

**MINUTES OF MEETING  
THREE RIVERS  
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Three Rivers Community Development District held a Regular Meeting on December 16, 2021 at 3:00 p.m., at Amelia Walk Amenity Center, 85287 Majestic Walk Circle, Fernandina Beach, Florida 32034.

**Present and constituting a quorum were:**

Liam O'Reilly	Chair
Mike Taylor	Vice Chair
Rose Bock	Assistant Secretary
Gregg Kern	Assistant Secretary

**Also present were:**

Kristen Suit	District Manager
Wes Haber (via telephone)	District Counsel
Bill Schaefer	District Engineer
Scott Wild (via telephone)	England-Thims & Miller, Inc.
Ally Spell	Castle Group
Michael Molineaux	Castle Group

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Ms. Suit called the meeting to order at 3:08 p.m. Supervisors O'Reilly, Taylor, Kern and Bock were present, in person. Supervisor Miars was not present.

**SECOND ORDER OF BUSINESS**

**Public Comments**

There were no public comments.

**THIRD ORDER OF BUSINESS**

**Consent Agenda**

Ms. Suit presented the following Consent Agenda items:

- A. Consideration of Requisitions (*support documentation available upon request*)**
  - I. Number 28: ECS Florida LLC [\$3,000.00]**

- II. Number 29: ECS Florida LLC [\$3,750.00]
  - III. Number 30: England-Thims & Miller, Inc. [\$23,481.62]
  - IV. Number 32: Florida Power & Light Company [\$406.88]
  - V. Number 33: Florida Power & Light Company [\$9,878.68]
  - VI. Number 85: Dominion Engineering Group, Inc. [\$6,310.00]
  - VII. Number 86: Hopping Green & Sams [\$540.00]
  - VIII. Number 87: Onsite Industries, LLC [\$29,177.00]
  - IX. Number 88: Dominion Engineering Group, Inc. [\$10,189.00]
  - X. Number 89: ELM, Inc. [\$8,133.49]
  - XI. Number 90: Preferred Materials, Inc. [\$11,937.90]
- **Consideration of Requisition Numbers 31 and 35**

**This item was an addition to the agenda.**

Ms. Suit stated Mr. Wild just received the following requisitions:

Number 31: ELM, Inc. [ \$8,133.49]

Number 35: Avid Trails LLC [\$6,400.00]

<p><b>On MOTION by Mr. O'Reilly and seconded by Mr. Kern, with all in favor, the Requisition Numbers 28 through 33, 35 and 85 through 90, were approved.</b></p>
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**B. Ratification of Requisitions (*support documentation available upon request*)**

- I. Number 1: Auld & White Constructors, LLC [\$140,505.01]
- II. Number 2: Auld & White Constructors, LLC [\$349,002.40]
- III. Number 3: England-Thims & Miller, Inc. [\$11,221.50]
- IV. Number 4: England-Thims & Miller, Inc. [\$31,667.16]
- V. Number 5: England-Thims & Miller, Inc. [\$20,856.06]
- VI. Number 6: Auld & White Constructors, LLC [\$430,582.69]
- VII. Number 7: ELM, Inc. [\$11,223.70]
- VIII. Number 8: Vallencourt Construction Co., Inc. [\$266,819.14]
- IX. Number 9: Crown Pools, Inc. [\$1,694.33]
- X. Number 10: Vallencourt Construction Co., Inc. [\$31,781.85]

- XI. Number 11: Preferred Materials, Inc. [\$9,903.60]
- XII. Number 12: Preferred Materials, Inc. [\$12,190.80]
- XIII. Number 13: Preferred Materials, Inc. [\$5,484.00]
- XIV. Number 14: Preferred Materials, Inc. [\$6,654.60]
- XV. Number 15: Preferred Materials, Inc. [\$3,309.60]
- XVI. Number 16: England-Thims & Miller, Inc. [\$29,218.65]
- XVII. Number 17: ELM, Inc. [\$2,977.50]
- XVIII. Number 18: Hopping Green & Sams [\$920.00]
- XIX. Number 19: Auld & White Constructors, LLC [\$676,138.55]
- XX. Number 20: ELM, Inc. [\$3,732.69]
- XXI. Number 21: Godard Design Associates, Inc. [\$35,500.00]
- XXII. Number 22: Avid Trails LLC [\$1,600.00]
- XXIII. Number 23: ECS Florida LLC [\$5,100.00]
- XXIV. Number 24: Hopping Green & Sams [\$270.00]
- XXV. Number 25: England-Thims & Miller, Inc. [\$29,850.29]
- XXVI. Number 26: Vallencourt Construction Co., Inc. [\$20,788.44]
- XXVII. Number 27: Auld & White Constructors, LLC [\$681,854.57]
- XXVIII. Number 69: Ferguson Waterworks [\$30,467.00]
- XXIX. Number 70: Oldcastle Infrastructure [\$3,227.00]
- XXX. Number 71: Vallencourt Construction Co., Inc. [\$820,259.37]
- XXXI. Number 72: Hopping Green & Sams [\$780.00]
- XXXII. Number 73: Ferguson Waterworks [\$2,087.29]
- XXXIII. Number 74: Dominion Engineering Group, Inc. [\$9,030.80]
- XXXIV. Number 75: Bio-Tech Consulting, Inc. [\$1,350.00]
- XXXV. Number 76: Preferred Materials, Inc. [\$34,233.00]
- XXXVI. Number 77: Ferguson Waterworks [\$17,011.29]
- XXXVII. Number 78: Dominion Engineering Group, Inc. [\$23,178.50]
- XXXVIII. Number 79: Vallencourt Construction Co., Inc. [\$483,475.23]
- XXXIX. Number 80: Vallencourt Construction Co., Inc. [\$208,053.58]
- XL. Number 81: Ferguson Waterworks [\$1,314.20]

- XLI. Number 82: Bio-Tech Consulting, Inc. [\$810.00]
- XLII. Number 83: Vallencourt Construction Co., Inc. [\$407,531.90]
- XLIII. Number 84: Ferguson Waterworks [\$223.86]

**On MOTION by Mr. O'Reilly and seconded by Ms. Bock, with all in favor, Requisition Numbers 1 through 27 and 69 through 84, were ratified.**

**C. Consideration of ETM Work Authorizations**

- I. No. 1 [Hydrologic and Hydraulic Analysis for Tributary Units 8, 10 and 15]
- II. No. 2 [2021/2022 General Consulting Engineering Services]

**On MOTION by Mr. O'Reilly and seconded by Mr. Kern, with all in favor, Work Authorizations No. 1 and No. 2, were approved.**

**D. Ratification of Bio-Tech Consulting, Inc., Agreement for Wetland Monitoring and Reporting Services Work Order No. 5 [Boardwalks Permit Modification]**

**On MOTION by Ms. Bock and seconded by Mr. O'Reilly, with all in favor, Bio-Tech Consulting, Inc., Agreement for Wetland Monitoring and Reporting Services Work Order No. 5, was approved and/or ratified.**

**E. Ratification of Tree Amigos Quote #16031 for Tributary Model Mulch**

**On MOTION by Mr. O'Reilly and seconded by Mr. Kern, with all in favor, Tree Amigos Quote #16031, was approved and/or ratified.**

**F. Ratification of Onsite Industries, LLC, Proposals**

- I. 301493 for Tributary Phase 2/3 CBU Mail Kiosk Installation
- II. 303999 for Tributary Street Sign Repairs

**On MOTION by Mr. O'Reilly and seconded by Ms. Bock, with all in favor, Proposals 301493 and 303999, were ratified.**

- G. Ratification of Avid Trails Proposal for Tributary Phase 1 Trail System Plan Refinement & Costing**

**On MOTION by Mr. O'Reilly and seconded by Mr. Kern, with all in favor, the Avid Trails Proposal, was ratified.**

- H. Ratification of ETM Work Authorization No. 3 [Edwards Road Water Main Surveying/Design/Permitting]**

**On MOTION by Mr. O'Reilly and seconded by Ms. Bock, with all in favor, ETM Work Authorization No. 3, was ratified.**

- I. Ratification of Auld and White Constructors, LLC, Change Order No. 4, Tributary Amenity Center and Entry Feature**

**On MOTION by Mr. O'Reilly and seconded by Mr. Taylor, with all in favor, the Consent Agenda Item, Auld and White Constructors, LLC, Change Order No. 4, was ratified.**

**FOURTH ORDER OF BUSINESS**

**Consideration of Agreement with Tributary Homeowners' Association, Inc., for Facility Management, Operation, and Oversight Services**

Mr. Haber presented the Agreement between the CDD and Tributary Homeowners' Association, Inc., and the accompanying Exhibits. He noted the following:

- Exhibit A identified the property subject to the Agreement, which includes all property and common areas owned by the CDD; it may be updated from time-to-time. As the project moves forward and the CDD takes ownership of additional property, the intent is that the additional properties would become subject to this Agreement.

- Exhibit B reflected the scope of services to be provided by the HOA, largely “Contract Administration and Procurement” and “Inspection and Reporting”.
- Direct maintenance services would not be provided by the HOA; those would still be provided by landscape and maintenance contractors or a pond maintenance entity.
- This Agreement is provided for minimal consideration of \$10 annually, as the intent is for the HOA to provide the services at no cost to the CDD.

**On MOTION by Mr. O’Reilly and seconded by Mr. Kern, with all in favor, the Agreement with Tributary Homeowners’ Association, Inc., for Facility Management, Operation, and Oversight Services, was approved.**

**FIFTH ORDER OF BUSINESS**

**Consideration of Resolution 2022-01, Adopting Dog Park Policies; Providing a Severability Clause; and Providing an Effective Date**

Mr. Haber presented Resolution 2022-01. He stated that the Board can make changes to the policies as necessary.

**On MOTION by Mr. O’Reilly and seconded by Mr. Kern, with all in favor, Resolution 2022-01, Adopting Dog Park Policies; Providing a Severability Clause; and Providing an Effective Date, was adopted.**

**SIXTH ORDER OF BUSINESS**

**Consideration of Resolution 2022-02, Ratifying, Confirming, and Approving the Actions of the Chairman, Vice Chairman, Secretary, Assistant Secretaries, and all District Staff Regarding the Sale and Closing of Three Rivers Community Development District Special Assessment Bonds, Series 2021B (South Assessment Area); and Determining Such Actions as Being Accordance with the Authorization Granted by the Board; Providing a Severability Clause; and Providing an Effective Date**

Mr. Haber presented Resolution 2022-02, which approves and ratifies the documents signed by the Chair and other parties in connection with the bond issuance.

**On MOTION by Ms. Bock and seconded by Mr. O'Reilly, with all in favor, Resolution 2022-02, Ratifying, Confirming, and Approving the Actions of the Chairman, Vice Chairman, Secretary, Assistant Secretaries, and all District Staff Regarding the Sale and Closing of Three Rivers Community Development District Special Assessment Bonds, Series 2021B (South Assessment Area); and Determining Such Actions as Being Accordance with the Authorization Granted by the Board; Providing a Severability Clause; and Providing an Effective Date, was adopted.**

**SEVENTH ORDER OF BUSINESS**

**Consideration of Resolution 2022-03, Adopting a Policy Regarding Trespassing; Providing Trespass Enforcement Authority; Authorizing the Issuance of a Letter Regarding the Same; Designating District Representatives; Providing a Severability Clause; and Providing an Effective Date**

Mr. Haber presented Resolution 2022-03. He noting that Exhibit A referenced in the Resolution was located behind Tab 9 in the agenda package and the letter that should have been behind Tab 9 was not included in the agenda but he would address that during the Ninth Order of Business. He explained that this Resolution is similar to the Dog Park Policies. As it is not uncommon for CDD improvements, such as common areas or recreational facilities, to be used by unauthorized persons, the CDD might require the assistance of the Sheriff but the Sheriff might be unwilling to intervene without a letter acknowledging that the improvements are owned by the CDD and the CDD wants law enforcement to enforce the trespass laws. The letter also identifies authorized representatives of the CDD; the letter behind Tab 9 was sent to the Sheriff's Office regarding this issue.

Ms. Suit discussed a call from Mr. Bobby Lippelman, Attorney for the Sheriff's Department. During the call, Mr. Lippelman expressed the Sheriff's support and provided his telephone number and the nonemergency number. He stated an on-site list of CDD keyholders would suffice for purposes of the Sheriff's support. Contact information would be provided to

Staff and the Board. Mr. Haber stated the Resolution refers to individuals authorized to act on behalf of the CDD.

**On MOTION by Mr. O’Reilly and seconded by Mr. Kern, with all in favor, Resolution 2022-03, Adopting a Policy Regarding Trespassing; Providing Trespass Enforcement Authority; Authorizing the Issuance of a Letter Regarding the Same; Designating District Representatives; Providing a Severability Clause; and Providing an Effective Date, was adopted.**

**EIGHTH ORDER OF BUSINESS** **Consideration/Ratification of HGS Transition Letter**

- **Authorization to Execute Kutak Rock LLP Retainer and Fee Agreement**

Mr. Haber discussed his team’s transition from Hopping Green & Sams (HGS) to the new firm, Kutak Rock LLP, and stated this approval would accept the Transition Letter. He stated that a Kutak Rock Fee Agreement would be submitted.

**On MOTION by Mr. Taylor and seconded by Mr. O’Reilly, with all in favor, the Joint Transition Letter by Hopping Green & Sams, P.A., was approved.**

**NINTH ORDER OF BUSINESS** **Update: Letter to Nassau Sherriff for Trespass Enforcement Authorization**

Ms. Suit stated, as discussed earlier, the letter designating CDD keyholders would be kept on site, in conjunction with Resolution 2021-03.

Mr. Haber stated the letter referred to in this Order of Business was necessary because residents who called the Sheriff were advised that law enforcement could not enter the CDD because it is a “private” community. The Sheriff was advised that they are fully welcome and encouraged to enter and patrol the CDD for purposes of exercising their law enforcement authority.

**TENTH ORDER OF BUSINESS** **Consideration of Proposal for Stormwater Analysis**



This item was deferred to the next meeting. ETM would provide a proposal.

**ELEVENTH ORDER OF BUSINESS**

**Consideration of Proposals for Pond Maintenance Services**

Ms. Suit presented proposals from The Lake Doctors, Inc., in the amount of \$1,129 monthly, and from SitexAquatics, in the amount of \$1,150 monthly. Mr. Molineaux discussed the proposals that cover maintenance for the 12 existing ponds. The SitexAquatics proposal includes some debris removal, which was not included in the Lake Doctors proposal. He recommended approving the SitexAquatics proposal.

Mr. Taylor noted the date on the proposal should be corrected to reflect the year 2021.

**On MOTION by Mr. Kern and seconded by Mr. Taylor, with all in favor, the SitexAquatics proposal, in the amount of \$1,150 monthly, was approved.**

Mr. Haber stated he prepared and circulated a form of Agreement that should be used, as opposed to the Sitex Agreement included in the agenda.

**TWELFTH ORDER OF BUSINESS**

**Acceptance of Unaudited Financial Statements as of October 31, 2021**

Ms. Suit presented the Unaudited Financial Statements as of October 31, 2021.

**On MOTION by Mr. Kern and seconded by Mr. O'Reilly, with all in favor, the Unaudited Financial Statements as of October 31, 2021, were accepted.**

**THIRTEENTH ORDER OF BUSINESS**

**Approval of Minutes**

Ms. Suit presented the following Meeting Minutes:

- A. **August 19, 2021 Regular Meeting**
- B. **August 31, 2021 Public Hearings and Regular Meeting**

On MOTION by Mr. O'Reilly and seconded by Ms. Bock, with all in favor, the August 19, 2021 Regular Meeting and the August 31, 2021 Public Hearings and Regular Meeting Minutes, as presented, were approved.

**FOURTEENTH ORDER OF BUSINESS****Staff Reports****A. District Counsel: *Hopping Green & Sams, P.A.***

- **Statutory Changes from 2021 Legislative Session**

- I. Publication of Legal Notices**

Mr. Haber presented a Memorandum that describes legislative changes regarding publishing legal notices on websites. While the CDD might not take advantage of this option, further updates would still be provided.

- II. Wastewater and Stormwater Needs Analysis**

Mr. Haber presented a Memorandum that describes legislative changes that now require the CDD to submit a Wastewater and Stormwater Needs Analysis to the State by June 30, 2022. ECM would prepare a proposal for consideration at a future meeting.

- III. Prompt Payment Policies**

Mr. Haber presented a Memorandum that describes legislative changes to prompt payment policies affecting contractors. A Resolution updating the CDD's prompt payment policies would be presented for consideration at a future meeting.

- IV. Public Records Exemptions Advisory Notice**

Mr. Haber presented a Memorandum that describes legislative changes regarding public records exemptions. Additional steps would be required for the District Manager's office and CDD Staff should be on the lookout for those types of requests.

Mr. Haber stated that he and Mr. Taylor recently discussed a Letter of Intent issued to Auld & White regarding the public park. The expectation was that the CDD would move forward with the Agreement for the park improvements and potentially enter an agreement with the County for certain aspects of the park that the CDD may pay for and that the County might reimburse the District for. The Auld & White Request for Qualifications (RFQ) was previously approved and it was anticipated that the Agreement would be entered into in the near future.

Ms. Suit stated, with regard to the issue of trespassing, the Sheriff stated that increased patrols would be offered if requested. A Board Member noted that Lieutenant Renee Graham would serve as the liaison.

With regard to the County park, a Board Member advised Mr. Haber that the Interlocal Agreement between the CDD and Nassau County was informally approved by Staff; it would go before the Board of County Commissioners in January for approval.

**B. District Engineer: *Dominion Engineering Group, Inc. and ETM***

There was no report.

**C. Property Manager: *Castle Group***

Ms. Spell stated the Christmas event was very well-received and the Fall Festival and petting zoo went very well. The consensus was the petting zoo was wonderful. Discussion ensued regarding the mailbox kiosk locations; Phases 2 and 3 would be together.

**D. District Manager: *Wrathell, Hunt and Associates, LLC***

- **NEXT MEETING DATE: January 20, 2022 at 3:00 PM**
  - **QUORUM CHECK**

The next meeting would be held January 20, 2022, unless canceled.

**FIFTEENTH ORDER OF BUSINESS**

**Board Members' Comments/Requests**

There were no Board Members' comments or requests.

**SIXTEENTH ORDER OF BUSINESS**

**Public Comments**

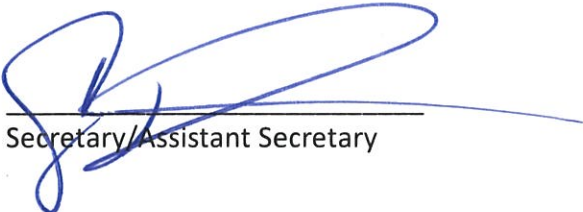
There were no public comments.

**SEVENTEENTH ORDER OF BUSINESS**

**Adjournment**

There being nothing further to discuss, the meeting adjourned.

**On MOTION by Mr. O'Reilly and seconded by Mr. Kern, with all in favor, the meeting adjourned at 3:40 p.m.**



Secretary/Assistant Secretary



Chair/Vice Chair