but we can put in a provision if there is a difference in cost if you bid it this way versus if you bid it that way. We do that with construction contracts all the time.

Mr. Baron stated I would like that plus the statement of, if you don't like the 70/30 what is your proposed recommendation for cost avoidance of sprinkler heads, etc.

Ms. Kilinski stated I will add something.

Mr. McIntyre stated I would also like to have that Vesta has the ability to withhold funds should they not perform effectively until they rectify the deficiency.

Ms. Kilinski stated it is in there and we can revisit it and make sure it is clear. One question comes to mind with the withhold funds provision. Since we have this score card what we may do is think about tying withholding the funds to a score card rating so if they are not above 70% then there is an immediate you agree we could withhold funds until you reach a certain threshold. We will think about that and bring back some recommendations at the next meeting and highlight those for you.

## **NINTH ORDER OF BUSINESS**

### **Discussion on Golf Cart Enforcement**

Mr. Torres stated I placed this on the agenda because I had a discussion with Supervisor Baron about golf cart enforcement and we have a gentleman in the community who is clearly violating the golf cart path as to where they should drive their golf cart. Unfortunately, the Rivers Edge CDD board at the time made a conscious decision to rescind the golf cart policy that we had in place and leave enforcement to law enforcement. I'm bringing this back to this board to see if you want to reintroduce a policy on golf cart enforcement.

Ms. Kilinski stated the statute leaves most enforcement up to law enforcement when you are talking about county roadways, county right of way. We had a lengthy discussion in 2019 about the pros and cons of enforcement and ultimately concluded to allow the sheriff to do that.

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On things like we have heard on occasion people drive golf carts up here for example and have property damage or turf damage, you clearly know who those folks are and at the very least we can take amenity enforcement action if there is a repeat violator. For example, if you see somebody doing that you can suspend their privileges if they are routinely causing property damage.

Mr. Saks stated we already have a policy if they are causing damage to CDD property we can ban them from amenities.

Mr. Torres stated in this instance they were not causing damage but using the golf cart in inappropriate areas, not a designated golf cart path.

Mr. Saks stated then who enforces that?

Ms. Kilinski stated that is what we discussed last time, that was the challenge.

Mr. Baron stated since we have law enforcement there, we just advise law enforcement of the individual and their paths and have them spot check occasionally. Let law enforcement do its job. This is a case where an individual has been advised numerous times and has been extremely arrogant in disregard of the CDD and CDD property to the rest of the residents. They are setting a poor example and should be penalized and if not through law enforcement, then it is through amenity privileges.

After further discussion staff was directed to bring back additional information and policies from other districts for the board to consider.

#### **TENTH ORDER OF BUSINESS**

#### **Consideration of Amended Agreement with Vesta for Amenity Management Services**

On MOTION by Mr. McIntyre seconded by Mr. Saks with all in favor the amended agreement with Vesta for amenity management services was approved.

#### **ELEVENTH ORDER OF BUSINESS**

#### **Staff Reports**

##### **A. District Counsel**

There being none, the next item followed.

##### **B. District Engineer – Discussion of Main Street Median Landscaping**

Mr. Stillwell stated there is an area in the Main Street median where there is an existing natural area and I have been working with the developer on that area to look at filling that area to

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complete that median. That area is county right of way and Mattamy is proposing to fill that area and replace it with landscaping, so it looks similar to everything else. It also will take care of the concern someone had with visibility. I bring this to the board because if Mattamy proceeds with that at their expense there would be additional landscape maintenance for this area.

### **C. District Manager**

Mr. Baron stated I am working with GMS on the cost of a number of items that the CDD has been charged over past years. Some of those charges are going to be charged back to Mattamy. An example is the front fountain, we have been paying for that out of CDD1 completely. The sewer and water at the welcome center are Mattamy only items and we have been paying for that for at least the last three years. We also have irrigation we been paying for that is outside our CDD. When you take the total of just those items in addition to the electric, which we have been paying for at the welcome center you are looking at a ballpark of \$110,000 that we will recoup from Mattamy and the other CDDs. We will have numbers for the January meeting.

Mr. Torres stated it is not the electric for the welcome center but the irrigation, water and sewer, it is JEA, not FPL. We are working to identify those things and a lot of the issues arose from the automatic payments that we were under, and we have stopped all auto payments, staff is reviewing all invoices and we have caught some meters here and there. We have a strong accounting process, and those things will be identified and go back to the right district or to Mattamy.

### **D. General Manager - Report**

#### **1. Report**

- **Consideration of 5K Run**
- **Color Run to take place on January 29<sup>th</sup> from 7 a.m. to 1 p.m. at the RiverHouse**

On MOTION by Mr. Saks seconded by Mr. Maynard with all in favor the 5K run was approved.

- **Consideration of SJC Rec Usage for Kayak Trips at the River Front Park for 2022**



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- **May 12<sup>th</sup> 10 a.m. to 1 p.m. (Veteran Exclusive Trip in Partnership with the VA**
- **July 7<sup>th</sup>, 8<sup>th</sup>, 9<sup>th</sup> 10<sup>th</sup> 6 p.m. to 9 p.m. Sunset Trips for the public**
- **August 11<sup>th</sup> 5:30 p.m. to 8:30 p.m. Veteran Exclusive Trip in partnership with the VA**

Ms. Kilinski stated we have an existing license agreement with the county for similar services so we will just add this as additional use.

On MOTION by Mr. Maynard seconded by Mr. Saks with all in favor staff was authorized to amend the existing license agreement with the county to include the kayak trips.

**2. Update on VerdeGo Performance Report**

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

**3. Consideration of Landscape Proposals for Highpoint Phase 2**

Mr. Davidson stated the next three items are coming online and the other district boards accepted these.

Ms. Kilinski stated just for clarification I believe these are already budgeted items that have been included in your landscape items as expected budget items for fiscal year 2022/2023.

On MOTION by Mr. McIntyre seconded by Mr. Saks with all in favor the landscape proposal for Highpoint Phase 2 was approved.

**4. Consideration of Pond Proposals for Highpoint Phase 2**

On MOTION by Mr. Maynard seconded by Mr. Saks with all in favor the pond proposal for Highpoint Phase 2 was approved.

**5. Consideration of Landscape Proposals for RiverTown Main Phase 3**

On MOTION by Mr. McIntyre seconded by Mr. Saks with all in favor the landscape for RiverTown Main Phase 3 was approved.

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**6. Pond Service Report**

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

**E. Landscape - Report**

This item taken earlier in the meeting.

**TWELFTH ORDER OF BUSINESS                      Other Business**

There being none, the next item followed.

**THIRTEENTH ORDER OF BUSINESS      Supervisors' Requests and Audience Comments**

Items brought up for information and discussion: report on the law enforcement pilot program, possibility of residents making written comments rather than limited to 3-minutes at the meetings, make comments on website or to individual supervisors whose contact information is on the website, request information from FPL program for lighting on main roads, more detailed information on damage, repairs and source of funding for repairs, irrigation system on sidewalks, mold on sidewalks, line of sight issues at Northlakes and Ruskin, community gatherings on green spaces, several residents voiced approval of the patrols, condition of bathrooms at River House, favorable response to brick program, favorable response to fireworks proposal, cleanliness of gym unsatisfactory.

**FOURTEENTH ORDER OF BUSINESS      Next Scheduled Meeting – Wednesday, January 19, 2022 @ 11:00 a.m. at the RiverTown Amenity Center**

Mr. Torres stated our next meeting is scheduled for January 19, 2022 at 11:00 a.m. in the same location.

On MOTION by Mr. McIntyre seconded by Mr. Saks with all in favor the meeting adjourned at 7:53 p.m.

DocuSigned by:  
  
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Secretary/Assistant Secretary

DocuSigned by:  
  
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Chairman/Vice Chairman