

MINUTES OF MEETING

RIVINGTON COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Rivington Community Development District was held Wednesday, June 22, 2022, at 11:30 a.m. at the City of DeBary City Hall, 16 Colomba Road, DeBary, FL 32713.

Present and constituting a quorum were:

Jeffrey Reader	Chairman
Debra Ushkowitz	Vice Chairman
Steven Costa	Assistant Secretary
Marlene DeMarco	Assistant Secretary
Kimberly Locher	Assistant Secretary

Also participating were:

Angel Montagna	Manager: Inframark, Management Division
Nika Hosseini	Attorney: Cobb Cole
Brent Lenzen (<i>via telephone</i>)	Engineer: Kimley-Horn and Associates
Dean Barberree	Developer: Reader Communities
Residents and Members of the Public	

FIRST ORDER OF BUSINESS

Call to Order

Ms. Montagna called the meeting to order at 11:30 a.m.

SECOND ORDER OF BUSINESS

Roll Call

Ms. Montagna called the roll and indicated a quorum was present for the meeting.

THIRD ORDER OF BUSINESS

Public Comment Period

A Resident asked can the clubhouse facilities – community room and pool — be reserved for private parties?

Ms. Locher stated we have not gotten to that point yet. The pool is not ready to be open yet. We will be discussing those rules for operations and use over the next couple weeks. We are targeting the pool to be open by July 1. We will send something to the residents by then.

A Resident stated I believe Rivington will have 1,000 homes in the community.

Ms. Locher stated yes, and the pool was upsized to accommodate the number of homes that were added.

A Resident stated I know it seems crazy to have one pool for that many homes, but my parents just moved to Rivington from Victoria Gardens, where they have many homes. I do not know the size of our pool compared to theirs, but I have never seen it

crazy busy. That is a 55+ community, though, and I do not know if that means anything different, but I know not everyone will converge on the pool at the same time.

Ms. Locher stated the pool is a lot larger than it may appear. It was definitely sized for the number of homes. There is a configuration for the pumps and the size, and it almost tripled in size to accommodate any growth that we might possibly have, even more what we planned. It is sized appropriately. Historically, active adults tend to use the pool more often than any other demographic because they use it consistently on a daily basis. For communities with children, usually summer and spring break are peak times than at other times. Active adults are daily users of the pool, and they like to walk there.

A Resident asked who is responsible for following up with construction people to clean up? The signs say it is a \$250 fine for not cleaning up your mess. There are chicken bones, Styrofoam, and other trash in front of homes.

Ms. Montagna stated you can contact me. The email address for those types of issues is cddmaintenance@inframark.com. You can email any questions or concerns, and I will follow up and reach out to make sure contractors are cleaning up.

The Resident stated a lot of trash is in the ponds, which are now becoming cesspools. Are you going to put aeration in the ponds so they are not stagnant?

Ms. Montagna stated I will meet with the pond contractor because they should be picking up trash and debris around the water's edge.

The Resident stated the trash is disgusting, but there needs to be some sort of aeration in the ponds to keep them from becoming stagnant and a mosquito haven. You can see a biofilm growing on the ponds along with algae blooms.

Ms. Montagna stated that is typical this time of year due to the weather. The contractor will treat for those conditions, and I will follow up with them.

A Resident stated the amount of garbage is ridiculous, also in the conservation areas. I have contacted the City of DeBary.

Ms. Locher stated yes, and they are addressing it.

A Resident asked what about using fish to control mosquitoes?

A Resident asked you are not going to put a fountain in the pond?

Ms. Locher stated no.

Ms. Montagna stated fountains really do not help with that kind of thing. They are more for aesthetics.

The Resident stated I am more concerned about garbage and the amount of garbage.

Ms. Locher stated they can get that cleaned up. We will also remind the builders that they need to be cleaning up after themselves.

The Resident stated with all this construction and the roadways, it appears another road is going out to Fort Florida Road. Will that be an accessible road? Are you putting in sidewalks? You talk about bicycle trails, but we cannot get from point A to point B without walking on a main road that is shared with vehicles. We cannot get out to walk our dog because no sidewalks are available. Is the developer putting in sidewalks?

Mr. Reader stated the long-term solution is the connection all the way to the train station. That is the parcel on the east side of Barwick Road that will be developed. The access road you mentioned will be right-in, right-out into the site. It will be one access point, and another access point will be onto Barwick Road as Rivington Boulevard connects all the way through. The trail will be a continuation of the path that runs through the community and will ultimately break out at the intersection, cross over, and then go to the Sunrail station. The larger effort is it will ultimately connect with the Springs trail, and you can get everywhere, such as Sanford.

A Resident stated the turn that currently exists is a very dangerous left turn to come into Rivington. I do not know if we can put up a stop sign or cut trees back, but people cannot see. Vehicles fly down that road, especially at night. It needs to be a safer turn.

Ms. Locher stated what will help for nighttime is getting lighting. We have had some constraints getting lighting onto the entry feature. Once that gets turned on, it will light up the area much better.

The Resident stated the trees cover the roadway. In order to actually see the street and if cars are coming, you have to be halfway across the lane in oncoming traffic to be able to see. If they are speeding, they will not be able to stop.

Mr. Reader stated we can bring this up with the City of DeBary (“City”). It is a public right-of-way. Prior to us putting the median break in, that roadway was even worse. The vegetation was tighter, and we had to work around a tree. The median cut made it better, but I agree on making it safer. When you develop property, you have sight triangles, which has a science behind it. In practice, we can talk with the City to see about ways we can work on this. One thing that will happen in the future that will help is, Barwick Road and Fort Florida Road will become a three-way intersection, which will slow down the pace of some of the traffic. I do not mean going east because what you are talking about is a different issue. We will start to manage that access a little better.

A Resident asked will there be street lights? It is really dark at night.

Mr. Reader stated I do not know. That would be a question for the City.

A Resident asked what will go into the recreation area? The sales information says it is amenity rich, but what does it include? Is it just the tables and chairs? What is going in the building other than tables and chairs?

Ms. Locher stated outside in the pavilion area will be picnic tables, two seating areas with couches and lounge chairs, and the pool deck with multiple types of seating. For the community room inside the building, we are looking at different options for furniture so it can be multi-purpose use, not just for one thing.

A Resident asked will there be grills?

Ms. Locher stated not at this time.

A Resident asked what about drainage issues? I walk around the pool, which has a beautifully sodded area around the pool, but the homes that face the pool have pooling water on the sidewalks that is deep. It is at the construction area where the townhouses are. How will the water runoff be fixed? We had my house regraded because it was not graded properly, and it is still not resolved. Different builders are doing different remediation, but I do not know the thought process of where this water will go. It does not appear to be well planned. The water has to go somewhere, and it is pooling in front of people's homes. One of the houses had drainage put in, but the water still does not go anywhere. It drains nowhere.

Mr. Reader asked is Ms. Locher aware of the location?

Ms. Locher stated yes, and it is being addressed. Rain will always cause issues, but it is being addressed in multiple ways, including grading and pipe, to make sure it drains better. Unfortunately, the soil on this land does not percolate very well, so we have to look at other ways to make it happen. We are aware of it, and it is being addressed.

The Resident stated the sidewalk that was installed is already tilted.

A Resident stated water does not drain well on the side of our house. Other parts of the development have rock, near the entry between the houses. We asked if we could do the same, but we were told "no." I would rather not have sod look disgusting on the side of my house. I would rather have rock instead of mud and mosquitoes.

Mr. Reader stated we want to know about your concerns. You can clearly see a lot of activity is happening on the site. It is an active construction site. We have a lot of things we can and cannot do in terms of being able to pull stormwater protection in front of

drains. Sometimes water pools when it should not, because we do not want the runoff to go into the lake, which will lead to further issues. Your points are well taken that we need to be out there and see the issues. I will ask the residents to work with us. It is a “pardon our dust” situation. You residents are pioneers in the community. The goal as we get out of the main area is to move east and west with the growth. The central portion will then be undisturbed, which will help with not as much dust and construction in the future. I understand the issues with puddles and mosquitoes.

A Resident stated we are concerned with mosquitoes, which carry disease. We just do not want standing water.

A Resident stated construction workers park on the sides of the street, but sometimes they are not very cautious, and they sometimes block the only way out. They park side by side. Can they park in a designated area? I know they need tools from their trucks, but they are preventing residents from entering and exiting.

A Resident stated before you get to the roundabout, there is one street for everyone who lives on Terrapin or Porter Rye for townhome construction, and they block everything with no way to get in and out. They park on both sides of the street.

Ms. Locher stated we will remind the builders to manage their trades.

Ms. DeMarco stated we put signage not to park on both sides of the street, but sometimes they park right in front of that sign. We can address it and direct them to park on one side.

A Resident stated sometimes they will park in the roundabout or in front of stop signs. I know this is a District meeting, but I have a question for the home owner’s association. Do you have any connection with them?

Ms. Montagna stated no, we represent only the District.

The Resident stated it is difficult to get anyone on the phone.

Ms. Locher stated they have an email address, which multiple people answer.

The Resident asked they do not have a call center? I have left many messages but have not received any response.

Ms. Locher asked are you in the townhomes?

The Resident stated no, I am on Terrapin. No one answers phone calls or emails. At this point, I am going to drive to their headquarters in Tampa.

Ms. Locher stated I will let them know. Give me your name and address after the meeting.

A Resident asked will this District turn over to the residents?

Ms. Montagna stated yes, when seats start being available for the general election, which is six years after establishment for a District this size and 250 registered voters.

The Resident asked how many registered voters do we have now?

Ms. Montagna stated 107.

The Resident asked is it either, or both?

Ms. Montagna stated both, and this is only for the District.

The Resident asked for alligators in the pond, will someone relocate them?

Ms. Montagna stated they do not typically relocate them. If an alligator becomes aggressive, then someone will come out and look.

FOURTH ORDER OF BUSINESS

Acceptance of the Minutes of the March 28, 2022, Regular Meeting

The minutes are included in the agenda package and available for public review in the local records office or the District Office during normal business hours.

On MOTION by Mr. Reader, seconded by Ms. Locher, with all in favor, unanimous approval was given to accept the minutes of the March 28, 2022, meeting, as presented.

FIFTH ORDER OF BUSINESS

Ratification Items

A. Corrective Quit-Claim Deed to HR Rivington for OS-4, Phase 1

On MOTION by Ms. Locher, seconded by Ms. DeMarco, with all in favor, unanimous approval was given to ratify the corrective quit-claim deed to HR Rivington for OS-4, Phase 1.

B. Street Lighting Agreement for Phase 2A

On MOTION by Mr. Reader, seconded by Ms. DeMarco, with all in favor, unanimous approval was given to ratify the street lighting agreement for Phase 2A.

SIXTH ORDER OF BUSINESS

Presentation of the Fiscal Year 2023 Proposed Budget

A. Fiscal Year 2023 Proposed Budget

Ms. Montagna stated we provided the proposed budget for fiscal year 2023 separately to the Board. We kept assessments at the same level, and we will move some monies within the line items as needed, for when the pool comes online for maintenance and to extend Cepra Landscaping's contract for maintenance. Some additional street lighting

will be coming online. As we refine those additions, this budget will accommodate all of that. We are keeping assessments at \$800 per property. I will work with Mr. Barberree and Ms. Locher to add additional budget line items as we enter into contracts for services.

Mr. Costa asked after hearing concerns from residents, does the budget include money for maintenance?

Ms. Montagna stated yes.

Ms. Locher stated the budget definitely accommodates the turnover of the recreation center and maintenance of all those things for fiscal year 2023.

B. Consideration of Resolution 2022-06 Approving the Fiscal Year 2023 Proposed Budget and Setting a Public Hearing Thereon

Ms. Montagna read Resolution 2022-06 into the record by title.

On MOTION by Mr. Reader, seconded by Ms. DeMarco, with all in favor, unanimous approval was given to Resolution 2022-06 approving the fiscal year 2023 proposed budget and setting a public hearing for August 24, 2022, at 11:30 a.m.

SEVENTH ORDER OF BUSINESS

District Manager Report

A. Financial Statements

The financial statements are contained in the agenda package and available for public review in the local records office or the District Office during normal business hours.

On MOTION by Ms. Locher, seconded by Ms. Ushkowitz, with all in favor, unanimous approval was given to accept the financial statements, as presented.

B. Check Register and Invoice Summary

The check register and invoice summary are contained in the agenda package and available for public review in the local records office or the District Office during normal business hours.

On MOTION by Mr. Reader, seconded by Ms. DeMarco, with all in favor, unanimous approval was given to the check register and invoice summary, as presented.

C. Ratification of Funding Requests #37CP, #38CP, #39CP, and #40CP

The funding requests are contained in the agenda package and available for public review in the local records office or the District Office during normal business hours.

On MOTION by Mr. Reader, seconded by Ms. Locher, with all in favor, unanimous approval was given to ratify the funding requests, as presented.

D. Purchase Orders, Change Orders, and Requisitions

The list of purchase orders, change orders, and requisitions is contained in the agenda package and available for public review in the local records office or the District Office during normal business hours.

On MOTION by Ms. Locher, seconded by Ms. Ushkowitz, with all in favor, unanimous approval was given to ratify the purchase orders, change orders, and requisitions, as presented.

E. Number of Registered Voters – 107

Ms. Montagna stated as of April 15, 2022, the District has 107 registered voters.

EIGHTH ORDER OF BUSINESS

Staff Reports

A. Attorney

On MOTION by Ms. Locher, seconded by Ms. Ushkowitz, with all in favor, unanimous approval was given to direct staff to proceed with actions and documents necessary to annex approximately 10 acres into the District.

Ms. Hosseini stated we will move forward with amending the PUD as well as preparing the petition to annex these acres into the District. All of that will now be able to go through the City's process.

B. Engineer

There being nothing to report, the next item followed.

C. Developer

Mr. Barberree stated just last night I received the street lighting agreement for Phase 2B, for 48 more lights. The Board could consider approving the agreement now, or we can hold it for next month. This is for the eastern portion where existing Phase 1 is.

Ms. Montagna stated these agreements are standard.

Mr. Costa asked what is the cost of those lights to the District?

Mr. Barberree stated the monthly fee for fixtures and poles is \$245.90, which includes operations, maintenance, everything. If a light burns out, FPL should come out to replace it. For the benefit of the residents, the lights were not on for a period of time, but they should all be on now.

A Resident asked do we report that to FPL or the District?

Ms. Montagna stated either. It is very simple on the FPL website. They will ask for a pole number or a general location, click “submit” and it goes right to them. If you are out and about, you can email it to the cddmaintenance email address, or you can call me.

Mr. Barberree stated the exception is for Phase 2A which is the western portion that was just completed. I do not think the poles are up yet. They are pulling lines this week.

Ms. Locher stated as of this morning, the lights on the other side were out, Phase 1C as you face the recreation center on the right side. I was notified this morning.

Mr. Barberree stated we continue to make progress on Phase 2B. We should have it ready in September, and we continue with construction through there.

On MOTION by Mr. Reader, seconded by Ms. DeMarco, with all in favor, unanimous approval was given to approve the street lighting agreement for Phase 2B.

NINTH ORDER OF BUSINESS

Other Business

There being none, the next order of business followed.

TENTH ORDER OF BUSINESS

Supervisor Requests

There being none, the next order of business followed.

ELEVENTH ORDER OF BUSINESS

Adjournment

On MOTION by Ms. Locher, seconded by Ms. DeMarco, with all in favor, the meeting adjourned at 11:55 a.m.

Angel Montagna, Secretary

Jeffrey Reader, Chairman