

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, February 16, 2022 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
Scott Maynard	Supervisor

Also present were:

Marilee Giles	District Manager
Lauren Gentry	District Counsel
Ryan Stillwell	District Engineer
Dan Fagen	Vesta/Amenity Services
Jason Davidson	Vesta/Amenity Services
Clint Waugh	Vesta/Amenity Services
Jonathan Perry	Vesta/Amenity Services
Shane Blair	VerdeGo
Several residents	

The following is a summary of the discussions and actions taken at the February 16, 2022 meeting. An audio copy of the proceedings can be obtained by contacting the District Manager.

FIRST ORDER OF BUSINESS

Roll Call

Ms. Giles called the meeting to order at 11:00 a.m. and called the roll.

Ms. Gentry stated before we move to audience comments it is our understanding that a lot of you are here on a single issue and that is the golf carts. I want to provide context to guide the discussion today before we move into those comments to make sure everyone is on the same page. For those of you who have not been to our meetings over the past few months, the discussion on golf carts and golf cart enforcement really sprung from comments we were getting from the

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residents of concerns about safety in the community, people operating golf carts in a way that was not ideal, and they were asking why the district didn't do something about it.

Several years ago, when this first became an issue, the district said the county has their own ordinance controlling golf cart use and we are going to leave enforcement to the county. If people have problems with golf cart usage the response would be to call the county, or call the sheriff's department and let them enforce the issue. We heard from residents that was not necessarily effective, it was not controlling the issue so the board asked to see some options for what could be done. We brought back some sample policies to the last meeting that had been presented to the board several years ago when this first came up, the board said this isn't exactly the type of thing we want to do, show us something else; show us a simplified policy. A sample simplified policy was included in the agenda package today and I want to clarify that this is just up for discussion, we have already received several comments from board members about changes and simplifications they would like to see. The initial question for the board today will be, do we even want to adopt a policy; even that has not been determined. The goal of these sample policies would be to give the district an arm for enforcement, help protect the community and then put some procedures in place to protect the district from liability. Unfortunately, we have situations where people are out in the community, get injured and that may result in a lawsuit for the district, that unfortunately is paid out of your assessment dollars if that happens, so we did include some protections in sample indemnification language and that sort of thing aimed at protecting the district from people who are using our facilities with golf carts. I want to remind everybody that we have a 3-minute limit on public comments, and it is important to maintain decorum during the public comment period.

SECOND ORDER OF BUSINESS**Audience Comments**

Residents made the following comments: what issues caused the policies to be considered, Mattamy and CDD contractors are the worst offenders, disagree that golf carts may only be operated from sunrise to sunset, asking for a lot of personal information that may become public information, disagree with taking away amenity privileges, what can be done to mitigate losses, should there be parking by the basketball court, St. Johns County should enforce St. Johns County rules, not the CDD, disagree with identifying stickers on golf carts, it should be left to parents to police their children's use of golf carts, drivers should be responsible, if you do not have a drivers'

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license you should not drive a golf cart, against registration of any kind, a few residents were in favor of a registration and law enforcement for not only golf carts but cars, follow golf cart policies of St. Johns County, not in favor of signing a waiver, should have liability insurance on golf carts, against new rules, unhappy with the way the meetings are run, parking spaces need to be addressed, submitted items to be on the agenda that did not get on the agenda, speeding and reckless driving of golf carts, observe speed limits, need policing of golf carts on playgrounds.

Ms. Gentry stated in order to move this topic along we will now have board discussion on the golf cart issue. Before any decision, the public will be given one more chance to comment if they did not already give their comments. We will move that item up on the agenda.

The following item was taken out of order of the agenda.

SEVENTH ORDER OF BUSINESS

Discussion on Golf Cart Enforcement

Ms. Gentry stated we will turn to the sample golf cart policies. I want to clarify a few points that I heard from the public. The sunrise/sunset comes from the Florida Statutes and unless St. Johns County designates a certain road for use outside the hours between sunrise and sunset it is actually prohibited. What I have heard from the board individually outside the meeting is that as many of the commenters have said, you prefer to just leave the county restrictions to the county and keep them out of our policies, which we can do if you want to adopt policies at all. To guide our discussion, the first question is, does the board want to adopt an enforcement policy at all? Second question, what do you want the policy to accomplish, what do you want that policy to look like. If the answer is yes, do you want to include a registration component? So to start: Do you want a policy at all?

Mr. Saks stated I think we should stick with the county regulations. Now, I'm concerned with bullying if we did go with something like this against carts that do have a decal. I'm in favor of distributing the brochure.

Mr. McIntyre stated I'm done with it. This was all about exploration. Obviously, it failed. We heard you and I don't think we should do anything and leave it exactly like it is, no enforcement, no decals, no registration, no indemnity. Let people do what they want with their golf carts as long as they don't drive on the pathways that are marked.

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Mr. Cameron stated we thought we were going to do something with this to have a way to see who it is or whatever and it is a bad idea. Anything we do towards parking for golf carts will cost you, it is not in the budget. It will cost engineering time with the county, legal time. I want to save money we don't need to spend. We have had to suspend amenity rights, but not for golf carts.

Mr. Maynard asked if we have the St. Johns County ordinance and community residents, or their children are in violation of that ordinance, is there anything prohibiting the officer from issuing a ticket to the individual?

Mr. Saks stated no, it has to be on county rules or above, they can't enforce CDD or HOA rules but county and above they can.

Mr. Baron stated the one violation that came up had an officer stop an individual who was a minor and he could have issued to the parents of that individual a ticket. It is my understanding if a child gets a ticket, they may lose part of their driving privilege of when they can actually start their driving.

Ms. Gentry stated that is a matter for the county, we don't get involved in that.

Ms. Gentry stated at this point we have had board discussion. Before we take any motions are there any final comments from the public on the golf cart issue specifically from people who haven't already had a chance to give their comment?

A resident stated the biggest issue is you put this together on golf carts and St. Johns County regulations give specific definitions to what is a golf cart, what is a low-speed vehicle and if you have to do something you have to do something, the definition should be distributed.

A resident stated at one time you were going to have the St. Johns County Sheriff's officer come and have a demonstration for the kids.

Mr. Saks stated we did that last fall and had a dozen people, which was better than the previous year when we had two people. We will continue to do those.

A resident stated for hot button topics like this where there are going to be a lot of people who want to talk, can there be special sessions or have them at night, so we can focus on that one issue rather than have a full agenda?

A resident stated I agree with a lot of people in here, we don't need added regulations. I want to address specifically for discussion, counsel said you wanted us to be good stewards of the

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resources, I also ask you to be good stewards of our resources. There was a discussion about mailing a brochure that is publicly posted.

On MOTION by Mr. McIntyre seconded by Mr. Saks with all in favor no further action on golf cart policies will be taken by the CDD.

THIRD ORDER OF BUSINESS

Approval of the Consent Agenda

- A. Minutes of the January 19, 2022 Meeting**
- B. Balance Sheet & Income Statement**
- C. Assessment Receipt Schedule**
- D. Approval of Check Register**

On MOTION by Mr. Maynard seconded by Mr. Saks with all in favor the minutes of the January 19, 2022 meeting were approved a presented.

On MOTION by Mr. Maynard seconded by Mr. Saks with all in favor the check register was approved.

FOURTH ORDER OF BUSINESS

Ratification of Temporary Access Agreement with Mr. & Mrs. Jewett and Castle Pools

Mr. Baron asked where is the cost to the homeowner for the installation of the sod?

Mr. Blair stated I provided a proposal to Vesta and all that work is included in the pricing. It does not include the site prep because there are large areas of concrete that the contractor has left and when we looked at the site, I said I would give the pricing to lay the sod not to clean up all the concrete. We assumed the contractor doing the pool would go back and clean that up.

Mr. Baron asked do we have that agreement for the homeowner to do the prep work through their contractor? I don't want the burden to be on the residents of the community that the homeowner is responsible for.

Ms. Gentry stated if they cause damage to the property, they are responsible for paying those costs. If there are additional costs, we would go back to the homeowner and ask them to pay those.

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On MOTION by Mr. Saks seconded by Mr. Baron with all in favor the request for a temporary access agreement for Ronald and Elsie Jewett at 2170 Orange Branch Trail was ratified.

FIFTH ORDER OF BUSINESS**Selection of Audit Committee**

Ms. Giles stated Chapter 218, Florida Statutes, requires that CDDs go through an annual audit by an independent CPA firm. This requires that the audit committee be established to go through the RFP process. For quorum purposes it makes sense that the board serve as the audit committee, and we can schedule the audit committee meetings immediately preceding the board meetings.

On MOTION by Mr. Maynard seconded by Mr. Baron with all in favor the board members were appointed to serve as the audit committee.

SIXTH ORDER OF BUSINESS**Discussion on Street Parking Enforcement – Sternwheel Drive**

This item was tabled.

EIGHTH ORDER OF BUSINESS**Discussion on Rate Increase for Security Services**

Mr. Davidson stated the security company has recently submitted a rate increase. Would you like to accept the rate increase or do you want us to seek other providers?

Ms. Gentry stated it is the same contract with an increase in price and the board can approve an increase for one month and revisit it next month if desired.

Mr. Baron stated I don't mind that, but we had a discussion about the area of CDD1 and have since built out CDD2 and CDD3 and we look to their concurrence to use the security service. If we are going to expand the area, we need CDD2 and CDD3 to buy in on the current cost and if they say no, then for us to take action on whatever one they want concurrence in. I think we have concurrence to go ahead with the current rate increase and get feedback from CDD2 and CDD 3 to see whether or do we need to go out with an RFP.

On MOTION by Mr. Maynard seconded by Mr. McIntyre with all in favor the rate increase was approved for 120 days.

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NINTH ORDER OF BUSINESS

Discussion on Mailbox Lighting

Mr. Davidson stated we were able to run a pilot program on the kiosk in the Arbors. We are still working on the lighting. We have to adjust it periodically to get it to the maximum. When we feel it is effective and we will look for feedback from the community to ensure that is what they are looking for and at that time we will bring back other potential solutions or the associated costs for the installation.

TENTH ORDER OF BUSINESS

Consideration of Champion Swim League Lesson Program

Mr. Davidson stated they ran a wonderful program for us last year and everything is included as far as their profit sharing of 10% and their start and end dates.

On MOTION by Mr. Maynard seconded by Mr. McIntyre with all in favor the agreement with Champion Swim School was approved.

ELEVENTH ORDER OF BUSINESS

Consideration of Playground Mulching Proposals

Mr. Davidson stated next is consideration of playground mulching proposals. As we were going through the community, we discovered a lot of the playgrounds need to be replenished to bring them up to standard and your sister boards decided to go with First Coast Mulch.

Mr. Baron stated before you sign the contract ask them about the warranty.

On MOTION by Mr. Saks seconded by Mr. Maynard with all in favor the proposal from First Coast Mulch for the installation of mulch in 8 playgrounds in the amount of \$20,108.00 was approved.

TWELFTH ORDER OF BUSINESS

Consideration of Resolution 2022-04 Instructing the St. Johns County Supervisor of Elections to Conduct the District's 2022 General Election

Ms. Gentry stated this is required by the county for them to run your general election in the fall. The two seats up for election will be seat 4, which is Mac's seat and seat 2, which is Scott's seat.

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On MOTION by Mr. Baron seconded by Mr. McIntyre with all in favor Resolution 2022-04 was approved.

THIRTEENTH ORDER OF BUSINESS Staff Reports

A. District Counsel

There being none, the next item followed.

B. District Engineer – Consideration of Proposal for Preparation of a Stormwater Needs Analysis Report

Mr. Stillwell stated there is a proposal in the agenda for the stormwater needs analysis that is a new state requirement. We are going to do one report across all three CDDs.

On MOTION by Mr. Baron seconded by Mr. McIntyre with all in favor the proposal from Prosser to perform the stormwater needs analysis was approved.

C. District Manager

Ms. Giles stated your next meeting is during spring break and there may be some emails to the supervisors to talk about that and whether we want to move that meeting.

Mr. McIntyre stated we should probably move it.

D. General Manager

1. Report

A copy of the general manager’s report was included in the agenda package.

2. Update on VerdeGo Performance Report

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

3. Pond Service Report

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

E. Landscape - Report

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

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FOURTEENTH ORDER OF BUSINESS Supervisors' Requests and Audience Comments

Mr. Saks stated a resident brought the St. Johns County neighborhood calming manual to my attention and it talks about a program where they will come out and do an assessment of the entire community and it includes some town hall meetings. This may help address some of the concerns that the community has previously brought up. The CDD has to request it and I wondered if this is something we wanted to entertain as a board or have GMS send it through and we can look at it.

Mr. Cameron stated I think we should look at that after they open Main Street and see what the issues and complaints are.

Mr. Baron stated GMS still owes me a quantity on all of the funds that were identified on the other CDDs that owe CDD1, it is around \$60,000 that is owed back to us, and I haven't seen backup on that. We had the visitor's sign in the front and that was reinstalled and was an insurance claim that covered that with the light. I haven't seen that addressed back into the budget and that is about \$16,000. I would like to see those items addressed at the next meeting.

There is a lighting issue with some of the older lights in the community and the first budget was \$120,000 and I said no, we looked at another type of light and it was about \$60,000 and that was still not where we wanted the budget going. Jonathan and his team have a potential solution and that is about \$20 per light and is only \$4,000. They are zeroing in on where we need it to be. Next time we will touch on a brick program; I'm working with Clint on that.

Ms. Giles stated I want to remind everyone here that the staff is here Monday through Friday and any time you have a comment, issue, or a concern, feel free to reach out to Jason if it is in his wheelhouse or Jonathan if it is in his and you can email a supervisor too. Their email addresses are on the website. The supervisors are bound by the Sunshine Law and if your email is addressed to all the supervisors they will respond to you and not the other supervisors. Are there any public comments at this time?

A resident stated at the last meeting I brought up the parking at the playground. Was that looked into?

Mr. Stillwell stated Jonathan and I have met onsite and looked at the parking and we are working on putting together a plan to see if the board wants to do it.

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A resident stated there is a sign at the corner of Chandler and Narrowleaf that is bent. Is that still being pursued?

Mr. Perry stated yes.

A resident stated the status of the fountains by the sales center. Is that still being pursued? What's going on? One is lit the other is not. Last time I went by they were working again.

Mr. Perry stated when lights are periodic sometimes the GFI is tripped. I will look at it.

A resident asked if there is a way of getting tennis league play at RiverTown? For mixed doubles you only need three courts. We do need 5 and 7 eventually but I would be happy with three.

A resident stated I would like to thank Jason for his quick response to the new walking trail. It was taken care of in a couple of days. We live in WaterSong and the gates don't always work and we are concerned about security.

Ms. Gentry stated WaterSong is in District 2 and any gate issues would be raised with the HOA.

A resident stated I have concerns about safety because people use Fiddlewood as a cut through and drive very fast. Can the off -duty officer come into the neighborhoods to look for some of those speeders?

Mr. Saks stated I will check into that. They do go through the neighborhoods.

A resident stated in looking at the invoices there appears to be a lot of overlap of services, such as website administration, you have a management company managing your website and you have an attorney reviewing statutory compliance of the website. Why are we paying so many people to make sure you are appropriately putting an income statement or balance sheet and things like that to comply with the statutes. It seems like there is a lot of attorney review on everything. The feeling I get from this group is there is a constant fear of being sued by every person you touch. While that can be a fear it shouldn't be where everything needs to be reviewed by the attorney. I'm not saying they aren't valuable, but do they really need to review an agenda? Contracts should be reviewed by the attorney but I'm looking at a \$6,000 invoice for the month of January and it is, review drafts of agendas, review holiday lighting options. Why are they reviewing holiday lighting options? Can't you guys do that? I understand things like fireworks and things like that but RFPs, you are probably educated enough to create RFPs. We are paying for monthly meeting attendance, car rentals, gas, hotels, food and I'm hearing things that got

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glossed over and in these meetings, it generally does because financials for some reason seem to always get put on the bottom when a hot topic thing happens. We are \$19,000 over budget in irrigation, that is the money I worry about not if we had a one-off slip and fall or one-off golf cart accident, that just happens and is why you have insurance. I'm sure this management company has licensed CAMs, real estate people and all kinds of stuff that is well versed in the statutes and you are already paying for website management. It is small items over time that add up and I wish this board would focus on those types of items.

Mr. Baron stated I scrutinize this heavily. I have challenged GMS on over \$200,000 and out of the \$200,000 it is about \$100,000 that was addressed to come back to CDD1. They are still working on the final numbers as to what I have challenged them on. It is looked at thoroughly. To your point, there are some things that Jason and his team can take another look at.

Mr. Davidson stated my contact with legal is very minimal, I go through GMS and GMS goes through legal.

Ms. Gentry stated we are always happy to answer question about our bills. Board members, if you see something that seems duplicative, please reach out.

A resident stated the new trails that were put in are awesome. We need dog waste stations because there were bags just left on the trails. Is there emergency access to the trails?


Mr. Baron stated we brought that up when they were building them and they said no, they are natural trails.


FIFTEENTH ORDER OF BUSINESS

Next Scheduled Meeting – Wednesday, March 16, 2021 @ 11:00 a.m. at the RiverTown Amenity Center

Ms. Giles stated the next meeting is scheduled for March 16th and there will be some email traffic about moving that, canceling that, whatever the board decides to do.

On MOTION by Mr. McIntyre seconded by Mr. Saks with all in favor the meeting adjourned at 1:02 p.m.

DocuSigned by:

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Secretary/Assistant Secretary

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Chairman/Vice Chairman

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