

MINUTES OF MEETING  
SIX MILE CREEK COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Six Mile Creek Community Development District was held on Wednesday, April 20, 2016 at 2:00 p.m. at the Offices of Governmental Management Services, 475 West Town Place, Suite 114, St. Augustine, Florida 32092.

Present and constituting a quorum were:

Chris Kuhn	Chairman
Grady Miars	Vice Chairman (by phone)
Chris O'Bannon	Supervisor
Rose Bock	Supervisor
Mike Veazey	Supervisor

Also present were:

Jim Oliver	District Manager
Wes Haber	District Counsel
Scott Wild	District Engineer

**FIRST ORDER OF BUSINESS**

**Call to Order**

Mr. Oliver called the meeting to order at 2:00 p.m.

**SECOND ORDER OF BUSINESS**

**Audience Comments**

There were no audience members in attendance.

**THIRD ORDER OF BUSINESS**

**Affidavit of Publication**

Mr. Oliver stated included in your agenda package is a copy of the affidavit of publication for the public hearing.

**FOURTH ORDER OF BUSINESS**

**Approval of Minutes of the March 16, 2016 Meeting**

Mr. Oliver stated included in your agenda package is a copy of the minutes of the March 16, 2016 meeting. Are there any additions, corrections or deletions?

On MOTION by Mr. Kuhn seconded by Ms. Bock with all in favor the Minutes of the March 16, 2016 Meeting were approved.

**FIFTH ORDER OF BUSINESS**

**Public Hearing Related to Reissuance of Bonds**

**A. Consideration of Resolution 2016-07, Assessment Resolution**

Mr. Oliver stated we are going to consider continuing this meeting and the public hearing until April 27<sup>th</sup> at 2:00 p.m.

On MOTION by Mr. Kuhn seconded by Ms. Bock with all in favor the Public Hearing Related to the Reissuance of Bonds was opened.

On MOTION by Mr. Kuhn seconded by Mr. O'Bannon with all in favor the Public Hearing Related to the Reissuance of Bonds was Continued to April 27, 2016 at 2:00 p.m. at the Offices of GMS, 475 West Town Place, Suite 114, St. Augustine, Florida 32092 was approved.

**SIXTH ORDER OF BUSINESS**

**Consideration of Resolution 2016-08, Authorizing the Tender of 2007 Bonds as Prepayments**

Mr. Haber stated the public hearing that was just continued is to levy the assessments for the 2016 Bonds that we are considering issuing. I think it is anticipated that on the 27<sup>th</sup>, we will hold that public hearing. We will levy those assessments and we will also hold the pre-closing for those 2016 bonds. As part of the structure of those bonds, you may recall, we already bifurcated the 2007 bonds. We did a refunding over assessment area one for the 2015 refunding bonds. There are now two additional assessment areas that have been identified. There is an assessment area two, which is going to secure the 2016 bonds. There is an assessment area called the 2007 assessment area, which is all of the remaining property within the District and that property is going to be held out to continue to secure the outstanding 2007 bonds. The way it is currently structured is with the exception of assessment area one, all of the remaining District secures the 2007 bonds. In order to remove the assessments that secure the 2007 bonds from assessment area two, the bondholders have agreed to tender or essentially cancel a sufficient amount of the 2007 bonds to serve as a prepayment of all of the assessments securing the 2007 bonds within assessment area two. The total amount of the assessments that have been levied against assessment area two is identifiable and has been calculated by the District

Manager. That amount is communicated to the bondholders and the bondholders are told you need to give us \$24M in bonds. The tender of those bonds will act as though you are paying cash to get rid of the 2007 assessments that have been levied against assessment area two. The assessment resolutions that were previously adopted only contemplated payment of assessments through cash. They didn't contemplate the tender of bonds as a way to pay assessments. You are considering Resolution 2016-08. It goes through the history of what has taken place, the bifurcation of the refunding, the fact that the prior resolutions only contemplated the payment of cash and then it provides for an amendment to the prior assessment resolutions to allow the bondholders to tender these bonds as a payment of assessments in lieu of a cash payment. It requires that 100% of the bondholders send a request that they give their consent. Upon the submittal of the prepayment, the District Manager would amend the assessment role to reflect that there are no longer 2007 debt assessments levied against the area known as assessment area two.

On MOTION by Mr. Kuhn seconded by Ms. Bock with all in favor Resolution 2016-08 Authorizing the Tender of 2007 Bonds as Prepayments was approved.

#### **SEVENTH ORDER OF BUSINESS**

#### **Consideration of Change Order for Florida Road Phase 4C**

Mr. Wild stated I distributed a number of items before the meeting. The first item in that package is Change Order No. 2 to the Florida Roads Contract for phase four, parts two and three. This is adding back in a portion of what was taken out in Change Order No. 1 on the 63 foot lots. The amount that is being added back in is consistent with what was taken out previously. This change order is in the amount of \$324,432.19, which brings the new contract price to \$4,255,197.70.

On MOTION by Mr. Kuhn seconded by Mr. Veazey with all in favor Change Order No. 2 was approved.

Mr. Wild stated I have a change order for the Petticoat Schmidt Contract. It is a deduct for a different type of silt fence. The contractor recommended it. We reviewed their

recommendation and agreed that this type of fence would be efficient in this application. It is a deduct of \$6,375. It brings the new contract amount to \$3,009,408.32.

On MOTION by Mr. Kuhn seconded by Mr. O'Bannon with all in favor Petticoat Schmidt Change Order was approved.

**EIGHTH ORDER OF BUSINESS**

**Approval of FPL Agreement**

Mr. Wild stated included in your agenda package is the FPL agreement for phase 4C. They actually have the wrong entity listed as the contracting party. We have been working with FP&L to get them to change it to the District. It is in the amount of \$10,457.37.

On MOTION by Mr. Kuhn seconded by Mr. Veazey with all in favor the FPL Agreement was approved.

**NINTH ORDER OF BUSINESS**

**Consideration of Agreement with DRMP for Survey Services**

**TENTH ORDER OF BUSINESS**

**Consideration of Proposal with Prosser for Irrigation**

**ELEVENTH ORDER OF BUSINESS**

**Consideration of Landscape Proposals**

Mr. Wild stated I have handed out an accumulation of the surveying proposals with a summary sheet from the surveyor. At the last meeting we were authorized to move forward with negotiations with them. We requested these proposals for four separate phases of the project and just received them yesterday. The scope was everything we wanted it to be; however, their pricing is a little bit higher than I would have expected to see.

Mr. Haber stated the process that you have begun is called the Consultants Competitive Negotiation Act. We don't have an agreement with this company and we are still in the negotiation phase with them, so we have asked them for the price. We have deemed them qualified to do the work but that is all we have done. It sounds like we believe they may be on the high end of the price, so I think negotiations can continue. We are looking to continue this meeting until the 27<sup>th</sup> to go back to DRMP.

Mr. Kuhn stated I would like for Scott and I to further work on negotiations with the pricing with DRMP and then bring it back to the board next week. I would also like to bring back other proposals that the District has received for those scopes of work.

Mr. Haber stated then we will table these items until the continued meeting on the 27<sup>th</sup>.

**TWELFTH ORDER OF BUSINESS**

**Consideration of Proposals with Grau & Associates to Perform Arbitrage Rebate Services**

Mr. Oliver stated there are two proposals in your agenda package. Both are at a fee of \$600. This is to perform arbitrage rebate services for two series of bonds.

On MOTION by Mr. Kuhn seconded by Ms. Bock with all in favor the Proposals with Grau & Associates to Perform Arbitrage Rebate Services were approved.

**THIRTEENTH ORDER OF BUSINESS**

**Other Business**

Mr. Haber stated the Chairman and I had discussed a potential management agreement between the District and the Developer but we are still talking through the details. To the extent that we are able to, I think we would like to consider that at the meeting on the 27<sup>th</sup>. We would like to add that to the agenda and then tabled.

**FOURTEENTH ORDER OF BUSINESS**

**Staff Reports**

**A. Attorney**

Mr. Haber stated we are looking at getting the bonds pre-closed on the 27<sup>th</sup> and the assessments levied. I think the actual proposed date for the issuance of the bonds to be closed is the 29<sup>th</sup>. I think all signs are pointing to the fact that we will be able to do that.

**B. Engineer**

**1. Consideration of Requisitions 397 through 406**

Mr. Wild stated I have provided you with a revised requisition summary. We have added three requisitions. The requisitions total \$647,424.49.

On MOTION by Mr. Kuhn seconded by Mr. Veazey with all in favor Requisition Nos. 397 through 406 were approved.

**2. Consideration of Work Authorizations**

Mr. Wild stated I have handed out Work Authorization No. 20 for phase five. It is for the design and permitting of 82 63 foot lots. This work authorization is very consistent with prior phasing work authorizations that we have done. The pricing is the same, if not lower than the previous ones. It totals \$74,900.

On MOTION by Mr. Kuhn seconded by Mr. Veazey with all in favor Work Authorization No. 20 was approved.

Mr. Wild stated next is Work Authorization No. 21 for consumptive use permit with the St. Johns River Water Management District.

On MOTION by Mr. Kuhn seconded by Mr. Veazey with all in favor Work Authorization No. 21 was approved.

**C. Manager**

There being none, the next item followed.

**D. Field Services**

There being none, the next item followed.

**FIFTEENTH ORDER OF BUSINESS      Supervisors' Requests and Audience Comments**

There being none, the next item followed.

**SIXTEENTH ORDER OF BUSINESS      Financial Statements as of March 31, 2016**

Mr. Oliver stated included in your agenda package are the financial statements as of March 31, 2016.

**SEVENTEENTH ORDER OF BUSINESS      Consideration of Funding Request FY16-#10**

Mr. Oliver stated included in your agenda package is a copy of Funding Request FY16-#10 in the amount of \$6,924.76.

On MOTION by Mr. Kuhn seconded by Mr. O'Bannon with all in favor Funding Request No. FY16-#10 was approved.

**EIGHTEENTH ORDER OF BUSINESS      Consideration of Funding Request FY16-#11**

Mr. Oliver stated included in your agenda package is Funding Request FY16-#11 in the amount of \$19,508.05.

On MOTION by Mr. Kuhn seconded by Mr. Veazey with all in favor Funding Request No. FY16-#11 was approved.

**NINETEENTH ORDER OF BUSINESS      Next Scheduled Meeting – Wednesday, May 18, 2016 @ 2:00 p.m. at the Offices of GMS**

Mr. Oliver stated the next scheduled meeting is Wednesday, May 18, 2016 at 2:00 p.m. at this location.

On MOTION by Ms. Bock seconded by Mr. Veazey with all in favor the Meeting was Continued to April 27, 2016 at 2:00 p.m. at the Offices of GMS, 475 West Town Place, Suite 114, St. Augustine, FL 32092.

**TWENTIETH ORDER OF BUSINESS      Adjournment**

  
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Secretary/Assistant Secretary

  
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Chairman/Vice Chairman