

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, February 17, 2021 at 2:00 p.m. at the Renaissance World Golf Village Resort, 500 South Legacy Trail, St. Augustine, Florida.

Present and constituting a quorum were:

|                 |               |
|-----------------|---------------|
| Gregg Kern      | Chairman      |
| Mike Taylor     | Vice Chairman |
| Blake Weatherly | Supervisor    |
| Wendy Hartley   | Supervisor    |
| Darren Glynn    | Supervisor    |

Also present were:

|             |                    |
|-------------|--------------------|
| Jim Oliver  | District Manager   |
| Wes Haber   | District Counsel   |
| Zach Brecht | District Engineer  |
| Alex Boyer  | Operations Manager |
| Peter Dame  | Akerman, LLC       |

*The following is a summary of the actions taken at the February 17, 2021 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. Five Supervisors were in attendance constituting a quorum.

**SECOND ORDER OF BUSINESS**

**Audience Comments**

Mr. Oliver explained the comment protocol for audience comments and opened the floor to audience members. There being none, the next item followed.

**THIRD ORDER OF BUSINESS**

**Approval of Minutes of the December 9, 2020 Meeting**

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

On MOTION by Mr. Kern, seconded by Mr. Weatherly, with all in favor, the Minutes of the December 9, 2020 Meeting, were approved.

**FOURTH ORDER OF BUSINESS**

**Matters Related to Series 2021 Bonds**

**A. Consideration of Supplemental Assessment Resolution 2021-07**

Mr. Haber explained that the process of issuing bonds had begun. Part of that process is levying the assessments to secure the bonds. Assessment Area 3, Phase 1 is the area that is being levied. The public hearing has been held and the marketing completed. The terms of the bonds are described in the exhibits to this resolution. The supplemental assessment resolution specifically identifies the level of assessments, now that the principal amount of bonds and interest rate is known. The resolution includes approval of the project, makes findings that the project is in the best interest of the District, and exhibits to the specific terms of the bonds. For the record, the resolution report provided in the agenda package states that the public hearing was held on December 2<sup>nd</sup> when it was actually held on December 9<sup>th</sup> and an updated version has been provided to the District Manager.

**1. Engineer's Report Dated January 19, 2021**

Exhibit 'A' of the Supplemental Assessment Resolution included the description of improvements that has been previously been approved and has been updated to include the 2021 improvements.

**2. 2021 Assessment Report Dated February 10, 2021**

Exhibit 'B' in the Supplemental Assessment Resolution is the Assessment Methodology that had been previously approved. There are 5 tables, and 3 and 4 show what the assessments would be by unit type.

On MOTION by Mr. Taylor seconded, by Mr. Kern, with all in favor, the Supplemental Assessment Resolution 2021-07, was approved.

**FIFTH ORDER OF BUSINESS                      Construction Matters**

**A. Consideration of Phase 9 Construction Proposals**

Mr. Brecht reported the recommended score and evaluation of 8 bids from various contractors for the construction of the Phase 9 A, B, and C improvements. The bids were evaluated based on the scoring criteria. He walked the Board through the scoring sheet and explained how each bid was evaluated. Based on the evaluation the engineer’s recommendation is to award the contract to Vallencourt Construction.

On MOTION by Mr. Kern, seconded by Mr. Taylor, with all in favor, the Ranking and Scoring from District Engineer and Awarding the Contract to Vallencourt Construction, was approved.

**SIXTH ORDER OF BUSINESS                      Ratification of Agreement with Carlton Construction, Inc. for Amenity Center and Hardscape and Landscape Features**

Mr. Oliver stated this is an agreement that has been executed and we are seeking ratification. Mr. Kern stated that it is more of an amendment to an existing agreement and Mr. Haber agreed. The process was more of a ranking as opposed to an award under the RFQ process. Carlton was the number one ranked company and a contract was negotiated where they were working with the District in connection with the design and engineering of a project before formally entering into a contract for the actual work. This just updates the contract to add specific work to finish the project.

On MOTION by Mr. Kern, seconded by Mr. Taylor, with all in favor, the Agreement with Carlton Construction, Inc. for Amenity Center and Hardscape and Landscape features, was ratified.

**SEVENTH ORDER OF BUSINESS                      Consideration of Agreement with Envera for Security Cameras Purchase, Installation and Monitoring**

Mr. Haber mentioned that under the public record law there are documents that are exempt. Security documents are considered to be confidential and exempt. The Board previously identified that it wanted to enter into an agreement with Envera and District Counsel and his staff have been in negotiation with respect of the terms of the agreement. He is comfortable with the agreement provided in the agenda package and it is now up to the Board to approve. The terms are a 5 year

contract with an installation fee of \$17,652. Mr. Kern asked if there was a financing option with the vendor and Mr. Haber was unsure of that. One thing he can say with respect to the cost is that some of the Districts current security equipment may be usable which the vendor will evaluate and adjust as needed.

Mr. Haber reported that if the Board would like to approve the contract in substantial form and give themselves leeway to continue to work through some of the payment options to better form to their current budget, they may do so. Mr. Kern agrees and asks for the ability to continue to negotiate the financing structure and finalizing the terms of the agreement.

On MOTION by Mr. Kern, seconded by Mr. Weatherly, with all in favor, Consideration of Agreement with Envera for Security Cameras Purchase, Installation, and Monitoring, was approved in substantial form.

**EIGHTH ORDER OF BUSINESS**

**Ratification of Environmental Services, Inc.  
Contract Change Order**

Mr. Oliver noted under item number 2, this ratification is adding a task for Phase 9 conservation easement coordination.

On MOTION by Mr. Kern, seconded by Mr. Taylor, with all in favor, the Environmental Services, Inc. Contract Change Order, was ratified.

**NINTH ORDER OF BUSINESS**

**Consideration of Sign Proposal with Signtalk  
Graphix**

A copy of the proposal was provided to the Board in the agenda package. Mr. Kern went over the proposal briefly stating the county came in and installed a series of crosswalk signs to help identify the crossings and used standard county signs that do not match the community aesthetic. This proposal changes out the posts to make them match the rest of the signs throughout the community and the cost is \$15,840.

On MOTION by Mr. Kern, seconded by Mr. Weatherly, with all in favor, the Sign Proposal with Signtalk Graphix, was approved.

**TENTH ORDER OF BUSINESS**

**Ratification of Agreement with ECS Florida, LLC for Geotechnical Engineering Services**

Mr. Oliver noted that this has been executed and they are looking for a ratification. Mr. Kern added that it is an agreement for geotechnical services in future engineering for undeveloped areas. Moving forward with engineering, Mr. Brecht needs to know what kind of soil is under the ground. This is an agreement with ECS to provide the service of geotechnical exploration.

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| On MOTION by Mr. Taylor, seconded by Mr. Kern, with all in favor, Ratification of Agreement with ECS Florida, LLC for Geotechnical Engineering Services, was approved. |
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**ELEVENTH ORDER OF BUSINESS**

**Consideration of Dog Park Policies**

Mr. Haber noted that these policies were discussed and approved to get back on the agenda for consideration of the Board. One of the policies states that dog toys are not permitted into the park and a Board member asked for clarification if that includes the use of a ball and Mr. Haber answered that he did believe it excluded all toys including balls. The thought behind it is that it causes fighting amongst the dogs.

Ms. Hartley noted that the policy states that dogs have to have current tags and current rabies shots, and asked how is that enforced if there is no one manning the park. She believes if the rules are posted and if there is an email blast shared with the new policies, the community is more likely to adhere to the rules. Mr. Haber added, as far as enforcement, once these were adopted they became part of the CDD's policies. If someone violates said policies, there can be action taken after the fact due to the provisions of the amenity policies. He stated that the Board does not have the ability to fine those who break policy.

Discussion continued where the Board asked and answered different questions pertaining to things provided within the dog park and other questions about the policies. There is an understanding that the behavior of the dogs will lie solely on the responsibility of the dog's owner and not the CDD.

Because the policies have already been approved and there have been no changes, there is no motion required.

**TWELTH ORDER OF BUSINESS**

**Appointment of Audit Committee**

Mr. Oliver stated Florida Statutes require District to be audit annually buy an independent external auditor selected through the RFP process. An audit committee needs to be formed for this

process in accordance with Chapter 218, F.S. The Board typically serves as the audit committee to ensure quorum for audit committee meetings, which are held on the same days as CDD meetings. The recommendation from staff is that the Board appoint themselves as the audit committee.

On MOTION by Mr. Kern, seconded by Mr. Weatherly, with all in favor, Appointing the Board as the Audit Committee, was approved.

**THIRTEENTH ORDER OF BUSINESS      Consideration of Resolution 2021-08, Ratifying Setting the Public Hearing for the Boundary Amendment**

Mr. Oliver noted the public hearing would be held on March 9, 2021 at 2:00 p.m. Mr. Haber added that this Board has already approved the boundary amendment and that amendment has been filed with the State. The state certified the petition as sufficient. Staff recently took it to St. Johns County Board of County Commissioners who are given the opportunity to hold the public hearing and they chose not to knowing that this Board would hold one. This resolution ratifies the fact that the date has been chosen and advertisement has been published. A quorum of the Board needs to be present for that hearing.

There are specific criteria that the CDD needs to prove in order to have the boundary amended. Mr. Haber has started preparing what is called pre-file testimony. After testimony is presented, the Board will grant authority to one of the board members to issue a recommended order on findings on whether or not the criteria had been met to amend the District’s boundaries. Then that recommended order will be provided to the State for final decision and approval.

On MOTION by Mr. Taylor, seconded by Ms. Hartley, with all in favor, Resolution 2021-08 Ratifying Setting the Public Hearing for Boundary Amendment on May 9<sup>th</sup> at 2:00 p.m., was approved.

**FOURTEENTH ORDER OF BUSINESS      Other Business**

There being no other business, the next item followed.

**FIFTEENTH ORDER OF BUSINESS      Staff Reports**

Mr. Haber noted that there will be a preclosing related to the assessment resolution where various bond documents will be signed after the meeting with an expectation of a closing on the bonds taking place on February 24<sup>th</sup>. The bonds will have been issued before the next meeting.

**A. Attorney – E-Verify Memo and Memorandum of Understanding**

Mr. Haber stated there was a change in Florida Statute requiring all units of government to use the E-Verify system. The law requires the CDD to enter into a memorandum of understanding to state that system will be used for any hired employees or any contracted employees. There are looking a motion to approve the memorandum of understanding.

On MOTION by Mr. Kern, seconded by Mr. Weatherly, with all in favor, the E-Verify Memo and Memorandum of Understanding, was approved.

**B. Engineer**

Mr. Brecht presented a series of requisitions for the Board’s consideration.

**1. Consideration of Requisitions 60-80 (2020 Bond Series)**

Mr. Brecht presented the first set of requisitions.

On MOTION by Mr. Weatherly, seconded by Mr. Kern, with all in favor, Requisitions 60-80 (2020 Bond Series), was approved.

**2. Consideration of Requisitions 31-34 (2017 NW Parcel Subaccount (Phase6))**

Mr. Brecht presented the second set of requisitions pertaining to Phase 6 with a total of \$615,800.16.

On MOTION by Mr. Weatherly, seconded by Mr. Kern, with all in favor, Requisitions 31-34, was approved.

**3. Consideration of Requisitions Phase 9 Bond Series – Developer Funded**

Mr. Brecht reported the total of \$61,383.07. And the entirety of requisitions to be approved equals approximately \$1.5 million.

On MOTION by Mr. Weatherly, seconded by Mr. Kern, with all in favor, Requestions Phase 9 Bond Series – Developer Funded, was approved.

**4. Ratification of Change Order No. 1 – Trailmark Phase 6**

Mr. Brecht reported the change order for the contractor to add in costs to install the electric within Phase 6. The total change is \$44,643.20.

On MOTION by Mr. Taylor, seconded by Mr. Kern, with all in favor, Ratification of Change Order No. 1 – Trailmark Phase 6, was approved.

**C. Manager’s Report**

Mr. Oliver stated there was nothing to report on his end, so the next item followed.

**D. Operations/ Amenity Manager**

**1. Report**

Mr. Boyer reported the Facility Manager’s report to the Board and in summary they are starting into their second quarter of the preventative maintenance plan. Facility usage is increasing meaning the camp house is booked for most weekends in the spring. An extensive overview of completed and ongoing projects can be found in the agenda package.

**2. Proposals for Patio Lounge Chairs**

Mr. Boyer presented proposals for patio lounge chair slings. Two proposals were presented to the Board. The Board decided to go with the vendor Ansana for a total of \$3,245.00 which is fiscally responsible within the budget. Mr. Kern made a motion to approve subject to finalizing the shipping terms and the removal or tax costs.

On MOTION by Mr. Kern, seconded by Mr. Weatherly, with all in favor, Proposal for Patio Lounge Chairs from Ansana for \$3,245.00, was approved.



**3. VakPak Quarterly Report**

There was a request for yellow no parking striping in front of the mailboxes due to residents having an issue with mail delivery. Mr. Kern answered that the District has the ability to enforce parking. Mr. Haber added that the District has the right to tow. Signage might be more helpful. Does the CDD need County approval to place signage in the road and the answer is yes. A lengthy discussion followed where Board members weighed in with their concerns. Mr. Kern will work with staff and consideration will be brought back to the next meeting. There was no motion required.

There being an influx of rentals they are running into a little bit of a staffing issue. Because someone has to be onsite for the rental, hours have to be adjusted and it's getting hard to cover the rental outside of their working hours and still be present for office hours. Moving forward, how should they cover that time? The Board could approve bringing in a third-party vendor to be the attendant during the rentals and/or have the ability to bill additional hours outside the agreed upon contracted hours. The rental fees should cover any associated costs with the rental.

There was a short report given to the Board about upcoming community events where there were some introductions of some new team members.

**SIXTEENTH ORDER OF BUSINESS**

**Supervisor's Requests and Audience Comments**

Mr. Oliver asked if there were any supervisor's requests or audience comments.

A Board member asked Mr. Boyer if he was taking inventory of all the damaged street signs. He answered yes, as he becomes aware of them. He will also report them as they are ready to be reinstalled.

A resident named Karen stated they have noticed a lot of trash while she has been walking. She asked if it was the responsibility of the CDD to pick up trash and they answered no. A community association manager will be responsible for dealing with the builders which they assume a lot of the trash is coming from. The builders have been contacted and if they do not comply, the CAM can hire someone to clean up and bill the builders. But it is an HOA issue more than it is CDD. She has another issue with a big pile of gravel outside her home which is making it hard to get to her mailbox.

Another resident complained about the trash and how nothing gets done unless there are enough complaints. She also complained about the weeds. A long conversation between residents

continued on the trash problem. Supervisor Hartley talked through some solutions for the weeds and thought if they just removed the unneeded foliage and replacing it with greenspace. An idea of having a landscape committee through the HOA that can focus specifically on landscaping managed by Evergreen. There was talk about putting the landscape contract on notice to let them know the District is not happy with the services. The CDD can add a service for trash services and cleanup which would be a cost to the District and that option will be vetted. The landscaper will be formally noticed about the weed issue and if it does not get done, they will withhold payment until it is done.

There is not established threshold for a not to exceed amount for staff on hiring a trash/debris pickup and the residents will definitely begin to see action. Mr. Kern will work with staff in finding a solution that fits within the budget.

Another resident asked if there is any movement on the idea to add a second pool or to expand the amenity center. Mr. Kern reported that those things are constantly being evaluated and although there are no hard dates of plans for those things are this time, but they continue to look at it and it will not be an afterthought.

A resident thanked the Board for the “kids adventure trail” she really enjoys it. But now that there has been a lot of rain, it is almost unwalkable with standing water. The trails are very new, and the Board will continue to assess the needs and deal with them as the maintenance requirements arise.

A resident asked about golf cart trails and if the community will plan to add any. Mr. Kern stated that there is nothing in the master plan to add any type of golfcart trail and added that golf carts are street legal and need to have plates, seatbelts, and insurance in order to comply with county roads.

## **SEVENTEENTH ORDER OF BUSINESS      Financial Reports**

### **A. Balance Sheet as of December 31, 2020 and Statement of Revenues and Expenses for the Period Ending December 31, 2020**

Mr. Oliver noted that the unaudited financial statements were included in the agenda packets and that January 31, 2021. There are no unusual variances on the income statement.

### **B. Assessment Receipt Schedule**

Mr. Oliver noted that the assessment collections are at 81% collected.

**C. Check Register**

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

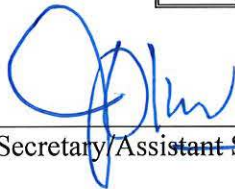
On MOTION by Mr. Kern, seconded by Mr. Weatherly, with all in favor, the Check Register, was approved.

**EIGHTEENTH ORDER OF BUSINESS      Next Scheduled Meeting- April 21, 2021  
at 2:00 p.m.**

Mr. Oliver noted that the next regular CDD meeting date will be April 21, 2020 at 2:00 p.m. A public hearing regarding the boundary amendment will be held on March 9, 2021 at this location.

**NINETEENTH ORDER OF BUSINESS      Adjournment**

On MOTION by Mr. Kern, seconded by Mr. Weatherly, with all in favor, the Meeting was adjourned.



Secretary/Assistant Secretary



Chairman/Vice Chairman

Assistant Secretary