

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

The Board of Supervisors of the Three Rivers Community Development District held a Public Hearing and Regular Meeting on April 18, 2024 at 3:00 p.m., at the Lookout Amenity Center, 76183 Tributary Drive, Yulee, Florida 32097.

Present were:

Gregg Kern (via telephone)	Chair
Mike Taylor	Vice Chair
Joe Cornelison	Assistant Secretary
Brad Odom	Assistant Secretary
Rose Bock (via telephone)	Assistant Secretary

Also present:

Ernesto Torres	District Manager
Wes Haber (via telephone)	District Counsel
Scott Wild (via telephone)	District Engineer
Bill Shaffer (via telephone)	Dominion Engineering Group
Michael Molineaux	Castle Group
Sharelle Boyer	OnPlace LLC, Lifestyle Director
Samantha Keim	OnPlace LLC
Megan Maldonado	GreenPointe Developers

Residents present:

Adriana James	Caitlin Davis	Ken Anderson	Sue Anderson
Nancy Millsan	Kathy Szabo	Linda Spitzer	Mickey Davis-Porter
Marge Garry	H. Sheetz	Janet Parrish	Nancy Rachels-Arona
Debra Maceri	Rimaldi	Thomas Lane	Regina Mahony-Goodman
Gwen Bruce	Pat Guidry	Rebecca Miller	Georgiana Koziana
Tracy Evans	Todd Miller	Jordan Zumora	Regina Goodman
Mary Coulter	Jorge Ruiz	Lisa Morales	Michael Maples
Dena Howard	Jacky Fisher	Lisa Gochenour	Ken Gochenour
Christie Moser	Tom Moser	Steven Shagle	Maureen Shagle
Carol Sauls	Don Sauls	Paul Grimm	Kathleen Grimm
Reggie Guidry			

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Torres called the meeting to order at 3:05 p.m.

Supervisors Taylor, Cornelison and Odom were present. Supervisors Kern and Bock attended via telephone.

SECOND ORDER OF BUSINESS

Public Comments

Mr. Torres explained the protocols for public comments and provided an overview of the agenda items.

A Board Member asked for the Sixth Order of Business to be deferred to the next meeting.

Resident Adriana James asked about the public hearing and questioned why the Amenity Rules are being changed. Mr. Torres stated that the public hearing is to address the rates and has nothing to do with the Rules.

THIRD ORDER OF BUSINESS

Consent Agenda

Mr. Torres presented the following:

- A. Consideration/Ratification of Requisition(s): Refunding Bond, Series 2023 (support documentation available upon request)**
 - I. Number 50: Ring Power Corporation** **[\$147,796.25]**
 - II. Number 51: England-Thims & Miller, Inc.** **[\$8,181.50]**
 - III. Number 52: Vallencourt Construction Co., Inc.** **[\$125,859.45]**
- B. Consideration/Ratification of Requisition(s): Series 2021B (support documentation available upon request)**
 - I. Number 176: Dominion Engineering Group, Inc.** **[\$11,500.00]**
- C. Ratification Item(s)**

On MOTION by Mr. Taylor and seconded by Mr. Cornelison, with all in favor, the Consent Agenda items, as listed and presented, were accepted, approved and ratified, accordingly.

FOURTH ORDER OF BUSINESS

Discussion: Fiscal Year 2025 Draft Proposed Budget

Mr. Torres stated the Fiscal Year 2024 Adopted budget is included on the agenda as a placeholder for Staff to be made aware of any items, services and/or changes in vendors that are anticipated. Once he receives the necessary data and information, he will draft the proposed Fiscal Year 2025 budget and it will be presented.

FIFTH ORDER OF BUSINESS**Public Hearing to Hear Public Comments
and Objections to the Adoption of the
Amenity Policies and Rates and Suspension
and Termination of Privileges Rule****A. Affidavits of Publication**

These items were included for informational purposes.

B. Consideration of Resolution 2024-07, Adopting Revised Amenity Policies and Rates Including Revised Suspension and Termination Policies; Providing a Severability Clause; and Providing an Effective Date

Mr. Torres presented Resolution 2024-07 and reviewed the Amenity Rates. There are currently no non-residents participating in the annual user fee program. The change that will be discussed and open to public comment is related to implementing a \$100 per hour rental fee for rental of the amenity rental space during the hours of 8:00 p.m. to 10:00 p.m., which are outside of the regular hours of operation.

In response to a Board Member's question, Mr. Haber stated the Board will consider the rates and the Suspension and Termination of Access Rule, which are the two aspects of the Policy. Once adopted, this information will be included in the Policy; those are the only portions of the Policy that need to be adopted at a public hearing with a published notice. The CDD has a long set of Policies that provides a lot more detail regarding the day-to-day operation of the amenity facilities and Board that do not require publishing a public notice and holding a public hearing. The Board has the right to amend those other Policies at any public meeting except the portion of the Policies dealing with rates and suspension and termination rules. Asked about the changes in suspension and termination, Mr. Haber stated the Suspension and Termination of Access Rule provisions are fairly similar to what the CDD had in the past. His office revised the document based on its experience with CDDs and the application of the Rules to enhance them to address a few items raised in the legal challenges to the Policy and language was added

to provide more specificity for property damage reimbursement, which was not provided in the prior Policy, and more specificity was added with respect to how the Board will conduct a hearing in the event that one becomes necessary for a termination or suspension. Overall, the goal of the Policy remains the same; these types of updates were done for many of the CDDs that Staff represents in an attempt to better both the process that the Boards were following and to deal with any opposition that the CDD receives upon implementation.

On MOTION by Mr. Taylor and seconded by Mr. Odom, with all in favor, the Public Hearing was opened.

Mr. Taylor recommended hearing comments regarding the rates first and, subsequently, the suspension and termination of access.

Ms. James objected to the change and stated she does not think doubling the price for the two hours of after-hours time is justified. In her opinion, if the amenity is rented for an event from 6:00 p.m. to 10:00 p.m., and staff is on duty, she does not understand why residents must pay an increased price for the two hours of after-hours time.

A resident asked who makes the decision to terminate a resident's access and decision about the \$500 reinstatement fee. She voiced her opinion that the language seems very vague.

Mr. Haber referred to Paragraph 7 of the Suspension and Termination document and stated, because the Board only meets once per month, it gives authority to the District Manager, General Manager, Amenity Manager or their designee to, at any time, restrict or suspend for cause or causes including but not limited to a violation, any person's access to the Amenities until a date not later than the next regularly scheduled meeting date of the Board that is scheduled to occur at least 21 days after the date of initial suspension. Essentially, those identified positions or their designee have the authority to temporarily suspend access, for a period not to exceed 21 days, to the next board meeting, wherein the Board will review the occurrence and determine if a longer suspension is appropriate. Prior to the occurrence being on any agenda and in connection with any suspension that is put in place by one of those individuals, a letter will be sent to the resident that is subject to the suspension, with the date, time and location of the CDD meeting at which the determination will be made by the Board; it will provide that the Board may and has the authority to extend the duration of the suspension

for an amount of time greater than the 21-day period that was determined by one of the individuals named in Paragraph 7, to the extent that one of the individuals identified in Paragraph 7 chose the suspension timeframe that is less than 21 days, and it expires prior to the next CDD meeting, that there will not be an opportunity for the Board to review it. That is the authority that has been delegated to those individuals by virtue of the Board's adoption of this Rule.

A Board Member stated the \$500 reimbursement fee is not an automatic charge. Mr. Haber explained that that language was included in large part because of the instances where a letter is sent to the suspended resident and that person hires an attorney and the CDD then incurs administrative/legal costs in preparation for a hearing. In this instance, the Board has the ability, in its discretion, to require reimbursement in an amount up to \$500 to offset those administrative/legal expenses.

Resident Lisa Morales asked about an escalation point if there is an allegation; a written or verbal warning. Referencing Paragraph 7, Mr. Haber stated CDD representatives have the discretion to immediately suspend if a resident's behavior is so severe that it is deemed necessary, without an escalation point, but it does not mean that an escalation cannot be employed by a verbal reprimand from Staff, if something less egregious occurs. The CDD used to issue warnings but found that certain violations were so severe that an immediate suspension, until the Board could address it, was absolutely necessary and the ability for CDD representatives to do that was hampered because escalation steps were provided that then became challengeable in the event of a violent or egregious altercation with staff or another resident.

Resident Jordan Zumora asked if a homeowner is relieved from paying their operation and maintenance (O&M) assessment if their usages rights are terminated. Mr. Haber replied no.

Resident Michael Maples asked who protects the residents' rights in the event of an altercation between neighbors on CDD property. Mr. Torres stated the Board would hear both sides at a CDD meeting.

Resident Wendy Listner voiced her concern about damage to the amenities and opined that there needs to be a document in place to make sure that the individuals who are damaging

CDD property are paying for it and CDD representatives should have the authority to terminate or suspend privileges, as the CDD's assets must be protected.

Resident Janet Parrish echoed Ms. Listner's remarks and stated it is about not getting assessed extra fees. She believes the same individuals are damaging property and causing problems.

On MOTION by Mr. Cornelison and seconded by Mr. Odom, with all in favor, the Public Hearing was closed.

On MOTION by Mr. Taylor and seconded by Mr. Cornelison, with all in favor, Resolution 2024-07, Adopting Revised Amenity Policies and Rates Including Revised Suspension and Termination Policies; Providing a Severability Clause; and Providing an Effective Date, was adopted.

SIXTH ORDER OF BUSINESS

Consideration of Amendments to Amenity Policies

This item was tabled.

SEVENTH ORDER OF BUSINESS

Ratification of Elite Amenities NE Florida, LLC Agreement for Amenity Staffing Services

Mr. Torres presented the Elite Amenities NE Florida, LLC Agreement for Amenity Staffing Services.

Ms. Maldonado stated the Agreement allows for OnPlace to engage Elite Amenities to help with lifestyle events, as a backup, in the event that OnPlace staff is unavailable. Asked if an example would be that Elite Amenities would fill in to oversee an event between the hours of 8:00 p.m. to 10:00 p.m., Ms. Keim replied affirmatively.

On MOTION by Mr. Cornelison and seconded by Mr. Odom, with all in favor, the Elite Amenities NE Florida, LLC Agreement for Amenity Staffing Services, was ratified.

EIGHTH ORDER OF BUSINESS

**Acceptance of Unaudited Financial
Statements as of February 29, 2024**

**On MOTION by Mr. Taylor and seconded by Mr. Cornelison, with all in favor,
the Unaudited Financial Statements as of February 29, 2024, were accepted.**

NINTH ORDER OF BUSINESS

**Approval of March 21, 2024 Regular
Meeting Minutes**

**On MOTION by Mr. Cornelison and seconded by Mr. Odom, with all in favor,
the March 21, 2024 Regular Meeting Minutes, as presented, were approved.**

TENTH ORDER OF BUSINESS

Staff Reports

A. District Counsel: Kutak Rock LLP

B. District Engineers: Dominion Engineering Group, Inc.

There were no reports from District Counsel or the District Engineer.

C. Property Manager: Castle Group

There was no report.

D. Lifestyle Director: OnPlace, LLC

Ms. Boyer reported the following:

- The Lifestyle app launched and is downloadable; Staff will be happy to help residents download it.
- The Easter event was a success and the Cinco de Mayo party and Mother's Day events are upcoming.
- The newsletter will be emailed tomorrow; residents who do not receive it are urged to email OnPlace so they can send a link to the newsletter.

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

- **NEXT MEETING DATE: May 16, 2024 at 3:00 PM at Amelia Island Nassau County
Association of Realtors, 910 S 14th St., Fernandina Beach, Florida 32034**

- **QUORUM CHECK**

All Supervisors confirmed their attendance at the May 16, 2024 meeting.

ELEVENTH ORDER OF BUSINESS

Board Members' Comments/Requests

Mr. Taylor stated that the Board must consider a new proposal and/or an amendment to the current janitorial agreement.

Ms. Maldonado stated, due to increased usage of the facilities, the current janitorial agreement, for service three days per week, is not enough. A proposal for janitorial services five days per week was obtained. The current provider, More Cleaning, presented a proposal and there are four additional proposals to consider.

Discussion ensued regarding the scope of work, pricing, contract terms and which proposal to accept.

Asked for a recommendation, Ms. Maldonado stated she is familiar with Keen on Clean and City-Wide and they are both well-qualified.

On MOTION by Mr. Taylor and seconded by Mr. Odom, with all in favor, the City-Wide proposal for Janitorial Services and delegating authority to Mr. Cornelison and Staff to finalize the Agreement, was approved.

Mr. Cornelison provided the following update:

- The CDD is expanding the amenity center to include a parking lot for future events.
- There is no current plan to connect the opening of the park into Lakeview. The Board is aware of the free access straight into the Lakeview community and is formulating a plan for an event space to hold more events.

TWELFTH ORDER OF BUSINESS

Public Comments

The Board and Staff responded to resident questions, as follows:

- Regarding the status of the Avid Trail, the program is still in the permitting phase. Mr. Taylor stated Avid Trail is important to the community but several issues have delayed permitting over the past 18 months. All the agencies are inundated with work and the development team has been working diligently with its consultants to hasten the permitting process. Once the permits for the project are received, a commencement date will be announced.

➤ Regarding why residents must be charged \$500 to rent the pavilion and why the discussion about the rate change was tabled, Mr. Taylor stated there is a redline version of the Amendments to Amenity Policies for the Board to consider.

➤ Regarding implementation of resident IDs, Mr. Taylor stated there is no update. However, Ms. Maldonado was recently hired by the Developer to help coordinate some of the questions being posed; this topic will be included as a discussion item on the next agenda.

Discussion ensued regarding the Welcome Center and the current security system.

➤ Regarding County approval plans for the Villa, Mr. Kern stated the Villa is a term defined in the CDD's PUD zoning. Mr. Taylor stated the PUD is a plan of the development and a mixed-use zoning for product types and a villa product type is a single-family home that is one level with a shared wall.

➤ Asked for an update on the basketball courts, Mr. Taylor stated there is currently no basketball court planned in the near term. The land around the Amenity Center cannot accommodate it. There was discussion about converting the pickleball court to a basketball court but it was determined that pickleball is the most appropriate use for the community.

➤ Asked if tennis courts will be constructed, Mr. Taylor stated there are no immediate plans for tennis courts. If there is a demand for tennis courts, through resident surveys and interaction, the Board will consider tennis courts.

➤ Asked if Lennar can landscape an area near a pathway, Mr. Taylor stated that the Board has been in talks with Lennar about landscaping the area in question as well as clearing an additional area for a future parking lot; hopefully both areas will be cleared simultaneously.

Discussion ensued regarding resident IDs, pool monitors to restrict access to non-residents, non-residents having access, the change in meeting location, the dog park, street signs, HOA meetings, pavilion reservations and the Fiscal Year 2025 budget adoption process.

THIRTEENTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Taylor and seconded by Mr. Cornelison, with all in favor, the meeting adjourned at 4:25 p.m.



Secretary/Assistant Secretary



Chair/Vice Chair