

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 23, 2022 at 11:05 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 by telephone
Robert Cameron	Supervisor

Also present were:

Marilee Giles	District Manager
Jim Oliver	GMS
Jennifer Kilinski	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
Trey Sterling	VerdeGo

The following is a summary of the discussions and actions taken at the March 23, 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 11:05 a.m. and called the roll.

SECOND ORDER OF BUSINESS

Audience Comments

Mr. Blood stated the exercise room has 7 machines against the wall hallway, DVRs, TV screens and remotes and there are TVs on the wall with DVRs and remotes. Currently, if you walk in there you would see seven of the remotes on a counter underneath one TV, which means people

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going to the machine are trying to get the TVs on the wall to work. An ATT tech told me that the reason they don't respond to the remotes is because the signal doesn't reach the DVRs. The remotes need to be lined up with the machines. I'm not sure what the answer is, but it is an ongoing problem.

Mr. Cameron stated the ATT remote that works with the unit behind the screen is no longer available.

Mr. Davidson stated we will look into other alternatives, but we have tried a number of things, and they still found their way to the basket. We will have ATT and Comcast come in and see if they can provide a better idea to update this system.

THIRD ORDER OF BUSINESS

Approval of the Consent Agenda

- A. Minutes of the February 16, 2022 Regular Board Meeting**
- B. Balance Sheet & Income Statement**
- C. Assessment Receipt Schedule**
- D. Approval of Check Register**

<p>On MOTION by Mr. Saks seconded by Mr. Cameron with all in favor the minutes of the February 16, 2022 meeting were approved subject to the amendments provided by Mr. Baron.</p>
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Mr. Baron stated there were two items I questioned on the check register.

Mr. Oliver stated Jim Perry shared with me the email you sent him on the 21st and he is working with the accountant on that. I will tell you that on February 2, I signed the check for the irrigation repairs. When it came to my desk, I was signing that check in Ernesto's absence, I contacted Ernesto and we also worked with the onsite management company, Vesta, and they confirmed that invoice that we just received in real time should be paid and that was the one for \$10,000. We did check to see if it was legitimate although the invoice was dated August, we did not receive the invoice until that day. We are in the audit for FY21 and likely this will be assigned to the FY22 budget unless the auditor wants to make a change and post it to a prior period. The other invoice was from Prosser and that was processed upon receipt.

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

FOURTH ORDER OF BUSINESS

Acceptance of the Audit Committee's Recommendation

Ms. Giles stated the audit committee met prior to this meeting and has made a recommendation to the evaluation criteria in the agenda packet. We will direct staff to issue an RFP for audit services.

On MOTION by Mr. Saks seconded by Mr. McIntyre with all in favor the recommendation of the audit committee was accepted, and staff was authorized to issue an RFP for audit services.

FIFTH ORDER OF BUSINESS

Discussion on Street Parking Enforcement – Sternwheel Drive

Ms. Kilinski stated the board has previously adopted a few things that are relevant to on-street parking. You adopted a rule regarding the way the district enforces on district roads, potentially towing of vehicles, we talked from time to time what that looks like, we don't have the necessary signage for automatic towing, which is onerous. If you see somebody parked there, you see them again and you hand them a ticket that says we are going to tow you if you don't move, that is constructive notice and that is allowed without signage. You can tow their vehicle the next time that happens. You do have those rules in place. The other thing that is in place is that your HOA has covenant and restriction that says on CDD roadways, on HOA roadways, on county roadways you are not to park in certain areas unless it has been designated as parking and you can work with your HOA for purposes of towing, enforcement, fines if they can identify who that car belongs to. In a lot of districts where we have those two measures in place there is a lot of coordination between the district and the HOA for enforcement of parking permissions within the community, but you have within your existing covenants that stipulation.

Mr. Saks stated the problem we are running into is that people are parking on both sides of Sternwheel Drive, and it has turned it from two lanes to a one lane and there have been several incidences of large vehicles not even heavy duty trucks not being able to get through. I have heard from residents on this issue several times and I could contact our off-duty police and have them go down that road and ticket them if they are blocking the road.

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Mr. Stillwell stated technically if it were a county road then they can park on the road overnight, they just can't leave their vehicle there longer than 12 or 24 hours. It cannot block emergency vehicle access; that should be common knowledge, should be common courtesy. If somebody is consistently doing that i.e., they are parking overnight two cars across the street from each other I feel we should at least notify them that it is a CDD road.

Mr. Cameron stated it happens all over. Is the solution, no parking on one side?

Mr. Stillwell stated it would have to be specific.

Mr. Saks stated Sternwheel has houses on one side and the park on the other. There are other areas with houses on both sides you are going to have issues having to pick which side. Sternwheel is easier and one we could address.

Mr. McIntyre stated I see this going down the same path as the golf carts. There is zero solution to this no matter what we put in place it is going to be met with a stonewall of resistance as well as people just going, I don't care what they say I'm going to park here, it is only for a little bit while I visit my brother or whatever. At this point we are going to have to deal with it as it is and hope that nothing happens but if something does happen, we are going to have to bring everything to bear as much as possible. Whatever needs to be done.

Ms. Kilinski stated now that I identified where it is on the map, you did previously identify and adopt a rule through the rulemaking process to declare where on-street parking was permissible and where it was not. Permissible right now as the rule is defined is not permissible to do on-street parking at all on that roadway. The reason some of these streets are district roads is because they don't meet county standards. This road was identified as being a problem. It has not been identified for on-street parking from the district. That is the existing rule. Enforcement is still the issue and Jason over the years has dealt with that with some frequency with commercial vehicles that were zero pass through. We have a towing rule that you have adopted we just don't have the signage necessary. The question is how aggressive you want to get on the parking issue, but maybe community education would be helpful because you didn't know this existed and I'm sure they don't either.

Mr. McIntyre stated I'm okay with parking on one side of the street. Is it possible to run that whole curb length with red paint and everybody should know if it is marked in red they shouldn't park there, or stencil no parking?

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Mr. Davidson stated we would need to look at the HOA and I can have that discussion with them and what their approach and experience has been with other communities that they manage with similar concerns. We could come up with something in the newsletter requesting staggered parking, parking with the flow of traffic. Just a friendly reminder that when you use the street as overflow parking park on one side.

Mr. McIntyre stated let's try that and see what happens. Let's bring this back to the next meeting.

Mr. Hoffman stated you do have a traffic enforcement agreement that allows the St. Johns County Sheriff's to patrol the CDD streets and there is a St. Johns County parking ordinance that exists that prohibits parking in more than one of the travel lanes on a residential street. If there are two cars parked across from each other and you can't get through that is enforceable by the sheriff who is traffic enforcement for you.

SIXTH ORDER OF BUSINESS

Consideration of Additional Swim Team Usage

Mr. Davidson stated the swim team would like to use the pool on a couple additional dates for the FY22 season. Those dates are all on Mondays from 4:30 to 8:30 p.m. The dates for consideration are April 25, May 2, May 9, May 16, May 23. I spoke with the swim team, and we are closed on those dates for maintenance, but by 4:30 maintenance has left the area. They are willing to manage to ensure they are the only ones using the pool during that time and they will monitor it and will communicate any issues to us.

On MOTION by Mr. Saks seconded by Mr. McIntyre with all in favor the request for the addition dates for the swim team usage was approved.

SEVENTH ORDER OF BUSINESS

Discussion on Date for Joint Private Meeting Regarding Security

Ms. Kilinski stated you have had this experience before, we never talk about the way we are going to operate our security system, dates and times of patrols, cameras those types of things. Those are all subject to confidential and exempt discussions between the board. When you make a decision on the actual action you would then be in the sunshine. One of the considerations here is what the three districts may want to do jointly in terms of ongoing security access, and we were

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talking about whether they wanted to engage in that conversation, all of that would be in the sunshine. The CDD 2 and 3 chairman is interested in doing that.

Mr. Oliver stated the chairman of CDD 2 and 3 was open to having a joint meeting on April 20, 2022 in conjunction with the next meeting. Immediately following their two meetings, have a shade session at 11:00 a.m. then you adjourn that and have your next meeting. There could be a public portion of that meeting, or it could be that you have a dialog during the shade session and schedule a subsequent public meeting at which you would have more documents to review based on any direction you give to staff.

Ms. Kilinski stated if you would like to have a joint public meeting then you can go jointly into shade, then come out and have a joint public meeting and go into your regular meeting.

On MOTION by Mr. McIntyre seconded by Mr. Saks with all in favor staff was directed to notice a joint public meeting at 11:00 a.m. on April 20, 2022, followed by a joint shade meeting, then a joint public meeting just prior to the next regular board meeting.

EIGHTH ORDER OF BUSINESS

Staff Reports

A. District Counsel

There being none, the next item followed.

B. District Engineer

Mr. Stillwell stated we are working on the stormwater needs analysis that you approved at last month’s meeting, and we need to reach out to Marilee for some information.

C. District Manager

Mr. Oliver stated I will be the copilot for this district and look forward to working with you. The last time I was here it was a St. Joe property, and I was at the grand opening for this facility.

D. General Manager - Report

1. Report

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Mr. Cameron stated I worked with Jonathan because I had the question about the pit, and we have come to the point that we know it needs to be replaced. We have repaired it once before. I looked into the design of the pumps rather than the enclosure.

Mr. Davidson stated November 2019 there was a breach in the vault, it flooded, and we had to replace equipment that was in the vault. During the inspection they found that there was a bow, and their suggestion was to put in supports to inhibit that bow from getting worse. Since then, the bow has not gotten any worse.

Mr. Cameron stated but we still have leaks. Was it built the same way it was designed?

Mr. Davidson stated I don't have an answer.

Mr. Cameron stated you can't answer that because there were engineering changes.

Mr. Stillwell stated yes, a different vault was installed than was on the original design, but it met the same criteria from that standpoint. It is typical to have this type of pipe spec'd and they provided an equal that was done during construction.

Mr. Davidson stated that came out when we brought them back out to analyze our leak as it had breached again, the report we got back from them was they were not comfortable from a safety standpoint of removing those brackets they had installed to remove that equipment out. They never stated anything about it collapsing or that it has collapsed. It was strictly to inhibit that bow from getting any worse, which has been able to do what it does. They said I am not going to send my team down there to remove those because from a safety standpoint. The individuals voted on to perform said work stated that they were comfortable with going down there and pulling that equipment out and doing that and those are the individuals we went with, which was Capital T.

Mr. Cameron asked what is the difference of equipment that Capital T is doing from what we paid \$10,000 for?

Mr. Saks stated that is two different projects.

Mr. Cameron stated and they put in two sump pumps and a 25 hp motor. The main pump motor was replaced at the time they did the repair to the vault. They repaired the vault, they put in a 25 hp motor, two sump pumps, they stopped whatever was leaking at that time. They put the sump pumps in for some reason.

Mr. Davidson stated they put in the two sump pumps as backup in case it leaked.

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Mr. Cameron stated now it leaks. Now more than the sump pumps and the replacement of the main pump what is the value remedy from Capital T? That is all I'm asking, \$10,000 and \$24,000.

Mr. Davidson stated it is two different scenarios. You have less damage for your \$10,000 than you have currently in there now. It is two separate projects. It is two separate breaches from water, none of it ties together.

Mr. Stillwell stated the repairs being done now are also revising electrical to try to avoid higher cost.

Mr. Cameron stated I didn't have all this information until last week. Fred tries to save us a ton of money and we are kicking a can down the road for the future. We can't say what they put in really met specs because their design had concrete above it. I can't figure out from the drawings that I got from you what the enclosure was called out for.

Mr. Stillwell stated I didn't personally design it.

Mr. Cameron stated I understand that, but normally field engineering comes back to your company. They should have I'm not saying it did.

Mr. Stillwell stated I don't know if you are alluding to the vault is inadequate by saying it was breached? Going back through the history with Jason and myself, there are two different things that have occurred. There is no way for us to know what the cause of these leaks are at this point. From the standpoint of the vault was originally installed in 2016 and completed in 2017, from that standpoint I think we are outside any warranty issue, with Capital T or the contractor from that perspective so I don't know outside of repairing it the only other thing to do would be to change the entire system, which be what you are asking about.

Mr. Cameron asked what is the guarantee on the repairs?

Mr. Davidson stated one year.

Mr. Cameron stated so in a year when we have a leak, we are going to spend another \$30,000 to have the pumps replaced.

Ms. Kilinski stated it would depend, that is kind of where we are going with the timeline. Right now, we don't know what the cause is. The only solution that was addressed was potentially digging up the vault, getting an independent engineer to look at it, but digging up the vault was astronomically more than the repair itself. Then if you can determine once you dig it up, was it a design defect, construction defect that we did not know about, you have a statute of limitations.

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Potentially you can go back and try to get that but that is a big if, if you can determine that and there have been so many intervening factors with repairs that it sounded to us that it was going to be very difficult to do that. On this part on the warranty if there is something that is labor, calling them back out is within our rights. If there is something that is a construction defect that is different, your warranty does not end for 10 years if it is a real construction defect.

Mr. Baron asked since we are talking in a specific construction area, and it is not a maintenance item where is Mattamy in this whole picture in support of this? I would end up going back to Mattamy and saying how do you want to fix this.

Ms. Kilinski stated it is a shared cost.

Mr. Cameron stated the repair was taken out of a shared cost previously.

Ms. Kilinski stated the district acquired the improvements in May 2018.

Mr. Cameron stated I appreciate what you have done to try to chase this.

Ms. Kilinski stated it is helpful to us to try to figure out when, where, how to answer some of those questions.

Mr. Cameron stated we took it over in 2018 and by 2019 it had to be repaired. It was built in 2016. It was repaired because it was caving in 2019 and was repaired and they put in supports to take care of that. Now this is November 2021 it broke again. Are we going to have a way to know that the pit is filling up with the repair from Capital T?

Mr. Davidson stated we will have something that detects the water. There will be an alarm like a siren.

Mr. McIntyre stated the best thing right now is to look at the best solution that will get us close as we can be for what we have to pay.

Mr. Baron stated you can always use the approach we used with the other waterfall. If we don't do anything we lose an aesthetic affect so go back to Mattamy and say we are wits end on pumps. We are not going to invest more and constantly change out pumps that doesn't fix the problem so how would you like to address your aesthetic effect on the community you are building because this is outside the bounds of a maintenance issue. Have them go back and have them do the investigation to do the right things. At this point I wouldn't spend any money I would go back to Mattamy and say you have a failed design; we are not going to fix anything until you take a construction action.

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Mr. Saks stated we can cancel the contract but the other CDDs are paying 2/3 of the cost for this. We are already in this; we finish out this contract and if this band aid isn't the final band aid, then we go back to Mattamy.

Mr. Baron asked Jennifer are you okay with writing a letter to Mattamy, putting them on notice that we have fixed this pump three times and that this is the last time that we going down this path, we are giving them notice that if it fails again we are asking for their support on a redo or remake of this construction because it is not a maintenance item it is construction aspect. We will just put them on notice.

Ms. Kilinski stated we can do that. The other way to think about this is you have acquisition documents from 2018 and part of that acquisition package is actually an assignment of rights, warranties, responsibilities as it relates to the contract and the reason for that in part is not knowing who the ultimate entity is going to be. You have privity to go back to the original construction contractor and say we have this issue, and everybody is put on notice.

Mr. Baron moved to direct district counsel to go back and put together a package for Mattamy and put it on our record.

Ms. Kilinski stated I don't think it has to be a motion unless anybody disagrees. We have direction.

2. Update on VerdeGo Performance Report

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

3. Pond Service Report

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

E. Landscape - Report

Mr. Blair stated I think VerdeGo has done very well comparing their performance this year to last year. They have done a lot better.

Mr. Blair stated we are close to wrapping up the mulch, we are about two weeks behind the original schedule. We have identified the area for something to be done and Jonathan is supplying specific addresses that they went back and took care of. We will be doing a final ride

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through to be sure everything is completed. Trey is the new account manager, and he will be working with me.

NINTH ORDER OF BUSINESS

Supervisors' Requests and Audience Comments

Mr. Mike Lacey stated I am the local scout master for the Boy Scouts of America and Daniel is working on his Eagle Scout project and we would like to do that project in the new preserve hiking area.

Mr. Daniel Lacey stated in order to make Eagle Scout I must complete 21 merit badges, hold an elective position for six months and complete an Eagle Scout project. RiverTown is quickly expanding, and this rapid expansion is displacing an immense amount of wildlife in a short amount of time and could lead to an unstable ecosystem and I propose a solution. For my Eagle Scout project I would like to build eight owl houses for the Eastern Screech Owl and place them along the recreational trails in the preserve. I plan to use treated lumber to build 8" X 8" floor with inside height of approximately 12-15 inches. I will attach each owl house safely and securely to the tree and the estimated cost to complete this project is \$170 and any donation from the CDD would be greatly appreciated.

Mr. Mike Lacey stated we will also solicit donations from residents for this project and we work with Home Depot, Ace and Lowes and they have a special program where we get at cost pricing. I think his main concern is being able to do stuff in the preserve.

Mr. Stillwell stated I would like to run it by the environmental consultant who works on our wetland conservation easements. I'm sure you are aware of the eagle nest, and you can't build around it and I will make sure there are no ramifications from the environmental standpoint.

Mr. Blair stated I suggest you use a tree strap that will expand with tree growth versus some wire and if there is cost you need help with if the project is approved, we will handle it for you.

Mr. McIntyre stated I don't think we need to vote on that, I think we are good pending verification from the environmentalist and making sure the appropriate strapping is used to give growth room for the trees.

Mr. Saks stated people are parking in the golf cart spots. We probably need to do some signage and Mattamy currently owns this area.

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Mr. McIntyre stated that is a good candidate for a tow. I don't see a problem with calling because that is also in our by-laws, we passed last year that there shall be no parking in non-designated parking spaces overnight or different types of vehicles. That is definitely not acceptable.

Mr. Saks asked can we get some golf cart only parking signs?

Mr. Baron asked Jason did you make a proposal for the lighting for the 50 lights?

Mr. Davidson stated from our conversation I was going to take that to the April meeting.

Mr. Baron stated we can put it on there and table that until the next meeting but as a heads up to the supervisors, our lighting project is moving along nicely we are going to have 50 lights as a pilot program, which is not to exceed \$1,500 and we can get the lighting displayed at the higher level. If you want to do it now, we can make a motion.

On MOTION by Mr. Baron seconded by Mr. Saks with all in favor an amount not to exceed \$1,500 was approved for the lighting project.

Mr. Baron stated I'm sure we all got notices from a resident about the St. Patrick's Day fiasco. What was the story behind that? Was it discussed? Was it brought forward?

Mr. Davidson this is a discussion that will be brought forward with the residents I will be meeting with as it relates to this issue that reside in Rivers Edge 2. I will get back to you on the outcome of that meeting.

TENTH ORDER OF BUSINESS

Next Scheduled Meeting – Wednesday, April 20, 2022 @ 11:00 a.m. at the RiverTown Amenity Center

Ms. Giles stated the next meeting is scheduled for April 20, 2022 and we will get the guidance out there about the three public shade public meetings prior to your meeting and your meeting will probably be adjusted to noon. We will send an email out about that and make sure everyone is tracking that.

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

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DocuSigned by:
Manlee Giles
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Secretary/Assistant Secretary

DocuSigned by:
[Signature]
31D997FE6B5E4D1...
Chairman/Vice Chairman