

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, September 16, 2015 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
Mike Veazey	Supervisor
Rose Bock	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 today's meeting and public hearing.

FOURTH ORDER OF BUSINESS

Approval of Minutes of the July 15, 2015 Meeting

Mr. Oliver stated included in your agenda package is a copy of the minutes of the July 15, 2015 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 July 15, 2015 Meeting were approved.

FIFTH ORDER OF BUSINESS

Public Hearing Adopting the Budget for Fiscal Year 2016

A. Consideration of Resolution 2015-24, Relating to Annual Appropriations and Adopting the Budget for Fiscal Year 2016

On MOTION by Mr. Kuhn seconded by Mr. Veazey with all in favor the Public Hearing Adopting the Budget for Fiscal Year 2016 was opened.

Mr. Oliver stated a copy of the proposed budget is included in your agenda package. There have been no changes since it was approved. It is a budget of \$447,984 and this is funded through Developer contributions.

Mr. Haber stated Chapter 190 requires a District to hold a public hearing. It was advertised in the newspaper. This resolution is referred to as the appropriation resolution. You are essentially appropriating the funds for the various line items included in the budget and by virtue of your adoption of that resolution; you will be formally adopting that budget.

On MOTION by Mr. Kuhn seconded by Mr. O'Bannon with all in favor Resolution 2015-24 Relating to Annual Appropriations and Adopting the Budget for Fiscal Year 2016 was approved.

B. Consideration of Funding Agreement for Fiscal Year 2015/2016

Mr. Haber stated this agreement contemplates that the Developer will pay the actual costs as opposed to the total amount of the budget you just adopted. The agreement is similar to the agreements that have been used in previous years; however, I don't know that Donna Feldman, who represents the Developer as Developer's Counsel, has formally signed off on this version, so my recommendation would be that you approve it in substantial form and give your Chair the final authority to execute it.

On MOTION by Mr. Veazey seconded by Ms. Bock with all in favor the Funding Agreement for Fiscal Year 2015/2016 was approved in substantial form.

On MOTION by Mr. Kuhn seconded by Mr. Veazey with all in favor the Public Hearing Adopting the Budget for Fiscal Year 2016 was closed.

SIXTH ORDER OF BUSINESS

Consideration of Resolution 2015-25, Certifying Debt Assessments for 2015

Mr. Haber stated as you may recall, the District issued 2007 bonds and we went through the process of refunding those bonds. We now have the 2015 bonds on an identifiable assessment area and it has platted lots. Unlike the 2007 bonds, which the District is not paying principal and interest on, those bonds are current and the expectation is that the District will pay the principal and interest due on those bonds. What this resolution does is it certifies the assessments that are due for only those bonds, which means, given the timing, the District will be directly collecting those assessments. It will send an invoice directly to the landowners within that assessment area to collect those assessments. When this resolution was approved I think the expectation was that we were going to be using the uniform method, so if you read it, it says uniform method but subsequently, we have determined that we are not able to do that, so we will be directly collecting. When you are directly collecting assessments, this resolution will set forth the due dates for those debt assessments. You can adopt this resolution and grant your Chair the authority to work with staff to determine what those collection dates will be. We can ratify that at the next meeting.

On MOTION by Mr. Kuhn seconded by Mr. O'Bannon with all in favor Resolution 2015-25 Certifying Debt Assessments for 2015 was approved, subject to providing that the assessments will be directly collected & granting the Chair the authority to determine the collection dates.

SEVENTH ORDER OF BUSINESS

Consideration of Publishing CCNA Notice for Engineering for Design Services

Mr. Kuhn stated we have a number of scopes of work that are ongoing in the District, which include the engineering work that ETM is doing as District Engineer and we also have landscape architecture and master planning and other hardscape related design scopes of work. We do have one firm that we have engaged for architecture, which was ELM but we would like to advertise to bring on another consultant to help with the scopes of work that we are performing.

Mr. Haber stated anytime you are going through the process of hiring those types of professionals, you need to go through what is called the Consultants Competitive Negotiations Act. We will come back at the next meeting with the proposals. You will evaluate them based on the statutory criteria.

On MOTION by Mr. Veazey seconded by Mr. Kuhn with all in favor to Authorize Staff to Publish the CCNA Notice for Engineering for Design Services was approved.

EIGHTH ORDER OF BUSINESS Consideration of Construction Related Matters

Mr. Kuhn stated Wes and I have talked about the mailboxes for the community and distribution of mail in this part of St. Johns County. The requirement is that it be cluster type boxes as opposed to mail to the individual lots. We are working on a number of proposals. This is one proposal that I would like to see if we could move forward on with a not to exceed amount. This is to provide cluster type kiosk boxes in the three distinct neighborhoods, where we have neighborhood infrastructure in place. Those being in the 63 foot lot area, the traditional neighborhood area and the area where the 70 foot lots are located along the conservation/wetland seam. The not to exceed amount is \$32,917.59. That would also be phased work, so that would be the total contract amount. The execution of that work would happen in phases as they were needed. There will be a forthcoming credit based on the District's tax-exempt status.

Ms. Bock asked and there is no structure over them? They are just mounted on?

Mr. Kuhn responded correct. There is a structure proposed, which will be a separate scope of work. This would include a box that is inserted into a shelter.

Ms. Bock asked will these be on alleys?

Mr. Kuhn responded these will be on the street. For the traditional neighborhood, they will be in a structure in a pocket park.

On MOTION by Ms. Bock seconded by Mr. Veazey with all in favor the Proposal to Provide 3 Cluster Type Kiosk Mailboxes with a not to exceed amount of \$32,917.59 was approved.

NINTH ORDER OF BUSINESS Other Business

There being none, the next item followed.

TENTH ORDER OF BUSINESS

Staff Reports

A. Attorney

There being none, the next item followed.

B. Engineer

1. Ratification of Requisitions No. 232-238 – Bond Series 2007

2. Consideration of Requisitions 239-247 – Bond Series 2007

Mr. Wild stated requisitions to be ratified are numbers 232 through 238, which total \$326,285.57. Requisitions to be approved are numbers 239 through 247, which total \$230,280.01.

On MOTION by Mr. Kuhn seconded by Mr. Veazey with all in favor Requisition Nos. 232-238 were ratified & Requisition Nos. 239-247 were approved.

3. Consideration of Gemini Engineering Services Proposal for FEMA Letter of Map Revision

Mr. Wild stated this is a proposal from Gemini Engineering Services for a FEMA letter of map revision based on fill. It totals \$3,500 and it is to address some FEMA flood plane that encroaches onto the project and not only into some lots but also into a stormwater management facility. It is necessary to allow the development of the project to move forward.

On MOTION by Mr. Kuhn seconded by Mr. Veazey with all in favor Gemini Engineering Services Proposal for FEMA Letter of Map Revision was approved.

4. Consideration of Change Order #1 – Trailmark Entry Feature

Mr. Wild stated included in your agenda package is Change Order #1 to the Scherer Construction contract for the Trailmark entry feature. It is in the amount of \$44,839.88. It addressed several items, which are basically an expansion of the original scope of the entrance feature.

On MOTION by Mr. Kuhn seconded by Mr. Veazey with all in favor Change Order #1 – Trailmark Entry Feature totaling \$44,839.88 was approved.

5. Consideration of Change Order #2 – Trailmark Entry Feature

Mr. Wild stated included in your agenda package is Change Order #2 to the same contract in the amount of \$6,345.22. This was for some revised signage.

Mr. Kuhn stated this has to do with the actual letters that are on the monument themselves. The contractor was carrying a certain allowance for those letters but based on the monument size and location, there is an additional cost of those letters.

On MOTION by Mr. Veazey seconded by Mr. Kuhn with all in favor Change Order #2 – Trailmark Entry Feature totaling \$6,345.22 was approved.

6. Consideration of Work Authorization 16, Amendment 1

Mr. Wild stated included in your agenda package is Work Authorization No. 16, Amendment 1 for additional lots that are in the phase that we are currently designing. Originally, these lots were not contemplated in that scope but there is an additional 158 lots that have been authorized to be designed. It is all hourly with a not to exceed amount.

Mr. Kuhn stated this would include the entire neighborhood infrastructure of the roads, drainage, the utilities, etc.

On MOTION by Mr. Kuhn seconded by Ms. Bock with all in favor Work Authorization 16, Amendment 1 was approved.

7. Consideration of Work Authorization 17

Mr. Wild stated included in your agenda package is Work Authorization No. 17 for miscellaneous CEI services. There are various construction projects going on right now that we didn't necessarily design and we need to provide inspection and engineering services for. This is hourly with a not to exceed amount of \$10,000.

On MOTION by Mr. Kuhn seconded by Mr. O'Bannon with all in favor Work Authorization No. 17 was approved.

8. Consideration of Work Authorization 18

Mr. Wild stated included in your agenda package is Work Authorization No. 18 for general consulting engineering services for next fiscal year. It will be hourly with a budget amount of \$12,000, which is consistent with the budget you just adopted.

On MOTION by Mr. Kuhn seconded by Mr. Bock with all in favor Work Authorization No. 18 was approved.

C. Manager

1. Discussion of JLAC Letter

Mr. Oliver stated the Joint Legislative Audit Committee letter is in regard to the fiscal year 2013 audit. A number of the Districts throughout the State that had financial difficulties as a result of the recession had their audits flagged by this particular committee. They asked some questions regarding the District. We provided a response to them that we are working on resolving those issues.

Mr. Haber stated and they are used to seeing responses like this. Essentially, what we have said is we have taken the steps of refunding and bifurcating and we are continuing to look at the remaining defaulted bonds to figure out ways to restructure those, so they are no longer in default. What they want to hear from the District is that the District is not looking to the State for any help in regards to their defaults.

2. Discussion of Meeting Dates for Fiscal Year 2016

Mr. Oliver stated included in your agenda package is a copy of the proposed meeting schedule for fiscal year 2016. We would meet on the third Wednesday of each month at 2:00 p.m. at this location.

On MOTION by Mr. Kuhn seconded by Ms. Bock with all in favor the Annual Meeting Schedule for Fiscal Year 2016 was approved.

D. Field Services

Mr. Kuhn stated one of the field service items we have identified to be performed is pressure washing of the sidewalks, curbs and gutters. That infrastructure was developed and constructed six or seven years ago. I have talked to Jim and we have at least one proposal now

that we would look for authorization to move forward with for the hardscape areas in a not to exceed amount of \$13,068.74.

On MOTION by Mr. Veazey seconded by Mr. O'Bannon with all in favor the Proposal to Provide Pressure Washing of Sidewalks, Curbs & Gutters with a not to exceed amount of \$13,068.74 was approved.

ELEVENTH ORDER OF BUSINESS Supervisors' Requests and Audience Comments

Mr. Kuhn stated we wanted to discuss a recent conversation with the property owner across the street. I know Mike's prior history with this project and your communication with the neighbor across the street. Recently in regards to improvements that were constructed at the intersection of Pacetti Road and Trailmark Drive was that there are a number of improvements that are outside of the County right-of-way and within his property. Those include the mast arms, a portion of the drainage culvert and sidewalk. The property owner, whose name is Mr. East, has reached out to the County and has raised some concern about those improvements being on his property. With the help of Scott and Wes, we did locate some easements that were entered into for the construction of those improvements on his property. The easements are a little less than clear in terms of the perpetual nature of those being on his property. The County has asked that we clean up that lack of clarity by putting it on a standard County form of easement. I approached Mr. East about accomplishing that and he not only refused to sign those easements but he was clearly disturbed and bothered by the fact that those improvements were on his property. I tried to remind him of some of the history of how that happened. Those were not familiar events to him. I would like to see Mike have some communication with Mr. East on behalf of the District to see if we can better understand his concerns about entering into that easement and maybe refresh his memory on the prior events that took place.

Mr. Haber stated I think the ultimate goal is having the easement document that the County wants signed. The reason we are even discussing it at a meeting like this is the CDD had the contract for the installation of the improvements. Based on what Chris has told me about the communications with the gentlemen, I worry that he would realize that both Mike and Chris are on the board and if Chris called him first and then Mike called him and Mike knew about Chris'

prior correspondence, I want to make sure that this conversation took place on the record. I think Mike can now work with District staff as it relates to speaking with him. The reality is the easement is a document that we will likely need.

Mr. Kuhn stated not only is it an issue with adjacent property owner but the County has asked us to resolve this and there are certain plans that we have submitted to them that are not making it to the finish line, while this gets sorted out. This being resolved is holding up other work.

Mr. Veazey stated I will definitely call him. We had conversations before and we did some improvements to his property as part of getting those easements.

Mr. Haber asked do I understand correctly that the drainage improvements are actually improvements to his property that benefit him?

Mr. Wild responded that is correct.

Ms. Bock asked and he signed a previous document?

Mr. Haber responded yes. He signed two easements, neither of which are that clear. It is the County that is looking for the clarity because ultimately, if it is the County that is going to own the improvements, then they want to make sure they will have access to them.

TWELFTH ORDER OF BUSINESS Financial Statements as of August 31, 2015

Mr. Oliver stated included in your agenda package is a copy of the financial statements as of August 31, 2015.

- THIRTEENTH ORDER OF BUSINESS Consideration of Funding Request FY15-#12**
- FOURTEENTH ORDER OF BUSINESS Consideration of Funding Request FY15-#13**
- FIFTEENTH ORDER OF BUSINESS Consideration of Funding Request FY15-#14**

Mr. Oliver stated included in your agenda package are Funding Request Nos. #12, #13 and #14.

On MOTION by Mr. Kuhn seconded by Mr. Veazey with all in favor Funding Request Nos. FY15-#12, #13 & #14 were approved.

SIXTEENTH ORDER OF BUSINESS Next Scheduled Meeting – To be Determined at Meeting

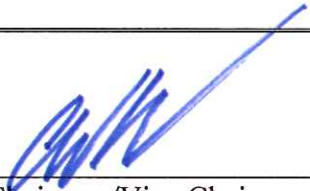
Mr. Oliver stated the next meeting is October 21, 2015 at 2:00 p.m. at this location.

SEVENTEENTH ORDER OF BUSINESS Adjournment

On MOTION by Ms. Bock seconded by Mr. Veazey with all in favor the Meeting was adjourned.



Secretary/Assistant Secretary



Chairman/Vice Chairman