

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 21, 2020 at 2:00 p.m. via Zoom.

Present and constituting a quorum were:

Gregg Kern	Chairman
Mike Taylor	Vice Chairman
Mike Veazey	Supervisor
Rose Bock	Supervisor

Also present were:

Jim Oliver	District Manager
Wes Haber	District Counsel
Zach Brecht	District Engineer
Lynzi Chambers	Evergreen Lifestyles Management
Katie Wyble	Evergreen Lifestyles Management
Alex Boyer	Evergreen Lifestyles Management
Dana Devine	Evergreen Lifestyles Management
Peter Dame	Akerman, LLP

The following is a summary of the actions taken at the October 21, 2020 Six Mile Creek Community Development District's Regular Board of Supervisor's Meeting.

FIRST ORDER OF BUSINESS

Roll Call

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

SECOND ORDER OF BUSINESS

Audience Comments

There being none, the next item followed.

THIRD ORDER OF BUSINESS

Approval of Minutes of the August 19, 2020 Meeting and September 16, 2020 Special Meeting

Mr. Oliver asked if the Board had any comments, corrections, or changes to the minutes. The Board had no changes.

On MOTION by Ms. Bock seconded by Mr. Kern with all in favor, the Minutes of the August 19, 2020 Meeting and September 16, 2020 Special Meeting, were approved.

FOURTH ORDER OF BUSINESS

Consideration of Resolution 2021-01 Declaring Assessments

Mr. Haber noted that an update was underway with respect to the improvements, with there being amendments to the various documents that were to be considered at the current meeting. He explained that they would be asking the Board to continue the meeting to another date, time and location, therefore there would need to be no action on Resolutions 2021-01, 02, and 03.

Mr. Oliver asked if Mr. Dame had anything to add, to which Mr. Dame responded that he had nothing to add except that it was a simple deferral to the next meeting to be considered.

FIFTH ORDER OF BUSINESS

Consideration of Resolution 2021-02 Setting a Public Hearing

This item was continued to the next meeting.

SIXTH ORDER OF BUSINESS

Consideration of Resolution 2021-03 Bond Delegation

This item was continued to the next meeting.

SEVENTH ORDER OF BUSINESS

Ratification of Construction Agreement with Avid Trails, LLC

Mr. Oliver explained that there were two different agreements and asked Mr. Kern if he wanted to add anything. Mr. Kern clarified that they had been working with Avid Trails for several months and that they had done construction drawings in the past, but now they were presenting an agreement for various projects associated with the trail program. He explained that there were two different agreements and that it would include some trail signage and was intended to have some

play features for the children in the neighborhood. He noted that this was a straight forward plan and that it was the next step in getting the trail program underway, and they were intending to start construction in early December. He asked if there were any questions that he could answer, and hearing none Mr. Oliver asked for a motion to ratify.

On MOTION by Mr. Kern seconded by Mr. Veazey with all in favor, the Construction Agreement with Avid Trails, LLC, was ratified.

EIGHTH ORDER OF BUSINESS Consideration of Avid Trails Change Order

Mr. Oliver asked Mr. Kern if this change order was for the signage, to which Mr. Kern responded that it was and that it was a change from their original agreement for the design services. It added in interpretive displays that they thought would be a good addition to the trail program. Mr. Oliver asked for a motion to approve.

On MOTION by Mr. Kern seconded by Ms. Bock with all in favor, the Avid Trails Change Order, was approved.

NINTH ORDER OF BUSINESS Consideration of Construction Related Matter

A. Notice of Request Proposals for Construction Services (TrailMark Phases 9A, 9B & 9C)

Mr. Brecht explained that the two items being presented were included in the agenda packets, and those times were related to the proposed bond documents for the construction of lots within Phase 9. He noted that the phases were related to the bond issuance, and that they were currently on tract to put it out to bid on November 2nd with bids coming back in December.

B. Evaluation Criteria

Mr. Brecht explained that this was the same evaluation criteria that they had utilized on other projects that were put out to bid. He noted that that the evaluation criteria had a total of 100 points and took into account proposers personnel, experience, understanding of the scope of work, financial capability, as well as the price and schedule. He added that the last two were the most important so that they could have the project completed in a timely matter and to have it completed at a decent cost to the district.

Mr. Oliver asked if there were any questions, and hearing none, asked for a motion to approve.

On MOTION by Mr. Kern seconded by Mr. Veazey, with all in favor, the Request Proposals for Construction Services (TrailMark Phases 9A, 9B & 9C) and Evaluation Criteria, were approved.

TENTH ORDER OF BUSINESS Consideration of Audit Engagement Letter with Berger Toombs, Elam, Gaines & Frank

Mr. Oliver noted that the CDD is a unit of government in Florida and is required to have an independent financial audit conducted each year by a qualified CPA firm. This Board selected Berger Toombs through the RFP process, as required by Chapter 218, Florida Statutes. He explained that this was the engagement letter to begin the audit for Fiscal Year 2020, which ended September 30th. The amount of the audit engagement was \$5,315, which was what the Board budgeted. He asked for a motion to approve.

On MOTION by Ms. Bock seconded by Mr. Veazey with all in favor, the Audit Engagement Letter with Berger Toombs, Elam, Gaines & Frank, was approved.

ELEVENTH ORDER OF BUSINESS Other Business

Mr. Oliver explained that they had received a proposal from OnSight, and that it was for the purchase and installation of 5 park benches in the amount of \$7,460, including shipping, freight, and labor.

On MOTION by Mr. Kern seconded by Mr. Taylor with all in favor, the Proposal from OnSight for the Installation of Park Benches, was approved.

TWELFTH ORDER OF BUSINESS Staff Reports

A. Attorney

Mr. Haber noted that at the prior meeting they approved the boundary amendment to be filed, adding that it was filed with St. Johns County, and the petition was filed with the state as well. He explained that he would keep the Board up to date on the progress. He noted that once the state deemed the petition sufficient, the Board would serve at the public hearing to consider

the petition itself. He noted he would let the Board know when they were ready to move to that step.

B. Engineer

1. Ratification of Work Authorization No. 45 (Ph 9B Construction Documents-Collector Road and Pump Station)

Mr. Brecht presented the ratification of work authorization. He noted that it was in conjunction with comments they received from St. John's County and the Utility Department to abide by their criteria. He noted that the best option was to extend the roadway and add a pump station. He added that the pump station would serve future phases as well, and that the work authorization was to get the plans updated and back to the county for approval.

2. Ratification of Work Authorization No. 46 (Proposal Documents and RFP Process for Trailmark Phases 9A, 9B, and 9C)

Mr. Brecht explained that this was for the work to put together the RFP and proposal documents for Phase 9A, 9B, and 9C. He explained that this was to get the whole project manual into the document so that it could be put on the street for bid by contractors.

3. Consideration of Work Authorization No. 47 (Phase 10 Construction Documents)

Mr. Brecht noted that this was for ETM to design and permit 74 and 63' wide lots in Phase 10.

4. Ratification of Work Authorization No. 48 (Phase 11 Construction Documents)

Mr. Brecht explained that this was for ETM to do the design and permitting of 168 lots in Phase 11.

5. Consideration of Work Authorization No. 49 (Phase 12 Construction Documents)

Mr. Brecht explained that this was for design and permit of 164 lots in Phase 12.

6. Consideration of Work Authorization No. 50

Mr. Brecht explained that this would be to do the design and permitting of 197 lots in Phase 2. He asked if the Board had any questions on any of the above considerations, and hearing none, Mr. Oliver asked for a motion to approve.

On MOTION by Mr. Kern seconded by Mr. Veazey with all in favor, Ratification and Approval of Work Authorizations #45-50, was approved.

7. Ratification of Requisitions 27-29 (2020 Bond Series)

Mr. Brecht noted that this was included in the packet, adding that it would need to be ratified for a total of \$50,660.

8. Consideration of Requisitions 30-43 (2020 Series Bonds)

Mr. Brecht noted that total for the ratification of \$1,072,768.28.

9. Consideration of Requisition 25-26 (2017 NW Parcel Subaccount (Phase 6))

Mr. Brecht explained that the total up for approval was \$246,263.15.

10. Consideration of Requisitions 4-5 (Phase 9 Bond Series- Developer Funded)

Mr. Brecht noted that requisition needed to be approved for \$37,085. 50. He added that the total requisitions to be approved was \$1,406,774.93.

On MOTION by Ms. Bock seconded by Mr. Veazey with all in favor, Ratification and Approval of Requisitions 27-29, 30-43, 25-26, 4-5, was approved.

11. Ratification of Change Order No. 4- Trailmark Phase 1

Mr. Brecht explained that this was for work within the East parcel Phase 1 project, adding that it was for the sleeves for under the roadway for utilities and irrigation. He noted that there were some additional sleeves that were necessary, making the total change order to be added \$69,740.16. He asked if there were any questions, and hearing none, Mr. Oliver asked for a motion to approve.

On MOTION by Mr. Kern seconded by Mr. Taylor with all in favor, Change order No. 4, was ratified.

12. Ratification of ECS Proposal (Phase 9 Roadway Extension and Pump Station)

Mr. Brecht explained that the proposal was to provide geotech services for the extension of the roadway and the added pump station, totaling \$3,400.

13. Consideration of ECS Proposal- Geotechnical Services (Trailmark South Remaining Undeveloped Lands)

Mr. Brecht explained that the proposal was for geotechnical data for portions of the lands that were not improved, including the south end that would encompass Phases 10, 11, and 12, totaling \$46,200.

On MOTION by Mr. Veazey seconded by Mr. Kern with all in favor, the Ratification of the ECS Proposal and Approval of the ECS Proposal for Geotechnical Services, was approved.

14. Consideration of Proposal from Clary for Surveying Services (Portions of Trailmark South Remaining Undeveloped Lands)

Mr. Brecht explained that the proposal was for a geographic and tree survey that would be necessary in order to get approvals for the agencies on that same portion of land, totaling \$269,000.

On MOTION by Mr. Taylor seconded by Mr. Kern with all in favor, the Proposal from Clary for Surveying Services, was approved.

15. Manager's Report

Mr. Oliver pointed out that the General Election would be November 3rd, and that two seats would be filled via the general election, adding that there were 5 possible candidates to fill the seats.

16. Operations/ Amenity Manager- Report

Mr. Boyer explained that he had five different action items, with the first one being an approval for holiday lights with a new vendor for a total of \$9,863.21. He then noted action items 2 through 5 are preventative maintenance service contracts that they were trying to put in place, as well as action item 6.

Mr. Oliver added that for Item 5, M&G Holiday Lighting had done this for a number of CDDs in the area, and the amount that they were charging fell within the budget that was \$10,500. He asked for a motion to approve.

On MOTION by Mr. Taylor seconded by Mr. Kern with all in favor the Proposal from M&G Holiday Lighting, totaling \$9,863.21, was approved.

Mr. Boyer explained that Action Item 2 was a verbal biannual contract for a service agreement for preventative maintenance. He stated that Action Item 3 was for pressure washing services at \$2,100. He explained Action Item 4 was for Home Pros to come in and do pressure washing at various locations throughout the CDD, adding that they added an Action Item checklist to show how everything had been broken down and how the prices were awarded. He explained that that was why they had two different vendors coming to do the service instead of one. He then went on to Action Item 5, which was for a quarterly preventative HVAC maintenance contract for under \$1,200 per year. He asked if the Board had any questions.

Mr. Kern added that he supported the preventative maintenance programs and that it had worked out well in the past. He noted that if the prices were competitive and if Mr. Boyer made the recommendation to go forward with the services he would be amendable.

Mr. Oliver added that because they were routine maintenance items, the Board did not have to pass any motions for the above action items.

Mr. Boyer added that he also had one discussion item, explaining that the CDD had various autorenewal contracts. He noted that he wanted to start adding in a review date for those automatic renewal contracts as the district continued to grow and evolve. He pointed out that most of the contracts last 3 to 5 years, and that leaves a lot of room for change. He explained that he recommended a review date to allow for renegotiation so that they would have all the proper documentation. He also noted that if they got new contract manager within the other areas, they would want to have everything in writing as opposed to a verbal discussion, therefore they would be having more detailed contracts in the future.

Ms. Chambers noted that they were still working through keeping social distancing in place as there was a Halloween parade and movie night. She also added that they had a Santa booked for December, but that they had not worked out the details of how it would look.

THIRTEENTH ORDER OF BUSINESS

**Supervisor's Requests and Audience
Comments**

Mr. Oliver asked if there were any audience comments.

A resident asked what Phase the CDD was currently in, to which Mr. Kern explained that it was difficult to discuss due to there being subphases within the phases, and that they currently had 9 phases that were in construction and/or completed. He noted that there were currently 850 finished lots on the ground with another 250 under construction, but that the total buildout for the project was somewhere around the 2,200 homesite range.

The resident then asked if the phases 11 and 12 lots were included with that 2,200 range as well, to which Mr. Kern responded yes. She also asked if the land that was discussed at the last meeting that was to be added to the CDD's boundary was buildable, and Mr. Brecht replied that the project was only entitled for so many homesites, so they would just be using the additional lands for the same number of total homesites.

Ms. Chambers added that there was a larger printout of what was currently on the ground in the Welcome Center behind the drawing boards if resident needed to look at it.

Mr. Oliver then noted that a resident named Chelsea Copeland wanted to speak. Ms. Copeland asked what the "children spaces" were that were going to be added to the trail system, and Mr. Kern replied that they would be building a trail that would be geared towards children with play features along the trail. He added that it was intended to be located in the Oak Hammock next to the Amenities Center adjacent to the existing playground at the amenity. The resident asked what age range the trail was geared towards, to which Mr. Kern responded that he did not know but that Avid Trails would know.

FOURTEENTH ORDER OF BUSINESS

Financial Reports

A. Balance Sheet as of September 30, 2020 and Statement of Revenues and Expenses for the Period Ending September 30, 2020

Mr. Oliver noted that the unaudited financial statements were included in the agenda packets and that September 30th marked the end of the Fiscal Year. He added that there were no unusual variances on the General Fund income statement.

B. Assessment Receipt Schedule

Mr. Oliver noted that it was determined at previous meetings that the CDD was fully collected for FY2020, and pointed out that the assessment collections would begin again when the tax collector sends out the property tax bills on November 1st.

C. Check Register

Mr. Oliver noted that the check register was included in the agenda packet for Board approval.

On MOTION by Mr. Kern seconded by Ms. Bock with all in favor, the Check Register, was approved.

D. Funding Request

1. No. 8 - FY 2020

Mr. Oliver explained that the first funding request was for the total amount of \$32,259.42.

2. No. 9 - FY 2020

Mr. Oliver noted that this was for the general fund in the amount of \$79,003.14.

3. No. 10 - FY 2020

Mr. Oliver noted that this was a construction funding request in the amount of \$41,935. He explained that for these requests, the developer funds it, and then after the bonds are issued the developer is reimbursed for footing the bill for construction costs.

4. No. 1 - FY 2021

Ms. Oliver noted that the total amount for this funding request was for \$42,965.49. He asked if there were any questions, and hearing none, asked for a motion to approve all requests.

On MOTION by Ms. Bock seconded by Mr. Veazey with all in favor, Funding Requests No. 8-10 FY 2020, and No. 1 FY 2021, were approved.

**FIFTHTEENTH ORDER OF BUSINESS Next Scheduled Meeting- November 23, 2020
at 2:00 p.m.**

Mr. Oliver noted that November 23rd was the next date on the meeting schedule, adding that they would be starting a bond process after the current meeting so that they could finish the process at the November meeting. He also pointed out that because they were continuing that meeting, they would need to set a continued date. After that date, they would decide when the next regular meeting date would be.

Mr. Kern asked Mr. Haber if there was any indication of how much time they would need for the bonds. Mr. Haber replied that he knew it required an amendment of the methodology, the Engineer’s Report, and the bond related documents and offering documents. He thought that a week would be long enough just because the only thing they were doing was adding additional property rather than starting from scratch. He asked Mr. Dame to clarify if that timeframe would be sufficient.

Mr. Dame said it would depend on Mr. Brecht as far as how soon the engineering gets done because the assessment report would follow from those numbers. He added that for the bond documents, its straight forward because they were just moving numbers around.

Mr. Brecht replied that the updated report was in the works and that they should have it completed next week after an updated legal of the new boundary and assessment area was received. Mr. Kern asked if it would be reasonable to allow for 2 weeks around Thursday, November 5th, and Mr. Dame responded that he thought that would be reasonable.

Mr. Oliver asked for a motion to approve the meeting continuance for November 5th. He also pointed out to Mr. Haber that he did not know whether or not the governor would extend the executive order, but that given the circumstances of the meeting, they would have the meeting at 2:00 p.m. at Mr. Oliver’s office, but that if the executive order was etneded, it would be held over Zoom.

SIXTEENTH ORDER OF BUSINESS Adjournment

On MOTION by Mr. Veazey seconded by Ms. Bock with all in favor,
the Meeting was continued to November 5th, 2020 at 2:00 p.m.

Secretary/Assistant Secretary

Chairman/Vice Chairman