

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

The Board of Supervisors of the Three Rivers Community Development District held a Regular Meeting on May 18, 2023 at 3:00 p.m., at the Lookout Amenity Center, 76183 Tributary Drive, Yulee, Florida 32097.

**Present were:**

Liam O'Reilly	Chair
Mike Taylor	Vice Chair
Rose Bock	Assistant Secretary
Brad Odom	Assistant Secretary

**Also present were:**

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

**Residents present were:**

Marge Garry	Nora Bertacchi	Darlene Blackmore	Emily & Michael Maples
Michael Jakob	Steven Mitchell	Michele Davis-Porter	Adriana da Veiga James
Peter James	Keith Howard	Rosalind Roberts	Will & Laura Haffecke
Janet Parrish	Deena Reany	Ronald Last	Beth Tebo

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Mr. Torres called the meeting to order at 3:00 p.m. Supervisors O'Reilly, Taylor, Bock and Odom were present. Supervisor Kern was not present.

**SECOND ORDER OF BUSINESS**

**Public Comments**

Resident Adriana da Veiga James stated that the total assessment amount column for on-roll units, on Page 17 of the proposed Fiscal Year 2024 budget, is incorrect.

**THIRD ORDER OF BUSINESS**

**Consent Agenda**

- A. Consideration/Ratification of Requisition(s): Construction Account (support documentation available upon request)**
  - I. Number 146: Bio-Tech Consulting, Inc. [\$6,275.00]**
  - II. Number 147: ECS Florida, LLC [\$2,500.00]**
  - III. Number 148: Ring Power Corporation [\$8,039.00]**
  - IV. Number 149: Dominion Engineering Group, Inc. [\$9,892.50]**
  
- B. Consideration/Ratification of Requisition(s): South Assessment Area (support documentation available upon request)**
  - I. Number 204: ECS Florida, LLC [\$16,300.00]**
  - II. Number 205: Bio-Tech Consulting, Inc. [\$125.00]**
  - III. Number 206: England-Thims & Miller, Inc. [\$6,501.00]**
  - IV. Number 207: Clary & Associates, Inc. [\$13,900.00]**
  - V. Number 208: Auld & White Constructors, LLC [\$9,100.73]**
  
- C. Ratification Items**
  - I. Vallencourt Construction Co., Inc., Change Order No. 2 [Tributary Phase 1B - Unit 8 Project]**
  - II. England-Thims & Miller, Inc., Work Authorization No. 18 Unit 15 CEI Services**

**On MOTION by Mr. O'Reilly and seconded by Mr. Odom, with all in favor, the Consent Agenda Items, were approved and/or ratified.**

**FOURTH ORDER OF BUSINESS**

**Consideration of Resolution 2023-04, Approving a Proposed Budget for Fiscal Year 2023/2024 and Setting a Public Hearing Thereon Pursuant to Florida Law; Addressing Transmittal, Posting and Publication Requirements; Addressing**

**Severability; and Providing an Effective Date**

Mr. Torres presented Resolution 2023-04. He reviewed the proposed Fiscal Year 2024 budget, highlighting any line item increases, decreases and adjustments, compared to the Fiscal Year 2023 budget, and explained the reasons for any changes.

A Board Member pointed out increase in expenditures and the Developer’s contribution to absorb the increase and avoid an increase in the Fiscal Year 2024 Operations & Maintenance (O&M) assessment portion of the budget.

Regarding the Amenity Center electric expense line item, A Board Member explained that the attempt is to separate the expenses to correspond with its appropriate Amenity Center rather than having a single line item for the expense.

**On MOTION by Mr. O’Reilly and seconded by Ms. Bock, with all in favor, Resolution 2023-04, Approving a Proposed Budget for Fiscal Year 2023/2024 and Setting a Public Hearing Thereon Pursuant to Florida Law for July 20, 2023 at 3:00 p.m., at the Lookout Amenity Center, 76183 Tributary Drive, Yulee, Florida 32097; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing an Effective Date, was adopted.**

**FIFTH ORDER of BUSINESS**

**Consideration of Resolution 2023-05, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2023/2024 and Providing for an Effective Date**

Mr. Torres presented Resolution 2023-05.

**On MOTION by Mr. O’Reilly and seconded by Mr. Taylor, with all in favor, Resolution 2023-05, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2023/2024 and Providing for an Effective Date, was adopted.**

**SIXTH ORDER OF BUSINESS**

**Consideration of Resolution 2023-06, Authorizing JEA Reimbursements to be Paid to Developer Providing Additional Authorization; and Addressing Severability and an Effective Date**

Mr. Torres presented Resolution 2023-06.

Mr. Haber reported the following:

- The CDD adopted an Improvement Plan that had the Master Infrastructure for the entire community, including amenity facilities, roadways and stormwater, water and sewer infrastructure.
- Some of the waster and sewer infrastructure being installed pursuant to an agreement with JEA allows for reimbursement from JEA for a portion of the costs of the infrastructure.
- The CDD will construct the infrastructure so the CDD is the party to which the reimbursements will be paid.
- The reimbursement funds will go into the Construction Account to be used to reimburse the Developer for the portions of the infrastructure that the Developer paid for but has not been reimbursed for.
- When bonds are issued, the funds are used either repay the Developer for portions of the infrastructure that the Developer already paid for or the bond funds are used to pay for the construction of new infrastructure.
- Under either scenario, the Developer is the party that is responsible for the infrastructure and, when the bonds are issued, a Completion Agreement is executed obligating them to complete the infrastructure.
- In this instance, the District Engineer will sign a Certificate of Completion signifying that the amount that the Developer paid toward CDD infrastructure exceeds the amount that the CDD will get in reimbursement form JEA and, as a result, it is appropriate for the JEA reimbursements to go directly to the Developer rather than going through the extra step of reimbursing the CDD and the CDD then reimbursing the Developer.

Mr. Haber stated that Resolution 2023-06 acknowledges that the CDD authorizes JEA to reimburse the Developer Directly.

The following change was made to Resolution 2023-06:

Title and anywhere necessary: Change “JES” to “JEA”

**On MOTION by and Mr. Taylor seconded by Mr. O’Reilly, with all in favor, Resolution 2023-06, as amended Authorizing JEA Reimbursements to be Paid to Developer Providing Additional Authorization; and Addressing Severability and an Effective Date, was adopted.**

**SEVENTH ORDER OF BUSINESS**

**Update: Bond Financing**

It was noted that a signature on a Tri-Party Agreement is pending.

Regarding the possibility of needing to continue this meeting or schedule a special meeting, Mr. Haber stated, if there are no major changes to the structure of the deal and the bond amount does not increase, another meeting is probably not necessary.

**EIGHTH ORDER OF BUSINESS**

**Acceptance of Unaudited Financial Statements as of March 31, 2023**

Mr. Torres presented the Unaudited Financial Statements as of March 31, 2023.

**On MOTION by Mr. O’Reilly and seconded by Mr. Odom, with all in favor, the Unaudited Financial Statements as of March 31, 2023, were accepted.**

**NINTH ORDER OF BUSINESS**

**Approval of April 20, 2023 Regular Meeting Minutes**

Mr. Torres presented the April 20, 2023 Regular Meeting Minutes. He noted that changes previously submitted by Ms. Bock will be incorporated into the minutes.

**On MOTION by Ms. Bock and seconded by Mr. O’Reilly, with all in favor, the April 20, 2023 Regular Meeting Minutes, as amended, were approved.**

**TENTH ORDER OF BUSINESS**

**Staff Reports**

**A. District Counsel: Kutak Rock LLP**

Mr. Haber reported on legislative changes and noted that, effective January 1, 2024, Board Members will be required to take a four-hour ethics training course. Several other bills are being monitored.

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

Mr. Schaefer reported that Unit 5 construction is complete and the closeout is being finalized.

**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**

- **NEXT MEETING DATE: June 15, 2023 at 3:00 PM**
  - **QUORUM CHECK**

**ELEVENTH ORDER OF BUSINESS**

**Board Members' Comments/Requests**

Regarding Lakeview, Mr. O'Reilly stated that he met with Lennar and the HOA to clarify much of the confusion about maintenance responsibilities and changes were made. They also discussed Architectural Review Board (ARB) requests, the Property Management company, CDD amounts, O&M, timing of the Amenity Center, use of this facility, etc. He thinks all parties now understand their responsibilities. He asked for patience.

Residents were invited to comment and ask questions regarding CDD matters during public comments; however, questions and comments about HOA and/or non CDD-related matters should be held until after the meeting.

Regarding the responsibilities of each entity, Mr. O'Reilly noted that the Lakeview HOA is responsible for the common area maintenance, such as landscaping, Amenity Center construction and maintenance. The CDD owns and will maintain the roads, sidewalks and proper functioning of the stormwater pond but the Lakeview HOA is responsible for routine and

aquatics maintenance of the stormwater pond. An agreement between the CDD and the HOA was drafted. For non-common area sidewalks, such as in front of a home, the builder is responsible for repairing damage due to construction; thereafter, the CDD will maintain it. Regarding streetlights, Florida Power & Light (FPL) is waiting on the materials and will install them as soon as everything is received; FPL will install them all at once, not in phases. The Lakeview HOA is responsible for maintaining the pond bank, which is contrary to the rest of Tributary because it is a separate HOA.

**TWELFTH ORDER OF BUSINESS**

**Public Comments**

Resident Marge Garry's comments were about garbage in the pond and street drains, Christmas lights on a fence and ball bottles not being cleaned. Mr. Molineaux stated that all builders were reminded to pick up their trash and are now being fined if it is not cleaned up.

Resident Michael Maples' comments were about the timing of HOA meetings and the inability of residents to attend and the lack of notice. Mr. Molineaux stated that the HOA meetings were noticed and only a few residents attended; a Town Hall type HOA evening meeting can be scheduled. Regarding the CDD informational meeting, it is available online and will be conducted once a year.

Resident Nora Bertacchi's comments were about large trash items and litter along the Estuary Way preserve land.

Resident Michael Jakob's comments were about builders not cleaning the pond between Sunberry Drive, Red Twig Way and White Rabbit and the condition of the sidewalks on Red Twig way. He asked the CDD to install a "No Soliciting" sign at the entrance. Mr. Haber stated that, since the CDD is a public governmental entity, there are different laws related to solicitation; while the CDD could install signage as a deterrent, the ability to enforce it is questionable. Residents can put a sign in their own yard.

Ms. da Veiga James asked about the church event and what the investigation led to and noted that the resident said he did everything necessary. Mr. O'Reilly stated the resident submitted an application that was not approved. Ms. Da Veiga James questioned if Tree Amigos is the best company for the work and if the cost is reasonable. Mr. O'Reilly stated the Board

believes it is the best company for the job and that the costs are reasonable. Tree Amigos was initially selected because they installed the trees and carried the warranty but, if the costs become unreasonable or the work is not satisfactory, the contract will be rebid.

Discussion ensued regarding who maintains the trees in Lakeview, which are not a CDD-related responsibility.

Resident Beth Tebo asked if children broke into the Amenity Center and stole sodas. Mr. O'Reilly stated that complaints were received and the issue is being addressed.

Resident Janet Parrish asked about the kayak launch. Mr. O'Reilly stated a permit application was submitted. Ms. Parrish asked if the kayak launch will be private. Mr. O'Reilly stated that is not known at this time. Ms. Parrish reported that a new resident saw children playing on the pool chair lift and asked if there are cameras at the pool. It was noted that the incident was not reported to the HOA. Mr. Haber stated that security matters, such as camera locations, etc., should not be discussed on the record. Residents were urged to report incidents that they observe.

Resident Keith Howard asked for the CDD to install lights at the pickleball courts. He inquired about when a piece of Lakeview property will be released to the builder and asked for the status of another phase. Mr. O'Reilly stated that the last phase of Lakeview is almost completed; final inspections are underway and Lennar will start building soon. Plans for the other phase are in permitting with the County. Regarding Phase 8, which is south of the continuation of Estuary Way, is under development.

Resident Deena Reany's comments asked about a boat ramp and where commercial development will occur. Mr. O'Reilly stated the status of the boat ramp is the same as with the kayak launch. Regarding the commercial development, the exact location is not yet determined.

Resident Jacqueline Causer asked if pathways will be connected. Mr. O'Reilly replied affirmatively; the trails and kayak launch were planned together but then later separated; Phase one of the trail is moving forward and work should commence this year. Ms. Causer noted that street signs are falling off during storms, etc., and asked that, when replaced, they be better attached. Mr. O'Reilly stated that Mr. Molineaux is arranging for the vendor to repair the signs; signage issues should be reported to Mr. Molineaux.



Resident Ronald Last voiced his opinion that construction traffic will be an issue when work in a certain area begins next month. Mr. O'Reilly stated that builders were advised to use a certain area as a construction entrance; however, it is difficult to monitor usage. Use of the entrance gates is not a CDD matter.

A resident asked what unit he is in and was advised that he is in Unit 4 and the new part of Lakeview will be Unit 5.

Discussion ensued regarding lot sizes.

In response to a resident question of whether a turn lane will be added at the main entrance, Mr. O'Reilly replied affirmatively. The plans are being designed, utility work is necessary and the project will be completed in conjunction with another roadway project.

Ms. da Veiga James asked when work on the trails will commence. Mr. O'Reilly stated, once a contract is in place, residents will be notified.

**THIRTEENTH ORDER OF BUSINESS**

**Adjournment**

<p><b>On MOTION by Mr. O'Reilly and seconded by Ms. Bock, with all in favor, the meeting adjourned at 4:01 p.m.</b></p>
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[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

  
Secretary/Assistant Secretary

  
Chair/Vice Chair