

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, January 17, 2024 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:

Howard McGaffney	District Manager
Lauren Gentry	District Counsel
Mary Grace Henley	Kilinski Van Wyk
Ryan Stillwell	District Engineer
Jason Davidson	General Manager
Jay King	Vesta/Amenity Services
Kevin McKendree	Vesta/Amenity Services
Richard Losco	Field Operations Manager
Kim Fatuch	Vesta/Amenity Services
Ken Council	Vesta/Amenity Services
Jim Schwartz	Florida Waterways
Mike Scuncio	Yellowstone Landscape
Garrett Cannady	Yellowstone Landscape
Several Residents	

The following is a summary of the discussions and actions taken at the January 17, 2024 meeting.

FIRST ORDER OF BUSINESS

Roll Call

Mr. McGaffney called the meeting to order at 11:00 a.m. and called the roll.

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SECOND ORDER OF BUSINESS**Audience Comments**

A representative of the Boy Scouts requested permission to build free libraries in the Preserves and Orchards as an Eagle Scout project.

On MOTION by Mr. McIntyre seconded by Mr. Saks with all in favor the request to build the eagle scout project of free libraries was approved subject to district counsel preparing a waiver agreement and the district will not be responsible for future maintenance.

Mr. McGaffney stated there are several residents present to address a parking issue. Leading up to and during the holidays there has been some communications to Jason's office and my office regarding parking in alleyways. I have had emails from residents regarding this issue both for and against this practice. It led to an issue where I authorized the general manager to purchase and install some signs because it is in the no parking area according to adopted policies and maps. That action created more communications against the signs being there with no communication. Someone removed the signs. In hindsight I should have brought the issue before the board.

Mr. McIntyre asked before we go further, we need to retrieve our signs because they are District property. That is theft and I don't see how they expect a favorable outcome on their behalf. That's not how it works.

A resident stated there is a tiny triangle outside our garages that faces four homes and anyone who parks there and it is more than one or two cars the garbage truck can't pass then our garbage is not picked up. I have a hard time getting in and out of my driveway because of the parked cars. Kids like to play there but they can't because of the parked cars.

A resident stated also the landscapers like to park there and people can't drive around their trucks and trailers. We know who took the signs, but we have no proof. The same person who blocks the whole driveway with his boat for four hours. I spoke with Erik and Howard about this, and he was issued a citation from this board, he threw it on the ground, backed his trailer up, and blocked everyone else from coming in, then I called the police. He was told by the police that he can't block the driveways. In retaliation he and his kids park their cars in front of my garage.

Mr. McIntyre stated we have a parking policy, that is not a legitimate parking space. They saw the parking configurations when they bought their home.

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After further discussion the board took the following action.

On MOTION by Mr. McIntyre seconded by Mr. Saks with all in favor district counsel was authorized to draft a letter to this resident and staff was directed to send targeted mailings along with the policy to residents in the impacted areas and to work with Mr. Cameron on putting more permanent signage in the area.

THIRD ORDER OF BUSINESS

Approval of the Consent Agenda

- A. Minutes of the October 18, 2023 Meeting**
- B. Financial Statements as of November 30, 2023**
- C. Check Register**
- D. Ratification of Agreement with Florida Waterways for Aquatic Management and Fountain Maintenance**
- E. Ratification of Amendment to License Agreement with United Parcel Service, Inc. for Use of Certain District Property**

Mr. Cameron asked can we just have staff automatically renew the agreement with UPS?

Ms. Gentry stated yes and any contracts you would like to auto-renew let me know and I can do an addendum to make that happen.

On MOTION by Mr. Saks seconded by Mr. McIntyre with all in favor the consent agenda was approved.

FOURTH ORDER OF BUSINESS

Staff Reports

A. Landscape Maintenance - Report

Mr. Scuncio gave an overview of the Yellowstone update for January 2024, copy of which was included in the agenda package.

Mr. McGaffney stated we have been working with Yellowstone to get the invoicing correct. There was a substantial invoice for the mulch last year in the amount of \$143,000 and that did not get paid timely. That was a deficiency out of our office, but we are taking care of it and will expedite that check this week.

Mr. Scuncio stated when we first started it was difficult to figure out what CDD I, II and III were. We have worked on a system that I approve everything before it goes out. This system

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now is going very well. Older stuff was sent in but didn't have the right attachments and got lost in space. Know that we are not intentionally trying to make this more difficult than it is.

Mr. McGaffney stated there is an aged invoice for Yellowstone in the amount of \$573.80 from 2022. Because of the policy it has to come to the board so you are aware of it.

On MOTION by Mr. McIntyre seconded by Mr. Saks with all in favor the past due invoice from Yellowstone in the amount of \$573.80 was approved.

B. District Engineer

1. Update on Pickleball Plans

2. Discussion of Pickleball Lighting

Mr. Stillwell stated included in the agenda package are two options we worked with Supervisor Baron on for the pickleball courts. The first option fits four pickleball courts on the same size fencing plan that the layout for the future potential tennis courts. This pinches the corners of every pickleball court, so it gets a little tight, and doesn't meet the standards of run space for a pickleball court. The only benefit of this is you would potentially be able to use some of the lighting from the existing tennis courts for these pickleball courts for one side. You will have to add lights either way.

The second option is turns the pickleball courts 90°. The way these tennis court are oriented is a little out of whack already from what the standard would be. Most people want them true north, so you get the sun to the east and west. These are a little canted northeast. This also widens out that fencing plan to give you the recommended distances around each of the courts. If we did this, we would more than likely want to light the courts from the sides so we wouldn't utilize those existing poles on the tennis courts. They are not drastically different from a cost perspective.

Mr. Baron stated the two approaches are about equal. There is still another tennis court option to go alongside this. If either one will work, I want to see how the numbers come in.

Mr. McIntyre stated since we have the ability to build it, we should build it right, to standard, so that the sun direction is how it needs to be. If it is within a certain range we should probably go with option 2.

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Ms. Gentry stated we have started the form of RFP. Ryan just needed some direction on what specs to put in.

Mr. Stillwell stated knowing the climate of these contractors currently, I prefer to have one option. If we are leaning toward meeting a standard, I would finalize the plans and the RFP with option 2 and bid one item. Add a shade sail and double gate as an alternate, pickleball and sidewalk will be the base bid and the shade sails and double gate will be an add alternate.

On MOTION by Mr. McIntyre seconded by Mr. Baron with all in favor option 2 was selected for the RFP with an option for two shade sails and a wide gate.

Mr. Stillwell stated we will finalize the plans and work with Lauren to get the RFP issued. When we get pricing if it exceeds the new bid threshold we will have to go out for a full bid.

Ms. Gentry stated I want to confirm with the board if we have a good faith belief that we can come in below the bid threshold that we can do an informal bid for this. If they come back and are over that we would have to start over and do a formal RFP.

Mr. Stillwell stated I think we should try informal and see what we get back.

C. District Counsel

Ms. Gentry stated I want to remind you of the new ethics training requirements that apply in the calendar year 2024. We talked about these before, but starting January 1st, CDD supervisors are subject to the same requirements as county and city officials for public training on ethics. The requirement is four hours per calendar year. There are free videos you can watch online put out by the commission on ethics and the Florida Attorney General. Your compliance is self-reported on Form 1 each year. You won't have to check the box that says you have completed it yet because the form looks backward to the prior year, but you will for the form you fill out in 2025.

They have changed to electronic filing for Form 1. The Commission on Ethics will be sending out an email with instructions for that. We have been told that will be around April.

We had a lot of questions about the new Form 6 financial disclosures that apply to certain municipal officers. That is a much more extensive financial disclosure and does not apply to CDD supervisors.

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I recommend that you keep track of which courses you do and when you complete them because a lot of them don't give you anything official to certify completion. It is a self-reported compliance, but you can't rule out that at some point the State will try to check up on compliance.

D. District Manager – Update on Amenity/Field Management RFP

Mr. McGaffney stated as promised I would provide you the update on the amenity and field management RFP, this is the joint RFP between all three districts. River Lodge, the title they have given to the amenity in Rivers Edge III, is expected to come online in the summer. They have a proforma budget and have specs and plans on all of that.

As I go through the RFP process with Lauren there are some things that I will want to work with Jason on and I would like a motion from the board for me to continue working with the chair on this item.

On MOTION by Mr. Saks seconded by Mr. Cameron with all in favor staff was authorized to continue working with the chair on the RFP for amenity/field management.
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Mr. McGaffney stated we are looking to time this with an October 1st start date. We are not going to get the RFP done in time to use any of those number for the budget. Lauren and I have discussed the different approaches to the methodology. In the past we would just put it out there and say give us your price. The industry has changed in the way that responses are coming in and most of the responses are coming in with a cost-plus model. That is the way I will put together the RFP with Lauren and the chair.

Ms. Gentry stated cost-plus is the actual cost plus a management fee. In government contracts the preferred structure is a fixed management fee. If you have cost-plus percentages you want to build in some special protection to make sure you don't get runaway costs that you haven't anticipated and can't control.

Mr. Saks asked when they are giving a cost -plus bid is it just a percentage?

Mr. McGaffney stated their cost-plus is the cost of the employee, plus their burden for staffing, and their management fee. I doubt you will have three proposing companies. Having been through this process with those companies, I'm trying to find the synergy between the two of them to make it easy for them, so they are able to fill that in. We will ask for three-year pricing.

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Ms. Gentry stated we will continue to work on the best way to structure this so it protects the District but is also realistic for our vendors and how they are pricing things, and we will bring it back to you for final consideration.

Mr. Saks left the meeting at this time.

E. General Manager – Monthly Amenity and Field Operations Report

Mr. Davidson stated Jim with Florida Waterways has joined our team and is overseeing our ponds.

Mr. Schwartz stated I have reviewed the condition of the fish barriers and will get a proposal to get a barrier located at the mitered end section along the pond bank and have that mounted in a channel and have a handle so if the water level comes up, we can stand on the bank and pull the handle, clean it and reinstall. That will be a lot more serviceable. Getting that barrier fixed I will amend the permit for pond K and get that one restocked.

Mr. Davidson stated I joined the Rivers Edge Community Development District in October 2017. Since then, I have served as your general manager, and it has been an absolute pleasure serving with each and every single one of you. January 1, 2023, we made a very strategic hire with Mr. Richard Losco. He has been here over a year now and I have been grooming him to take over the general manager position for CDDI and he has a vast operations and finance background. I would like to welcome him as our general manager of Rivertown. I'm not going anywhere, Jay King and I will still oversee the account in its entirety, Jim will be your onsite day to day individual. You can always call me with anything you need.

FIFTH ORDER OF BUSINESS

Business Items

A. Consideration of Cost Share Request for Phase 4 Landscaping and Pond Maintenance Services (Grand Bridge)

Ms. Gentry stated this next item is related to Main Street Phase 4, which is a plat that was recorded in District III that has roadways, stormwater ponds, open space tracts that are dedicated to District III. In connection with that property coming online being conveyed to that District we have a proposal from Yellowstone to add those areas to their contract for maintenance. This is subject to your cost-share provisions.

On MOTION by Mr. Maynard seconded by Mr. Cameron with four in favor the cost share request in the amount of \$29,212.13 was approved.

B. Discussion of Parking in Alleyways

This item was taken earlier in the meeting.

C. Consideration of Draft RFP Documents for Pickleball Courts

Ms. Gentry stated I will update this to be what we call an “informal” RFP since we are hoping it will be below the bid threshold and that will remove any language related to protest rights. The other change we could make, but I would like the board’s input on, is on page 215, the evaluation criteria. If it is not a formal RFP technically you don’t have to give bidders any evaluation criteria that you are going to use. If you do, you have to stick to it, I think it gives a nice framework for evaluating them and lets them know what is important to you. However, not including evaluation criteria gives you more flexibility in your scoring. Since we are doing an informal process would you like to include evaluation criteria or not?

It was the consensus of the board to include the evaluation criteria and to use the point allocations as presented.

On MOTION by Mr. Baron seconded by Mr. McIntyre with four in favor the draft RFP for pickleball courts was approved in substantial form.

D. Consideration of Yellowstone Aged Invoice No. 467305 (November 2022)

This item taken earlier in the meeting.

E. Consideration of RiverFront Park Buffer Trimming

On MOTION by Mr. Baron seconded by Mr. Cameron with four in favor the proposal from Yellowstone in the total amount of \$4,900 was approved subject to a cost-share agreement.

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Mr. Davidson stated an item didn't make the agenda and it is a cost-share for River Club buffer trimming as well. The total compensation is \$4,200, again consistent with what was proposed by Yellowstone in their contract.

On MOITON by Mr. Baron seconded by Mr. McIntyre with four in favor the proposal from Yellowstone in the total amount of \$4,200 was approved subject to a cost-share agreement.

F. Consideration of Replacement Lounger at RiverHouse

On MOTION by Mr. Maynard seconded by Mr. Baron with four in favor the proposal from Texacraft in the total amount of \$16,993.20 to replace chaise lounges at the RiverHouse was approved subject to a cost-share agreement.

G. Consideration of Plant Material Replacement in Homestead

On MOTION by Mr. McIntyre seconded by Mr. Baron with four in favor the proposal from Yellowstone in the amount of \$4,652.00 was approved subject to a cost-share agreement.

SIXTH ORDER OF BUSINESS

Other Business

There being none, the next item followed.

SEVENTH ORDER OF BUSINESS

Supervisors' Requests

Mr. McIntyre stated at Orange Branch someone on one of the small streets is having a pool or something installed.

Mr. Davidson stated we are aware and have gone through the process with them.

EIGHTH ORDER OF BUSINESS

Audience Comments

There being none, the next item followed.

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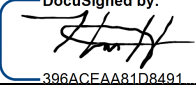
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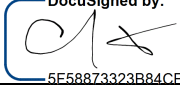
NINTH ORDER OF BUSINESS

**Next Scheduled Meeting – February 17, 2024
at 11:00 a.m. at the RiverTown Amenity
Center**

Mr. McGaffney stated the next meeting is scheduled for February 17, 2024, at 11:00 a.m. in the same location.

On MOTION by Mr. McIntyre seconded by Mr. Cameron with four in favor the meeting adjourned at 12:38 p.m.

DocuSigned by:

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Secretary/Assistant Secretary

DocuSigned by:

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Chairman/Vice Chairman