

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 15, 2023 at 11:02 a.m. at the RiverTown Amenity Center, 156 Landing Street, St. Johns, Florida.

Present and constituting a quorum were:

Mac McIntyre	Chairman by telephone
Erick Saks	Vice Chairman
Frederick Baron	Supervisor
Robert Cameron	Supervisor
Scott Maynard	Supervisor by telephone

Also present were:

Howard McGaffney	District Manager
Lauren Gentry	District Counsel
Jeff Mason	District Engineer
Jay King	Vesta/Amenity Services
Jason Davidson	Vesta/Amenity Services
Kevin McKendree	Vesta/Amenity Services
Eric Olsen	Vesta/Amenity Services
Ken Johnston	Vesta/Amenity Services
Brad Poor	Yellowstone
Vicky Oakes	St. Johns County Supervisor of Elections
Several Residents	

The following is a summary of the discussions and actions taken at the March 15, 2023 meeting.

**FIRST ORDER OF BUSINESS**

**Roll Call**

Mr. McGaffney called the meeting to order at 11:02 a.m. and called the roll.

**SECOND ORDER OF BUSINESS**

**Audience Comments**

Mr. Rudowitz stated I am the resident who wanted to start a Rivertown cars and coffee event in the amenity center parking lot the third Sunday of the month from 9 to 11. Eric and his

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team have been phenomenal to work with to get it kicked off. Eric has some concerns on how we go about growing it and I would like to explain the why behind it. The premise was that residents would bring their cars to get coffee from Haymaker and I thought I would provide free raffle tickets, free swag items from local vendors and businesses. Other residents had ideas about bounce houses and other things, and we have been told the event can only be a residents getting together and having a cup of coffee and look at cars and nothing else. How is this different than other events that have raffle prizes and sponsorships. What can we do to make this event grow? I want a clear answer on that.

Mr. McGaffney stated it is up to the board if they want to respond. Public comments are just that, comments. He touched on a number of items that he wants the board to look at. We can take this under other business.

### **THIRD ORDER OF BUSINESS**

#### **Guest Speaker: Vicky Oakes – St. Johns County Supervisor of Elections**

Ms. Oakes stated thanks for letting us use this beautiful facility as a polling place during the 2022 elections. The primary election and general election were well received by the residents. For the August primary we had a little over 900 voters and this is one of the biggest polling places. On election day 2022, there were 2,024 residents who voted in person. We have no elections in 2023, but in 2024 we have three scheduled elections, March 19th primary, August 20<sup>th</sup> primary and November 5<sup>th</sup> general election. I'm here to request that we continue using this as a voting place during the 2024 elections for the residents of your community. Ms. Oakes stated that under Florida election law, political signs must be allowed on election day, and the removal of those is outside of her office's jurisdiction. The Board directed District Counsel to look into the possibility of a fine for those who do not remove the signs in a timely manner following the election.

On MOTION by Mr. Cameron seconded by Mr. Saks with all in favor the request to use the RiverTown amenity center for the 2024 elections was approved and district counsel was authorized to review the contract.

### **FOURTH ORDER OF BUSINESS**

#### **Approval of the Consent Agenda**

#### **A. Minutes of the February 15, 2023 Regular Board of Supervisors Meeting and Special Joint Meeting**

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**B. Approval of Check Register**

On MOTION by Mr. Baron seconded by Mr. Cameron with all in favor the consent agenda was approved, and staff was directed to research mileage charges to CDD 1 and CDD II for work done in CDD III.

**FIFTH ORDER OF BUSINESS****Staff Reports****A. District Counsel**

Mr. Saks asked were you going to look into the parking situation?

Ms. Gentry stated I can brief you on the current policy. Currently the policies do not say anything about people having multiple vehicles and that sort of thing. In discussing with staff there is really no way for us to police that. We don't have a registry of vehicles to know which residents the belong to. Unless they are parking in areas that are designated as no parking zone or parking there at a time that is not designated for parking, there is not much our staff can do. We did discuss that the county ordinances require moving in a certain period of time, those types of things we would have to rely on the county to enforce because there is no way for our staff to track that.

Mr. Baron asked do we have a sign that says no overnight parking and enforce it?

Mr. Davidson stated that is a St. Johns County ordinance, that is not part of our parking policies.

Ms. Gentry clarified there is no overnight parking at the District amenities or other parking lots unless a parking pass is issued. Oversized vehicles and vessels such as RVs, boat trailers, etc., cannot park overnight on the streets.

Mr. Baron stated come back to the next meeting with a recommendation to resolve the issue.

**B. District Engineer**

Mr. Mason stated we have plans into the county for the double yellow striping of Orange Branch Tral from Keystone Corners Boulevard down to Riverwalk Boulevard along with blacking out a portion of yellow striping next to Twin Flower Place on Rivertown Main Street and the addition of a stop sign at Rivertown Main Street and Kendall Crossing.

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### **C. District Manager**

Mr. McGaffney stated your budget has extra added flavor to most community development districts, it is very important that the cost share is right and I need to make sure I understand the methodology going forward. I will probably take a more active role in that, and I'm learning from Jim Perry and will meet with Mattamy to make sure the product unit counts are correct so that the methodology will match and when we do landscape, amenity cost share items that appropriate portion is captured. I should have the O&M portion to you at the April meeting and in May it won't be such a shock to see the numbers.

Going back to the trucks, vehicles, and mileage, etc., the only thing I can offer you is experience. I managed Julington Creek that had 5,800 homes, fully built out, had multiple vehicles owned by the district and staff used those vehicles, but there were occasions if a vehicle wasn't available and they had to get something, there was mileage reimbursement. That is a decision of the board if you want to invest in a Gator or truck or continue to pay mileage.

Mr. King stated we can double our efforts to look at the utilization and figure out how to draw down mileage and better utilize vehicles.

Mr. Saks asked is there an update on the capital reserve study?

Mr. Davidson stated Charlie Shepherd has all the information he needed from me to do the study. I will follow-up with him on the status.

### **D. General Manager**

#### **1. Monthly Amenity and Field Operations Report**

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

#### **2. Pond Service Report**

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

### **E. Landscape and Irrigation Maintenance – Monthly Report**

Mr. Poor gave an overview of the Yellowstone landscape update for March 2023, a copy of which was included in the agenda package.

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Mr. McGaffney stated we have been meeting with Supervisor Baron to look at the Rainbird IQ system to make sure we are getting the maximum benefit to help reduce the water consumption.

Mr. Poor stated there are a ton of irrigation clocks in your community and we are trying to outfit the biggest ones with all the new technology, so they operate on their own when we are not here. There is more technology you can use to make them more advanced and that is what we are going to look at.

## **SIXTH ORDER OF BUSINESS**

### **Business Items**

#### **A. Ratification of Conservation Easement for Mattamy Jacksonville, LLC**

Ms. Gentry stated this is a joint grant of conservation easement between Mattamy and the Rivers Edge CDD to the St. Johns River Water Management District per the permit that is applicable to this area. In looking at the area it looks like Mattamy owns a portion of the land they are requesting and the CDD owns a portion of the land they are requesting. To simplify things, this is a joint easement where both parties grant the easement.

On MOTION by Mr. Cameron seconded by Mr. Baron with all in favor the joint grant of the conservation easement for Unit 12, 1-4 was approved.

#### **B. Items for Board Consideration**

##### **1. Updates to Interlocal Agreement and Grant of Easement with St. Johns County for Kendall Crossing Bridge Repairs**

Ms. Gentry stated quite some time ago the county came to the district and asked for an easement to maintain the bridge that was constructed over Orange Grove Branch where the district right of way and the county right of way come together. At that time, the district and county negotiated a form of agreement and arrived at some terms, then we didn't hear from them for quite a while. They have now requested some language that makes the district responsible for 50% of the cost of maintenance and/or repair of the bridge as directed by FDOT in a report. We consulted your engineer and we are not aware of any documents that place that burden on the CDD. We are bringing this before you because it is requested by the county, but we recommend you authorize staff to engage with the county and find out the basis for this maintenance request.

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On MOTION by Mr. Cameron seconded by Mr. Saks with all in favor staff was authorized to engage with the county relative to the maintenance request.

## **2. Proposals**

### **a. Mound Repair or Removal**

Mr. Davidson stated in the agenda package is a proposal for repair in the amount of \$4,531.42 and a proposal for removal and replace with sod in the amount of \$23,800.

Mr. Saks asked do you think the repair will fix the problem?

Mr. King stated this is the most cost-effective solution and time will tell how well it works.

Mr. Cameron stated we have the same situation on the hill in the front. If we take one out, are we going to take the other one out, or just repair it? I talked to D.J. and he said it would be a cost share item.

On MOTION by Mr. Saks seconded by Mr. Cameron with all in favor the proposal for the repair of the mound in the amount of \$4,531.42 was approved.

### **b. Family Pool Slab Repair**

This item was tabled.

### **c. Landscape Improvements for Kendall Crossing**

On MOTION by Mr. Saks seconded by Mr. Cameron with all in favor a not to exceed amount of \$3,000 to plant both sides of the bridge with an alternate flowering plant material was approved.

## **3. Pickleball Court Striping on (1) Tennis Court**

The board and staff discussed striping a clay tennis court for pickleball, determined that a hard court would be preferable, and Chairman McIntyre will look for an underutilized basketball court and staff will staff will get an estimate to convert a basketball court to pickleball use and present that at the next meeting.

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#### **4. Request for Resident Bible Club**

Ms. Gentry stated this is your typical club application, no legal issues, the only thing I spotted was the need to take the word RiverTown out of their club name since we don't permit the use of that name. I will let Jason brief you on whether there are any operational considerations the Board should be aware of.

Mr. Davidson stated it is set to be held on Wednesdays between 1 and 2.

Mr. Baron stated we may at times say the space is not available. Also take the word "guidance" off the top of the document and change that to "policy".

Ms. Gentry stated the way it is worded is, it is guidance to the residents on that they are allowed to do with their clubs, but it is based on board policy. We will rework the title to make that clearer.

On MOTION by Mr. Saks seconded by Mr. Baron with all in favor the request for the Bible Club was approved as modified on the record.

#### **5. Request for Use of Soccer Field – Florida Prime Athletic Program**

Mr. Davidson stated Florida Prime would like to request use of the soccer fields and basketball court at the RiverHouse to host athletic programs, specifically T-Ball, basketball, flag football, movement and coordination and potentially cheer. They have agreed not to host any other events that current vendors are hosting and that we are in contract with, specifically soccer, tennis or dance. It is a six-week session from April 19<sup>th</sup> to May 24<sup>th</sup> from 4:30 p.m. to 6:30 p.m. They agree to revenue share 10% of the proceeds with the district. It is offered to RiverTown residents only and if the program is well received by the community, Florida Prime would like to come back to the board and seek approval to operate on a continuing basis.

On MOTION by Mr. Baron seconded by Mr. Saks with all in favor the Florida Prime Athletic Program was approved subject to final legal review.

#### **C. Discussion Items – FY 2024 General Fund Budget Update**

There being none, the next item followed.

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**SEVENTH ORDER OF BUSINESS**                      **Other Business**

There being none, the next item followed.

**EIGHTH ORDER OF BUSINESS**                      **Supervisors' Requests**

There being none, the next item followed.

**NINTH ORDER OF BUSINESS**                      **Audience Comments**

The Board opened the discussion regarding the car show event. Ms. Gentry stated I can give the legal background on the event. We previously discussed the fact that your rental policies do not allow rentals to have commercial vendors coming in and conducting commercial activities such as vendor fairs and fundraising and that sort of thing. Your club policies do not contemplate having an event that is open to the general public. When it comes to community-wide events the direction from the board at the last meeting was that those community-wide events run through Vesta. They are not hosted by individual residents; they are hosted as part of Vesta's scope, so they are subject to all of their (a) expertise about the community (b) the insurance and indemnification provisions and all that is provided under your contract. I understand this gentleman has been working with Vesta to host these car events. Maybe Jason can give us some background on what the ask was to expand it.

Mr. Davidson stated they wanted to give away raffle tickets.

Mr. Rudowitz stated I have hosted events and rallies throughout Florida and out of state. There is a great community within RiverTown and it is a 2-hour time commitment once a month, tagging onto the fact that Haymaker was already here. We have residents and kids coming and if you don't have more to offer, they will show up at 9, grab their coffee and leave. Someone will show up at 10 a.m. and half the cars that were here are already gone. The people who come don't see the value in attending an event like that because there is a constant ebb and flow. If you do something to entice someone to stay for the 2-hour block of time and socialize, we are going to maybe have some give aways, some raffle tickets at a certain time and that makes people stay around for the event. No money is exchanged, no cost to show up, no entrance fee, no cost for raffle tickets. Eric staid we couldn't do sponsors or have tents set up, so we didn't do that. There is a RiverTown resident who owns a bounce house and he said he would put that in the soccer field. I pulled back on everything that Vesta asked me to stop doing in terms of marketing, we



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have our next event this week. I told everyone to not expect raffle tickets or give aways. I'm trying to figure out if there is a way to do it and proper process to go through.

Ms. Gentry stated I think going through Vesta is one avenue. If what you want to do exceeds the scope of what Vesta is interested in hosting, I think what we would be looking at is a license agreement. It sounds like you stated have a 501c3 organization.

Mr. Rudowitz stated I am part of it, I do marketing for them, I am a volunteer for them but I'm sure the director would do whatever we need to do to bring awareness.

Ms. Gentry stated that makes it easier if there is an entity that the District can enter into a license agreement with. That is what you have done for the races and things that you have had on property, and we can follow those same procedures here. I would ask that you give us something in writing, Jason will help you with the information the board typically requires for proposals so the board knows what they are approving, and we can add it to a future agenda.

Mr. Saks stated if this were a Vesta event this wouldn't be a problem. Is there a reason why you don't want to take this on as one of your events?

Mr. Davidson asked how do we handle it if they are raising proceeds for a donation of some sort? How does that work?

Mr. Cameron asked how do we do it for the reindeer run?

Mr. Davidson stated through a license agreement.

Mr. Saks asked why is this concern?

Mr. Davidson stated as I was bringing those types of events to the board, the board was concerned with the amount of those types of events and asked that we actually bring them to the board.

Mr. Baron stated it is the people that are coming in that tag on. If it is monetary in any way, it exceeds the limits of our policies and that has to be somebody who says, who is that person signing up saying we are holding you accountable? From the board's perspective we are looking to make sure we have that individual accountable for the actions of that event. The other piece we are looking at is how long this goes on. Normally when a person comes in it says we are looking to do this on the following dates, we know the dates and the events. In the summer this gets utilized heavily. Having people coming to the amenity center and having a car show at the same time is probably not a good idea.

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Mr. Rudovitz stated the way I foresee it is to give an opportunity for the businesses that come to talk about products and services, but not sell anything. There is no selling of goods and services. It is more networking. Does it move to every other month and in the summer there is a three-month hiatus and we can only do it at those times? That's a possibility.

Mr. Baron stated to get you on the right path, get the policy just like we have the approval you have seen today but anyone you want to add, a resident in the community who has ownership in the community, so it is truly a community event and not vendors from outside coming in and tagging you and say I'm going to show up. When you need to add someone to the list it comes back to the board.

Mr. McIntyre stated the other issue that is being overlooked is this was never started as an event, it was started as a private, local resident club that has morphed into events now with raffles and sponsors, which was never the intent. We authorized the club then it was opened up to neighborhoods outside of RiverTown with maximum participation which taxes our resources with filling our parking lot, removing parking spaces from residents who want to use the facility. We have to look at is it a club or has it morphed into something totally different and if so, we need new parameters to control out of neighborhood access and make sure it is a way that other people don't look and say if the car club can do it I can do it too. Because we are already dealing with people who have started things as a club that have turned into much bigger things now, they just do what they want to do, holding events with sponsors, vendors and booths and so forth. We need to look at it as a holistic situation and determine what exactly are we dealing with. Is it a club or is it now an organization that wants to host events?

Mr. McGaffney stated this is going to go on longer than we have a quorum. I recommend we give a temporary approval to have an event this upcoming weekend, keeping it to, don't advertise it and have people coming out here, just have residents come and do a car show and sit around. Just give them that temporary permission and authorize staff to get more details and we will add this as a discussion item at the next meeting.

On MOTION by Mr. Saks seconded by Mr. Cameron with all in favor temporary permission was granted to the car show for this weekend only.

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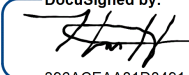
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**TENTH ORDER OF BUSINESS**

**Next Scheduled Meeting – Wednesday, April 19, 2023 at 11:00 a.m. at the RiverTown Amenity Center**

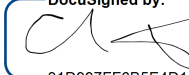
Mr. McGaffney stated the next meeting will be held April 19, 2023 at 11:00 a.m. in the same location.

On MOTION by Mr. Saks seconded by Mr. Cameron with all in favor the meeting adjourned at 1:03 p.m.

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Secretary/Assistant Secretary

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Chairman/Vice Chairman