

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

The Board of Supervisors of the Three Rivers Community Development District held a Regular Meeting on April 20, 2023 at 3:00 p.m., at the Lookout Amenity Center, 76183 Tributary Drive, Yulee, Florida 32097.

Present were:

Liam O'Reilly (via telephone)	Chair
Mike Taylor	Vice Chair
Rose Bock	Assistant Secretary
Greg Kern (via telephone)	Assistant Secretary
Brad Odom	Assistant Secretary

Also present were:

Ernesto Torres	District Manager
Wes Haber (via telephone)	District Counsel
Bill Schaefer (via telephone)	District Engineer
Scott Wild (via telephone)	England-Thims & Miller, Inc. (ETM)
Michael Molineaux	Castle Group

Residents present were:

Darlene Blackmore	Thomas Moser	Donald Leech	Patrick Carroll
Maureen Antonowski			

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Torres called the meeting to order at 3:00 p.m. Supervisors Taylor, Bock and Odom were present. Supervisors O'Reilly and Kern attended via telephone.

Mr. Torres stated he distributed an updated agenda, which no longer includes presentation of the proposed Fiscal Year 2024 budget during the Seventh Order of Business; the proposed Fiscal Year 2024 budget will be presented at the next meeting.

SECOND ORDER OF BUSINESS

Public Comments

Resident Darlene Blackmore questioned the payouts to Avid Trails, LLC. She asked if proposed dates for the phases and a map are available. She asked about the streetlights that were ordered and if the gates are a CDD or a Lennar matter.

A Board Member stated Mr. Kern will provide an update during the meeting.

THIRD ORDER OF BUSINESS

Consent Agenda

- A. Consideration/Ratification of Requisition(s): Construction Account (support documentation available upon request)**
 - I. Number 140: The Tree Amigos Outdoor Services, Inc. [\$149,034.00]**
 - II. Number 141: Dominion Engineering Group, Inc. [\$34,476.02]**
 - III. Number 142: Avid Trails, LLC [\$4,600.00]**
 - IV. Number 143: Avid Trails, LLC [\$8,000.00]**
 - V. Number 144: Dominion Engineering Group, Inc. [\$18,491.00]**
 - VI. Number 145: Vallencourt Construction Co., Inc. [\$322,296.63]**

- B. Consideration/Ratification of Requisition(s): South Assessment Area (support documentation available upon request)**
 - I. Number 182: Rinker Materials [\$229,082.48]**
 - II. Number 183: England-Thims & Miller, Inc. [\$25,111.53]**
 - III. Number 184: Vallencourt Construction Co., Inc. [\$566,110.69]**
 - IV. Number 185: Vallencourt Construction Co., Inc. [\$39,831.62]**
 - V. Number 186: Vallencourt Construction Co., Inc. [\$63,822.45]**
 - VI. Number 187: Auld & White Constructors, LLC [\$36,835.21]**
 - VII. Number 188: England-Thims & Miller, Inc. [\$2,798.12]**
 - VIII. Number 189: Ferguson Enterprises, LLC [\$171,475.80]**
 - IX. Number 190: Invision Construction, Inc. [\$2,000.00]**
 - X. Number 191: Gold Coast Land Management, LLC [\$66,201.00]**
 - XI. Number 192: Kutak Rock, LLP [\$1,120.00]**
 - XII. Number 193: Vallencourt Construction Co., Inc. [\$650,402.92]**
 - XIII. Number 194: Vallencourt Construction Co., Inc. [\$699,512.46]**
 - XIV. Number 195: England-Thims & Miller, Inc. [\$14,910.06]**

- XV. Number 196: Gold Coast Land Management, LLC [\$48,400.00]
- XVI. Number 197: SES Environmental Resource SOL [\$1,867.30]
- XVII. Number 198: Avid Trails, LLC [\$9,450.00]
- XVIII. Number 199: Ferguson Enterprises, LLC [\$183,223.46]
- XIX. Number 200: SES Environmental Resource SOL [\$4,215.16]
- XX. Number 201: Vallencourt Construction Co., Inc. [\$1,077,295.27]
- XXI. Number 202: Vallencourt Construction Co., Inc. [\$657,023.82]
- XXII. Number 203: England-Thims & Miller, Inc. [\$17,600.31]

C. Ratification Items

- I. ECS Florida, LLC, Second Amendment to Agreement for Geotechnical Engineering Services
- II. Rinker Materials Purchase Order - P.O.: TRCDD 006
- III. Sitex Aquatics, LLC Agreement for the Provision of Aquatic Maintenance Services
- IV. SES Environmental Resource Solutions SOL Proposal No. PO240008 for Tributary DRI Water Quality Sampling 2023 (Quarters 2-4)
- V. England-Thims & Miller, Inc., Work Authorization No. 7, Amendment No. 1 Master Site Planning

On MOTION by Ms. Bock and seconded by Mr. Taylor, with all in favor, the Consent Agenda Items, were approved and/or ratified.

FOURTH ORDER OF BUSINESS

Consideration of Dominion Engineering Group, Inc., 2023 Rate Increase

Mr. Schaefer presented the Dominion Engineering Group, Inc. (Dominion), 2023 Rate Increase request. He noted that Dominion has not increased its rates in four years; it is necessary to increase hourly rates to keep up with employee salaries.

On MOTION by Mr. Taylor and seconded by Mr. Odom, with all in favor, the Dominion Engineering Group, Inc., 2023 Rate Increase, was approved.

FIFTH ORDER OF BUSINESS

Consideration of Resolution 2023-03, Providing for the Appointment of a Records Management Liaison Officer; Providing the Duties of the Records Management Liaison Officer; Adopting a Records Retention Policy; Determining the Electronic Record to be the Official Record; and Providing for Severability and an Effective Date

Mr. Haber presented two versions of Resolution 2023-03, one for Option 1 and the other for Option 2. He reviewed the CDD’s options regarding retention of records. The Board selected Option 2, which provides for retaining records until otherwise directed by the Board.

On MOTION by Mr. O’Reilly and seconded by Mr. Taylor, with all in favor, Resolution 2023-03, Providing for the Appointment of a Records Management Liaison Officer; Providing the Duties of the Records Management Liaison Officer; Adopting a Records Retention Policy; Determining the Electronic Record to be the Official Record; and Providing for Severability and an Effective Date, was adopted.

SIXTH ORDER OF BUSINESS

Update: Bond Financing

Mr. Haber stated there are no material updates. The parties are still working towards the bond issuance. No Board action is needed at this time.

SEVENTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of February 28, 2023

Mr. Torres presented the Unaudited Financial Statements as of February 28, 2023.

On MOTION by Ms. Bock and seconded by Mr. Odom, with all in favor, the Unaudited Financial Statements as of February 28, 2023, were accepted.

EIGHTH ORDER OF BUSINESS

Approval of February 16, 2023 Regular Meeting Minutes

Mr. Torres presented the February 16, 2023 Regular Meeting Minutes.

On MOTION by Mr. O'Reilly and seconded by Mr. Odom, with all in favor, the February 16, 2023 Regular Meeting Minutes, as presented, were approved.

- **Ratification of Auld & White Constructors, LLC Change Order No. 16 [\$1,426,700]**
This item was an addition to the agenda.

Mr. Taylor presented Auld & White Constructors, LLC (A&W) Change Order No. 16 for the Tributary Regional Park Phase II additional ballfields.

On MOTION by Mr. Taylor and seconded by Mr. Odom, with all in favor, Auld & White Constructors, LLC Change Order No. 16, in the amount of \$1,426,700, was ratified.

NINTH ORDER OF BUSINESS

Staff Reports

A. District Counsel: *Kutak Rock LLP*

Mr. Haber stated, with regard to A&W Change Order No. 16, while the Change Order is in an amount exceeding the bidding threshold, the contract for the overall project including the County park was publicly procured. There will be anticipated future Change Orders for other parts of the project that were the subject of a publicly noticed Request for Qualifications (RFQ).

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

There was nothing further to report.

C. Property Manager: *Castle Group*

There was no report.

D. Lifestyle Director: *Castle Group*

There was no report.

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

I. 528 Registered Voters in District as of April 15, 2023

Mr. Torres stated, based on the number of registered voters now residing within the CDD and the CDD's establishment in 2019, two Board seats will be up for election in the 2026 General Election.

- II. **NEXT MEETING DATE: May 18, 2023 at 3:00 PM**
 - **QUORUM CHECK**

TENTH ORDER OF BUSINESS

Board Members' Comments/Requests

Regarding the request for a construction timeline or a map of the trails, Mr. Kern stated conceptual plans and construction drawings are very much subject to change during the budgeting and permitting processes. He will review the documentation to see if any conceptual plans can be shared at this time. As progress is made, additional updates will be provided. The goal is to begin Phase 1 construction this year; however, contingencies must be met and a contract for the construction of the trails has not been awarded yet.

Mr. Torres noted that funds for the trails are available in the Construction Account.

Regarding streetlights in Lakeview, Mr. Kern stated he is in constant contact with Florida Power & Light (FPL) but installation is not yet scheduled. The streetlights will be installed according to FPL's design. Mr. Kern stated he will ask the Engineer to share the design.

A resident requested clarification regarding Vesta's maintenance of the Lakeview pond bank. A Board Member stated HOA-related questions should be directed to Lennar.

Mr. O'Reilly stated he has been in frequent contact with the Lennar representative managing the HOA. He submitted a list of common HOA-related questions that have been brought up at CDD meetings. He asked for a joint CDD and HOA meeting to be held to clarify confusion about the HOA's and CDD's responsibilities. He asked the Lennar representative to attend CDD meetings.

ELEVENTH ORDER OF BUSINESS

Public Comments

Resident Tom Moser asked if CDD assessments can change over time. Mr. Torres stated, while the debt assessment portion of the assessment is fixed, the operations and maintenance (O&M) portion of the assessment can fluctuate based on the CDD's annual budget. The Non-Ad Valorem Assessment on the property tax bill is the total of the O&M and the debt assessments.

Asked who is included in the 528 registered voters. Mr. Torres stated it includes every registered voter residing within the CDD as of April 15, 2023.

In response to a question, a Board Member stated that MBS is the bond underwriter.

Resident Patrick Carroll asked if the CDD will eventually dissolve. Mr. Haber stated, while bonds have a term of 30 years from date of issuance, the improvements paid for by the bonds and some improvements paid for by the Developer are ultimately conveyed to the CDD for ownership and O&M. Such improvements include amenities, stormwater systems etc., and, even when the bonds are paid off, it is generally contemplated that the CDD will be the entity responsible for the ongoing O&M of CDD-owned infrastructure.

Discussion ensued regarding dead trees in proximity to homes, potential fire hazards and HOA versus CDD responsibility.

Mr. Torres stated these issues should be reported to Mr. Molineaux to determine which entity is responsible for addressing the issue. Mr. O'Reilly stated the conservation easements behind homes cannot be used or maintained by residents.

Mr. Torres acknowledged the residents' frustration in trying to determine whether the CDD or the HOA is responsible for such issues and stated that the CDD and the HOA will meet and staff and the Board will work together to address issues as they arise. Mr. Torres encouraged residents to email their questions to him.

Resident Donald Leech asked if the CDD or the HOA maintains the bahia along the pond banks. Mr. Haber stated the CDD owns, operates and maintains the ponds and the Covenants and Restrictions obligate homeowners to maintain the landscaping up to the water's edge.

Discussion ensued regarding the lack of bahia sod along the Lakeview pond bank, construction debris and the need to maintain the slope of the lake bank.

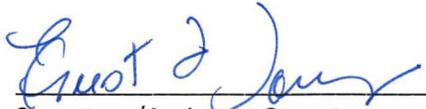
Ms. Bock will find out what entity is responsible for installing sod along the pond bank.

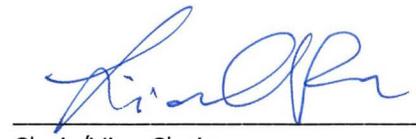
**DUE TO AUDIO DIFFICULTIES, THE REMAINDER OF THE
MINUTES WERE TRANSCRIBED FROM THE MEETING NOTES**

TWELFTH ORDER OF BUSINESS

Adjournment

On MOTION by Ms. Bock and seconded by Mr. Odom, with all in favor, the meeting adjourned at 3:46 p.m.


Secretary/Assistant Secretary


Chair/Vice Chair