

MINUTES OF MEETING  
THREE RIVERS  
COMMUNITY DEVELOPMENT DISTRICT

The Regular Meeting of the Board of Supervisors of the Three Rivers Community Development District was held on Tuesday May 19, 2020 at 1:00 p.m. via Zoom.

Present and constituting a quorum were:

|                 |               |
|-----------------|---------------|
| Liam O'Reilly   | Chairman      |
| Mike Taylor     | Vice Chairman |
| Blake Weatherly | Supervisor    |
| Rose Bock       | Supervisor    |

Also, present were:

|                |                        |
|----------------|------------------------|
| Jim Perry      | District Manager       |
| Wes Haber      | Hopping Green and Sams |
| Bill Schaeffer | District Engineer      |
| Ernesto Torres | GMS, LLC               |

**FIRST ORDER OF BUSINESS**

**Roll Call**

Mr. Perry called the meeting to order and called the roll.

**SECOND ORDER OF BUSINESS**

**Public Comment**

Mr. Perry: There is no members of the public joining this meeting at this time.

**THIRD ORDER OF BUSINESS**

**Approval of Minutes of the April 14th,  
2020 Meeting**

Mr. Perry: Are there any comments, corrections, or additions to the minutes?

Mr. Taylor: I have two corrections to make in the minutes. It's just a spelling error. It's Auld & White on page 2 and 3. It's Auls and it should be Aulds. Right, Liam?

Mr. O'Reilly: There is no "s" just Auld.

Mr. Perry: We will make that change. If there are no other changes, I would ask for a motion to approve the minutes with the changes to pages 2 and 3.

On MOTION by Ms. Bock seconded by Mr. O'Reilly with all in favor, the Minutes of the April 14th, 2020 Meeting including changes on pages 2 and 3, were approved.

Mr.: Perry: For the record, Blake Weatherly has just joined us.

**FOURTH ORDER OF BUSINESS**

**Consideration of Resolution 2020-07,  
Approving the Proposed Budget for  
Fiscal Year 2021 and Setting a Public  
Hearing Date to Adopt**

Mr. Perry: A copy of the proposed budget is included in your agenda package. The budget itself is a developer funded budget. That means that unless the expenses are incurred there's no funding. It's not an assessment based budget. There are some provisions in there for general field services next year. What we would ask is to consider having the adoption at the August 18<sup>th</sup> meeting that's regularly scheduled at 1:00 p.m. and that should be at the Amelia Walk Amenity Center. Unless there's any changes or proposed changes to the budget this is the start of the process for approval. It will be refined if we have any updates on cost as of August.

Mr. Haber: I spoke with Liam prior to the meeting and one thing that we discussed is just that the developers obligation is only for actual costs. I just want that to be clear to anyone reviewing the budget. Perhaps adding a footnote at the revenue section where it says "developer contribution" that such contribution is subject to a developer funding agreement that obligates the developer to pay only the amounts needed and that the developer does not have an obligation to pay the total amount referenced in the budget. Just so no one confuses that the developer has an obligation to provide all those amounts if they are not in fact needed.

Mr. Perry: Can we just add a footnote in regards to the revenue section in regards to that?

Mr. Haber: Correct.

Mr. Perry: We will make that change. Are there any other items in regards to that? Hearing none, we would ask for a motion to approve the proposed budget for fiscal year 2021 and have the public hearing on August 18<sup>th</sup> at 1:00 p.m. at the Amelia Walk Amenity Center.

On MOTION by Mr. Taylor seconded by Mr. O'Reilly with all in favor, Resolution 2020-07 Approving the Proposed Budget for Fiscal Year 2021 and Setting a Public Hearing Date to Adopt the Budget for August 18<sup>th</sup> at 1:00 at the Amelia Walk Amenity Center, was approved.

**FIFTH ORDER OF BUSINESS****Discussion of the District Management Services**

Mr. Perry: You should have received an email including a proposal from Wrathell, Hunt & Associates. I will turn this over to counsel.

Mr. Haber: Yes. I am working with your Vice Chairman in connection with the proposal submitted by Wrathell. I believe that there is a desire to have the Board consider that proposal and ultimately if there is a motion to approve the proposal it would also require a motion to terminate the existing agreement with GMS. GMS would remain under contract as the District Manager for the rest of May and June and starting July 1<sup>st</sup> Wrathell would start and during the month of June, at no cost to the district, Wrathell would have a representative work with GMS to help with transition. That way Wrathell could pick up with a smooth transition starting July 1<sup>st</sup>. The proposal was circulated. Are there are any questions regarding the proposal? Both Mike and I are happy to try and answer questions. If there are any questions regarding my explanation of the proposed transition, I am happy to answer those as well.

Mr. Taylor: I would first like to thank Jim and his staff for what they have done to date. We did receive a proposal from Wrathell and on behalf of the board I did review it and I will make the motion as Wes has outlined to keep GMS on board through this transition period. Then effective July we will fully engage with Wrathell.

Mr. Perry: Did you want to take that as one complete motion Wes or did you want two separate ones?

Mr. Haber: I am fine as long as the language is clear that it includes a motion to terminate existing agreement as of July 1<sup>st</sup> and approve the proposal from Wrathell giving the Chairman authority to finalize and execute the agreement.

Mr. Perry: GMS is comfortable with that. We have talked with the Vice Chairman in regards to the termination time frame.

On MOTION by Mr. Taylor seconded by Mr. O'Reilly with all in favor, Terminating the Existing Agreement with GMS on June 30<sup>th</sup>, 2020, and Approving the Proposal from Wrathell, Hunt & Associates, and Authorizing the Chairman to Finalize and Execute the Agreement., was approved.

**SIXTH ORDER OF BUSINESS**

**Ratification and Consideration of Requisitions**

Mr. Perry: Included in your agenda package were requisitions #71 through #79 that are considered for today. We also have another one that I will bring up after those are approved. If you will recall in the prior meeting requisition #70 was approved for an amount not-to-exceed \$3,000 and the actual was \$2,012.50. I believe that was for signage. I was just confirming that it did come under the amount not-to-exceed.

Mr. Taylor: I do have a question for Chairman O'Reilly. Is that still a valid invoice to be disbursed? The \$2,000?

Mr. O'Reilly: Yes, that has already been paid.

Mr. Taylor: It has already been paid? We are ratifying it?

Mr. O'Reilly: Yes. I think Jim was just updating the board that it was less than the not-to-exceed amount that we previously approved.

Mr. Perry: Correct. With that, District Engineer do you have any additional information for those requisitions?

Mr. Schaeffer: No, we reviewed them and placed the appropriate dollars into the appropriate accounts. Whether it's master infrastructure or neighborhood infrastructure.

Mr. Perry: With that we would ask for consideration of a motion to approve requisitions #71 through #79.

On MOTION by Mr. O'Reilly seconded by Mr. Taylor with all in favor, Requisitions #71-79, were ratified.

Mr. Perry: Yesterday we received notification of an invoice from ELM for \$21,845 for planning and design services. It was invoice number 18999. We did not have time to update the requisition. I didn't know if the chair wanted to have authority to process that since it wasn't included in the requisitions that have been provided?

Mr. O'Reilly: Yes. For full disclosure, I haven't had a chance to do a deep dive on it yet, I would like a chance to verify work product with the district engineer.

Mr. Perry: Sure. We just wanted to do that so it doesn't get held up another month.

Mr. O'Reilly: Sure. I would make a motion to approve a not-to-exceed amount? Would that be best Jim?

Mr. Perry: Yes, I would suggest not-to-exceed \$21,845 which is the invoice amount itself.

On MOTION by Mr. O'Reilly seconded by Mr. Taylor with all in favor, a Not-to-Exceed Amount of \$21,845 for ELM invoice, was approved.

**SEVENTH ORDER OF BUSINESS**

**Ratification of Work Authorization No. 3 with ELM**

Mr. Perry: That's included in your agenda package also.

Mr. Haber: Liam, that's the one that you and I worked on where we did the notice to proceed concept in the agreement so it lists the full scope of services to be provided with the understanding that they won't be provided unless or until the district issues a notice to proceed and the district is not obligated to issue a notice to proceed for any of them. I think that was approved in substantial form at the last meeting and now that is finally signed. We are just looking for the board to ratify it.

Mr. O'Reilly: Right.

On MOTION by Mr. O'Reilly seconded by Mr. Weatherly with all in favor, Work Authorization No. 3 with ELM, was ratified.

**EIGHTH ORDER OF BUSINESS**

**Staff Reports\**

**A. District Engineer**

Mr. Schaeffer: I can give a little update of where we are on the construction of the project. With regards to Unit 1, which is Spine Road and a number of the residential areas. We are finishing up pressure testing this week and next week, on the 25<sup>th</sup> we are going to be paving neighborhood areas. The pump station pad was poured and looks really good. We are getting ready to do our closeout with our permitting agencies.

**B. District Counsel**

Mr. Perry: Any items for the board?

Mr. Haber: Nothing for board action. By way of update we have received comments from Auld & White on the construction management documents and we are still undergoing the negotiation process. We're going to review those comments and review the pricing as well. The board gave the chair authority for review and execution of those documents. I'm not looking for any board action on that, I just wanted to let the board know that negotiations are under way.

**B. District Manager**

Mr. Perry: We are required to report on the number of registered voters within your district boundaries each year. You have zero voters at this point in time. That is what we expect but we've had some districts where we expected zero and we had voters, so it has been strange.

**NINETH ORDER OF BUSINESS**

**Financial Statements as of April 30th, 2020**

Mr. Perry: Those are included in your agenda package. The statements include the balance sheet of the district, the general fund, and again this is a developer funding situation so costs are flowed through to the developer and consistent with your budget for next year. It's a pay as you go. It's not the complete budget, its actual expenditures of the district. Also included is a month by month analysis of the revenue and expense items. You have contributions from the developer and then various reports in regards to the bond funds. There is no action needed in regards to the financials.

**TENTH ORDER OF BUSINESS**

**Approval of Fiscal Year 2020 Funding Request No. 8**

Mr. Perry: You have Funding Request No. 8 for this fiscal year. That totals \$7,821.10 and unless there are any questions, we would ask for a motion to approve.

On MOTION by Mr. Taylor seconded by Mr. O'Reilly with all in favor, Funding Request No. 8, was approved.

Three Rivers CDD

May 19, 2020

**ELEVENTH ORDER OF BUSINESS**

**Supervisors' Request and Audience Comments**

There being none, the next item followed.

**TWELFTH ORDER OF BUSINESS**

**Next Scheduled Meeting – June 16th, 2020 at 1:00 p.m. at the Amelia Walk Amenity Center**

Mr. Perry: At this point in time it's fairly certain that the next meeting will be at the Amelia Walk Amenity Center. We don't believe the governor is going to extend the ability to continue meetings via Zoom. We will have to set that up for social distancing and all the other precautions.

**THIRTEENTH ORDER OF BUSINESS**

**Adjournment/ Continuation**

On MOTION by Ms. Bock seconded by Mr. O'Reilly with all in favor, meeting adjourned.

DocuSigned by:

*Jim Perry*

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Secretary / Assistant Secretary

DocuSigned by:

*Liam O'Reilly*

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Chairman / Vice Chairman