

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, October 15, 2014 at 4:25 p.m. at the offices of GMS, LLC, 475 West Town Place, Suite 114, St. Augustine, Florida 32092.

Present and constituting a quorum were:

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

Also present were:

Jim Oliver	District Manager
Wes Haber	District Counsel
Scott Wild	District Engineer
Peter Dame	Akerman, LLP (by phone)

**FIRST ORDER OF BUSINESS**

**Roll Call**

Mr. Oliver called the meeting to order at 4:25 p.m.

**SECOND ORDER OF BUSINESS**

**Audience Comments**

There being none, the next item followed.

**THIRD ORDER OF BUSINESS**

**Organizational Matters**

**A. Appointment of New Supervisor to Fill Unexpired Term of Office (11/2016)**

Mr. Oliver stated this is to fill the term for Andy Hagen who resigned recently.

Mr. Kuhn stated I would like to nominate Rose Bock to fill the open position as supervisor.

On MOTION by Mr. Kuhn seconded by Mr. Miars with all in favor the nomination of Rose Bock to fill the open position as supervisor was approved.
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Mr. Oliver stated Rose Bock has served on a number of CDD boards. She is aware of the Sunshine Laws and Public Records Laws. I will administer the Oath of Office.

**B. Oath of Office of Newly Appointed Supervisor**

Mr. Oliver administered the Oath of Office.

Ms. Bock stated Rose Bock.

Mr. Oliver stated "As a citizen of the state of Florida and of the United States of America, being employed by or an officer of the Six Mile Creek Community Development District, and recipient of public funds as such employee or officer, do solemnly swear or affirm that you will support the constitution of the United States and of the State of Florida."

Ms. Bock stated I do.

Mr. Oliver stated I would get with Rose following the meeting to execute any documents required.

**C. Election of Officers, Resolution 2015-01**

Mr. Oliver stated you have officers, which you will reconsider after upcoming landowner's election. Is there a motion to appoint Rose Bock an assistant secretary of the district.

On Motion by Mr. Miars seconded by Mr. Kuhn with all in favor Rose Bock appointed assistant secretary was approved.

**FOURTH ORDER OF BUSINESS**

**Approval of Minutes of the September 8, 2014 Meeting**

Mr. Oliver asked are there any corrections to the minutes of the September 8, 2014 meeting?

On MOTION by Mr. Miars seconded by Mr. Kuhn with all in favor the minutes of the September 8, 2014 meeting were approved.

**FIFTH ORDER OF BUSINESS**

**Consideration of Resolution 2015-03,  
Authorizing Restructuring**

Mr. Haber stated there are two resolutions on the agenda. The one authorizing restructuring is 2015-03. The resolution setting forth terms of Bifurcated bonds and assessments is 2015-04. The first resolution I am going to defer a fair amount to Peter Dame. He drafted the resolution and he also prepared the supplemental amended indenture that gets approved in connection with that resolution. What we are looking to do today is to begin the process of restructuring the 2007 bonds that the district issued. It is a multi step process. A number of those steps are set forth on your agenda. The first of which is the bifurcation of the bonds. The existing bonds would be split into two. One of which would be secured by phase one, which is made up of 152 lots. The other secured by the remaining developable property. That would create two separate series of bonds. The process for how that happens is described in Peter’s resolution.

Mr. Dame stated each series of bonds is secured by separate particular set of assessments. It allows the existing funds of the indentures to be split between the two series. Essentially using the existing debt service reserve fund to fund a reserve fund for the new 2014A bonds and to leave the balance in the 2007 reserve. The indenture allows us to make amendments with the consent of the owner’s of the bond and we anticipate that the owner’s of the bonds would consent to this change before it becomes effective. The existing 2007 bonds would be exchanged for new certificates representing the 2014A bonds and the balance of the 2007 bonds. It authorizes staff and the officers of the district to go ahead and take the actions that are necessary to complete the bifurcation of the bonds in the two series.

On MOTION by Mr. Miars seconded by Mr. Kuhn with all in favor the Resolution 2015-03 was approved.

**SIXTH ORDER OF BUSINESS**

**Consideration of Resolution 2015-04,  
Setting Forth Terms of Bifurcated Bonds  
and Assessments**

Mr. Haber stated there are two documents that go along with this resolution. These bifurcated bonds are going to continue to be secured by the existing assessments. The assessments that were levied back in 2007 when we issued the 2007 bonds would continue to remain an existing lien against the two separate assessment areas. However, it is necessary to

confirm that assessment lien as well as identify the two assessment areas. That is done by virtue of this resolution 2015-04. The second supplemental methodology report prepared by Governmental Management Services, is an exhibit to resolution 2015-04. Jim Perry was the primary author of the methodology. The assessments still rely on the same improvements and the same engineer's report. It sets forth the terms of the separate bonds. It is pretty much that straight forward.

On MOTION by Mr. Miars seconded by Mr. Kuhn with all in favor the Resolution 2015-04 was approved.

**SEVENTH ORDER OF BUSINESS**

**Consideration of Issuance of Refunding Bonds**

Mr. Haber stated the expectation is that now we have these bifurcated bonds and that is to facilitate the issuance of refunding bonds. Only the 2014A bonds are secured by this first phase of 152 lots. It would be refunded. That refunding would be an entirely new bond. I think there is also an expectation that we would levy assessments to secure that new bond. This is really a placeholder. I think there is a desire to get that moving as quickly as possible. We were not ready to have documents at this meeting to begin that process. There is a quorum available to continue this meeting to a time next week or so. That way we could come back to consider the issuance of the refunding bond for the 2014A bond. We are not looking for any board action on this item and the next other than to preserve them to be considered at a continued meeting. We can discuss dates available for continuation right now or at the end of this meeting.

**EIGHTH ORDER OF BUSINESS**

**Consideration of Bond Issue for New Improvements**

This item being tabled, the next item followed.

**NINTH ORDER OF BUSINESS**

**Consideration of Construction Related Matters**

Mr. Haber stated it is to my understanding that there is electrical work primarily related to work that would be performed by FPL. Chris has a rough estimate from FPL as to what that work is.

Mr. Kuhn stated this is to provide the primary power for the community or to modify the existing improvements that are already installed by FPL. It is work that needs to be performed by FPL. They have provided their standard template contract for the board to consider. We would know by the continued meeting date if there would be some change or some adjustment to those terms.

On MOTION by Mr. Miars seconded by Ms. Bock with all in favor the entering of agreements and not exceeding \$90,000 was approved.

**TENTH ORDER OF BUSINESS**

**Consideration of Resolution 2015-02,  
Amending the General Fund Budget for  
Fiscal Year 2014**

Mr. Oliver stated if you look behind tab ten you would see that resolution. This reflects the year-end budget for 2014. We are bringing some line items into alignment. When the budget was adopted for 2014 it was based on direct bill assessments. The District actually went with developer contributions during the year. That changes those two revenue line items. You can see in the increase and decrease columns some of the line items were changed based on costs that were incurred. The attorney fee was \$20,000 and we are changing that to \$30,000 for FY14. The previous board met less frequently. In the last section there were no costs budgeted for community appearance.

On MOTION by Mr. Kuhn seconded by Mr. Miars with all in favor the Resolution 2015-02 as revised for FY14 was approved.

**ELEVENTH ORDER OF BUSINESS**

**Other Business**

There being none, the next item followed.

**TWELFTH ORDER OF BUSINESS**

**Staff Reports**

**A. Attorney**

There being none, the next item followed.

**B. Engineer**

**1. Requisitions 151-155**

Mr. Wild stated we have requisitions No. 151-155 totaling \$94,853.43.

On MOTION by Mr. Kuhn seconded by Mr. Miars with all in favor the Requisitions No. 151-155 were approved.

**2. Work Authorization No. 14**

Mr. Wild stated this is just for the engineer and general consulting services that we get approved every fiscal year. It is an hourly billing.

On MOTION by Ms. Bock seconded by Mr. Kuhn with all in favor the Work Authorization No. 14 was approved.

**3. Change Order No. 7**

Mr. Wild stated the next item is change order no. 7 to the Vallencourt contracting contract. It is in the amount of \$100,183.75. This is what it will cost to bring it up to what the St. John's County Utility Department is requiring for their acceptance.

On MOTION by Mr. Kuhn seconded by Mr. Veazey with all in favor the Change Order NO. 7 was approved.

**C. Manager**

Mr. Oliver stated at a previous meeting you set the landowner's election for November 19, 2014. That would be held in conjunction with the next meeting. These are to elect supervisors for seats that are currently held by Grady Miars, Chris O'Bannon and Mike Veazey.

Mr. Haber stated, in light of the late start to this meeting, someone was present at the meeting location at all times. No member of the public ever showed up. No members of the public are at this meeting.

**D. Field Services**

There being none, the next item followed.

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

There being none, the next item followed.

**FOURTEENTH ORDER OF BUSINESS                      Financial Statements as of September 30,  
2014**

Mr. Oliver stated the Fiscal Year 2014 audit is beginning now. That is why we did the budget amendment. Nothing unusual in terms of variances. Enclosed is a summary of the funding requests to date. It shows that funding request no. 8 has already been paid by the developer.

**FIFTEENTH ORDER OF BUSINESS                      Ratification of Funding Request No. 8**

Mr. Oliver stated funding request no. 8 is in the amount of \$24,646.47. This has already been funded and we are looking for a motion to ratify.

On MOTION by Mr. Kuhn seconded by Mr. Veazey with all in favor the Ratification of Funding Request No. 8 was approved.

**SIXTEENTH ORDER OF BUSINESS                      Consideration of Funding Request No. 9  
& 10**

Mr. Oliver stated funding request no. 9 is in the amount of \$12,784.70. Funding request No. 10 is in the amount of \$705. This is showing us capital.

On MOTION by Mr. Kuhn seconded by Ms. Bock with all in favor the Funding Requests No.9 & 10 were approved.

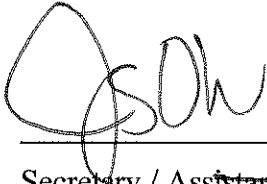
**SEVENTEENTH ORDER OF BUSINESS                      Next Scheduled Meeting – Wednesday,  
November 19, 2014 @ 2:00 p.m. at the  
offices of GMS**

Mr. Oliver stated the next regular scheduled meeting is Wednesday November 19, 2014. We will also have the landowner's elections immediately preceding the CDD meeting.

**EIGHTEENTH ORDER OF BUSINESS**

**Continued**

On MOTION by Mr. Kuhn seconded by Mr. Veazey with all in favor the Meeting was continued to October 27, 2014 at 2:00 p.m.



Secretary / Assistant Secretary



Chairman / Vice Chairman