

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, November 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
Kevin McKendree	Vesta/Amenity Services
Blake Dougherty	Yellowstone
Cheyne Solesbee	Yellowstone
Mike Scuncio	Yellowstone

The following is a summary of the discussions and actions taken at the November 16, 2022 meeting.

**FIRST ORDER OF BUSINESS**

**Roll Call**

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

**SECOND ORDER OF BUSINESS**

**Audience Comments**

There being none, the next item followed.

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**THIRD ORDER OF BUSINESS****Organizational Matters – Consideration of Appointments to Seats 2 and 4**

Ms. Gentry stated we had an election on November 8<sup>th</sup> and there were two seats that were up for election this year for which no one registered with the supervisor of elections to qualify to be on the ballot. Those seats will be declared vacant, and the board has the option of appointing somebody to fill those seats. The appointees can be the current supervisors, they can be somebody new, but they have to be at least 18 years old, a citizen of the United States, a resident of the State of Florida and of the district and registered to vote in St. Johns County. Until someone is appointed to fill those seats the incumbents will stay in those seats and hold over until somebody is appointed.

Mr. Saks stated I recommend that if they want to remain that we keep them on. If someone else were interested, they would have qualified to be on the ballot.

On MOTION by Mr. Saks seconded by Mr. Baron with all in favor Scott Maynard was appointed to fill the vacancy in seat 2.

On MOTION by Mr. Saks seconded by Mr. Cameron with all in favor Mr. McIntyre was appointed to fill the vacancy in seat 4.

Ms. Giles stated at the next meeting we will administer the oath of office to Mr. McIntyre and Mr. Maynard and designate the officers.

Ms. Gentry stated those seats are officially vacant as of the 22<sup>nd</sup>, the second Tuesday following the election. After that time, you will be sworn in.

**FOURTH ORDER OF BUSINESS****Approval of the Consent Agenda****A. Minutes of the October 19, 2022 Meeting**

On MOTION by Mr. Maynard seconded by Mr. Cameron with all in favor the minutes of the October 19, 2022 meeting were approved as presented.

**B. Balance Sheet & Income Statement****C. Assessment Receipt Schedule****D. Approval of Check Register**

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

**FIFTH ORDER OF BUSINESS**

**Ratification of Fence Installation Request Encroaching into a CDD Easement at 597 Kendall Crossing**

This item was tabled.

**SIXTH ORDER OF BUSINESS**

**Consideration of Proposals for Update the Capital Reserve Study**

**A. Community Advisors**

**B. Reserve Advisors**

Ms. Giles stated the proposal from Community Advisors is for a renewal of your capital reserve study in the amount of \$2,100. On page 144 is a proposal from Reserve Advisors and it would be a new study in the amount of \$10,000.

On MOTION by Mr. Saks seconded by Mr. McIntyre with all in favor the proposal from Community Advisors in the amount of \$2,100 was approved.

**SEVENTH ORDER OF BUSINESS**

**Consideration of Resolution 2023-04 Amending the Fiscal Year 2022 General Fund Budget**

Ms. Giles stated Resolution 2023-04 amends the fiscal year 2022 general fund budget to square up the expenditures based on FY 22 actuals. This is required for audit purposes. You are in good shape and have a fund balance ending FY 22 and what you start with in FY 23 and that fund balance is how you pay the bills for the first quarter until the tax assessments start coming in. Included in this are the last payment to the engineer, district counsel and VerdeGo if the board approves the final payment.

On MOTION by Mr. Baron seconded by Mr. McIntyre with all in favor Resolution 2023-04 was approved.

**EIGHTH ORDER OF BUSINESS**

**Consideration of Acceptance of Corrective Deed from HOA**

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Ms. Gentry stated Mattamy was doing some internal property due diligence and discovered that Tract O, which is open space in the Garden District South and which was intended to be conveyed to the CDD, was actually deeded to the HOA. This tract is already included in the district’s maintenance plan. This deed is just cleaning up the record so that the district owns the title of that tract. I believe the HOA has given us a signed copy of the deed so the action from the board today would be to accept that deed and accept ownership of that tract.

On MOTION by Mr. Baron seconded by Mr. Saks with all in favor the corrective deed from the HOA for Tract O Rivertown Parcel 12 Garden District South was accepted.

**NINTH ORDER OF BUSINESS**

**Consideration of Whistling Pines Plat Conveyance**

Mr. Davidson stated this is a cost share item and in front of you is an acknowledgement of acceptance of landscaping and irrigation in this specific area. I along with the developer, install team and Yellowstone have walked these areas and can confirm that they are ready, and Yellowstone is comfortable with taking these areas on. It is an annual cost of \$19,890 and the monthly would be \$1,657 and this is a cost share item.

Ms. Gentry stated if the board is inclined to approve this today it would be subject to drafting all the necessary conveyance documents and we would draft amendments to the aquatics and landscaping contracts.

On MOTION by Mr. Maynard seconded by Mr. Saks with all in favor the Whistling Pines Phase 3 Plat conveyance was accepted subject to district counsel drafting all the necessary conveyance documents, and amendments to the aquatics and landscaping contracts.

**TENTH ORDER OF BUSINESS**

**Consideration of Facility Use Request for Belles & Beaus**

Mr. Davidson stated you have consideration of facility use for the Belles and Beaus of RiverTown. They are looking to be able to utilize the RiverHouse from 5-9; they are still trying to find an available date.

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Mr. Baron stated I would say okay with a caveat when we get towards the holidays or summer when the high school graduates, they use the facility that if a paid member requests the facility that they get bumped.

Mr. McIntyre asked do we need to add a timeframe?

Mr. Baron stated I don't want them saying we have the use when residents are trying to use it in a paid capacity, which is revenue back to the CDD.

Mr. McIntyre stated it wouldn't be fair for someone to come up a week prior and bump them. I would say 30-45 days.

A resident stated the people who belong to the clubs are paying members of the CDD. You can't really start bumping them if someone wants to have an activity.

Mr. Baron stated I agree that they are residents in the community. When someone wants to rent the facility that is revenue above and beyond the assessments paid by the residents. It can also interfere with major events that come up during the holidays, school graduation and the priority should be given to those major one-time events.

Ms. Giles stated the concern of the board is the application is too vague, one time a month.

A resident stated I'm concerned about a group that meets once a month for five years may get bumped.

Mr. McIntyre stated that does not apply to you.

Ms. Gentry stated they will be required to submit their schedule and our policies say it is subject to availability. If the board approves this application today it would be subject to staff working out an acceptable schedule.

On MOTION by Mr. McIntyre seconded by Mr. Saks with all in favor the request for use of the RiverHouse by the Belles and Beaus was approved subject staff working out an acceptable schedule.

## **ELEVENTH ORDER OF BUSINESS**

### **Consideration of New Gym Equipment (Cost Share)**

Mr. Davidson outlined the leasing proposals from Sofitco, Commercial Fitness and Techno Gym and recommended Commercial Fitness as the other two boards approved that proposal and appointed a liaison to work with staff on the selection of equipment.

On MOTION by Mr. Maynard seconded by Mr. McIntyre with all in favor the proposal from Commercial Fitness was approved and Mr. Cameron will work with staff on the selection of equipment.

**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.

**E. General Manager**

The board discussed the process of releasing payments to VerdeGo.

Ms. Giles stated once VerdeGo got up to the 80% we would release that month’s payment so at each month’s meeting it was discussed that they were at the 80% and if they were we would release the previous month’s payment. We paid half of September’s invoice, and the other half was contingent upon Vesta’s and Yellowstone’s approval that they met their obligations to release that last payment.

Mr. Baron stated from the standpoint of moving forward, let’s make sure that if they are not at the 80% mark it is permanent withhold of a financial amount 100% of the base for that month. There is no recovery, a percentage taken.

Mr. McIntyre stated we will move forward.

Mr. Baron stated I recommend we release it.

On MOTION by Mr. Saks seconded by Mr. McIntyre with all in favor the balance due on the VerdeGo invoice was released.

**1. Report**

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

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## **2. Pond Service Report**

A copy of the service report from Charles Aquatics was included in the agenda package.

### **E. Landscape Team- Report**

Mr. Scuncio of Yellowstone gave an overview of the landscape update for November 2022, copy of which was included in the agenda package.

### **THIRTEENTH ORDER OF BUSINESS Other Business**

Mr. Fagen stated you should all have received an email regarding Clint moving on and Eric Olsen stepping into his position. I want to acknowledge Clint's contribution to the operation.

### **FOURTEENTH ORDER OF BUSINESS Supervisors' Requests and Audience Comments**

Ms. Moehlenkamp asked I wanted to know if there were going to be a new amenity and if that amenity will include pickleball courts?

Mr. Saks responded per Mattamy they told me there would not be pickleball. I expressed that a lot of people wanted it.

Ms. Moehlenkamp stated we have been asking for five years for pickleball. There is portable equipment that can be set up to play pickleball.

Mr. Maynard stated we don't have any control over what Mattamy builds. I thought we could piggyback on their bond to build pickleball courts here, but the attorney told me it was a different entity, and we cannot do that.

Mr. Saks stated the basketball court by the dog park could be used for a dual purpose if we had portable nets. We would have to reline it.

Mr. McIntyre stated at the budget hearing no one wanted an increase in assessments and pickleball courts cost a lot of money that we don't have. Since Jason and I are talking about dual purposing things, I will add that to the list and we will look at possibilities, at areas, and interim solutions, but if we find a positive interim solution that interim could last several years. \$80,000 for a dedicated pickleball court is one thing but we will look at options and try to find a reasonably quick portable or temporary solution.

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A resident asked can the CDD board influence Mattamy? Pickleball is the number one recreational sport out there now.

Mr. McIntyre stated we can't influence them because what they build is what they build and they fund attractions overall.

**FIFTEENTH ORDER OF BUSINESS**

**Next Scheduled Meeting – Wednesday, December 14, 2022 @ 11:00 a.m. at the RiverTown Amenity Center**

Ms. Giles stated the next meeting will be held December 14, 2022 at 11:00 a.m. in the same location.

On MOTION by Mr. Maynard seconded by Mr. Saks with all in favor the meeting adjourned at 12:10 p.m.

DocuSigned by:  
*Marilee Giles*  
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Secretary/Assistant Secretary

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Chairman/Vice Chairman