

**MINUTES OF MEETING
RIVINGTON COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of the Rivington Community Development District was held Wednesday, January 25, 2023, at 11:30 a.m. at the Rivington recreation center, 833 Terrapin Drive, DeBary, Florida 32713.

Present and constituting a quorum were:

Jeffrey Reader	Chairman
Steven Costa	Assistant Secretary
Marlene DeMarco	Assistant Secretary
Kimberly Locher	Assistant Secretary

Also participating were:

Brenda Burgess	Assistant District Manager: Inframark
Nika Hosseini	District Counsel: Cobb Cole Law Firm
Brent Lenzen	District Engineer: Kimley-Horn and Associates
Dean Barberree	Developer: Reader Communities

FIRST ORDER OF BUSINESS

Call to Order and Roll Call

Ms. Burgess called the meeting to order at 11:39 a.m.

Ms. Burgess called the roll and stated a quorum was present for the meeting.

SECOND ORDER OF BUSINESS

Public Comment Period

There being no public present, the next order of business followed.

THIRD ORDER OF BUSINESS

**Acceptance of the Minutes of the
November 16, 2022, Meeting Minutes**

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.

Ms. Burgess asked if there were any additions, corrections, or deletions, and there were none.

On MOTION by Ms. Locher, seconded by Ms. DeMarco, with all in favor, unanimous approval was given to accept the minutes of the November 16, 2022, meeting, as presented.
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FOURTH ORDER OF BUSINESS

District Manager's 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.

Ms. Burgess stated I am going cover all these together if that is okay with you. We can entertain questions as we need to. We have the financial statements for your

information and review. You can look at the balance sheet and income statement. We have some overages on some of those line items. They will either fall into balance by the end of the fiscal year; anything that does not, to the degree we need a budget amendment, we will take care of that at the end of the fiscal year. Noteworthy, when Gary Moyer was your manager, he always liked to point out how collected we are on non-ad valorem assessments, and we are 80% collected through the end of December, which is normal.

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.

C. Ratification of Funding Request #47CP

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

Ms. Burgess stated this is the typical funding request we send to the developer to fund expenses related to capital projects.

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.

E. Ratification of Change Order #20

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

<p>On MOTION by Mr. Reader, seconded by Ms. Locher, with all in favor, unanimous approval was given to accept the financial statements; approve the check register and invoice summary and purchase orders, change orders, and requisitions; and ratify funding request #47CP and change order #20.</p>

EIGHTH ORDER OF BUSINESS

Staff Reports

A. Field Manager

i. Field Report

Ms. Burgess stated the written report is included in your agenda package. It includes everything that staff has noticed on their inspection, and any comments noted in red are from your contractor as to what their response is. That is for your information.

ii. Proposals

- a. Cepra Proposal #27094, Remove Coontie Palm in Round About**
- b. Cepra Proposal #28750, Replace Live Oak in Promenade Walk**
- c. Cepra Proposal #27731, Irrigation Repairs**
- d. Cepra Proposal #29056, Mulch**
- e. Ratification of Aquatic Weed Control Proposal for Adding Four Ponds**

The items that we will be asking for a motion from the Board are the proposals that are included, five of them. We can review them individually if you like.

Mr. Reader stated I have no questions. I assume it all falls in line with what we had on that report to be addressed?

Ms. Burgess stated yes.

Mr. Barberree stated I think that Coontie just was not doing well.

Ms. Locher stated yes. What were they recommending to replace that with?

Mr. Reader stated three-gallon dwarf fire bush.

Ms. Locher stated yes, that will be fine.

Mr. Reader stated they do well.

Ms. Locher stated about two weeks ago, I cut down my fire bush to nothing, and it is already pushing out new blooms.

Mr. Costa stated it might have something to do with the soils.

Ms. DeMarco stated mine are doing beautifully.

Mr. Reader asked are we good with that? Or should we not do that?

Ms. Locher stated no, fire bush is fine,

<p>On MOTION by Mr. Reader, seconded by Ms. Locher, with all in favor, unanimous approval was given to Cepra proposals #27094 for installation of fire bush in the roundabout, in the amount of \$1,347.50; #280750 for live oak replacement in the promenade walk, in the amount of \$1,645.00; #27731 for irrigation repairs, in the amount of \$3651.46; #29056 for mulch, in the amount of \$11,600.00; and the Aquatic Weed Control proposal for a one-time control box cleanup, in the amount of \$100.00.</p>
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B. Attorney

Ms. Hosseini stated a question for Ms. Burgess or anyone else; I know that you and Ms. Angel Montagna sent a couple of additional change orders for both the weed control around the banks, the ponds, as well as a change order to the landscaping agreement for us to look at. The only question on that is a couple things. One, I do not think the District

had a specific pond maintenance agreement that we drafted ourselves. I believe that was part of an agreement with Aquatic Weed Control the company. I believe they just updated that a couple of months ago and added on a couple more ponds. Two, there is also a change order regarding the landscaping, which I believe was part of a larger agreement with the landscape company. My only question is, do you have a maintenance agreement with the homeowner's association ("HOA")? If is going to remain with the District, that is fine. We just need to also look at the master agreement that the District originally signed with those companies, just to make sure that it is fine because we may not need to enter into an additional separate agreement that we draft with the companies as long as we make sure that the master agreement for both landscaping and pond maintenance meet that. I do not know if you have the master agreements. If you do and could forward those over, that would be super helpful because we do not seem to have those.

Ms. Burgess stated yes, I will. For the benefit of the Board, we typically enter into a master agreement for them to provide services with specific exhibits. As we grow and add more ponds or more areas, we generally will add that by addendum because we have proposals supporting those addendums. So we will have a master agreement with addendums. Yes, I will look for those and I will forward to you what we have. Then if we need to address anything, even for ratification on the next agenda, we can do that.

Ms. Locher stated the only thing is, we have to check on the map that we kept all of the mews in the HOA, even if it is in front of a single-family home. All of the mews are in the HOA. We want to make sure of that master exhibit because there are two separate contracts. The master exhibit does not include any of the mews. We need to make sure that for the mews, the master agreement between the HOA and the District matches what everything else is.

Ms. Burgess stated if the Board is okay with us communicating with Ms. Locher, who will be the only Board member on the on the emails, I will work with Ms. Hosseini, Ms. Montagna, and Ms. Locher, and we will get all that straightened out.

C. Engineer

There being nothing to report, the next item followed.

D. Developer

i. Edens Site Development Contract, Phase 4 Start Up

Ms. Burgess stated the assignment of the Edens site development contract was included for your review. Mr. Barberree had made a comment that he emailed me about making this an addendum.

Mr. Barberree stated basically, I think we have done the assignment and I think the only thing that I added to the assignment in my email yesterday was the reference to the second supplemental engineer's report. I changed the text that put that reference, which is probably different than what was in the agenda, but I added that in because it was incomplete.

Ms. Burgess asked does Ms. Hosseini have any comments to what Mr. Barberree suggested?

Ms. Hosseini stated no, I think that make sense.

Ms. Burgess stated okay.

Mr. Reader asked so we can just approve that change? That is what we do?

Mr. Barberree stated yes, I think it is approving the assignment, and then we will complete the assignment. Then from there, we will work on the procurement and all that so they can order the structures.

On MOTION by Mr. Reader, seconded by Ms. Locher, with all in favor, unanimous approval was given to the assignment and assumption agreement from HR Rivington to the District for Edens Site Development contract for Phase 4, as discussed and amended to include reference to the second supplemental engineer's report.

NINTH ORDER OF BUSINESS

Other Business

Mr. Reader stated the only other comment is just about following up on the wall, the split block wall by the recreation center.

Ms. Locher asked getting it cleaned?

Mr. Reader stated yes. I think the two options are mostly probably just that stretch you see when you come in because it is so visible. Do we just pressure wash that? Do we do it three times a year or whatever is needed to be done just to keep it looking good. Or do we even just try to plant it with bougainvillea or vines or something on it.

Ms. Locher stated I do not know what can be done. I know there are certain things you cannot do.

Mr. Barberree stated I just got a text back from a friend of mine who does this stuff, and she says she does the Baldwin Park things. She says that they could pressure wash that, and I sent her a picture of it. She says where it is deep-water access, they just use a john boat to go do that. So, we just need to find the right vendor to go do that. And it appears just to be the north face. The south, the west, the east facing all are good; the north face just does not get sun and so that stuff just kind of grows. It is going to be a maintenance thing, which is the main view that you see when you come in.

Ms. Locher stated yes, I agree.

Mr. Barberree stated I say we start with that; maybe the initial effort will fix the weeds up there, then it is really just pressure washing once a quarter or twice a year.

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 Mr. Reader, with all in favor, the meeting adjourned at 11:54 a.m.
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Secretary

Chairman