

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, May 17, 2023 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
Robert Cameron	Supervisor
Scott Maynard	Supervisor

Also present were:

Howard McGaffney	District Manager
Lauren Gentry	District Counsel
Ryan Stillwell	District Engineer by telephone
Mike Scuncio	Yellowstone
Several Residents	

The following is a summary of the discussions and actions taken at the May 17, 2023 meeting.

FIRST ORDER OF BUSINESS

Roll Call

Mr. McGaffney called the meeting to order at 6:00 p.m. and called the roll.

SECOND ORDER OF BUSINESS

Audience Comments

Mr. Harvey stated I live in Homestead across the bridge, the first house on the right. Nobody is going less than 25 around that curve. Everybody is going 25 and higher. I would like to see some speed bumps. Other areas are the same way and all you hear about are the speeders.

Mr. Winter stated like many residents here I work from home and have kids at home and our walls are not thick so being on quiet conference calls is hard, so I often come to the RiverClub or here when the RiverHouse is open. Unfortunately, the RiverHouse is only open to residents

May 17, 2023

Rivers Edge CDD

like me when it is staffed and even then, sometimes the deadbolt is locked. The gym is open without staff most of the time especially during the hours I'm awake and I argue that it is an unsafe place. It would be great to have a quiet space that doesn't have music or a swimming pool by it to work.

Mr. McIntyre asked has that changed? I thought the RiverHouse was open during normal hours 10:30 – 5.

Mr. Davidson stated he was correct; it is generally open during the hours we are staffed.

Mr. Saks stated I agree with him, people have access to other facilities, and this wouldn't be that much different. If we could look into that or even if we had swipe access so not just anybody could walk in.

Mr. Winter stated I recognize there are often scheduled paid events here so you wouldn't want access then, if there is a public google calendar that can be made available to residents, that might be a good way to manage it or just a sign outside.

Mr. McGaffney stated I will get with Jason and review the policy and advise the board later in the meeting or after the meeting.

Mr. Martinez stated for the pool we have the RiverHouse cards, and they never get checked so it is hard to tell if people coming in and out of the gate live in RiverTown or not. That is a concern. There is nobody to check to see if people are residents to use the facilities. I don't know if there is a way to address that.

THIRD ORDER OF BUSINESS

Approval of the Consent Agenda

- A. Minutes of the April 19, 2023 Meeting**
- B. Financial Statements as of March 28, 2023**
- C. Check Register**

Mr. Baron stated in the package on page 80 and 81 it starts some financials from October 30, 2021, the first one is from Vesta \$1,205.95, page 81 addressed St. Augustine Electric Motor from September 16, 2021 for \$228.98. I'm sure there is an explanation why we have 10-15 pages of receipts from 2021. When I went back to November 17, 2021's package these were all identified within that package as being paid.

Mr. McGaffney stated that is a good observation and Supervisor Baron and I have had some conversations ahead of the meeting. We briefly discussed this at the March meeting where

May 17, 2023

Rivers Edge CDD

Vesta had submitted an invoice that was quite a significant amount, for their monthly fees from a month back in 2021. We got the invoice from Vesta and the accounts payable team member said before we cut this check, we want to bring this to your attention. Wells Fargo did not permit the check to go through and in 2023 Vesta confirmed that it was not paid. The check has been processed and paid and included in this check register for March 2023.

Mr. Baron asked is there a legal limitation to a payout of an invoice?

Mr. Gentry stated it may have audit implications but legally, no.

Mr. Baron asked there is no limitation if someone came back how many years back for payment on a bill? What is the limitation?

Ms. Gentry stated there are statutes of limitations that apply to legal claims on a contractual obligation, but I don't know the statute of limitation for this off the top of my head. I can pull the statute and get back to you.

Mr. Baron stated I would like to know what it is.

Mr. Maynard asked are there any more of these floating out there?

Mr. McGaffney stated not that I'm aware of.

Mr. Baron stated I have been able to go back five years to Mattamy to collect funds and I have worked with Jim Perry, Ernesto, and Marilee before Mac. We have collected over \$300,000 going back over five years. I have been told that I can only go back five years and look but three years is what I can collect.

Ms. Gentry stated I did pull the statute and it is five years for a legal or equitable action on a contract or a liability founded on a written instrument. If there are obligations that are older than that, you can make the request, but your ability to bring a legal claim for it would be diminished.

Mr. Baron stated that goes both ways.

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

FOURTH ORDER OF BUSINESS

Staff Reports

A. District Counsel

Ms. Gentry stated I will start with something that came up earlier in the meeting related to the hours of the RiverHouse. Your amenity rules state generally the hours of operation are established and published by the district and may fluctuate based on the season and time of year.

May 17, 2023

Rivers Edge CDD

It is very open ended. If this board would like to direct staff to open certain hours, you are within your rights to do that. I think in the past there might have been some issues with people coming in and not behaving themselves, and if that happens you can change your policy at any time.

Mr. McIntyre stated I think it would be prudent to open it up. This is a major facility that gets used and whatever the normal hours are from 10:30 a.m. to 5:00 p.m. I feel it should be opened until or unless we have an issue that causes us to refocus and change that.

Mr. Davidson asked what time would the board be comfortable with?

It was the consensus of the board to have the hours 8 – 5.

<p>On MOTION by Mr. Baron seconded by Mr. McIntyre with all in favor the hours of the RiverHouse will be from 8:00 a.m. to 5:00 p.m. subject to the Chair's and staff's review to be revisited at the following meeting.</p>
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Mr. Maynard stated I would like to see if we post the calendar so that if someone comes in, they can look on the screen and see the calendar for that day, week or month. We can do that with that calendar, the tennis calendar, and the pool pavilion.

Mr. Baron stated I prefer them to use the website.

Mr. McIntyre stated I wonder if that can be done old school with a document protector and tape it to the cabinets and when staff comes in, make it part of the staff opening procedure at the beginning of the month or weekly.

Mr. Davidson stated as the resident alluded to, the google calendar may be our best bet. Let's see if we can have old school and new school make a baby that works.

Ms. Gentry stated I recommend as part of this change the board allow staff the discretion if they consult with the chair to cut back on those hours if they start having issues.

At the last meeting I promised you an update on all the legislative bills that passed. Our office is still working on that list, but I can give you a preview of the two most prevalent. First, there was no increase to the statutory limitations of liability for governments. You will not be exposed to additional statutory liability, and if your insurance premiums go up, it will not be due to a statutory change. The second one is that the legislature did pass a requirement for ethics training for CDD supervisors. That is going to be required on an annual basis, four hours starting the calendar year of 2024. We are going to put together a memo that gives you details of exactly

May 17, 2023

Rivers Edge CDD

how you satisfy that and how you report it and some resources you can consult to satisfy those requirements.

A resident inquired about a bill that passed that prohibits children from driving golf carts. This board has decided to rely on county and state regulations so there is no change in your policies.

Mr. Saks asked how does that apply to multi-purpose paths? It is impossible to get to a multi-purpose path without going on a road.

Ms. Gentry stated my understanding of the bill is that it applies to all golf cart use on ROW designated for golf cart use by the County.

B. District Engineer

Mr. Stillwell stated we have not gotten the pricing for the Orange Branch Trail striping yet, but I did find out today that Mattamy is doing the work along Rivertown Main Street and they have a different contractor than the one we reached out to, so we reached out to them today as well. Hopefully, we can do the striping at the same time. As soon as I get that I will provide it to the board.

C. District Manager – Report on the Number of Registered Voters (3,458)

A copy of the letter from the supervisor of elections reporting that there are 3,458 registered voters residing within the district was included in the agenda package.

D. General Manager

1. Monthly Amenity and Field Operations Report

Mr. Davidson stated we became aware of the fish kill around 6:00 a.m. this morning. From there I began to troubleshoot and work with the pond provider, and we don't yet have an update as to what caused the fish kill. However, we are working diligently with Charles Aquatics, and they will do some water samples. Our team has been out all day cleaning up a lot of those dead fish and we will combine forces with Charles Aquatics to try to get everything cleaned up as soon as we can.

Mr. Saks asked when you get the water samples, will you let the board know?

Mr. Davidson stated we can update you daily if you'd like.

May 17, 2023

Rivers Edge CDD

2. Pond Service Report

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

E. Landscape and Irrigation Maintenance – Monthly Report

Mr. Scuncio gave an overview of the landscape and irrigation maintenance monthly report that was included in the agenda package.

FIFTH ORDER OF BUSINESS

Business Items

A. Items for Board Consideration

1. Resolution 2023-10 Approving a Proposed Budget for Fiscal Year 2024 and Setting a Public Hearing date for Adoption

Mr. McGaffney stated overall the assessment increase is 1%. We recently discussed property insurance and on Friday I received information that it will go up an additional \$12,624 for a total of \$142,002. The big increase came after the hurricane there were a few items that were not insured, and they were added to the property schedule.

Mr. McGaffney highlighted the following changes: Admin: overall revenues, cost share agreement for amenity and field, an increase to the GMS contract, , and an increase to the Vesta contract. Field: landscape maintenance, irrigation water use, and electric. Amenity: increases in property insurance, lifestyle director increase to be covered by Vesta contract, pressure washing, and refuse.

Mr. Maynard stated I would like to meet the obligations in the reserve study. Based on what we project to put in reserves and what the reserve study calls for there is a \$51,000 difference. We have been below the recommended contribution every year and the original projects were based on a much lower rate of inflation.

Mr. McGaffney stated to address the long-term planning, for this year the general reserve grounds maintenance you are going from \$75,000 adopted in 2023 to \$100,000 in 2024 and the amenity center reserves from \$100,000 to \$175,000 and \$150,000 on the additional reserves stayed the same. Last year you only budgeted \$166,963 in capital projects and this year I put in \$150,000 for capital projects and an additional \$100,000 for capital repairs and replacement. Combined you can spend a total of \$250,000, you can lower that number on the expense side and increase your Fund Balance.

May 17, 2023

Rivers Edge CDD

I outlined to the board in an email a basic process of what we will go through. We will start with your top ten needs and wants, look at the reserve study because there are items in there like what Supervisor Maynard and Supervisor Baron have brought up. We talked about whether the roads need to stay in there because people are going to pay now for something that maybe isn't going to happen for 20 years and that is when a bond could potentially be issued. There are other items we need to go through and individually look at them to say that needs to stay or no it doesn't need to stay then at that point we will know what the 10-year outlook looks like according to the Reserve Study. The District may be aiming for, at least increasing the reserve contribution 4% to 5% each year over the next 10 years over what we did in the year prior, but with inflation we may need to do more.

Public comments were made regarding the following topics: Landscaping, ponds, fish issue, lot on Meadow Creek that is not maintained.

Mr. McGaffney read Resolution 2023-10 by title, A resolution of the board of supervisors of the Rivers Edge Community Development District approving a proposed budget for fiscal year 2023/2024; declaring special assessments to fund the proposed budget pursuant to Chapter 190, 170 and/or 197, Florida Statutes; setting public hearings, addressing publication, addressing severability and providing an effective date.

On MOTION by Mr. Saks seconded by Mr. McIntyre with all in favor Resolution 2023-10 approving the fiscal year 2024 budget and setting the public hearing for August 16, 2023 was approved.
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Ms. Gentry stated we will be preparing the required mailed notices that will go out to all residents. There is a lot of "legalese" that is required to be in them, but we will make it as user-friendly as possible and we will also add an explanation of why the costs are going up.

2. Resolution 2023-11 Setting a Public Hearing to Adopt Rates for the Community Garden

Ms. Gentry stated this is a cleanup item related to the charges imposed for the community garden lots. This resolution sets a formal hearing to adopt rates and ranges and also adopts those proposed rates and ranges on an interim basis until they can be formalized. Attached to the resolution is Exhibit A that has an enrollment fee of \$75 then a range of \$50 to \$200 per year for standard plots and small plots. The current rates are \$75 for enrollment, \$50 for small lots and

May 17, 2023

Rivers Edge CDD

\$125 for standard lots. We are recommending advertising a range to give flexibility if that needs to change in the future.

On MOTION by Mr. McIntyre seconded by Mr. Saks with all in favor Resolution 2023-11 setting a public hearing for August 16, 2023 to adopt rates for the community garden was approved.

SIXTH ORDER OF BUSINESS**Other Business**

There being none, the next item followed.

SEVENTH ORDER OF BUSINESS**Supervisors' Requests**

Mr. Baron stated I want to give an update on what we are doing for the reclaimed water. It is coming back into alignment. We had two bad years that were over \$130,000 over budget and that is not happening. A great job by the team and by Vesta.

Mr. McIntyre stated a couple months back we talked about an interim pickleball court at the RiverClub and that turned out to not be adequate but we still have money set aside and I have been working with Jason and a couple of residents and considered the basketball courts but that presented challenges budget wise that we were not ready to fulfill. We are back to looking to doing one tennis court. There is new technology that will allow striping that is on a semi-permanent situation because it is not painted but there is adhesive and Velcro that goes across the middle playing line, until we have the funds to build proper pickleball courts someone is going to have to share the space to do this. The pickleball community has been extremely patient and it is only fair to work on something temporary as we talked about. I would like authorization to continue to work with Jason, take those funds and look at doing one court and see how that turns out with these new materials so we have something to play on.

Mr. McGaffney stated after the meeting with Rivers Edge II or III a specific board member who works for Mattamy had asked how things were going with Pickleball. They are not putting pickleball courts in any of the concepts for Rivers Edge III. It wasn't a decision that board made it was a statement that was made to me, and they seem to be agreeable to hearing about a potential cost share if Rivers Edge decides to build courts. Take that for what it was meant to be, which was probably an open-ended offer to discuss it and we could have discussions at a joint meeting.

May 17, 2023

Rivers Edge CDD

Mr. Baron asked can I ask the supervisors to allow me to reach out to the county and work with Ryan on presenting a package for a pickleball court? The county has existing plans for two tennis courts, and I want to work with Ryan because he had mentioned before that they might request all architecture plans, which may be an expensive \$25,000. I would like to reach out to Randy Cooper the county engineer and see what I can come up with. I don't want to overstep what you have going but it sounds like your project is a little different than where I want to go work with the engineer and present to the county a proposal of what I can or can't do with that spot over there and come back and do a request for a cost share to initiate a conversation. The county has plans for tennis courts that they may ask us to amend for pickleball.

On MOTION by Mr. McIntyre seconded by Mr. Saks with all in favor Mr. Baron was authorized to work with staff and the county to gather information on the process for proposing and approving the construction of pickleball courts.

Mr. Maynard asked what was the issue with using the basketball court?

Mr. McIntyre stated there is no fencing so balls could go everywhere and there is no where people can rack and stack their play time. It seems that tennis courts right now are the most viable option. We need to work with the tennis community and pickleball community to work it out.

Mr. Baron moved to approve one tennis court be temporarily striped for pickleball use on a trial basis and Mr. Saks seconded the motion.

A resident stated the ball won't bounce right on a clay court. If you want more courts why not do it in Sullivan? Who is going to take the stuff on and off the courts?

Mr. McIntyre stated the pickleball players will be responsible to bring and remove whatever is portable. They want to give way to the tennis players because it is a tennis court, however, some things have to be shared just like we have to share our amenities with CDD II and III and vice versa. There comes a point where we don't have the resources to fulfill the obligation, there has to be some give and take. That is where we are at this point. They have been very gracious to this point, and this is not a perfect solution but I'm trying to give them something that they are happy with until we can solve that problem and if we need to work with the tennis community to work it out I am fine with being liaison to work with that group.

May 17, 2023

Rivers Edge CDD

A resident stated instead of taking the soccer field and putting in six courts or something like that.

Mr. McIntyre stated that has to be brought up to the board and funds made available for that.

A resident I'm an avid pickleball player and have to leave the community to play and I do play on the tennis court at times. We just lower the net a little bit, it is not great, but we make it work. I appreciate you looking into this.

On voice vote with four in favor and Mr. Cameron opposed the motion passed.

Mr. McIntyre stated we have to do something about security at the dog park. We are using an antiquated system with a punch code and people from all over the area bring their dogs to our dog park. I ran into a friend and client of mine at Publix and she mentioned that she brings her dog to the dog park, we have a friend who lives in RiverTown.

Mr. McGaffney stated he will get with staff to come to the next meeting with recommendations.

EIGHTH ORDER OF BUSINESS

Audience Comments

There being none, the next item followed.

NINTH ORDER OF BUSINESS

Next Scheduled Meeting – June 21, 2023 at 11:00 a.m. at the RiverTown Amenity Center

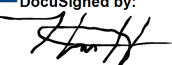
Mr. McGaffney stated Rivers Edge II has authorized a not to exceed amount of \$7,000 for up to seven additional pool loungers to fit within the Florida Department of Health max capacity over there and they wanted to know if Rivers Edge would cost share that. If that is okay, Rivers Edge II is going to purchase them, and they wanted to make sure we could add this to the next agenda as a cost share item.

The next schedule meeting is June 21, 2023 at 11:00 a.m. at the same location.


On MOTION by Mr. Saks seconded by Mr. McIntyre with all in favor the meeting adjourned at 8:00 p.m.

May 17, 2023

Rivers Edge CDD

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Secretary/Assistant Secretary

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Chairman/Vice Chairman